

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 11, "UTILITIES", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 11, "UTILITIES", SECTION 3: "WATER AND SEWER MAIN EXTENSION POLICIES", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

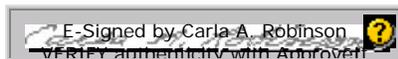
APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:



City Attorney

EXHIBIT "A"

That Chapter 11, "UTILITIES", SECTION 3: "WATER AND SEWER MAIN EXTENSION POLICIES", of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by amending paragraph A to read as follows:

"A. STANDARDS FOR CONSTRUCTION / REIMBURSEMENT FOR THE EXTENSION OF WATER AND SEWER MAINS

(1) Standards for Construction

All extensions of water and sewer mains shall be constructed in accordance with the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications* and all applicable state and federal requirements. Where there is a conflict of standards, the more stringent standard as determined by the City Manager, or his designee, shall apply. The City shall accept for public use only water and sewer main extensions that comply with these standards for construction.

(2) Process for Acceptance

- (a) The owner of a lot or tract of land who constructs a water and/or sewer main extension to extend service to their property (hereinafter referred to as the "Developing Owner") shall retain a licensed engineer to design and observe construction of the water and/or sewer main extension in accordance with the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications* and all applicable state and federal requirements.
- (b) The Developing Owner's Engineer shall identify lots or tracts that front on the water and/or sewer main extension and that can physically be served by the extension. Each lot or tract identified shall include the legal description, street address and name of the current owner and the total acreage of each tract. Said information shall be submitted to the City. Identification and suitability of service of lots or tracts shall be subject to final approval by the City Manager, or his designee.
- (c) Design and construction documents must be reviewed and approved by the Office of the City Manager, or his designee, prior to the beginning of construction.
- (d) The water and/or sewer main extension must be inspected and approved by the City's inspector both during and upon completion of construction.

- (e) The water and/or sewer main extension may not be made available for public use until the extension is accepted by the City as provided herein.

(3) Application for Reimbursement

A Developing Owner who dedicates a water and/or sewer main extension to the City for public use as provided above may be reimbursed for the extension cost from other line users who connect to such extension provided:

- (a) The Developing Owner shall file a complete application for reimbursement for costs expended for the design and construction of the water and/or sewer main extension on or before the commencement of construction of such extension with the City.
 - i) The application for reimbursement may be obtained at the Development Services Division;
 - ii) The application shall not be considered complete unless all information requested on the application has been provided by the applicant. All incomplete applications shall be returned to the applicant.
- (b) The water and/or sewer main extension must be constructed and accepted as described in this section.
- (c) The Developing Owner must provide an affidavit of bills paid for design and construction costs to the City.”