

CITY OF ROMAN FOREST

ORDINANCE NO. 402-19

AN ORDINANCE BY THE CITY COUNCIL FOR THE CITY OF ROMAN FOREST, TEXAS ESTABLISHING A POLICY ON STORM DRAINAGE DITCHES AND OTHER DRAINAGE AREAS IN THE CITY; PROVIDING DEFINITIONS; PROVIDING RULES AND REGULATIONS FOR MAINTAINING FREE AND UNOBSTRUCTED DRAINAGE DITCHES AND OTHER DRAINAGE AREAS; DESCRIBING ACCEPTABLE WATER DISCHARGES AND PROHIBITED WATER DISCHARGES; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION

WHEREAS, the City Council of the City of Roman Forest, Texas believes that it is in the best interest of the public and the citizens of the City of Roman Forest that adequate drainage ditch maintenance is necessary within the City limits; and

WHEREAS, the City Council of the City of Roman Forest has determined that adequate drainage regulations are necessary to protect the citizens of Roman Forest and the public in general from storm water hazards resulting from the development of properties in the City limits

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROMAN FOREST, TEXAS:

SECTION 1. GENERAL

This Ordinance and Rules and Regulations established herein and/or pursuant hereto, shall govern every person, firm, association or corporation owning any tract of land or who shall by contract with land owner or otherwise, construct or make any improvements on or to any tract of land within the City of Roman Forest.

SECTION 2. DEFINITIONS

"Ditch" shall mean any natural or man-made open drainage ditches commonly used to carry surface water within the District.

"Drainage area" shall mean the watershed contributing water run-off to and across the subject property.

"Culvert" shall mean any pipe, or any given material, commonly used to support driveways and or sidewalk over ditches and without which a blockage or barricade would exist in the ditch and the flow of water therein.

“Open Ditches” shall mean all open ditches in the City, including the open ditches along the streets within the City. Open ditch shall include the easement or right-of way within which the ditch is located.

SECTION 3. PURPOSE, AUTHORITY AND JURISDICTION

The City of Roman Forest does hereby adopt the following regulations to hereafter:

- A. Promote sound development policies and construction procedures which respect and preserve the city’s watercourses;
- B. Minimize water quality degradation and control the sedimentation of ditches, creeks, streams, ponds, drainage areas, and other water bodies;
- C. Protect property owners adjacent to developing and developed land from increased run-off rates which could cause erosion of abutting property
- D. Control the use of ditches and to prohibit obstructions, restrictions and debris therein to interfere, divert or stop the natural flow of surface water in said ditches and drainage areas;
- E. Prevent flooding and/or excessive water entering the sewage and storm water system; and
- F. Decrease drainage related damage to public and private property.

SECTION 4. MAINTAINING FREE FLOW OF WATER

- A. A property Owner shall at all times be responsible for keeping ditches adjacent to his/her property free and clear of any and all debris or foreign materials of any kind which will tend to divert, slow and/or stop the natural flow of water in said ditch.
- B. Maintaining the free flow of water shall include periodic removal of underbrush, periodic rough mowing, removal of trash, and debris and general upkeep of the ditch or culvert to maintain a positive flow of storm water within the ditch or culvert. Maintenance shall also include periodic cleaning of culverts to remove all sediment or other hindrances to the flow of water. Assistance from the city can be requested to clear culverts. Culverts shall be replaced by the property owner should any structural failure in the culvert potentially impede the flow of water in any drainage area.

SECTION 5. BURNING

It shall be unlawful for any person, firm, entity or corporation to burn upon or in any open ditch culvert, pipe, water course or other drainage area within the City of Roman Forest.

SECTION 6. DEBRIS AND OBSTRUCTIONS

- A. It shall be unlawful for any person, firm, entity or corporation to place, deposit or permit to be placed or deposited or permit to remain, any debris, fill, sand, stone or other solid materials of any kind or nature or construction of any kind into or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest.
- B. It shall be unlawful for any person, firm, entity or corporation to intentionally or unintentionally place, deposit or permit to be placed or deposited or permit to remain, any brush cuttings, grass clippings, grass, limbs, or leaves of any kind into or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest.
- C. It shall be unlawful for any person, firm, entity or corporation to construct and/or place any ditch, pipe, culvert or artificial water course of any kind or nature which shall collect and direct the flow of natural surface or drainage or increase in intensity or quantity the flow of surface waters or drainage from paved surfaces, structures, roads or improvements, directly into any stream, ditch, culvert, pipe or water course or other drainage area within the City or Roman Forest.
- D. It shall be unlawful for any person, firm, entity or corporation to fill, obstruct, dam or divert or otherwise change or alter the natural or artificial flow of waters or drainage or the intensity or quantity of flow through any ditch, pipe, culvert, water course or other improvement or drainage area of the City or to permit any vegetation to grow in any such water course so as to constitute a constriction.
- E. It is unlawful for any person, firm, entity or corporation to eliminate or fill drainage ditch frontage on properties in the City by installing drainage culverts or pipes in the ditch and covering or burying them.
- F. It shall be unlawful for any person, firm, entity or corporation to intentionally or unintentionally discharge any excessive water from normal landscape irrigation, lawn irrigation, and other irrigation, resulting from inefficient practices, from faulty equipment, or from improperly placed equipment, into or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest.
- G. It shall be unlawful for any person, firm, entity or corporation to place lawn sprinkler heads between the ditch and the road, nor shall any sprinkler piping or tubing be placed inside the ditch.

SECTION 7. ACCEPTABLE WATER DISCHARGES

- A. The following non-storm water sources may be discharged into or across any ditch, culvert, pipe, water course or other drainage system within the City of Roman Forest:
 - 1. Discharges from firefighting activities;
 - 2. Uncontaminated fire hydrant flushing from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (but

excluding discharges of hyper-chlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life and excluding flushing where recycled wastewater is used);

3. Water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;
4. Uncontaminated water used to control dust;
5. Potable water including waterline flushing's;
6. Uncontaminated air conditioning condensate;
7. Uncontaminated groundwater or spring water, including foundation or footing drains and water from crawl space pumps where flows are not contaminated with industrial materials such as solvents;
8. Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
9. Diverted stream flows;
10. Uncontaminated groundwater infiltration;
11. Uncontaminated pumped groundwater;
12. Individual residential vehicle washing;
13. De-chlorinated swimming pool discharges; and
14. Street wash water.

SECTION 8. PROHIBITED WATER DISCHARGES

- A. No person shall deposit, release, throw, drain, cause or allow to be deposited, released thrown, drained or discharged, or otherwise cause to enter into or across any ditch, culvert, pipe, water course or other drainage system within the City of Roman Forest the following described materials or substances:
 1. Any acidic waste materials (having a pH value lower than 6);
 2. Any alkaline waste materials (having a pH value higher than 10.5);
 3. Any water or waste containing free-floating, or insoluble oil;
 4. Gasoline, naphtha, fuel oil, mineral oil or other flammable or explosive liquid, solid or gas;
 5. Any noxious, malodorous, poisonous, or reactive substance which, either singularly or by interaction with other substances, or by its accumulation becomes injurious or potentially injurious to human, plant or animal life, or to property; or
 6. Any domestic wastewater or industrial wastewater;
 7. Discharges of hyper chlorinated water, unless the water is first de-chlorinated, and discharges are not expected to adversely affect aquatic life;

- B. No person shall connect a line conveying sanitary sewage industrial effluent to enter into

or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest or allow such a connection to continue.

- C. No person shall discharge or release, or allow or permit the discharge or release of any of the following substances in a manner or location by which such substance may enter into or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest:
1. Any wash water or wastewater from cleaning of any pavement where a spill, leak, or other release of oil, motor fuel, or other petroleum or hazardous substance has occurred, unless all harmful quantities of such released material have been previously removed or pretreated.
 2. Gasoline, motor oil, used oil filters, wax, grease, antifreeze or any other motor vehicle fluids;
 3. Any contaminated water or waste from a commercial car wash facility, from any vehicle washing, cleaning, or maintenance area at any new or used automobile or other vehicle dealership, rental agency, body shop, repair shop, maintenance facility, or from any washing, cleaning, or maintenance area of any commercial or public service vehicle, including any truck, bus, or piece of heavy equipment, by any business or public entity;
 4. Any contaminated water or waste from commercial establishments including but not limited to gas stations, service stations, and auto repair shops with areas exposed to weather conditions;
 5. Material from an oil/water separator or an oil/water interceptor, grit trap or grease trap;
 6. Any type of wastewater from residential, commercial or industrial sources, any domestic sewage or septic tank waste;
 7. Any runoff or wash down water from any animal pen, kennel, or fowl or livestock containment area; or
- D. No person shall apply used oil or other vehicle fluid to a road or land for dust suppression, weed abatement, or other similar use that introduces used oil contamination into the environment.
- E. No person shall introduce any type of hazardous waste generated in and around a household including, but not limited to batteries, used paints, solvents, used pesticide, and used toiletries into or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest.
- F. No person shall wash a commercial dumpster, or residual ready-mix concrete from concrete mixing trucks, in an area where it discharges into or across any ditch, culvert, pipe, water course or other drainage area within the City of Roman Forest.

SECTION 9. ENFORCEMENT

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance or the Storm Drainage Policy adopted herein shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense

SECTION 10. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 11. REPEALING CLAUSE

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

SECTION 12. TEXAS OPEN MEETINGS ACT CLAUSE

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given required Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 13. EFFECTIVE DATE


This Ordinance shall become effective after its publication as provided by law.

Passed and Approved this 17th day of September 2019.



Chris Parr, Mayor

ATTEST:



Kelly Belmore, City Secretary



**Legal Notice for
The City Of Roman Forest, Texas**

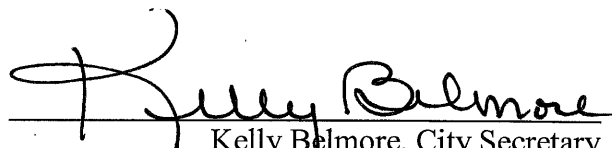
Notice is hereby given that on September 17, 2019, at a duly called meeting, The City Council of Roman Forest, Texas, passed and approved an Ordinance establishing a policy on Storm Drainage Ditches within the City of Roman Forest.

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Signed September 17, 2019





Kelly Belmore, City Secretary
City of Roman Forest
2430 Roman Forest Boulevard
Roman Forest, Texas 77357
281-399-2660

Order Confirmation

<u>Ad Order Number</u> 0000203628	<u>Customer</u> CITY OF ROMAN FOREST	<u>Payer Customer</u> CITY OF ROMAN FOREST	<u>PO Number</u>
<u>Sales Rep.</u> HC0630	<u>Customer Account</u> 10021078	<u>Payer Account</u> 10021078	<u>Ordered By</u> KELLY BELMORE
<u>Order Taker</u> rFernandez	<u>Customer Address</u> 2430 ROMAN FOREST BLVD NEW CANEY TX 773573291 USA	<u>Payer Address</u> 2430 ROMAN FOREST BLVD NEW CANEY TX 773573291 USA	<u>Customer Fax</u>
<u>Order Source</u>	<u>Customer Phone</u> 2813992660	<u>Payer Phone</u> 2813992660	<u>Customer EMail</u>
			<u>Special Pricing</u>

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>
1	0	1			

Invoice Text

Ad Order Notes

<u>Gross Amount</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
188.51	\$188.51	\$0.00	\$188.51	Invoice	\$0.00	\$188.51

