

ORDINANCE NO. 274

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEVEN POINTS, TEXAS, TO AMEND SECTION 23-B ENTITLED DRAINAGE POLICIES; PROVIDING FOR MANDATORY INSTALLATION OF CULVERTS AND OTHER DRAINAGE FACILITIES BY PROPERTY OWNERS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR A PENALTY FOR VIOLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEVEN POINTS, TEXAS:

SECTION 1

That Chapter 3 of the Code of Ordinances of the City of Seven Points, Texas, is hereby amended to add section 23, entitled Drainage Policies, which shall read as follows:

SECTION 23: DRAINAGE POLICIES

- A. The owner of presently developed property or developer of property to be developed shall be responsible for all storm drainage flowing through or abutting their property, including the installation of culverts, beneath all driveways approaches to the property. This responsibility included the drainage directed to that property by prior development as well as drainage naturally flowing through the property by reason of topography.
- B. Culverts, ditches and other drainage facilities required of property owners and developers, to meet the responsibilities outlined in subsection A above, shall be sized and constructed or installed in accordance with city standards and specifications (Twelve (12) inches in diameter and sixteen (16) feet in length or specified by the City of Seven Points). Permits for culverts shall be required in accordance with Chapter 3, Section 3 of this Code of Ordinances.
- C. No building permit shall be issued, or certificate of occupancy approved, upon any land on which the owner has not fulfilled his responsibility for drainage as outlined in subsection A and B above.

- D. Whoever shall willfully fill up, injure or destroy, or in any manner impair the usefulness of any drainage channel, ditch, creek or water course or fill in the area of any said natural creek, drainage channel or ditch with dirt or other debris shall be guilty of a misdemeanor.
- E. Provisions shall be made by the owner for the control and drainage of surface water around buildings. Runoff water from rains and storms shall not be allowed to inundate or flood adjacent property providing if such flooding is the result of grading, drainage ditches, retaining walls, or other surface alterations that control or divert the natural flow of water. Rain water shall not be conveyed, received or discharged upon property belonging to another or adjacent to such property. Where potential flooding of adjacent property exists from runoff water from a unguttered roof, such roof shall be installed with proper guttering containing down spouts arranged in such a manner that the runoff water will not be discharged on the adjacent property.

SECTION II

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION III

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this ordinance hereby adopted are severable and, be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraph and sections, since the same would have been enacted by the city council without the incorporation of any unconstitutional phrase, clause, sentence, paragraph or section.