

ORDINANCE 96-7

VILLAGE OF JAMAICA BEACH, TEXAS

MUNICIPAL WATER & SEWER

RATES AND REGULATIONS

The City Council of the Village of Jamaica Beach, Texas met at the City Hall on October 7, 1996, when the following business was transacted:

The attached ordinance was introduced for consideration of the Council. It was duly moved and seconded that said Ordinance be adopted; and, after due discussion, said motion carried by the following votes:

Ayes: All Council members present voted aye

Noes: None

The order thus adopted is as follows:

Any order, and amendments thereto, heretofore adopted by the Council, providing rates for water and sewer service for customers within the City, is hereby revoked upon the effective date of this ordinance.

The ordinance hereinafter set out shall become effective immediately after its publication as required by law.

CHAPTER 1

3-1-1: APPLICATION:

(A) Application for Water, Sewer and Garbage Services Required

1. Contents of Application: Before any water, sewer or garbage collection services shall be supplied to any person or to any premises by the City, the person who is to be responsible for the payment of those services or that person's duly authorized agent, shall make written application for those services on a form to be provided by the City. The application shall contain such information regarding the applicant and the service(s) to be provided as established by the City. When completed and approved, the application shall constitute a contract on the part of the applicant to pay the City for the use and benefit of the services provided by the City to that person or premises, and to abide by all regulations relating to those services as those regulations exist and may be amended by the City of Jamaica Beach, County of Galveston, and State of Texas. In making application for water, sewer, and garbage collection services, each applicant shall provide such information and documentation as may be required by City policy including, but not limited to, documentation which establishes the identity of the applicant and/or establishes the authority of the applicant to make the application on behalf of the applicant or a third party.

2. The City shall collect a total fee of twenty dollars (20.00) for each water, sewer, and garbage collection services it establishes.

3. If the applicant for water services is a landlord who shall in turn supply other persons or entities water services, the applicant shall provide with the application a list of all dwelling and commercial units that will be supplied water services via the applicant's account. The list of dwelling and commercial units supplied by the applicant must be by street and mailing address.

(B) Cash Deposit with Application: A deposit shall be made with the City at the time of making an application for water, sewer and garbage services, the minimum amount of which shall be as follows:

Residential: \$180.00

Commercial: 3 month estimated average bill

The deposit on any property on which a valid rental property declaration has been filed and is effective pursuant to Section 3-1-10(E) of this Title and Chapter shall be an amount equal to three (3) months estimated average bill for all water, sewer and garbage collection services provided to such property.

If one person holds the service accounts for twelve (12) or more residential properties, the bills for none of which have been declared by the property owner pursuant to Section 3-1-10(E) of this Title and Chapter, then the deposit for those accounts shall be no more than six hundred dollars (\$600.00), that deposit being applicable to each and all of these properties.

The City shall require persons whose utility bill has been delinquent three months in a 12 month time frame (by 15 days or more in each billing cycle) to post a deposit of an estimated average of a three month bill for all water, sewer and garbage collection services provided to the property. The deposit on any property may be raised to four months average bill by the City if the customer's payment history indicates frequent, recent or large delinquencies.

In case of real estate firms and others having a large number of accounts and in the case of required deposits in excess of six hundred dollars (\$600.00), the City may accept a bond having one or more good and sufficient sureties approved by the City Attorney, in lieu of cash deposit.

If a person making a deposit becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, then and in that event, the City shall have the prerogative to apply the deposit to any bill of that person which may be outstanding.

(C) Use of water without an application or permit: It shall be unlawful for any person or persons to use water from the City without an application or permit or to turn on the City water for use on his premises if the same has been, for any reason, disconnected or before the same has been turned on by the City.

(D) No new service until application is made: Before any water or sewer service shall be installed to serve any premises from the City system, the person to be respon-

sible for the payment for the services shall make written application for said service, as provided in subsection (A) above. No permit for any connection with the City water and sewer system shall be issued until such application is accepted by the City.

(E) Using or furnishing water without permission: It shall be unlawful for any person to take or use water from the City water system except under the terms and conditions specified in this Chapter. All owners and occupants of property are hereby prohibited from furnishing water to any person occupying other premises for any purpose whatsoever except with the written consent of the City.

(F) Inspections: Right of access to City Authorized Personnel:

1. Any officer, inspector, foreman or authorized person of the City shall have free access at all reasonable hours to any premises supplied with City water and sewer services for the purpose of making an inspection thereof or for reading meters. After a meter has been set, the consumer shall at all times keep the space occupied by the meter and the box free from rubbish and obstructions of any kind. No person other than a duly authorized agent of the City shall open the meter box or tamper or in any way interfere with the meter or box. Title to all water meters and appurtenance, including the meter boxes enclosing same, shall vest in the City.

2. (a) In case any such authorized person shall be prevented in making such examination, the City may cause the water and sewer service to be disconnected from that premises according to the procedures detailed in Section 3-1-9(A) of this Title and Chapter.

(b) It shall be unlawful for any person to threaten with bodily harm or reprisal by any means any authorized officer or City personnel/agent making an inspection of any premises for City water service purposes or rereading meters, and shall be unlawful for any person to in any way prevent any authorized officer of the City making an inspection of the premises for City water service purposes or reading meters. Any person violating the provisions of this subsection shall be guilty of a misdemeanor and upon conviction shall be fined.

(c) It shall be unlawful for any person to hinder or interfere with any City personnel/agent who is delivering water termination notices pursuant to Section 3-1-9 of this Title and Chapter. It shall further be unlawful for any person, other than an occupant of the premises to

which notice is delivered, to remove a water termination notice delivered by the City from any premises to which the City delivered that notice.

(G) Meter Rechecking and Testing:

(1). Should the customer request that the meter be reread within any given month to verify its accuracy, and that the recheck shall indicate that the previous reading or readings were accurate then the City shall add a charge of seventeen dollars and fifty cents (\$17.50) to that customer's bill for the reread and each subsequent rereading of that customer's meter.

(2). If a customer requests testing of the meter and that testing indicates that the meter was registering accurately or was registering less water than was actually delivered to the customer, then the City shall assess a charge of seventeen dollars and fifty cents (\$17.50) to that customer for that meter test and each subsequent meter test requested by that customer.

3-1-2: RATES AND TAP FEES:

1. Water Rates: The monthly water rates furnished by the City's waterworks system shall be as follows:

(a) For all customers the minimum charge shall be fourteen and 70/100 (\$14.70) dollars for zero (0) up to two thousand (2,000) gallons and two and 50/100 (\$2.50) dollars for each additional thousand (1,000) gallons or prorated amount thereof.

2. Sewer Rates: The monthly rates or charges for services provided to users of the City's sewer system shall be as follows:

(a) For all customers the minimum charge shall be thirty two and 35/100 dollars (\$32.35) for zero (0) to five thousand (5,000) gallons of water usage; one and 85/100 (\$1.85) dollars for each thousand gallons or prorated amount thereafter for water usage up to ten thousand gallons; no additional charges for sewer overage after ten thousand (10,000) gallons of water usage.

3. Water Taps: residential water tap or connection up to and including a 3/4 inch connection to the City's water distribution system, which charges shall include the meter and meter box and installation thereof is \$200.00. For connections of over 3/4 inch, the City will establish tapping charges and water rates by separate order and agreement. No person, other than the properly authorized agents of the City shall be permitted to tap

or make any connection with the mains or distributing pipes of the City's water system or sewer system. No person, other than the properly authorized agents of the City, shall be permitted to make repairs or additions to or alteration in any tap, pipe, cock or other fixture connected with the service.

Water consumers are not guaranteed to specific quantity or pressure of water for any purpose whatever, and it is understood that the City is only to furnish a connection with its water system and is in no case to be liable of failure or refusal to furnish water or any particular amount or pressure of water.

4. Sewer Taps: residential sewer taps and connections up to and including a 4 inch connection to the City sewer collection system is \$500.00 for each sewer tap. There will be a \$17.50 inspection fee after the contractor has completed the connection to the tap. No downspouts, swimming pool drains, yard drains, street drains or gutter drains will be permitted to be connected to the City's sanitary sewer facilities.

All tapping charges and other charges including deposits, shall be paid for when application for the tap or connection is made and the request for services shall be held in abeyance until such charges have been paid.

5. Commercial Users: commercial taps are subject to a contract signed by the owner or user (not the contractor). The City may establish a separate monthly rate for water/sewer services for commercial accounts.

### 3-1-3: PAYMENT OF CHARGES:

(A) The water and sewer rates or charges fixed and prescribed by the Chapter shall be paid to the City, together with charges for collection of garbage. Rates and charges for water and sewer service and garbage collection shall be billed to the users or customers on the same statement and users or customer shall be permitted to make payments for either service separately, but services for all must be paid at the same time. The City is hereby authorized to refuse partial payment of water, sewer or garbage collection bills. All such bills must be paid in their entirety on the due date. Should any customer pay for such services by check or other negotiable instrument and that check or other negotiable instrument be dishonored or returned, the City shall add a charge of ten dollars (\$10.00) to that customer's bill due to the dishonoring of that check or other negotiable instrument.

(B) Confidentiality:

A customer may request confidentiality of personal information (address, telephone number, social security number). This request does not prohibit the utility from disclosing information to public officials or employees, consumer reporting agencies, a utility contractor or subcontractor or other utilities. The fee for implementing this service is \$5.00.

3-1-4 STATEMENTS:

All bills for water, sewer and garbage collection are due when billed and must be paid on or before the twenty-second (22) of each month. If payment is not made by the due date, the bill shall be considered delinquent and the City shall promptly notify the nonpaying user. Delinquent bills shall be charged a penalty of five dollars (\$5.00). If payment is not made by the 10th of the following month, services shall be disconnected.

3-1-5: RECONNECTION:

(A) In the event any user or customer of the City's waterworks or sewer system or garbage collection does not pay the amounts due upon proper billing by the date the same becomes delinquent, the utility department is hereby authorized and directed to order the disconnection of that customer's water service pursuant to the procedures set forth in Section 3-1-9(A) of Title and Chapter. After water service has been terminated pursuant to Section 3-1-9(A) of this Title and Chapter, such services may be resumed upon the payment of all past due amounts, up to and including the date of disconnection, plus a reconnection charge of one hundred dollars (\$100.00). Emergency reconnection of services after normal working hours, weekends and/or holidays must be approved by the City Administrator.

(B) If the above services are performed on days or during hours when the City office is not open for business, then the customer shall pay an additional charge of \$35.00.

3-1-6: FREE SERVICES PROHIBITED:

All consumers receiving either water or sewer service or both, from the City shall be subject to the provisions of this order and shall be charged the rates established in this order and no reduced rate or free service shall be furnished to any such consumer.

3-1-7: CROSS CONNECTIONS, BACKFLOW AND BACK-SIPHONAGE PROHIBITED BY STANDARD PLUMBING CODE; UNLAWFUL USE OF WATER OR USE OF SANITARY SEWER FACILITIES:

(A) Whoever intentionally, by any means or device, prevents water from passing through any meter belonging to the City or used in connection with the supply of water to any consumer by the City to register the amount of water passing through the meter, or intentionally prevents a meter from duly registering the quantity of water supplied, or in any way interferes with its proper action or just registration, or without the consent of the City intentionally diverts any water from any pipe or pipes of the City or otherwise intentionally uses or causes to be used, without the consent of the City, shall for every such offense be fined as provided for a violation of this code. The presence at any time on or about any such meter or pipe of any device or pipes resulting in the diversion of water or prevention of its free passage and registration by the meter or diverting from the meter as above defined or resulting in the prevention of water from reaching the meter or preventing the just registration of the meter or meters or the taking of any water except through a meter as above set forth shall constitute prima facie evidence of knowledge, on the part of the person owning or having custody and control of the room, building, place or premises where such device or pipe is, of the existence thereof and knowledge of such existence to the person who would be benefited by the failure of the water to be properly metered; and shall further constitute prima facie evidence of intention on the part of such person or persons to defraud, and shall bring such person prima facie within the scope, meaning and penalties of this Section and Chapter. It shall be unlawful for any person to use water from the City without an application or permit, or to turn the City water for use on his premises after the same has been, for any reason, cut off.

Whoever intentionally, by any means or device, connects to the City sanitary sewer or allows waste water to enter the City sanitary sewer to avoid payment of sewer charges shall be fined as provided for a violation of this Code. The location of such a sewer tap unlawfully installed by a customer or his agent shall constitute prima facie evidence of knowledge on the part of the persons owning or having custody and control of the room, building, place or premises where such device is.



(B) PROHIBITED DISCHARGES:

(1). No person shall discharge or cause to be discharged any storm water, ground water, roof run off, sub-surface drainage, or any water from down spouts, yard drains, yard fountains and ponds or lawn spray into any sanitary sewer.

(2). No person shall discharge, or cause to be discharged into any public sewer any substance, material, waters or wastes which creates any condition deleterious to sewer structures, or systems, or treatment processes, or requires unusual facilities, attention, or expense to handle such materials.

(3). If a person discharges a substance into the sanitary sewer in violation of subsection B of this Section, the City Administrator may:

(a) Require pretreatment or control of the quantities and rates of discharge of waste to bring the discharge within acceptable limits; and

(c) Require payment of surcharge for excessive cost of treatment.

(C) Grease, oil and sand interceptors shall be provided as required in the Standard Plumbing Code.

3-1-8: BILL FOR ILLEGALLY USED WATER OR ILLEGAL USE OF SANITARY SEWER FACILITIES OR DISCONNECTION OF ILLEGAL FACILITIES:

(A) Any person or person illegally using water from the City, as defined in Section 3-1-7 of this Title and Chapter shall be responsible for all water used from the date of last reading of the water meter on that person's place or premises. In the event the meter has been removed by that person or persons or has been circumvented, broken or damaged, then that person or persons shall be billed for an estimated amount of water used during the period of time when that meter was not registering the amount of water used plus the cost of repairing or replacing the meter. Water meter repair/replacement charges shall be determined by the cost.

(B) Water charge estimates shall be made by the City Administration and shall be based on an average month of the previous year.

(C) Should the City personnel remove from any premises any illegal water connection as defined in this Ordinance, the City Administrator shall add fifty dollars (\$50.00) to the bill of the customer or user, or shall charge to that user at the premises from which such illegal connections were removed.

(D) Any person or persons illegally using sanitary sewer facilities shall be billed for all sewer charges which were evaded from the time the customer first connected to the sanitary sewer system. The sewer charge estimate shall be made by the City Administrator and shall be based on the established rates at the time the violation was discovered.

(E) A disconnection does not prevent the use of other enforcement or collection procedures available to the City.

(F) Indemnity Agreement required under certain circumstances: When, in the opinion of the City Administrator, the property is subject to flooding or the sanitary sewer is subject to being surcharged due to infiltration or storm waters, or the premises is subject to being flooded by an overcharged sewer due to its elevation in relation to the main sewer line, then the owner or user of the premises shall be denied a connection to the sanitary sewer unless the owner or user agrees to install a check or backflow valve in his house sewer and agrees to indemnify fully the City and save it whole and harmless from and against any and all damages, costs, or expenses of every kind, character and nature, whether real or asserted, accruing upon or about the building due to surcharge of the sanitary sewer. Such agreement shall be executed by the owner of the property and filed in the Deed Records of the County, and shall be a covenant running with the land and shall be binding on the owner, his successors or assigns.

(G) PENALTY FOR VIOLATION:  
Any person, corporation or association, as that term is defined by Section 1.07(a) of Texas Penal Code, violating any of the provisions of this Section shall, upon conviction, be fined in any sum not exceeding one thousand dollars (\$1,000.00); and each and every day that the provisions of this Section are violated shall constitute a separate and distinct offense.

#### 3-1-9:TERMINATION PROCEDURES:

(A) Nonemergency Termination:  
Whenever the City is authorized to terminate a customer's

water service against that customer's consent and under the provisions of this subsection or whenever the City otherwise terminates water service to a customer in a nonemergency situation other than by the customer's request, The City shall first provide notice in the form and manner described below to the customer and afford the customer an opportunity for a hearing in the form and manner described below before the termination of such services. If after the City has complied with the notice requirements as described below, the customer does not request a hearing for review of the termination within the specified time, The City may terminate water services to the customer.

(1) NOTICE:

Notice must be sent to a water customer at least eight(8) days prior to the proposed termination date of the services to that customer if notice is sent by mail, or at least five (5) days prior to termination if notice is delivered by the City. The notice may be incorporated into the customer's monthly bill, or sent by certified letter, or hand delivered to the customer by City personnel/agent designated by the City to deliver such notices. The notice must be written and clearly communicate the following information:

(A). The name of the customer whose service is proposed to be terminated;

(B). The address where service is proposed to be terminated;

(C). The reason for the proposed termination, including the amount of delinquency if nonpayment of charges is the reason for termination;

(D). The customer has the right to appear and be heard at a hearing to contest the proposed termination prior to the date of termination.

(2) After the deadline for requesting a hearing has passed, a customer may still request a hearing to review the decision to terminate the customer's water service within ten (10) days of the mentioned deadline upon presentation to the City Administrator of an affidavit declaring that the customer, through no fault of that customer, did not receive notice of termination in time to act upon the same. When a hearing pursuant to this subsection is requested, the City Administrator shall as soon as practicable make a determination of whether the appeal appears to be meritorious and if the City Administrator finds it meritorious, the City Administrator shall order the continuation or restoration of services.

(3). If the customer to whom water service is proposed to be terminated is a landlord who supplies water services to tenant water users, the City shall attempt to give notice to the tenant water users.

(4). Hearing: Should any customer request a hearing to review the decision to terminate that customer's water services, the hearing shall be presided over by the City Administrator or any fair and neutral person he may appoint, which person must be of managerial employment and not involved in the original decision to terminate services, hereafter in this context known as the Hearing Officer. The hearing shall be held no sooner than the next business day nor later than five (5) days after being requested by the customer. The Hearing Officer may, in his discretion, delay or advance the hearing time upon showing of good cause by the customer. At the hearing, the customer shall be given the opportunity to be heard in person to present the customer's case, to present testimony from other persons, and to admit documents. The customer may be represented by counsel, though the City shall in no case provide counsel for the customer. The customer shall be given the opportunity to confront and cross examine any witnesses appearing against him at the hearing. The customer may request that a representative of the City be present at the hearing and be subject to questioning. However, the rules of evidence for civil or criminal trials need not be enforced. The City's reasons for terminating the customer's water service shall be stated at the hearing. Upon reaching a final decision, the Hearing Officer shall state his reasons for reaching that decision and state the evidence on which he relied in reaching those conclusions. Should the Hearing Officer find in favor of the customer, the customer's water service shall continue. Should the Hearing Officer find against the customer, the customer's water service shall be terminated. The Hearing Officer shall have the power to grant extensions and fashion other reliefs as would be equitable.

(B). Emergency Termination: Whenever the City is specifically authorized by this Code to act pursuant to this subsection or whenever the City shall deem it necessary due to an emergency situation to terminate a customer's water service prior to giving notice and an opportunity for a hearing, the City shall give the customer whose water service has been terminated notice of that termination according to the requirements described below and afford that customer an opportunity for a post termination hearing to review the decision to terminate.

1 Notice: Whenever the City shall terminate a customer's water service pursuant to this subsection, the City shall post notice on the door of the premises to which water service was terminated, if possible, and shall on that day send by certified letter notice to that customer at the customer's usual billing address. The notice shall be in writing and shall clearly communicate the following information:

- (a). The name of the customer;
- (b). The address to which service has been terminated;
- (c). The reason for the termination;
- (d). The customer has the right to appear and be heard at a hearing to review the termination;
- (e). The customer must request the hearing for review of the termination within ten (10) days of the termination;
- (f). The means by which the customer may request the hearing for review of the termination.

If the customer to whom water service has been terminated is a landlord who supplies water services to tenant water users, the City shall attempt to give notice to the tenant water users.

2. Hearing: If a customer shall request a hearing to review the prior termination of that customer's services, that request must be lodged by the customer within ten (10) days after termination and notice. Should the Hearing Officer find in favor of the customer, water services shall be reconnected, otherwise to remain disconnected. The hearing shall in all other respects, nature, procedures and consequences be identical to that described in subsection (2) of this section.

(C) Notice to Tenant Users: If a customer to whom water service is proposed to be terminated or has been terminated, pursuant to the foregoing provisions of this section, is a landlord who supplies water to tenant users, and the City is aware that the customer supplies water to tenant users, then the city shall provide notice to the tenant users of the proposed termination. The notice to the tenant user need not state the name of that tenant user nor the name of the water customer, but must communicate sufficient information to inform the tenant user that his premises is covered by the proposed termination. Notices to tenant users may be sent by United States mail addressed to the appropriate address or posted on the door of the dwelling or commercial unit, or hand delivered to the tenant or any other person residing at or employed at the tenant's premises.

3-1-10; LIENS:

(A). WATER / SEWER / GARBAGE

1. After the City has terminated a customers service pursuant to the requirements of Section 3-1-9 of this Title and Chapter or after the City terminates water service at a customer's request, the City Administrator may file a lien on the property which the terminated service served and in the amount that the customer whose service was terminated owed to the City for service at the time of the termination of services.

2. If a property receives services illegally, without having an account with the City, then the City Administrator may file a lien against that property in the amount of the proper charge for services used.

(B). Any lien authorized by this section shall be filed with the County Clerk of Galveston County, Texas. The City shall then have a privileged lien on as many lots or pieces of property as the terminated services previously served and are described on the lien instrument by metes and bounds, or by City lot and block description, or by any other adequate description. The lien shall secure the charges made by the City for those above discussed services rendered to that property. Such a lien shall be filed pursuant to the authority granted in Tex. Rev. Civ. Stat. Ann. art. 1175 / 11 (Vernon 1963) and Tex. Const. art. XI / 5. The lien shall bear ten percent (10%) per annum interest. The City Administrator shall add to any lien filed pursuant to this section the amount of the filing fee charged by the County Clerk for that lien. The lien shall be effective against that property if the account holder or user of services of that property was either the owner of that property, a tenant of that property or a permissive holder of that property, or an adverse possessor of that property. It is further provided that for any charges for which the lien authorized by this section is designed to secure, suit may be instituted and recovery in the foreclosure of that lien be had in the name of the City.

(C). Notice and Hearing: After filing of a lien pursuant to this section, the City Secretary shall within thirty (30) days of the filing of that lien give the owner of the property and the account holder notice that such a lien or liens have been filed on that property and inform the owner and account holder of their rights of appeal. Within thirty (30) of the post mark of the notice sent to the property owner or account holder, the property owner or account holder may appeal the decision to impose the lien on that property to the City Administrator or any fair and impartial person the City Administrator may designate. The

City Administrator or his/her designee shall authorize the release of the lien if the property owner or account holder shows that no bill for the above mentioned services to his property encumbered by the lien or liens is owing or if the property owner shows that the encumbered property is and at all times from the hour of the filing of the lien or liens until the time of the appeal has been a homestead as defined by the Texas Constitution. The City Administrator or his/her designee may modify or release the lien to reflect the true amount of delinquency in payment for services to the property of the owner or account holder demonstrates that a lesser bill is owing than the lien alleged or if the City Administrator cannot show that all the lien alleged is owing. The person last listed on the Galveston County tax records as being the owner of any given piece of property shall be presumed to be the owner for purposes of this subsection and the address listed for the owner on the Galveston County tax records shall be presumed to be the address of the owner.

(D). Whenever a person or entity pays all principal, interest and the filing fee of a lien validly filed pursuant to this section, The City Administrator shall execute a release of that lien and surrender it to the paying party. The City shall not be responsible for filing that release.

(E). Declaration of Rental Property:

(1). The owner of any property, which property is rented to another and such tenant carries City water, sewer, or garbage collection services in that tenant's name may prevent the City from using that property as security for the water, sewer and garbage collection service charges for service to that property and from filing any lien on such property under the provisions of this Chapter by filing with the City a declaration in writing specifically naming the service address of that property and declaring such to be rental property which the owner does not wish to be security for the water, sewer and garbage collection service charges for services to that property.

(2). When such a declaration has been filed with the City prior to the time the account holder begins to receive services, the City may collect a deposit in an amount equal to three (3) months estimated average bill on that account pursuant to 3-1-1 of this Title and Chapter. If a property owner wishes to declare in regard to the bill of a person or a entity already receiving services at a particular property, that declaration shall not be effective until the posting of a deposit in an amount equal to

three (3) months estimated average bill on that account in the amount required by section 3-1-1 of this Title and Chapter .

(3). Paragraph 2 of this subsection notwithstanding, an owner of property who files the above described declaration on property which is rented to another and the tenant is carrying the City water, sewer or garbage collection services in the tenant's name at the time of the passage of this section, then such declaration shall become effective with the posting of a deposit in an amount equal to three (3) months estimated average bill as described in section 3-1-1 of this Title and Chapter. However, if water service is terminated to that tenant for delinquency in payment, a deposit in an amount equal to four (4) months estimated average bill pursuant to section 3-1-1 of this Title and Chapter shall be collected before such City water, sewer or garbage collection service is resumed. Any service account for water, sewer or garbage collection service established after the passage of this section shall be subject to paragraphs 1 and 2 above of this subsection.

(4). The declaration of rental property shall be valid only so long as the person making such declaration owns such property, rents such property to another, and the tenant of such property carries water, sewer or garbage collection services in the tenant's name. The owner may revoke the declaration of rental property at any time by so notifying the city in writing.



VILLAGE OF JAMAICA BEACH  
RULES AND REGULATIONS  
GOVERNING  
SEWER HOUSE LINES AND SEWER CONNECTIONS

The following regulations are to govern the installation of all sanitary connections within the Village of Jamaica Beach, Texas. Connection to the City Sewer System is mandatory.

I. SERVICE LINES

- A. Service line is defined as the sewer from the foundation of the house or commercial building to the sewer line owned by the Village.
- B. A minimum of one service line connection to the sanitary sewage collection system is required for each residence or commercial establishment.
- C. Only the following types of pipe and fitting materials are approved for constructing service lines. Pipe and fittings in each individual service line will be of identical material.
  - 1. Vitrified clay pipe conforming to ASTM Specifications C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.
  - 2. Poly-vinyl chloride PSM (PVC) pipe conforming to ASTM Specification D3034 and installed according to ASTM D2321.
- D. Minimum sizes of service lines shall be as follows.
  - 1. Residential - 4 inches in diameter
  - 2. Light Commercial - 4 inches in diameter (25,000 gallons or less).
  - 3. Commercial - 6 inches in diameter
- E. Minimum grades for service lines shall be as follows:
  - 1. 4 inch pipe - one foot drop per hundred feet (1%)
  - 2. 6 inch pipe - six inches drop per hundred feet (0.5%)
  - 3. 8 inch pipe - four inches drop per hundred feet (0.33%)
- F. Maximum grades for service lines shall be as follows:
  - 1. 4 inch pipe - two and one-half feet drop per hundred feet (2.5%)
  - 2. 6 inch pipe - one and one-half feet drop per hundred feet (1.5%)
  - 3. 8 inch pipe - one foot drop per hundred feet (1%)
- G. Construct service lines to true alignment and grade. Warped and sagging lines will not be permitted. ("Cranking" of line in fittings to accomplish bends will not be permitted)

II. CONNECTION OF BUILDING SEWER OUTLET TO SERVICE LINES

- A. Building tie-on connection will be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.
- B. Water-tight adapters of a type compatible with the materials being joined will be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.
- C. Existing "wye" and stack connections must be used for connection of the service line to the sewer main unless an exception is permitted by the Village operator.

### III. FITTINGS AND CLEANOUTS

- A. No bends or turns at any point will be greater than 45 degrees. (1' nipple between 45 degrees and 22 and 1/2 degrees).
- B. Each horizontal service line must have a cleanout on the line at its highest point (at the foundation level on the horizontal line); and each such run of piping which is more than ninety (90) feet in length will be provided with a cleanout for each ninety (90) feet or fraction thereof, in the length of such piping. In addition, a clean out must be provided at the tap.
- C. Each cleanout will be installed to permit cleaning in the direction of the flow and, except in the case of "wye" branch and end-of-the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- D. Cleanout will be made with air-tight mechanical plug.

### VI. CONNECTION PERMIT

- A. Application for Sanitary Sewer Service must be filed prior to construction of the service line and the connection fee should accompany this application. Construction must not begin until authorized by the Village.
- B. When the service line is complete, and prior to backfilling the pipe trench, the applicant for sewer service shall request an inspection of the installation. Request for inspections shall be made to the Village at 737-1142, twenty-four hours in advance of the inspection.
- C. The physical connection to the Village's sewer main will be made by use of an adapter of a type compatible with materials being joined. The connection shall be water-tight. No cement grout materials are permitted.
- D. Backfilling of service lines trench must be accomplished within twenty-four (24) hours of inspection and approval. No debris will be permitted in the trench.
- E. A connection permit will be granted after inspection confirms that all requirements of these Rules and Regulations have been met.

### V. EXCLUDED FLOW AND WASTE

- A. No waste material which is not biologically degradable will be permitted to discharge into the Village's sewerage facilities, including mud and debris accumulated during service line installation.
- B. No downspouts, yard or street drains, or gutters will be permitted to be connected into the Village's sanitary sewer facilities.
- C. Swimming pool connections will not be made to the Village's sewer system unless approved by the Council.

VI. Failure to adhere to the preceding construction regulations will occasion a fine of Two Hundred Dollars (\$200.00) per violation to be paid by the property owner to the Village.

PASSED AND APPROVED ON this the 7 day of October, 1996. This Ordinance shall be and become effective, from and after its publication as required by law.

Paul E Schmidt  
PAUL SCHMIDT, MAYOR  
VILLAGE OF JAMAICA BEACH

ATTEST:

T. D. White  
T.D. WHITE