



2018 WATER CONSERVATION PLAN

City of Ingleside

Prepared by:



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Table of Contents

Section	Page
I. Introduction.....	1
A. Utility Evaluation.....	1
B. Program Goals.....	1
C. Coordination with Regional water Planning Group.....	2
D. Public Involvement	2
E. Plan Implementation	2
II. Water Conservation Plan	2
A. Education and Information	2
B. Rate Structure	3
C. Record Management System.....	4
D. Master meter	4
E. Universal Metering	4
F. Leak Detection and Repair Program	5
G. Plumbing Code	5
H. Recycling and Reuse.....	5
I. Landscape Water Management.....	5
J. Target Goals for Municipal Water Use Conservation	6
K. Schedule of Program.....	6
L. Method of Tracking	7
M. Means of Implementation	7
N. Period Review and Evaluation	7
III. Appendix.....	7
A. Water Conservation Utility Profile, TWDB-1965	
B. Correspondence with Regional Water Planning Group.	
C. Adoption Ordinance of Water Conservation Plan	
D. Utility Rates	
E. Plumbing Code	
F. Drought Contingency Plan	

Section I

Introduction

Water supply has always been a key issue in the development of Texas. In recent years, the increasing population and economic development of South Texas and the Coastal Bend Region in particular have led to growing demands for water supplies. It is therefore important that we make efficient use of our existing supplies and make them last as long as possible.

The City of Ingleside is located in San Patricio County, between Corpus Christi and Rockport, Texas. The City's current population is 10,488 with a total of 4,402 metered water utility connections. Of these connections, the percentage make-up is in the following categories: 66.7% Single-Family Residential, 27% Multi-Family Residential, and 6.3% Industrial /Commercial/Institutional. The average daily water use is 0.916,312 million gallons with a peak day use of 1.819,404 million gallons.

The City purchases treated water from the San Patricio Municipal Water District (SPMWD). The SPMWD obtains its water supply from the Choke Canyon/Lake Corpus Christi Reservoir System within the River Basin. These reservoirs are fed by the Nueces, Frio, and Atascosa Rivers. The upper reaches of these rivers flow through the Edwards Aquifer Recharge Zone.

The Wastewater Treatment Plant and Collection System are owned, operated, and maintained by the City of Ingleside. The current plant has a capacity of 1.2 MGD and serves 100% of the connections in the City of Ingleside as well as approximately 327 residential connection from Ingleside on the Bay.

The City currently has a Drought Contingency Plan adopted via Ordinance No. 2015-01, dated January 13, 2015. The Drought Contingency Plan addresses reduction in water usage during emergency conditions and is not intended to encourage on-going water restrictions.

The purpose of a water conservation plan is to identify water conservation opportunities and set goals to be accomplished by water conservations measures. This document represents the Water Conservation Plan developed and implemented by the City of Ingleside in accordance with TCEQ and the Texas Water Development Board.

A. UTILITY EVALUATION

To develop a comprehensive water conservation plan, the conditions of the existing water system must be evaluated. The Water Conservation Utility Profile (TWDB-1965) was completed with the most current information available. A copy of the Utility Profile is included as Appendix A.

B. PROGRAM GOALS

The City of Ingleside understands the importance of developing an effective water conservation plan. Proper planning will help all users conserve water and reduce the City's contribution to the water needs of today as well as in the future. As part of the plan adoption, the City must

develop 5-year and 10-year goals for per capita municipal use. The goals for this City Plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a normal climate year.
- Maintain the level of water loss in the system below 7 percent annual in 2017 and subsequent years.
- Implement and maintain a program of universal metering and meter replacement and repair.
- Increase efficient water usage through water conservation measures with ordinance for enforcement.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations.
- Raise public awareness of water conservation and encourage responsible public behavior with a public education and information program.

C. COORDINATION WITH REGIONAL WATER PLANNING GROUP

The service area for the City of Ingleside is located within the Regional Water Planning Area (N) – Coastal Bend. A copy of the adopted Water Conservation Plan and been provided to Region N. A copy of the transmittal is included in Appendix B.

D. PUBLIC INVOLVEMENT

The City will promote water conservation issues by informing the public in a variety of ways including:

- New Customers will receive conservation information
- Information will be available upon request
- Community educational program/school demonstrations and presentations
- Information will be displayed on the City's Website
- Information will be distributed in the quarterly newsletter
- Information will be included with monthly utility billing

E. PLAN IMPLEMENTATION

This Water Conservation plan was adopted by City Ordinance by the Ingleside City Council on June 12, 2018, a copy of the Ordinance is included in Appendix C.

Section II

Water Conservation Plan

The main goals associated with a long-term water conservation plan for the City of Ingleside involve maintaining a non-wasteful water rate structure, reducing water loss, maintaining City meters through testing and replacement, and providing education and information to all customers. These goals can be achieved through compliance with the follow plan.

A. EDUCATION and INFORMATION

The City of Ingleside is preparing a public education campaign using the City Website, Quarterly Newsletter to the public, and messages on utility bills to reach and educate the public.

The Parks and Recreation Department has a Water Conservation Education Program aimed at students aged 5-12. Using materials provide by TCEQ, this program is presented 4 times annually, once during each semester of the Latch-Key program, and once during the Summer Camp program. The Parks and Recreation Department also hands out “Take Care of Texas” information at Spring Break Events and sponsors a “Take Care of Texas” coloring contest for kids as part of the spring break activities.

B. RATE STRUCTURE

The City currently maintains the rate structure shown in the table below, and copies of the utility rate ordinances are found in Appendix D.

The City’s water and wastewater rates both apply a base rate (graduated by size of water meter), which is inclusive of 2,000 gallons of water. The water system also includes a progressive volumetric charge, per 1,000 gallon of usage, while the wastewater volumetric charge is a flat fee per 1,000 gallon of usage. This rate structure, more specifically the graduated volumetric charge is more conducive to water conservation as compared to a flat-rate or a regressive rate model.

Water and Wastewater Rates

<u>Water</u>		<u>Wastewater</u>	
Base Rates:		Base Rates:	
3/4" Residential Base Rate:	\$23.17	3/4" Base Rate:	\$21.74
3/4" Commercial Base Rate:	\$20.53	1" Base Rate:	\$38.69
1" Residential Base Rate:	\$39.19	2" Base Rate:	\$154.54
1" Commercial Base Rate:	\$36.54	3" Base Rate:	\$347.76
2" Commercial Base Rate:	\$145.95	4" Base Rate:	\$618.15
3" Commercial Base Rate:	\$328.44	6" Base Rate:	\$1,391.04
4" Commercial Base Rate:	\$583.80	8" Base Rate:	\$2,472.96
6" Commercial Base Rate:	\$1,313.76	10" Base Rate:	\$3,868.83
8" Commercial Base Rate:	\$2,335.62		
10" Commercial Base Rate:	\$3,649.38		
Volumetric Rates		Volumetric Rates	
0-2000	\$4.04	Residential per 1,000 gallons	\$2.42
2001-10000	\$4.35	(2,000 gallons are included in base rate, max of 10,000 gallons)	
10001-50000	\$4.95		
50001-100000	\$5.45	Commercial per 1,000 gallons	\$2.78
100001-300000	\$6.25		
Over 300000	\$6.56		

C. RECORD MANAGEMENT SYSTEM

The City of Ingleside will maintain a customer billing and record management system that allows for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report.

D. MASTER METER

The City of Ingleside currently purchase water from the San Patricio Municipal Water District (SPMWD). Water deliveries from SPMWD are metered by two master water meters that are checked daily by Water Department personnel. SPMWD tests and calibrates the two master meters on an annual basis and will test and recalibrate more often if requested by the City of Ingleside.

E. UNIVERSAL METERING

A primary goal of the water conservation plan is to reduce water loss throughout the system. To meet this objective it is imperative the all customers and water users be metered. Accurate metering provides the City the data necessary to accurately account for water loss.

Water loss is the difference between water delivered to the City of Ingleside from SPMWD and metered water sales to customers plus authorized but unmetered uses. (Authorized but unmetered uses would include use for firefighting, releases for flushing of lines, uses associated with new construction, etc.) Water loss can include several categories, such as;

- Losses due to inaccuracies in customer meters (Customer meters tend to run more slowly as the age and under report actual use),
- Losses due to water main breaks and leaks in water distribution system,
- Losses due to fire-fighting,
- Losses due to illegal connections and theft.

Currently all known water connections are being metered. The City of Ingleside currently tests and replaces their customer meters on an as needed basis. When there is a customer complaint or the utility department notices a significant change in the monthly meter reading, testing is scheduled and the meter is replaced as necessary.

Additionally, the Utility Department is in the process of setting up a testing plan and budget by which meters will be replaced every 10 years. To maximize City resources this effort may include a phased approach, by where a set number of meters are replaced annually to achieve the overall goal. The City is also working to budget and plan for the installation of meters at both of their pump stations to further account for water usage.

Large meters are tested with an in-line flow tester and a bench tester, and either repaired or replaced when the test flow is more than a 3 percent difference from actual flow.

F. LEAK DETECTION and REPAIR PROGRAM

A Leak detection, location, and repair program is crucial to reducing water loss in the system. By comparing the volume of water purchased from SPMWD to the volume of water sold each month, the City can monitor water loss through the system and attempt to reduce water loss as sources are located and eliminated.

Measures to control water loss are part of the routine operations of the City of Ingleside. Meter Readers, Building Inspection Staff, and all city crews are trained to watch for and report signs of water loss and illegal connections so that these issues can be quickly addressed.

The Utility Department is in the process of setting up a testing program and budgeting for annual or bi-annual leak detection testing to be provided by an outside contractor.

Areas of the water distribution system in which numerous leaks and line breaks occur are targeted for replacement as funds are available.

G. PLUMBING CODES

The City of Ingleside has adopted the 2012 International Plumbing Code via City Ordinance, a copy of which is included in Appendix E. The City's adopted code requires water saving fixtures be installed in new construction. Additionally, the City's code also requires that plumbing be brought into compliance with the current codes when renovations or improvements uncover plumbing that is not currently in compliance.

H. RECYCLING and REUSE

The City of Ingleside is not currently participating in a recycling or reuse program. The City has considered the implementation of a reuse program and possible sale of their reuse water. They will continue to evaluate the feasibility of a recycling and reuse program and consider the implementation of such a program.

I. LANDSCAPE WATER MANAGEMENT

The City of Ingleside will provide information, through the public education program, to homeowners, business owners, landscape architects, and irrigation contractors about the methods and benefits of water conserving landscaping practices and devices. The following methods will be encouraged:

- The use of low water consuming plants and grasses for landscaping new homes and commercial areas.
- The use of drip irrigation systems with possible or other water conserving irrigation systems that utilize efficient sprinklers and considerations given to prevailing winds.
- The use of ornamental fountains that recycle water and use a minimum amount of water.

J. TARGET GOALS FOR MUNICIPAL WATER USE CONSERVATION

In order to advance water conservation efforts the City has established the following 5 and 10 year target goals for reduction in municipal use including a schedule for implementing the Plan and a method of tracking the implementation and effectiveness.

Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)

Description	Historic 5 Yr. average	5 Year Goal for 2022	10 Year Goal for 2027
Total GPCD	107	106	105
Residential – Single Family (gpcd)	52	51	50
Residential – Multi-Family (gpcd)	8	7	6
Water Loss (gpcd)	7	6	5
Water Loss (%)	7%	6%	5%

*Based on TWDB Utility Profile, TWDB-1965-R

The City of Ingleside is striving to achieve a 1% reduction in water loss and usage within the next 5 years and a total reduction of 2% within the next 10 years. They will attempt to meet these goals through Educational efforts and accurate meter reading and tracking of water loss. Educational efforts as described above will provide water users the information needed to conserve water, encourage the use of drought tolerant/low water consuming plants and grasses and require the use of water saving fixtures for all new development.

K. SCHEDULE of PROGRAM

In order to maintain a schedule for the implementation of the Water Conservation plan, the City must consider the execution of several efforts. Many of which will be ongoing and will need to be performed consistently to maintain effectiveness. The following efforts should be implemented to execute the Water Conservation Plan.

1. The City of Ingleside should update and provide water conservation educational information to customers. This includes the updating of any information currently posted to the City’s website and pamphlet information available at City Hall, including landscape water management.
2. The City of Ingleside should review consumption, and water and sewer system expenses and revenues annually to determine if the current rate structure is sufficient. Adjustments should be made as determined by the City Council.
3. The City of Ingleside shall continue efforts to create a plan to replace all meters on a 10 year cycle.
4. The City of Ingleside should continue efforts to install universal metering for not only all customers but also at each pump station. Metering efforts at each pump station will further aid in the evaluation of water loss.
5. A leak detection and repair program will be maintained as mentioned previously. Accounting data of the water purchased from SPMWD versus the measured consumption from the City water meters should be maintained on a continual basis. These records can be monitored to determine water loss.
6. Replacement of old and leaking water lines should be completed as soon as practical when a leak is identified.

7. The City of Ingleside should continue to evaluate the feasibility of a reuse program.
- L. METHOD of TRACKING
- In order to track the progress of the Water Conservation Plan, the City will need to collect information on each effort listed above. The steps outlined below should aide the City in tracking the effectiveness of the Water Conservation Plan at achieving the specified goals.
1. To determine if the City's efforts at providing educational materials is effective, the City should periodically survey the public to determine if they are receiving the provided information. The City should also keep a record of the types and frequency of materials disseminated to the public as well as track the number of public outreach events.
 2. The most effective way of determining if the City is on track to reaching it's 5 and 10 year goals is to monitor the water purchased from SPMWD along with the water sold on an annual basis. With the information the City can determine if there is a reduction in water usage per capita per day, and if the City has been successful at reducing water loss.
 3. To track the implementation of a universal metering and meter replacement/repair program, the City should maintain a log of meter replacements, including the address, or description of the meter location. The data collected could be imported into the City's existing GIS system to aid in future maintenance efforts.
- M. MEANS of IMPLEMENTATION
- The Water Conservation plan was adopted by City Ordinance by the Ingleside City Council on June 12, 2018. The adoption of the Water Conservation Plan provides the Public Works staff the ability to implement, enforce, and administer the program.
- N. PERIODIC REVIEW and EVALUATION
- The City of Ingleside shall prepare an annual Water Conservation Report to monitor the effectiveness and efficiency of the water conservation program and to plan conservation related activities for the next year. The plan, at a minimum, should be updated every 5 years.
- O. OTHER WATER CONSERVATION STRATEGIES
- As a customer of the San Patricio Municipal Water District, the City of Ingleside is required to follow guidelines established by the SPMWD in regard to water conservation strategies and consumption limitations during various drought stages. These guidelines are outlined in the City of Ingleside Water Conservation and Drought Contingency Plan adopted in January 2015, Appendix F.

Section III

Appendix

APPENDIX A
Water Conservation Utility Profile, TWDB-1965

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Fill out this form as completely as possible.
If a field does not apply to your entity, leave it blank.

CONTACT INFORMATION

Name of Utility: _____

Public Water Supply Identification Number (PWS ID): _____

Certificate of Convenience and Necessity (CCN) Number: _____

Surface Water Right ID Number: _____

Wastewater ID Number: _____

Completed By: _____ Title: _____

Address: _____ City: _____ Zip Code: _____

Email: _____ Telephone Number: _____

Date: _____

Regional Water Planning Group: _____ [Map](#)

Groundwater Conservation District: _____ [Map](#)

Check all that apply:

Received financial assistance of \$500,000 or more from TWDB

Have 3,300 or more retail connections

Have a surface water right with TCEQ

Section I: Utility Data

A. Population and Service Area Data

1. Current service area size in square miles: _____
 (Attach or email a copy of the service area map.)

2. Provide historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Service

3. Provide the projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Service
2020			
2030			
2040			
2050			
2060			

4. Describe the source(s)/method(s) for estimating current and projected populations.

B. System Input

Provide system input data for the previous five years.

Total System Input = Self-supplied + Imported – Exported

Year	Self-supplied Water in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
Historic 5-year Average					

C. Water Supply System (Attach description of water system)

1. Designed daily capacity of system _____ gallons per day.

2. Storage Capacity:
 Elevated _____ gallons
 Ground _____ gallons

3. List all current water supply sources in gallons.

Water Supply Source	Source Type*	Total Gallons

*Select one of the following source types: *Surface water, Groundwater, or Contract*

4. If surface water is a source type, do you recycle backwash to the head of the plant?
 Yes _____ estimated gallons per day
 No

D. Projected Demands

1. Estimate the water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demands (gallons)

2. Describe sources of data and how projected water demands were determined. Attach additional sheets if necessary.

E. High Volume Customers

1. List the annual water use, in gallons, for the five highest volume **RETAIL customers**. Select one of the following water use categories to describe the customer; choose Residential, Industrial, Commercial, Institutional, or Agricultural.

Retail Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

2. If applicable, list the annual water use for the five highest volume **WHOLESALE customers**. Select one of the following water use categories to describe the customer; choose Municipal, Industrial, Commercial, Institutional, or Agricultural.

Wholesale Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

F. Utility Data Comment Section

Provide additional comments about utility data below.

Section II: System Data

A. Retail Connections

- List the active retail connections by major water use category.

Water Use Category*	Active Retail Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Residential – Single Family				
Residential – Multi-family (units)				
Industrial				
Commercial				
Institutional				
Agricultural				
TOTAL				

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

- List the net number of new retail connections by water use category for the previous five years.

Water Use Category*	Net Number of New Retail Connections				
Residential – Single Family					
Residential – Multi-family (units)					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

B. Accounting Data

For the previous five years, enter the number of gallons of RETAIL water provided in each major water use category.

Water Use Category*	Total Gallons of Retail Water				
Residential - Single Family					
Residential – Multi-family					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

C. Residential Water Use

For the previous five years, enter the residential GPCD for single family and multi-family units.

Water Use Category*	Residential GPCD				
Residential - Single Family					
Residential – Multi-family					

D. Annual and Seasonal Water Use

1. For the previous five years, enter the gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Retail Water				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

2. For the previous five years, enter the gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Retail Water				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

3. Summary of seasonal and annual water use.

Water Use	Seasonal and Annual Water Use					Average in Gallons
Summer Retail (Treated + Raw)						_____
						5yr Average
TOTAL Retail (Treated + Raw)						_____
						5yr Average

E. Water Loss

Provide Water Loss data for the previous five years.

Water Loss GPCD = [Total Water Loss in Gallons ÷ Permanent Population Served] ÷ 365

Water Loss Percentage = [Total Water Loss ÷ Total System Input] x 100

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
5-year average			

F. Peak Water Use

Provide the Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)

G. Summary of Historic Water Use

Water Use Category	Historic 5-year Average	Percent of Connections	Percent of Water Use
Residential SF			
Residential MF			
Industrial			
Commercial			
Institutional			
Agricultural			

H. System Data Comment Section

Provide additional comments about system data below.

Section III: Wastewater System Data

If you do not provide wastewater system services then you have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

A. Wastewater System Data (Attach a description of your wastewater system.)

1. Design capacity of wastewater treatment plant(s): _____
gallons per day.

2. List the active wastewater connections by major water use category.

Water Use Category*	Active Wastewater Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal				
Industrial				
Commercial				
Institutional				
Agricultural				
TOTAL				

2. What percent of water is serviced by the wastewater system? ____%

3. For the previous five years, enter the number of gallons of wastewater that was treated by the utility.

Month	Total Gallons of Treated Wastewater				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

4. Can treated wastewater be substituted for potable water?
 Yes No

B. Reuse Data

1. Provide data on the types of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	
Agricultural	
Discharge to surface water	
Evaporation pond	
Other	
TOTAL	

C. Wastewater System Data Comment

Provide additional comments about wastewater system data below.

You have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

APPENDIX B
Correspondence with Regional Water Planning Group

June 18, 2018

Carola Serrato
Co-Chair, Region N Regional Water Planning Group
South Texas Water Authority
P.O. Box 1701
Kingsville, Tx 78364

Re: City of Ingleside – 2018 Water Conservation Plan

Dear Ms. Serrato:

The City of Ingleside is seeking to adopt their 2018 Water Conservation Plan. On behalf of the City of Ingleside, transmitted herein, please find one (1) copy of the 2018 Water Conservation Plan.

Since Region N is the City's water planning group, this Plan is being submitted for your review and comment.

Should you have any questions or need additional information, please let us know.

Sincerely,

HANSON PROFESSIONAL SERVICES INC.



Melanie D. Gavlik, P.E.
Water Resources Engineer



Hanson Professional Services Inc.
4501 Gollihar Rd
Corpus Christi, Texas 78411
(361) 814-9900
Fax: (361) 814-4401
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June 18, 2018

Scott Bledsoe, III
Co-Chair, Region N Regional Water Planning Group
Live Oak UAWCD
P.O. Box 3
Oakville, Tx 78060

Re: City of Ingleside – 2018 Water Conservation Plan

Dear Mr. Bledsoe:

The City of Ingleside is seeking to adopt their 2018 Water Conservation Plan. On behalf of the City of Ingleside, transmitted herein, please find one (1) copy of the 2018 Water Conservation Plan.

Since Region N is the City's water planning group, this Plan is being submitted for your review and comment.

Should you have any questions or need additional information, please let us know.

Sincerely,

HANSON PROFESSIONAL SERVICES INC.

Melanie D. Gavlik, P.E.
Water Resources Engineer

APPENDIX C
Adoption Ordinance of Water Conservation Plan

RESOLUTION NO. 2018-12

A Resolution by the City Council of the City of Ingleside adopting a Water Conservation Plan.

WHEREAS, the Texas Water Development Board and the Texas Commission on Environmental Quality require that all cities servicing over 3,000 customers must have in place a **Water Conservation Plan** and a **Drought Contingency Plan**; and

WHEREAS, it is required by the TWDB and TCEQ that the Water Conservation Plan and Drought Contingency be presented to the in order to apply for any potential grant funding; and

WHEREAS, the City of Ingleside adopted a Drought Contingency Plan via Ordinance 2015-01 in January of 2015; and

WHEREAS, the City of Ingleside has contracted with Hanson Engineering and Hanson Engineering has provided a Water Conservation Plan;

THEREFORE, be it resolved by the City Council of the City of Ingleside, Texas:

1. The attached Water Conservation Plan shall be adopted as of the date below and forwarded to the TWDB and TCEQ for approval.

RESOLVED, this 12 day of June, 2018.

CITY OF INGLESIDE, TEXAS

By: 
Ronnie Parker, Mayor

ATTEST:


Kimberly Sampson, City Secretary

APPENDIX D
Utility Rates

RESOLUTION NO. 2017-30

A Resolution changing various fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinances and in particular those monthly fees charged to users of water services.

BE IT RESOLVED by the City Council of the City of Ingleside:

1. The fees charged by the City for water services under Section 66-86 are hereby amended as indicated on the attached true and correct copy of the relevant portion of the presently codified Appendix "A" Fee Schedule for the City of Ingleside effective with the January 2018 utilities billing, regardless of usage period, additions being indicated by underlining and deletions by interlining.

RESOLVED, this 14th day of November, 2017.

CITY OF INGLESIDE, TEXAS

By: 
Mayor Luis Larinas

ATTEST:


Kimberly Sampson
City Secretary

Appendix "A" Fee Schedule

Description	Amount (In Dollars)	Code Section
Chapter 66. Utilities		
Article II. Water		
Division 5. Rates and Charges		
(1) Water base rate		
Meter size	Amount monthly	66-86(b)
3/4" Residential	<u>23.17</u> 23.00	
3/4" Commercial	20.53	
1" Residential	<u>39.19</u> 39.11	
1" Commercial	36.54	
2"	145.95	
3"	328.44	
4"	583.80	
6"	1,313.76	
8"	2,335.62	
10"	3,649.38	
(2) Water volume rate		66-86(c)
Volume in month in gallons		Monthly amount per thousand. gallon volume
0 to 2,000	<u>4.04</u> 4.00	For residential customers only, there shall be no volume charge for the first 2,000 gallons. The volume charge shall only apply to the monthly gallons over 2,000 for residential customers only.
2,001 to 10,000	<u>4.35</u> 4.31	
10,001 to 50,000	<u>4.95</u> 4.91	
50,001 to 100,000	<u>5.45</u> 5.41	
100,001 to 300,000	<u>6.25</u> 6.21	
Over 300,000	<u>6.56</u> 6.52	

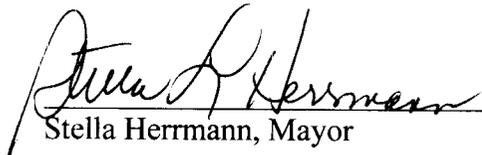
RESOLUTION NO. 958

A Resolution changing various fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinances and in particular those monthly fees charged to users of water and wastewater services.

BE IT RESOLVED by the City Council of the City of Ingleside:

1. The fees charged by the City for water services under Section 66-86 and wastewater services under Section 66-247 are hereby amended as indicated on the attached true and correct copy of the relevant portion of the presently codified Appendix "A" Fee Schedule for the City of Ingleside effective with the October 2008 utilities billing, regardless of usage period, additions being indicated by underlining and deletions by interlining.

RESOLVED, this 9th day of September, 2008.


Stella Herrmann, Mayor

ATTEST:


Kimberly Drysdale, City Secretary

Appendix "A" Fee Schedule

Description	Amount (In Dollars)	Code Section
Chapter 66. Utilities		
Article III. Sanitary Sewer Service		
Division 7. Rates and Charges		
(2) Sewer base rate		
Water meter size	Amount monthly	66-247(b)
3/4"	<u>21.74</u> 20.70	
1"	<u>38.69</u> 36.85	
2"	<u>154.54</u> 147.18	
3"	<u>347.76</u> 331.20	
4"	<u>618.15</u> 588.71	
6"	<u>1,391.04</u> 1,324.80	
8"	<u>2,472.96</u> 2,355.20	
10"	<u>3,868.83</u> 3,684.60	
(3) Sewer volume rate		66-247(c)
	Monthly amount per thousand gallon water volume	
a. Residential	2.42 2.30	
b. Commercial	2.78 2.65	

APPENDIX E
Plumbing Code

ORDINANCE 1123

AN ORDINANCE AMENDING CHAPTER 18 – BUILDINGS AND BUILDING REGULATIONS, INGLESIDE CODE OF ORDINANCES AND PROVIDING FOR EFFECTIVE DATE, READING, SEVERANCE, AND PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE, COUNTY OF SAN PATRICIO, STATE OF TEXAS:

SECTION 1. AMENDMENT. Chapter 18 – Buildings and Building Regulations, Article I. – X. Ingleside Code of Ordinances is hereby amended to read as follows, new matter being indicated by underscoring and deleted matter by interlineations and brackets

Chapter 18 BUILDINGS AND BUILDING REGULATIONS

- ARTICLE I. - IN GENERAL
- ARTICLE II. - CONSTRUCTION STANDARDS
- ARTICLE III. - PLUMBING STANDARDS
- ARTICLE IV. - GAS STANDARDS
- ARTICLE V. - MECHANICAL STANDARDS
- ARTICLE VI. - ELECTRICAL
- ARTICLE VII. - HOUSING CODE
- ARTICLE VIII. - UNSAFE BUILDINGS
- ARTICLE IX. - SWIMMING POOLS
- ARTICLE X. - FLOODPLAIN MANAGEMENT

ARTICLE I. IN GENERAL

Sec. 18-1. Responsible enforcing officials.

Whenever in the codes adopted by reference in this chapter, reference is made to the duties of certain officials named therein, the designated official of the city who has duties corresponding to those of the named official in such code shall be deemed to be the responsible official insofar as enforcing the provisions of such code are concerned. In particular, the building official of the city shall be the city official in charge of enforcement, under the city manager. The board of adjustment of the city shall be the entity to which all appeals provided under such codes are taken.

Sec. 18-2. Failure to comply with codes.

Failure to comply with any section of any of the codes and/or failure to take out proper permits shall be unlawful and shall be punishable in accordance with section 1-14.

Sec. 18-3. Penalty for failure to obtain permit.

Where work for which a permit is required by any code adopted or referenced in this chapter is started or proceeded with prior to making arrangements with the building official and obtaining any required permit, the fees specified or referenced in this chapter shall be doubled. The payment of such doubled fees shall not relieve any person from fully complying with the requirements of any code adopted or referenced in this chapter in the execution of the work.

Secs. 18-4—18-25. Reserved.

ARTICLE II. CONSTRUCTION STANDARDS

Sec. 18-26. Building code—Adoption.

The International Building Code 2000, 2012 including Appendices C, F, G, H, I, and J, as published by the International Code Council, is hereby adopted as the building code of the city with certain enumerated additions in section 18-27. A copy of the International Building Code 2000 2012 shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-27. Same—Amendments and deletions.

The building code adopted in section 18-26 is amended as follows:

~~Section 104.5.3 is added as follows:~~

~~104.5.3. License.~~

- ~~(a) — The Board of Adjustment may suspend the license of any contractor for a period of not more than one year after determining at a hearing that the licensee has done any of the following:~~
- ~~(1) — Been convicted of a felony or a criminal offense involving moral turpitude.~~
 - ~~(2) — Permitted an unlawful or fraudulent use of such license.~~
 - ~~(3) — Committed an offense in another state, county or city which if committed in this city would be grounds for suspension or revocation.~~
 - ~~(4) — Is a habitual violator of this article. The expression "habitual violator" shall mean three or more separate violations in one year (12 months).~~

- ~~(5) — Performed any work that is in violation of this article and then failed or refused to make corrections necessary for the work to conform to this division.~~
- ~~(6) — Failed to secure a permit when one was required.~~
- ~~(7) — Performed any work in violation of any restrictions imposed on a license issued to the contractor.~~
- ~~(b) — In determining whether or not charges shall be brought against a contractor, the board shall proceed upon information furnished it by the building official of the city.~~
- ~~(c) — If it deems the information sufficient to support further action on its part, the board shall set the matter for hearing. The board shall give notice of hearing and of the charges to the contractor by certified mail no less than ten days before the date appointed for the hearing. The contractor may appear in person or by counsel, or both, at the time and place named in the order and make his defense to the same.~~
- ~~(d) — All such hearings shall be open to the public. The city shall be entitled to present evidence and argument at such hearing. If the contractor fails or refuses to appear, the board may proceed to hear and determine the charges in his absence. If the accused admits the truth of the charges or if, upon a hearing of the charges, the board by vote of four or more of its members shall find them to be true, it may enter an order suspending the license of such contractor for such period of time up to one year as it deems appropriate.~~
- ~~(e) — The board shall have the power through its chairman or secretary to administer oaths.~~
- ~~(f) — When the board has completed such hearing and made its decision, it shall cause one copy of its decision to be filed with the building official and a copy thereof to be forwarded to the contractor.~~
- ~~(g) — Any license which has been suspended under this article shall be surrendered to and be retained by the building official. At the end of the period of suspension, in the absence of further violations, the surrendered license shall be returned to the licensee and shall be valid under the provisions of this article. If the period of suspension extends beyond the normal expiration date, the licensee must secure a new license to continue contractor work.~~

Section 105.1 is amended by adding the following subsection:

105.1a. No building permits shall be issued for work on, no utility connection shall be made for utility service to, and no utilities or utility service may be provided to or for any property which is not in compliance with the zoning regulations of the city.

105.1b. Homeowner's exemption.

- (1) A homeowner shall not be required to secure a permit when:
 - a. The work is on his own primary ~~or vacation home~~ residence as determined by San Patricio County Homestead exemption status;
 - b. He does the work with his own hands;
 - c. The work does not exceed \$250.00 cost; and
 - d. None of the work is structural.
- (2) A homeowner may take out or secure a permit ~~even though he has no contractor license~~, provided:
 - a. The work is on his own primary ~~or vacation home~~ residence as determined by San Patricio County homestead exemption status; and
 - b. He does the work with his own hands or licensed/registered ~~people~~ contractors do the work.
- (3) All work coming within this section must comply with city codes and is subject to the same inspection process as construction which does not come under this section.

105.1c. License Registration required. It shall be unlawful for any person to do construction work, unless the person has ~~secured~~ registered as a contractor license from with the City of Ingleside, Texas, except as otherwise provided in subsection. Every contractor who shall make or sublet contracts for installation or repair for which a permit is required shall be ~~licensed~~ registered and shall pay an annual fee. To secure a license registration, the applicant must meet the following requirements:

- (1) Show proof of ~~having at least five years' experience as a contractor liability insurance with a minimum of \$300,000~~;
- (2) ~~Be registered with the state or with another municipality as a contractor~~;
- (3) ~~Be in the construction business as of September 1991, as a contractor in the City of Ingleside; or~~
- (4) ~~Take a test based on the International Building Code 2000 adopted by the city.~~

All subcontractors including project managers and superintendents and work regarding concrete, masonry, framing, roofing, ~~dry wall, painting, trim and finish, cabinet builders, floor covering, landscaping, fence building (not for agricultural use), piling contractors, site work, paving for parking lot and driveways~~ shall obtain an annual subcontractor's license registration and pay the fee as established by resolution of the city council and printed in appendix A of the Ingleside City Code.

105.1d. Licensing Registration period; fee. All licenses registrations issued under the terms and conditions of this section and section 105.1 shall expire each year on December 31 following the issuance date. The fee for such license registration

is established by resolution of the city council and printed in appendix A of the Ingleside City Code.

Section 105.2 will be amended to read as follows:

105.2a. Building: 2., 3., 5., 6., and 12. are not exempt from permitting.

Section 112.1 is amended to read as follows:

The Board of Adjustment of the City of Ingleside, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-26 of the Ingleside City Code, and any provision in the code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Section 202 is amended by adding the following definitions:

Building contractor means, includes and shall be construed to mean and include all persons, companies, or corporations, as well as their agents or employees who engage in the business of contracting building work for residential or commercial buildings and installations in the City of Ingleside, San Patricio County, Texas, whether or not such business is a full-time business or a part-time business, and contractors shall be ~~licensed~~ registered as per section ~~104.5, Standard Building Code~~ 105.1c.

Concrete contractor means, includes and shall be construed to mean and include all persons, companies or corporations who work only with concrete. Dry wall contractor means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in the installation of sheetrock, or anything related to the use of sheetrock.

~~*Floor covering contractor* means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in the laying of all types of floor coverings.~~

General contractor means, includes and shall be construed to mean and include all persons, companies, or corporations, engaged in general construction, except for roads or streets.

~~*Landscaping contractor* means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in the field of landscaping.~~

Masonry contractor means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in the laying of block, bricks or stone.

~~*Painting contractor* means, includes and shall be construed to mean and include all persons, companies or corporations who engage in any or all types of painting and decorating.~~

Piling contractor means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in putting in and/or repairing piling for home or docks.

Remodeling and/or repairs contractor means, includes and shall be construed to mean and include all persons, companies or corporations who engage in repair and/or remodeling work only.

Roofing contractor means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in putting on and/or repairing roofs.

~~*Sitework contractor* means, includes and shall be construed to mean and include all persons, companies or corporations who specialize in the laying out of a structure on a plot and getting the land ready to build on it.~~

Section 1507.8 is amended by adding the following paragraph:

No structure shall be constructed within the city limits of the City of Ingleside using wooden shakes or shingles unless such wooden shakes or shingles are treated with fire retardant, and approved by the city building official. Any repairs done on existing structures which are nonconforming must be done with conforming materials.

Appendix D, Fire district, is deleted and not adopted.

Sec. 18-28. International Residential Code—Adopted.

The International Residential Code 2000 2012 as published by the International Code Council, is hereby adopted as the one- and two-family dwelling code of the city

with certain enumerated exceptions in section 18-29. A copy of the ~~CABO One and Two Family Dwelling Code~~ [International Residential Code ~~2000~~ 2012] shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-29. Same—Amendments and deletions.

The International Residential Code ~~2000~~ 2012 adopted in section 18-28 is amended as follows:

Section R-~~103~~101.2 scope is amended by the addition of the following paragraph:

All construction for one- and two-family units shall be built to this code, unless the state board of insurance windstorm resistant construction standards require more, in which event the stricter standard shall be complied with.

Section R-~~107~~112 is amended to read as follows:

The Board of Adjustment of the City of Ingleside, which has been established pursuant to Charter sections 10.05 and 10.06 and which functions as the Board of Adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code, §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-28 of the Ingleside City Code, and any provision in the code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Chapter 11. Energy Code is deleted and not adopted.

Sec. 18-30. State Board of Insurance, Wind Storm Resistant Construction Standards.

The state board of insurance wind storm construction standards are hereby adopted with the exception of sections 372—472 covering seaward construction guidelines which are not adopted.

Sec. 18-31. Energy Code adopted.

The International Energy Conservation Code ~~2000~~ 2009 Edition for commercial, industrial, and residential buildings over three stories and Chapter 11 of the International Residential Code 2009 Edition, for residential construction of 1 and 2 family dwellings, as published by the International Code Council, is hereby adopted, with certain enumerated exceptions set forth in section 18-32. A copy of the International Energy Conservation Code ~~2000~~ 2009 Edition and Chapter 11 of the International Residential Code 2009 Edition shall be retained in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-32. Amendments and deletions.

The International Energy Conservation Code ~~2000~~ 2009 Edition and Chapter 11 of the International Residential Code 2009 Edition, adopted in section 18-31, is amended as follows: None at this time.

Sec. 18-33. Residential construction material.

All residential structures built on sites shall use new materials certified by a nationally recognized agency as being appropriate for their use, and must conform to all required codes. Existing buildings for residential use that are to be remodeled must also use new nationally certified materials. Preassembled structures intended for residential use must also conform to all applicable codes, and the owner or contractor of such structures must secure a permit prior to use or being brought into the city limits of the City of Ingleside. Movers of preassembled structures shall provide moving documents including, but not limited to, path of travel, state permit, license and state or city required insurance, but not less than the amount of [\$]300,000[.00] of general liability. All preassembled buildings shall be placed on a permanent foundation engineered by a Texas registered professional engineer. Buildings constructed for purposes other than living space may be exempted from the engineered foundation requirement after review by the building official. Manufactured homes being installed in subdivisions zoned for such applications (T1-B or T1-C) are exempt from this section.

Sec. 18-34. Commercial construction material.

All commercial structures built on sites shall use new materials certified by a nationally recognized agency as being appropriate for their use and must conform to all required codes. Commercial structures adjacent to Hwy. 361, FM 1069 (Main St.) and W. Main are to be built greater than 1,000 square feet. Existing buildings for commercial use that are to be remodeled shall also use new nationally certified materials. Preassembled structures intended for commercial use must also conform to all applicable codes, and the owner or contractor of such structures must secure a permit prior to use or being brought into the city limits of the City of Ingleside. Movers of preassembled structures shall provide moving documents including, but not limited to, path of travel, state permit,

license and state or city required insurance, but not less than the amount of [\$]300,000[.00] of general liability. All preassembled buildings shall be placed on a permanent foundation engineered by a Texas registered professional engineer.

Secs. 18-35—18-50. Reserved.

ARTICLE III. PLUMBING STANDARDS

Sec. 18-51. Code adopted.

The International Plumbing Code ~~2000~~ 2012, including Appendices, as published by the International Code Council, is hereby adopted as the plumbing code of the city with certain enumerated exceptions in section 18-52. A copy of the International Plumbing Code ~~2000~~ 2012 shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-52. Amendments and deletions.

The plumbing code adopted in section 18-51 is amended as follows:

Section 106.1 is amended by adding the following subsection:

106.1.1. Master, journeyman, and apprentice plumbers must be licensed by the State of Texas. They must register with the city inspection department, giving their license type, number, and home address. Only a ~~master~~ Responsible Master plumber or his agent may take out a permit to do work as per Texas State Plumbing Board Laws and Regulations.

Section 109.2 is amended to read as follows:

The board of adjustment of the City of Ingleside, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-51 of the Ingleside City Code, and any provision in the code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters

arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Section 701.2 is amended to include:

Septic tanks must be permitted and inspected by the San Patricio County Health Department. Septic tanks shall be installed according to state department of health guidelines by an installer certified by the state.

Appendix A is amended in its entirety to read as follows:

Permit fees shall be established by resolution of the city council and printed in appendix A of the Ingleside City Code.

Secs. 18-53—18-75. Reserved.

ARTICLE IV. GAS STANDARDS

Sec. 18-76. Code adopted.

The International Fuel Gas Code ~~2000~~ 2012 including Appendices, as published by the ~~Southern Building Code Congress International, Inc.~~ International Code Council, is hereby adopted as the gas code of the city with certain enumerated exceptions in section 18-77. A copy of the International Fuel Gas Code ~~2000~~ 2012 shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-77. Amendments and deletions.

The gas code adopted in section 18-76 is amended as follows:

Section 106.1 is amended by adding the following subsection:

106.1.1. Contractors must be licensed plumbers for natural gas or licensed by the railroad commission L.P.G. Division for installation of L.P. gas.

Section 109.2 is amended to read as follows:

The board of adjustment of the City of Ingleside, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions

and variances under the code adopted in section 18-76, and any provision in the code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Appendix E is amended in its entirety to read as follows:

Permit fees shall be established by resolution of the city council and printed in appendix A of the Ingleside City Code.

Secs. 18-78—18-100. Reserved.

ARTICLE V. MECHANICAL STANDARDS

Sec. 18-101. Code adopted.

The International Mechanical Code ~~2000~~ 2012, including Appendices, as published by the International Code Council is hereby adopted as the mechanical code of the city with certain enumerated exceptions in section 18-102. A copy of the International Mechanical Code ~~2000~~ 2012, shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Section 106.1 is amended by adding the following subsection:

106.1.1. Contractors must be licensed by the State of Texas.

Section 109.2 is amended to read as follows:

The board of adjustment of the City of Ingleside, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-101 of the Ingleside City Code, and any provision in the code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Appendix B is amended in its entirety to read as follows:

Permit fees shall be established by resolution of the city council and printed in appendix A of the Ingleside City Code.

Secs. 18-102—18-120. Reserved.

ARTICLE VI. ELECTRICAL

DIVISION 1. - GENERALLY

DIVISION 2. - ELECTRICAL ADVISORY BOARD

DIVISION 3. - INSPECTORS

DIVISION 4. - PERMITS

DIVISION 5. - INSPECTIONS

DIVISION 6. - LICENSES

DIVISION 7. - STANDARDS

DIVISION 1. GENERALLY

Sec. 18-121. Scope and purpose of article.

- (a) The National Electrical Code ~~1999~~ 2014 adopted in section 18-246 shall govern all installations of electrical conductors or equipment hereafter made, and all existing installations which are altered, or for which the use has changed. Repair and maintenance work shall be such that if any electrical conductor or equipment is removed and later replaced, the same shall be replaced in accordance with the provisions of this article.
- (b) The purpose of this article is to reduce the personal and fire hazards from electrical causes and to establish licensing, permit and inspection procedures to ensure quality electrical work. To accomplish this, the requirements set forth in this article are intended to be minimum standards for electrical work.

Sec. 18-122. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Apprentice electrician* means a person who is learning the trade of an electrician and who works under the direct supervision of a master or journeyman electrician and who is licensed as an apprentice as provided in this article.~~

~~*Board* means the electrical advisory board for the city.~~

Chief inspector means the city building official or other employee of the city appointed by the city manager.

~~*Electrical experience* means active and practical experience during which no less than two-thirds of one's time exclusive of normal period of rest and recreation has been spent doing electrical work in or on residential or commercial type buildings or premises. A bachelor's degree in electrical engineering from a college or university which requires at least four years of study in residence as a prerequisite to such degree shall be considered the equivalent of three years of experience. The satisfactory completion of 120 clock hours of work required for an associate degree shall be considered the equivalent of two years of experience.~~

Electrical work means any act in connection with the installing, altering, or repairing of electrical wires, conduits, apparatus, or other electrical energy, which act ordinarily requires the use of tools.

~~*Journeyman electrician* means a person who is at least 18 years of age and shall have at least two years' experience as an apprentice electrician. He must pass the test for a journeyman electrician as provided in this article and work under a master electrician.~~

~~*Licensed electrician* means a licensed electrician under the provisions of this article who has paid the necessary license fee and whose name is carried in the records of the chief inspector as a person authorized to do electrical work.~~

Maintenance means the act of keeping in a state of safety inside or outside, attached or connected to any building electrical system by replacement of units or elements, but shall not include additions to or replacement of an existing system or branch.

~~*Maintenance electrician* means a person who works for a business (examples: school, store, motel, hospital) to maintain and service electrical equipment. This person does no electrical work other than for the business he is employed by.~~

~~*Master electrician* means a person who is at least 21 years of age, with at least five years of electrical experience and has passed the test for a master electrician, as provided in the electrical code.~~

~~*Readily accessible* means, as applied to the service disconnecting mean in article 230-72(c) of the National Electrical Code, the service disconnecting mean shall be located no farther than 24 inches from the point of entrance of the service and on the outside of the building.~~

~~*Reasonable amount of time* means two weeks, unless otherwise noted by the chief inspector in writing.~~

~~*Rough in work* means initial rough work of installing, altering, repairing, or maintaining of electrical wires, conduits, apparatus or other electrical installation performed so that all such work is easily visible and may be easily corrected or changed.~~

~~*Sign-limited journeyman electrician* means a person who is at least 18 years of age and shall have at least two years' experience as an apprentice electrician and must pass the test for a limited journeyman electrician sign as provided by this electrical code.~~

~~*Sign-master electrician* means a person who is at least 21 years of age, with five years' electrical sign experience and has passed the test for a master electrician sign as provided by this electrical code.~~

Sec. 18-123. Responsibility for safe work; liability.

This article shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating or installing electrical conductor devices, appliances, fixtures, apparatus, motors or equipment for damages to persons or buildings caused by any defect therein, nor shall the city be held liable for any damages by reason of enforcement of this article.

Sec. 18-124. Penalty for violation of article.

It shall be unlawful for any person as owner, agent, lessee, renter or otherwise to violate, disobey or refuse to comply with or resist or oppose the enforcement of this article. It shall be unlawful for any person to occupy or maintain any building or structure in which the electrical work, wiring or appliances are in violation of this article. Any person who commits any acts declared to be unlawful or fails to perform any act required by this article shall be subject to the provisions of section 1-14. Any electrical installation erected or altered in violation of this article shall be summarily condemned and removed at the expense of the person erecting or altering or allowing the same.

Sec. 18-125. Electrical service connections.

- (a) It shall be unlawful for any person to make connections from a source of electrical energy to any electrical wiring device or equipment which has been disconnected by order of the electrical inspector or the use of which has been prohibited for reasons set forth in this article until a certificate of approval has been issued by the inspector authorizing the reconnection and use of such wiring devices or equipment. The chief inspector or his authorized agent shall then notify Central Power and Light Company and authorize the permanent service to be connected.
- (b) It shall be unlawful for any unauthorized person to disconnect any service, except in cases of emergency.

Sec. 18-126. Service of notice.

- (a) If the person to whom any order or notice issued pursuant to the provisions of this article cannot be found after reasonable search has been made for him, then such order or notice may be served by posting it in a conspicuous place upon the premises occupied by him, the premises where the defects recited in the order or notice are alleged to exist or on the premises which are deemed unsafe or dangerous. Such service shall be equivalent to personal serving of such order or notice.
- (b) An order to comply with the term of such order or notice may be sent by mail in a sealed envelope with postage prepaid and directed to the address of the owner, lessee or occupant of the premises where the effects recited in the order are alleged to exist and shall be equivalent to the personal service of such order.

Sec. 18-127. Actions for injunction.

In addition to the penal remedy, the city attorney shall upon the direction of the city council institute any appropriate action or proceeding including actions for injunction to prevent, restrain, correct or abate any act, conduct, work, business or practice which is a violation and illegal under this article.

Sec. 18-128. Supervision of and responsibility for work.

In the actual work of installing, maintaining, altering or repairing any electric conductors or equipment for which a permit is required by this article, there shall be present and in direct supervision a qualified electrician of proper classification. It shall be required that a master electrician be liable and responsible for layout and technical supervision of any work which has required the securing of a permit, and a journeyman or master electrician shall be in direct on the job supervision of all work permitted. No more than four apprentices may be under a master's or journeyman's supervision at one time on any one electrical installation.

Secs. 18-129—18-140. Reserved.

DIVISION 2. ~~ELECTRICAL ADVISORY BOARD~~^[5] RESERVED

Secs. 18-141—18-160. Reserved.

~~Sec. 18-141. Created.~~

~~There is hereby created the electrical advisory board, hereafter called the board, consisting of five persons who shall be appointed by the mayor and approved by the city council. This board shall serve as advisory board for the mechanical code also.~~

~~Sec. 18-142. Qualifications of members.~~

~~Persons who serve on the electrical advisory board as members shall be qualified as follows:~~

- ~~(1) — One designated member shall be a licensed master electrician.~~
- ~~(2) — The other four members shall be taxpaying electors of the city.~~
- ~~(3) — The city inspector shall act as secretary to the board and is not a voting member.~~

~~Sec. 18-143. Terms.~~

- ~~(a) — Members shall be appointed as per city Charter. A member may serve until his successor is appointed.~~
- ~~(b) — Any member of the board may be removed by the city council for cause. Vacancies within the board shall be filled by appointment for the unexpired term.~~

~~Sec. 18-144. Powers and duties.~~

- ~~(a) — It shall be the duty of the electrical advisory board to pass upon the qualifications of all applicants for electrical licenses.~~
- ~~(b) — The board shall hear all matters brought before it by the chief inspector, matters on appeal and other complaints.~~

~~Sec. 18-145. Meetings.~~

- ~~(a) — The electrical advisory board shall hold such meetings as are necessary for the proper performance of its duty.~~
- ~~(b) — The electrical advisory board shall at its first meeting in each calendar year select a chairperson and a vice chairperson and prescribe a procedure and order of business for hearing applications for licenses as provided for in section 18-216 et seq., for hearing matters brought to it by the chief inspector or, on appeal, all grievement appeals as provided in this article, and for general business sessions.~~

~~Sec. 18-146. Quorum.~~

~~Three members of the electrical advisory board present at any meeting shall constitute a quorum for the transaction of business. The concurring vote of not less than three members of the board shall be necessary to constitute an official action of the board.~~

~~Sec. 18-147. Records.~~

~~The electrical advisory board shall keep a minute book in which shall be recorded all transactions and business of the board. The board shall keep a record of the name and place of business of all persons to whom licenses have been issued or equipment in or on any building. If in the course of erection of a building or structure, electrical conductors or equipment that have previously been installed in such position as to interfere with the erection or completion of the structure, notice shall be immediately given to the authorized person or firm using the electrical conductors or equipment, and he shall be required to accomplish this needed change in accordance with this article.~~

~~Sees. 18-148—18-160. Reserved.~~

DIVISION 3. INSPECTORS

~~Sec. 18-161. Chief inspector.~~ Building Official

- (a) ~~The chief inspector~~ Building Official is hereby designated as the person responsible for the administration and enforcement of this article and who shall discharge the duties and have the authority hereafter provided.
- (b) ~~The chief inspector~~ Building Official may delegate authority to other inspectors or other employees of the building inspection department as may be required to carry out his duties.
- (c) ~~The chief inspector~~ Building Official shall be responsible to ~~the building official and/or the city manager, each of whom are~~ who is authorized to act in lieu of and with the same authority as the ~~chief inspector~~ Building Official .

~~Sec. 18-162. Powers.~~

- (a) ~~The chief inspector~~ Building Official and electrical inspectors shall have the following powers:
 - (1) Enforce the provisions of this article and file complaints in municipal court against persons who violate any of its provisions.
 - (2) Enter any house or premises during reasonable hours while any electrical wiring or fixtures or equipment is being installed to examine any electrical wiring or installation of electrical wiring, fixtures or equipment therein in the performance of his official duties.
 - (3) Order electrical service disconnected where improper or defective wiring exists or where electrical construction or equipment has been installed without a permit as required by this article.

- (4) Order compliance with this article where a change of occupancy occurs in a building which requires changes or alteration to the existing building.
- (5) Disconnect electrical service in cases of emergency where necessary for the safety of persons or property or where electrical equipment may interfere with the work of the fire department.
- (6) Attach to electrical equipment or electrical meters any official notice or seek to prevent the use of electricity.
- (7) Order persons to cease or desist doing any work being done without a permit where a permit is required or where such work is otherwise being done in violation of this article.

Sec. 18-163. Restrictions on employees.

No employee of the building inspection division shall be financially interested in the furnishing of labor, material or equipment for the installation, alteration or maintenance of electrical wiring, fixtures or equipment or in the making of plans or specifications therefor unless he is the owner of the property on which the installation is located or planned.

Sec. 18-164. Unlawful acts.

- (a) It shall be unlawful for any person to use any seal used by the inspector or break, change, destroy, tear, mutilate, cover or otherwise deface or injure any such official notice or seal posted by any electrical inspector.
- (b) It shall be unlawful for any person to interfere with the chief inspector official or assistants in the discharge of their duties or to prevent or in any manner attempt to prevent them from carrying out the provisions of this article.

Secs. 18-165—18-175. Reserved.

DIVISION 4. PERMITS

Sec. 18-176. Requirements and exceptions.

- (a) Except as otherwise specifically provided in this article, it shall be unlawful for any person to install or cause to be installed or to permit any person to install any electrical wiring fixtures or equipment within or on any building, structure or premises publicly or privately owned or to make any alteration, additions, changes or repairs within the scope of this article without having procured a permit therefor issued by the chief inspector, except as provided in this division. Accessory buildings, tourist cottages or group houses shall not be considered separate buildings when the work is to be installed as one complete project and at one time except where separate meter loops are installed.

- (b) There shall be only one permit issued at any given time for any one installation of electrical equipment.
- (c) No meter service shall be connected to the electric distribution system of Central Power and Light Company unless it has been inspected, a permit obtained and fees paid, except in an emergency, Central Power and Light Company can be called to reconnect the service and will be inspected later.
- (d) A permit is required for the installation of wiring for cable, satellite, telephone, and/or fire security systems in new construction, except if wiring is done by qualified personnel from the company that supplies the service.
- (e) No permit shall be required for the replacement of lamps, switch and receptacle plates, covers, and fuses or for the connection of portable electrical equipment to suitable permanently installed receptacles.
- (f) No permit shall be required for the installation of electrical conductors or equipment to be installed where such installation is in accordance with the plans and specifications approved by the city and where such installation will be within and on the premises with the control and supervision of the state department of highways and public transportation and where such installation will be part of highway facilities operated, maintained or controlled by the state department of highways and public transportation.
- (g) No permit shall be required for the replacement of a motor by another motor of the same horsepower and rating, solenoid valves, low pressure controls or other controls when the electrical supply to the same is or has been properly installed by a licensed electrician.
- (h) No permit shall be required for any work involved in the manufacturing, testing or servicing, altering or repairing of electrical equipment or apparatus except that this exemption shall not include any permanent wiring of the building used for the above.
- (i) No permit shall be required for maintenance work performed by a licensed electrician on the premises of his employer, but he must have a master's or maintenance electrical license.
- (j) No permit will be required for work done by the telephone company, Central Power and Light Company or their authorized agent.

Sec. 18-177. Application.

- (a) *Forms; plan or diagram.* Application for permits shall be made in writing upon forms provided by the city for that purpose. The application shall include a diagram or plan showing clearly the character and kind of wiring or installation of fixtures or equipment work to be done. The plan or electrical diagram shall show the manner in which the electrical installation is to be made and/or the character of any repairs to any existing definite scale showing the point at which service

connection is required, the site of the feeders and subfeeders, the location at service switches and centers of distribution, and the arrangement.

- (b) *Contents.* The application shall also contain the following information:
- (1) The date the application is submitted;
 - (2) The name of the person under whose authority the application is made;
 - (3) The name of the person actually offering the application;
 - (4) The address where electrical work is to be done;
 - (5) A description of the electrical work to be done; and
 - (6) Such other pertinent information as may be required by the chief inspector.

Sec. 18-178. Plans and specifications.

The chief inspector shall require plans, specifications and a complete feeder layout of installations of electrical work. When such plans, specifications, layouts are demanded, it shall be a violation of this article to install any part of the electrical work concerned until the enforcement official initially approves the installation.

Sec. 18-179. Application and permit fees.

- (a) Before proceeding with the installation, alteration or the addition to electrical wiring or equipment within the city, an applicant shall first file with the city an application requesting a permit to carry on such work and the necessary inspections and pay fees to the city in accordance with the fee schedule for any electrical work as established by resolution of the city council, and listed in appendix A of this Code.
- (b) If the office of the chief inspector has not been notified within 24 hours, Saturday, Sunday, and city holidays not counted, after a specific job is started, then the permit fee shall be doubled. The collection made is to defray the additional cost of inspecting work already done and issuing a permit under such circumstances and is not a penalty and not preclusive of any remedy otherwise available to the city to enforce this article.
- (c) Permit application covering the installation of motors on any job shall specify each motor individually and no grouping of motors or other such grouping of horsepower shall be permitted.
- (d) If the total fees per installation charged are less than the minimum permit fee amount established by resolution of the city council and listed in appendix A of this Code, then the minimum permit fee amount established by resolution of the city council and listed in appendix A of this Code shall apply. If such total fees exceed the minimum permit fee amount established by resolution of the city council and listed in appendix A of this Code, the greater amount shall be charged.

- (e) All work must have a permit, but agencies of the federal, state, city and county governments are exempt from the payment of fees in connection with the construction or repair of a building used, owned, and located on property owned by the governmental agencies. Permit fees for public schools and other political subdivisions having ad valorem tax exempt status, and for church sanctuaries, and all other state constitutionally exempted ad valorem tax entities shall be 50 percent of the regular fee.

Sec. 18-180. Issuance.

- (a) Permits shall be issued to licensed master electricians qualified to secure permits as determined by ordinance of the city and the State of Texas providing for licensing of electricians or their duly authorized agents who shall be certified to the chief inspector by affidavit stating that the electrician assumes all and full responsibility for any permit taken out or applied for by the agent. ~~This affidavit shall be kept on file after it has been approved by the city attorney.~~
- (b) Permits shall be issued to a person performing electrical work or maintenance work with their own hands in a single-family dwelling owned by him and claimed as his homestead. The work must meet code regulations, be inspected, and have all fees paid.
- (c) When the chief inspector finds the application, the diagram or plans and specifications to be correct, he shall cause the permit to be issued.

Sec. 18-181. For parts of jobs.

- (a) When an electrician completes the rough work, in whole or in part, on any electrical wiring or installation of fixtures or equipment and a second electrician is called upon to complete the work, in whole or in part, a separate permit is required for which regular fees shall be paid for the work to be done. Each electrician shall be held responsible only for the work installed by him.
- (b) Before the second electrician is issued a permit for the completion of electrical wiring or installation of fixtures or equipment, the chief inspector shall first notify the electrician holding the original or first permit, if he can be found, that the second permit is proposed to be issued.
- (c) The issuance of the second permit shall cancel the first permit, and no refund of fees for such cancelled permit shall be made.

Sec. 18-182. Time limitation and revocation.

- (a) If electrical wiring of fixtures or equipment work authorized under a permit is not started within 60 days after issuance of such permit, or if the work is started and then discontinued and the work remains discontinued for a period of 60 days, the permit shall become void. No work shall be done on the premises until a new permit is issued and all necessary fees paid. No refund shall be made for permits that have become void.

- (b) The chief inspector shall have the right to declare a permit null and void if there has been misrepresentation of facts on application for the permit. No work shall be performed until a new permit is issued and all fees have been paid.
- (c) An electrical permit may be cancelled by the applicant at any time within 60 days of the date of its issuance. If no work has been done under such permit, the chief inspector when formally requested in writing by the applicant may refund 75 percent of the permit fee paid, but in no case shall the city retain less than the minimum permit fee established by resolution of the city council and listed in appendix A of this Code to cover the cost of auditing the fee and preparing the request for refund.

Secs. 18-183—18-195. Reserved.

DIVISION 5. INSPECTIONS

Sec. 18-196. Procedure and requirements.

- (a) It shall be unlawful for any person to make connections from a source of electrical energy to any electrical wiring, devices or equipment on an installation for which a permit is required, as set forth in this article, until it has been approved by the chief inspector authorizing such connection and the use of such wiring devices or equipment.
- (b) Inspection procedures and electrical work will be performed as follows:
 - (1) The chief inspector shall inspect and approve electrical work after rough-in work is completed and requests for inspections are made.
 - (2) All requests for inspection of electrical work shall be made 24 hours before the electrical work concerned is to be concealed or connected for services, as the case may be by the permit electrician.
 - (3) When any electrical work for which a permit is required under this article has been installed, but not concealed or connected for service, as the case may be, the electrician to whom the permit was issued shall request inspections at least 24 hours before the electrical work concerned is to be concealed or connected for service by notifying the chief inspector in such manner as the chief inspector may prescribe. The chief inspector shall inspect such electrical work as soon as practical.
 - (4) No electrical work for which a permit is required under this article shall be concealed in any manner from access or plain sight until such electrical work has been inspected and approved by the chief inspector. No electrical work shall be connected to a source of energy until such electrical work is completed and all outlets supplied with approved fixtures, devices or covers, and such electrical work has been finally approved for service.

- (5) Whenever the complexity of electrical work may demand it, the chief inspector may schedule inspections to be made of phases of electrical work completed and ready for inspection.
- (6) It shall be unlawful for any person to fail to request inspection pursuant to such schedule as in subsection (b)(2) of this section.

Sec. 18-197. Types.

- (a) The permit holder shall request one or more of the following types of inspections:
 - (1) Temporary or construction service;
 - (2) Any electrical work being buried under concrete;
 - (3) Rough-in inspection; or
 - (4) Final inspection.
- (b) It shall be unlawful for any person to have electricity connected to a temporary meter loop or construction meter loop until the chief inspector or his authorized agent shall inspect and give approval. The chief inspector or his authorized agent shall then notify Central Power and Light Company and authorize the connection of the temporary or construction meter loop.
- (c) The permit for a temporary or construction meter loop shall be valid for 180 days. If work stops for more than 30 days, then a new permit will be needed.

Sec. 18-198. Rough wiring.

- (a) When the rough wiring or installation work is completed on any premises, the person responsible therefor shall notify the chief inspector that the job is ready for inspection, giving proper identification of the work, address and permit number. The chief inspector shall then make an inspection of the electrical installation. If the wiring or installation work has been installed in accordance with the terms and provisions of this article, the chief inspector shall sign the inspection card, noting thereon the date of approval of the work. More than one rough inspection may be made without charge when the progress of construction requires such inspection.
- (b) If the wiring or installation of fixtures or equipment is found to be faulty or incorrectly or defectively installed, the chief inspector shall notify the responsible person who installed such work of the changes necessary to be made in order that the work may conform to this article.
- (c) The permittee shall within 48 hours from the time of notification; make or start to make the changes ordered and shall proceed with the work until the same is completed. Upon completion thereof and payment of the reinspection fee, he shall notify the chief inspector that faulty work has been corrected. The latter shall then cause the reinspection to be made, and if the work is found to comply with the electrical code, he shall sign the inspection card, noting thereon the date of approval of the work.
- (d) If the chief inspector shall again find the work incorrectly installed, he shall notify the permittee of the necessary changes, and the permittee shall pay an additional

reinspection fee. If the permittee fails to correct the faulty work within 72 hours' time, the chief inspector shall refuse to issue to any such person any further permits until the work in question is corrected and approved.

Sec. 18-199. After a fire.

An inspection shall be conducted by the chief inspector on any building or structure that has been damaged by fire.

Sec. 18-200. Other.

The chief inspector may make inspection of electrical work from time to time, and where such electrical work is in a dangerous or unsafe condition or is deemed to interfere with the work of the fire department, the inspector shall notify the person owning, using or operating such electrical work to place it in a safe, secure and noninterfering condition. Any person failing, neglecting or refusing within a reasonable amount of time to make the necessary changes or repairs and have the necessary work completed within a reasonable amount of time, shall be deemed guilty of violation of this section. Every day which shall elapse after the expiration of such reasonable time until such wire and apparatus are repaired, removed or changed, as required by the chief inspector, shall be considered a separate offense within the intent and meaning of this article.

Sec. 18-201. Final.

- (a) Upon the completion of all electrical wiring and installation of fixtures or equipment in any building, or any premises, the permittee shall notify the chief inspector that the work is ready for final inspection, giving the permit number and the street address. The chief inspector shall then make the inspection. If any faulty or defective wiring or equipment is found, the permittee shall be notified of the changes to be made in order that such work shall conform to this article. If such work is found to be correctly installed, replaced, or repaired, the chief inspector shall endorse his approval upon the inspection certificate stating that the wiring or installation work has been installed in accordance with the provisions of this article.
- (b) If the electrical work, upon final inspection meets all the requirements of this article, the chief inspector shall immediately make the necessary service records to allow connection of such electrical work to a source of energy. If such electrical work fails to meet such requirements, then written notice by the chief inspector of existing deficiencies shall be given to the permit electrician. Such electrician shall promptly correct the defects and request a reinspection.
- (c) Whenever a permitted electrician is given notice of defects in electrical work, he shall promptly correct such defects. Failure to do so within 15 days of notice of defects shall be unlawful and a violation of this article. In addition to any other penalties, the chief inspector shall refuse to issue any further permits for electrical

work to such electrician until existing defects are corrected and approved in accordance with the provisions of this article.

- (d) After final inspection, a written certificate of approval shall be issued, upon request, to a permit electrician to cover any electrical work done by him and approved by the chief inspector.
- (e) When a permitted electrician does not have the contract for finishing the electrical work covered by his permit, he shall request an inspection in writing of the electrical work completed by him, specifying the extent of his obligation to install electrical work.
- (f) When any permitted electrician refuses to request a final inspection on substantially completed work covered by his permit, the owner or person in control of the premises where the electrical work has been performed may request an inspection. Notice of such request shall be given to the permit electrician by the chief inspector, and the permit electrician shall be asked to show cause for not requesting the final inspection. ~~The electrical board will be informed of any such action.~~

Sec. 18-202. Periodic general.

The chief inspector may inaugurate periodic reinspection of installations of electrical wiring, electric devices and electric equipment now installed or that may be installed and within the scope of this article. When the installation of any such wiring, devices or equipment is found to be defective, dangerous or in an unsafe condition, the person owning, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, devices or equipment in a safe condition within five days or any longer period specified by the chief inspector in the notice. The chief inspector shall immediately order the disconnection or discontinuance of electrical services to such wiring devices or equipment until the wiring, devices or equipment have been made safe as directed.

Sec. 18-203. Work left open.

It shall be unlawful for any person to cover, or cause to be covered, any part of a wiring installation with flooring, lath, wall board or other material until the chief inspector shall have approved the wiring installation in part or as a whole.

Sec. 18-204. Inspector's removal request.

It shall be the duty of the chief inspector to cause all abandoned dead wire, unused poles or electrical apparatus on the outside or inside of the buildings or in the street or alleys to be removed at the expense of the owners by giving the owners written notice.

Sec. 18-205. Changing or altering electrical conductors.

It shall be unlawful for any unauthorized person to in any manner change or alter electrical conductors.

Secs. 18-206—18-215. Reserved.

DIVISION 6. LICENSES

Sec. 18-216. Classification.

There shall be six classes of licenses which shall be known as follows:

- (1) — Master electrician;
- (2) — Master electrician sign;
- (3) — Journeyman electrician;
- (4) — Limited journeyman electrician sign;
- (5) — Maintenance electrician; and
- (6) — Apprentice electrician.

Chapter 1305.101(a)(2) of the Texas Electrical Safety and Licensing Act have mandated the revised National Electrical Code (NEC) as the electrical code for the State of Texas. In accordance with state law, the Texas Commission of Licensing and Regulation adopted the amendments to Chapter 73.100 of the administrative rules thereby establishing the 2014 National Electrical Code (NEC) as the “minimum standard” for all electrical work in Texas as covered by the Act. The adoption became effective September 1, 2014.

Sec. 18-217. Qualifications.

- (a) — ~~Master electrician.~~ Persons applying for a master electrician's license shall be at least 21 years of age, have at least five years of electrical experience, and maintain a permanent mailing address. The applicant shall be examined as provided in section 18-221. A certificate of graduation from, or an affidavit of attendance at, a recognized technical school or college shall be credited year for year not exceeding three years as part of the required five years' experience.
- (b) — ~~Master electrician signs.~~ Persons applying for a master electrician sign license shall be at least 21 years of age, have at least five years' electrical experience and maintain a permanent mailing address. The applicant shall be examined as provided in section 18-221. A certificate of graduation from, or an affidavit of attendance at, a recognized technical school or college shall be credited one year for years not exceeding three years as part of the required five years' experience.
- (c) — ~~Journeyman electrician.~~ Persons applying for a journeyman electrician's license shall be at least 18 years of age and shall have at least two years' electrical experience with an electrical contractor. The applicant shall file with his application a letter bearing the signature of the person by whom he is regularly

~~employed and the address of the place of employment, or shall state that he intends to do work under this classification and will furnish the electrical inspector with the letter described in this subsection when so employed and will notify the chief inspector of each change of employment during the life of his license.~~

- ~~(d) *Limited journeyman electrician sign.* Persons applying for a limited journeyman electrician sign license shall be at least 18 years of age and shall have at least two years' electrical experience with an electrical contractor. The applicant shall file with his application a letter bearing the signature of the person by whom he is regularly employed and the address of the place of employment, or shall state that he intends to do work under this classification and will furnish the electrician inspector with the letter described in this subsection when so employed and will notify the chief inspector of each change of employment during the life of his license.~~
- ~~(e) *Maintenance electrician.* The maintenance electrician is a person who is regularly employed on a permanent basis by a person, company or corporation to take care of the electrical work in one building or the premises of several buildings.~~
- ~~(f) *Apprentice electrician.* Persons applying for an apprentice electrician's license shall be at least 16 years of age and working for an electrical contractor.~~

Sec. 18-218. Requirements and exceptions.

- ~~(a) Except as otherwise provided in section 18-180(b), it shall be unlawful for any person to do electrical work unless such person is a master electrician licensed under the provisions of this article or unless such person is a journeyman or is an apprentice electrician licensed under the provisions of this article and does such electrical work under the supervision, direction and control of a master electrician.~~
- ~~(b) A person who does wiring on new construction for cable television, satellite, telephone and/or fire security systems shall hold an electrician's license, except when the work is performed by qualified personnel employed by the company that supplies the service.~~
- ~~(c) Any person holding a valid master electrician's license need not procure a lesser license. Any person holding a valid journeyman's license need not procure a lesser license. When two or more master electricians are working on the same job, the supervision, direction and control of the electrical work shall be the responsibility of the person to whom the permit was issued.~~
- ~~(d)(a) The following classes of electrical work may be carried out by persons who are not licensed electricians:
 - (1) Electrical work on one's own homestead, as ~~reflected by public records determined by San Patricio County Homestead exemption status,~~ performed only by the person owning such homestead. A permit as~~

provided in section 18-180(b) shall have first been obtained by such a person. They shall have complied with all other requirements of this article except the licensing provisions.

- (2) The replacement of lamps, fuses and connection of portable devices to suitable receptacles which have been permanently installed.

~~Sec. 18-219. Reciprocity with certain cities.~~

~~(a) — The city will reciprocate electrical licenses with the cities of Aransas Pass, Port Aransas and Rockport under the following conditions:~~

~~(1) — The applicant holder must be a resident of one of the above-named cities or reside within the boundaries of the school district of one of the participating cities for a period of not less than one year.~~

~~(2) — The applicant holder must present a letter from the electrical inspector of his residence, giving current work status in his city and test score of the written test for his resident city.~~

~~(3) — The applicant must hold a license in the city of residence equal to the license being applied for.~~

~~(4) — The applicant must meet all other requirements of the city as set forth in this chapter as may pertain to the license fee, permit procedure and other such requirements.~~

~~(5) — Should any or either of the cities of Port Aransas, Aransas Pass or Rockport, Texas, determine that this reciprocity agreement shall not be honored with the city, then, in such event, the reciprocity agreement shall be automatically declared to be null and void with such other city, the same remaining in effect as to such other cities as may continue to honor the agreement.~~

~~(6) — The provisions of this section shall not be construed to include any reciprocity agreement that this city, or the cities of Port Aransas, Aransas Pass or Rockport may have with any other cities, the terms and provisions of this section being exclusive only as to such cities.~~

~~(b) — The city will reciprocate electrical licenses with other cities that use a nationally recognized test under the following conditions:~~

~~(1) — The applicant must present a letter from the electrical inspector or testing agency where he took the test giving his test number, his test score, the type of test taken and proof that the applicant is in good standing.~~

~~(2) — The applicant must meet all other requirements of the city as set forth in this chapter.~~

~~(3) — The other city will accept the City of Ingleside licensed electricians that have taken the SBCCI or Block test and passed it.~~

~~Sec. 18-220. Application.~~

- ~~(a) — Every application for any type of electrical license shall be made upon a form supplied by the electrical inspection department.~~
- ~~(b) — Upon receipt by the chief inspector or his authorized representative of an application, accompanied by proper fees for the exam and license, an examination shall be scheduled for some date within reasonable time from the date of the application.~~
- ~~(c) — Every application for any of such licenses shall state the full name, date of birth, social security number, driver's license, weight, height, color of eyes, color of hair, sex, residence and business address of the applicant. Every original application for a license shall specify the experience of the applicant and briefly describe the applicant. The application shall state whether the applicant has heretofore been licensed as an apprentice, journeyman, master or other classification of electrician. The application shall state whether any such license has ever been suspended or revoked or whether an application has ever been refused and the date and the reason for such suspension, revocation, or refusal.~~
- ~~(d) — All applications for examinations shall be filed with the chief inspector at least five working days prior to the electrical advisory board meetings.~~

~~Sec. 18-221. Examinations.~~

- ~~(a) — The electrical board shall set the date, approve the form and content of every examination given and shall be satisfied that every license applicant is qualified for examination and licensing.~~
- ~~(b) — An examination for a master's license shall be of such nature as to show the applicant's satisfactory and thorough knowledge of the National Electrical Code adopted in section 18-246~~
- ~~(c) — An examination for any other character of license shall be of such a nature as to show the applicant's satisfactory ability to follow and understand written and oral instructions and satisfactory and thorough knowledge of the National Electrical Code, this division and other recognized requirements pertaining to electrical work he is required to perform under the license sought.~~
- ~~(d) — No examination shall be necessary to obtain an apprentice electrician's license, but the applicant must fill out an application.~~
- ~~(e) — Examinations for licenses shall be held in the chief inspector's office or such other location as the electrical board may designate. The electrical board shall order examinations to be held when they deem it necessary to effect the intent of this division.~~
- ~~(f) — The electrical advisory board may prepare at least three sets of examinations for each class of license requiring an examination, or they may authorize the use of professionally prepared examinations. The sets and/or type of examinations may be changed by the board at any time when no applications for examination are~~

pending. When an application for examination has been filed, an examination for the proper class of license shall be selected to be taken by the applicant.

~~(g) — After completion of the examination, the papers will be graded and the result announced. Upon confirmation of the fact that the applicant made 70 percent or more on the examination and that he has paid the required fees, a license may be issued. If inquiries of the applicant's references and investigation of past experience record does not result in satisfying the board as to the qualifications of the applicant, a satisfactory explanation and further references may be required of the applicant. Upon failure to obtain this approval of the board by the furnishing of satisfactory references and satisfactory explanation of any items in past experience record, or, upon failure to make a grade of 70 percent or more on the examination, the license shall be denied and the staff shall notify the applicant accordingly.~~

~~Sec. 18-222. Examination requirements.~~

~~All electricians shall pass a nationally recognized exam (Block Test or SBCCI) based upon the National Electrical Code.~~

~~Sec. 18-223. Failure of applicant to pass examination.~~

~~If an applicant for a license under this article fails to pass the examination for a license, he shall not be eligible for another examination for a period of two months. If an applicant fails to pass the second time, he shall not be eligible for a third examination for a period of two months. If the applicant fails the third time he must wait six months before retesting. If the applicant fails to pass an examination or is disqualified for the license applied for, the license fee paid with the application shall not be returned.~~

~~Sec. 18-224. License and examination fees.~~

~~The fees required for a license are established by resolution of the city council and listed in appendix A of this Code.~~

~~Sec. 18-225. Not to be issued to certain persons.~~

~~The electrical advisory board shall not authorize the issuance of a license to any of the following persons:~~

- ~~(1) — Any person failing to properly apply for a license under this article or apply for a renewal and to pay the fees.~~
- ~~(2) — Any person required by this article to take an examination unless such person shall have successfully passed such examination.~~
- ~~(3) — Any person whose license under this article has been suspended, during such suspension.~~

~~Sec. 18-226. Issuance.~~

~~Upon payment of the required fee the chief inspector shall issue to each person the class of license which such person is qualified to receive under the provisions of this article. Each license shall bear a distinguishing number assigned to the licensee and the full name, sex, date of birth, weight, height, color of hair and color of eyes. In the proper space the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license shall be valid until it is signed by the licensee.~~

~~Sec. 18-227. Expiration; renewal.~~

- ~~(a) All licenses issued under this article shall expire at 12:00 midnight on August 31 of each year.~~
- ~~(b) Any licensee failing to renew his license before his current license expires shall be considered as an applicant for an original license after 90 days of expiration. From 90 to 120 days the licensee may tender the required amount for a license at double the original fee and present the electrical advisory board with satisfactory reasons for failure to apply on time. The electrical advisory board may then authorize renewal of such license.~~
- ~~(c) All expired licenses not renewed at the end of 120 days, as provided by this subsection, shall be deemed cancelled. The chief inspector shall make appropriate notations on his records to reflect such cancellation. The applicant must fill out a new application and take a new test.~~

~~Sec. 18-228. Duplicate licenses.~~

~~If an apprentice, journeyman or master electrician's license issued under the provisions of this article is lost or destroyed, the person to whom the same was issued may obtain a duplicate or substitute upon furnishing proof satisfactory to the chief inspector that such permit or license was lost or destroyed and payment of a fee established by resolution of the city council and listed in appendix A of this Code.~~

~~Sec. 18-229. Notice of change of address.~~

~~Whenever any person after applying for or receiving an apprentice, journeyman or master electrician's license shall move from the address named in such application or in the license issued to them, or when the name of the licensee is changed or when the employment of such person is changed, they shall immediately notify the chief inspector in writing of his former address and employment, and his present address, name and employment and shall give his license number.~~

~~Sec. 18-230. Certain acts prohibited.~~

- ~~(a) It is unlawful to display or cause or permit to be displayed or to have in one's possession any instrument purporting to be any license for the doing of any~~

~~electrical work, knowing such instrument is fictitious or to have been cancelled, suspended or altered.~~

- ~~(b) — It is unlawful to lend or knowingly permit the use of any license for the doing of any electrical work to any person not entitled thereto under the provisions of this article.~~
- ~~(c) — It is unlawful to display or to represent as one's own, any license for the doing of any electrical work when such license has not been lawfully issued to the person so displaying the same.~~
- ~~(d) — It is unlawful to fail to refuse to surrender to the enforcement official, on demand, any license for the doing of any electrical work which has been suspended or cancelled, as provided by law.~~
- ~~(e) — It is unlawful to apply for or have in one's possession more than one current license of the same type provided for in this article.~~
- ~~(f) — It is unlawful to employ as a master, journeyman, or apprentice electrician any person not licensed as provided in this article.~~
- ~~(g) — It is unlawful to perform any character of electrical work for which a license is required without the license required by this article or when such license is suspended or cancelled.~~
- ~~(h) — It is unlawful for a licensee to perform electrical work in any manner in violation of any restrictions imposed on a license issued to him.~~

~~Sec. 18-231. Grounds for suspension.~~

~~The electrical advisory board may suspend the license of any apprentice, journeyman, or master electrician for a period of not more than one year after determining at a proper hearing, as set out in section 18-232, that the licensee has done any of the following:~~

- ~~(1) — Committed an offense of which he has not been convicted, but for which automatic suspension of license would follow under the provisions of this article, upon conviction.~~
- ~~(2) — Permitted an unlawful or fraudulent use of such license.~~
- ~~(3) — Committed an offense in another state, county or city which if committed in this city would be grounds for suspension or revocation.~~
- ~~(4) — Is a habitual violator of this article. The expression "habitual violator" shall mean three or more separate violations in one year (12 months).~~
- ~~(5) — Performed any electrical work that is in violation of this article and then failed or refused to make corrections necessary for the work to conform to this division.~~
- ~~(6) — Performed any electrical work that is in violation of this article or the National Electrical Code and such work is found to be the cause or a contributing cause to a fire whether or not there is any actual damage or loss.~~

~~(7) — Performed any electrical work in violation of any restrictions imposed on a license issued to them.~~

~~Sec. 18-232. Suspension procedure.~~

- ~~(a) — In determining any charges on the grounds for suspension, the electrical advisory board shall proceed upon sworn information furnished it by an official of the city or by any person aggrieved by the action of an electrician in the performance of electrical work for which an electrical permit is required by this article. Such information shall be in writing and shall be verified by the person familiar with the facts therein charged. Three copies of the charges or information shall be filed with the city secretary. Upon receipt of such information, the city secretary shall retain one copy for the official records of the city and shall convey two copies to the electrical advisory board.~~
- ~~(b) — If it deems the information sufficient to support further action on its part, the board shall make an order setting the charges therein contained for hearing at a specified time and place. The board shall cause a copy of its order and of the information to be served upon the accused by certified mail no less than ten days before the date appointed in the order of the hearing. The accused may appear in person or by counsel, or both, at the time and place named in the order and make his defense to the same.~~
- ~~(c) — All such hearings shall be open to the public. The city attorney shall be entitled to present evidence and argument at such hearing. If the accused fails or refuses to appear, the board may proceed to hear and determine the charges in his absence. If the accused admits the truth of the charges or if, upon a hearing of the charges, the board by vote of four or more of its members shall find them to be true, it may enter an order suspending the license of such an electrician.~~
- ~~(d) — The board shall have the power through its chairman or secretary to administer oaths and to compel the attendance of witnesses before it by subpoena issued over the signature of the chairman.~~
- ~~(e) — When the electrical board has completed such hearing and made its decision, it shall cause one copy of its decision to be filed with the chief inspector, one copy with the city secretary and a certified copy thereof to be forwarded to the accused.~~

~~Sec. 18-233. Automatic suspension.~~

- ~~(a) — The license of any person shall be automatically suspended upon final conviction for any of the following offenses:
 - ~~(1) — Taking out a permit in the name of a person authorized to do the electrical work and thereafter permitting a person not authorized by this division to do the electrical work.~~
 - ~~(2) — Tampering with, diverting from, or in any way interfering with the proper action or registration of any electric meter, as that offense is defined in the state penal code.~~~~

- ~~(3) — Employing as a master, journeyman, or apprentice electrician, any person not then licensed as provided in this article.~~
- ~~(b) — The first suspension under this division shall be for a period of six months. If any license shall be suspended under the provisions of this division for a second time, such suspension shall be for a period of one year.~~
- ~~(c) — The suspension of any license shall be automatically extended upon the licensee's being convicted of performing electrical work while the license of such person is suspended. Such extended period of suspension shall be for a like period as the original suspension and be in addition to any other penalty assessed as provided in this article.~~

~~Sec. 18-234. Surrender and return.~~

~~Any license which has been suspended under this article shall be surrendered to and be retained by the chief inspector. At the end of the period of suspension, in the absence of further violations, the surrendered license shall be returned to the licensee and shall be valid under the provisions of this article. If the period of suspension extends beyond the normal expiration date, the licensee must pay all license fees pursuant to section 18-224 and post all surety bonds in order to receive a valid license to continue electrical work. Failure to surrender a license shall be recorded in their licensee's permanent file.~~

~~Secs. 18-235-219—18-245. Reserved.~~

~~DIVISION 7. STANDARDS~~

~~Sec. 18-246. National Electrical Code—Adoption.~~

~~There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal, and maintenance of electric wiring and apparatus, including permits and penalties, that certain electrical code known as the National Electrical Code of the National Fire Protection Association, being particularly the 1999 2014 edition of the National Electrical Code and the whole thereof. One copy of such code has been and is now filed in the office of the city secretary of the city. Such code is hereby adopted and incorporated as fully as if set out at length in this section, and the provisions thereof shall be controlling in the construction, alteration, maintenance, or removal of electrical wiring and apparatus within the corporate limits of the city.~~

~~Sec. 18-247. Same—Amendments and deletions.~~

- ~~(a) Due to climatic conditions prevailing in and about the city, certain special rules covering electrical wiring and equipment installations are set forth in this section, and certain exceptions and amendments are taken to the rules and regulations of the current National Electrical Code to raise the safety level of electrical~~

installations and prevent the rapid deterioration of electrical materials and equipment from severe atmospheric and underground corrosive action all of which exceptions are set forth below:

- (1) Aluminum wiring shall be prohibited in any electrical installation inside or outside of a building, except from the transformer pole to service weather head.
 - (2) Electrical metallic tubing shall not be installed in any exposed outside location or in underground installations subject to moisture exposure.
 - (3) Underground installations of single runs or grouped runs shall use only electrical PVC conduit, except the electrical inspector may approve the use of ridged metal conduit for a class A installation.
 - (4) The use of crimp type connectors and couplings used with electrical metallic tubing shall be prohibited when used as a grounding means.
 - (5) Service entrance conductors shall be run in conduits or raceways. Feeders may be run in conduits, raceways or approved cable.
 - (6) Minimum size of wire for all construction is #12.
- (b) The following additional amendments shall be met for all new construction:
- (1) All circuits, except lighting circuits, shall have conductors sized in accordance with article 310 of the National Electrical Code, minimum current capacity of circuit conductors of 20 amperes.
 - (2) The following listed buildings shall have a minimum of one receptacle installed for every 20 lineal feet, measured horizontally around the interior wall at the floor level of each room, excluding storage rooms:
 - a. Office buildings;
 - b. Taverns;
 - c. Store buildings;
 - d. Studios;
 - e. Bank buildings;
 - f. Restaurants; and
 - g. Mechanical garages.
 - (3) One spare circuit space shall be available for every five circuits in all buildings. For each panel, a spare one-inch raceway shall be installed from the panel to an accessible location.
 - (4) All wire used in prewire for the telephone company will be a 22-gauge or 24-gauge standard code insulated conductor with a polyvinyl exterior jacket. Television cable shall be compatible with that used by the cable company.
 - ~~(5) All bathroom, kitchen, private garage and basement fixtures, and all other fixtures installed in wet locations shall be controlled from wall switches.~~
 - ~~(6)~~(5) Made electrodes shall be as follows:

- a. Rod electrodes. Rod electrodes shall be of brass, copper or copper clad steel and shall be at least five-eighths of an inch in diameter and eight feet or more in length.
 - b. All foundation and exterior wall openings around electrical cables and conduits shall be protected against rats by closing such openings with cement mortar, concrete masonry or noncorrodible metal.
- ~~(7)~~(6) Meter and meter loops amendments shall be as follows:
- a. Meter and meter loops shall be installed in accordance with Central Power and Light Company specifications by a licensed electrician only. Specifications are contained in their publication entitled "Meter Installation Standards."
 - b. A readily accessible main disconnect on the outside of each building is required. Such disconnect must be on the outside wall within 24 inches of the meter base.
 - c. A preconstructed meter pole may be used as a construction pole or in a mobile home park as long as it is built by a licensed master electrician and meets the standards of the city electrical code and is inspected by the electrical inspector.
- ~~(8)~~(7) Dwelling circuit amendments shall be as follows:
- a. The kitchen for each dwelling shall have no less than two 20 amperes circuits which shall not extend beyond the kitchen and dining area with a maximum of four outlets per circuit. Refrigerators and microwaves shall each be on a separate circuit.
 - b. Not more than seven convenience outlets and lights shall be connected to any circuit, whether the outlets are ceiling, wall or receptacle outlets, and no single circuit shall supply an area of 300 square feet or more.
 - c. Any appliance with an amperage rating of over 50 percent of the total breaker may have only an additional light fixture installation. The circuit cannot have a counter outlet on it with the appliance.
- ~~(9)~~(8) The use of an unapproved appliance is prohibited.
- a. It shall be unlawful for any person within the city to use any appliance which has not been endorsed by the Underwriters' Laboratories, Inc., or other nationally recognized standards association or without first obtaining approval from the chief inspector in absence of such evidence of safety approval.
 - b. Should any material or equipment be submitted for approval which is not listed as approved by the Underwriters' Laboratories, Inc., the chief inspector, within ten days of the receipt of written request

for special approval, shall approve, provisionally approve or disapprove such electrical material or equipment.

- c. Approval shall be based on reasonable safety to persons or property and material and equipment shall be considered as adequate for approval if the standards of the Underwriters' Laboratories, Inc., and/or provisions of this article are met.
- d. When material or equipment is approved by the chief inspector, such approval shall continue until the material or workmanship on the article approved is changed. When the material or workmanship is changed, the article shall be reexamined and approved prior to use.
- e. When no applicable standard can be used to determine whether an article is reasonably safe, the chief inspector may grant provisional approval and allow its use until such time as it can be tested or determined whether the article is safe to persons and property.
- f. Approval by the chief inspector shall not become final until concurred by the ~~electrical advisory board~~ Board of Adjustments. Denial by the chief inspector may be appealed to the ~~electrical advisory board~~ Board of Adjustments. The action by the ~~electrical board~~ Board of Adjustments shall be final.

Secs. 18-248—18-270. Reserved.

ARTICLE VII. ~~HOUSING CODE~~ INTERNANTIONAL PROPERTY MAINTENANCE CODE

Sec. 18-271. Code adopted.

The ~~Standard Housing Code~~ International Property Maintenance Code, 1994 2012 Edition, including Appendices B and C, as published by the Southern Building Code Congress International, Inc., is hereby adopted as the housing code of the city with certain enumerated exceptions in section 18-272. A copy of the ~~Standard Housing Code, 1994 Edition,~~ International Property Maintenance Code 2012 Edition shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-272. Amendments and deletions.

The housing code adopted in section 18-271 is amended as follows:

~~Section 102.1. is amended by adding the following sentence:~~

~~The housing official shall be the Ingleside building official.~~

~~Section 106.1 111~~ is amended to read as follows:

The board of adjustment of the city, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-271 of the Ingleside City Code, and any provision in such code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Section 108 109.5 is amended by adding the following sentence:

Costs incurred in the enforcement of this code shall be charged to the owner of the premises involved and shall be collected in the manner provided by law, and the cost so incurred shall constitute a valid lien on the property.

Secs. 18-273—18-295. Reserved.

ARTICLE VIII. UNSAFE BUILDINGS

Sec. 18-296. Code adopted.

The ~~Standard Unsafe Building Abatement Code, 1985 Edition, International Property Maintenance Code 2012 Edition~~ as published by the ~~Southern Building Code Congress International, Inc., International Code Council~~ is hereby adopted as the unsafe building code of the city with certain enumerated exceptions in section 18-297. A copy of the ~~Standard Unsafe Building Abatement Code, 1985 Edition, International Property Maintenance Code 2012 Edition,~~ shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-297. Amendments and deletions.

The unsafe building code adopted in section 18-296 is amended as follows:

Section 104 190.5 is amended by adding the following sentence:

Costs incurred in the enforcement of this code shall be charged to the owner of the premises involved and shall be collected in the manner provided by law, and the cost so incurred shall constitute a valid lien on the property.

Sec. 18-298. Enforcing organization.

All enforcement of this code shall be carried out by the office of the building official or his duly authorized representative. All appeals from decisions made by the building official or his duly authorized representative shall be presented to the city council of the city within 30 days from the date of the notice of violation.

Sec. 18-299. Minimum standards for buildings.

All buildings or structures that do not comply with adopted codes or have any or all of the following defects or lack of facilities shall be deemed to be substandard buildings:

- (a) All buildings or structures not in conformity with this code.
- (b) All buildings or structures which have pit privies where the same are not permitted by law, or which are not connected to the city sewer when required by law, or where inadequate and unsanitary pit privies or septic tanks exist.
- (c) All buildings or structures that have become deteriorated through accident or lack of repair or natural causes, or by damage through exposure to the elements, especially winds, hail or rain, and damage through fire, to the extent that the roof, windows and doors or portions of the building or structure which protect from the weather will no longer protect from the weather.
- (d) All buildings or structures which constitute or in which are maintained fire hazards as that term is defined through the fire prevention code of the city.
- (e) All buildings or structures which are so structurally deteriorated that they are in danger of collapse or which cannot be expected to withstand winds of hurricane force.
- (f) All buildings or structures so constructed or permitted to be so constructed as to constitute a menace to health or safety, including all conditions conducive to the harboring of rats or mice or other disease-carrying animals or insects reasonably calculated to spread disease and including such conditions hazardous to safety as inadequate bracing or the use of deteriorated materials.
- (g) All buildings or structures, whether in use or not, which are unsafe, unsanitary, unfit for human habitation, or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to the existing use constitute a hazard to

safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by the demolition in accordance with the procedures set forth in this code.

Sec. 18-300. Procedure for eliminating substandard conditions.

- (a) Whenever the building official or his duly authorized representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this code, or of any rule or regulation concerning health, safety or general welfare, adopted by the city, he shall give notice of such alleged violation to the owner and inform him that the existence or the continuation of such alleged violation or violations shall constitute a nuisance. Such notice shall:
 - (1) Be put in writing, stating in detail the defects to be corrected by making appropriate reference to the pertinent code, statutes or ordinances so violated;
 - (2) Further state that if such elimination of defects, repairs, reconstruction, alteration, removal, cleaning up or demolition are not voluntarily completed within the stated time set forth in the notice, the building official or his duly authorized representative shall institute such proceeding as set forth in this code;
 - (3) Also state that the owner in the alternative shall come forth before the city council of the city and show cause why repairs should not be made, and why orders, requests and directives made by the building official or his duly authorized representative should not be complied with and/or the building, structure or substructure unless repaired or rehabilitated should not be demolished and removed from the premises, and the premises cleaned;
 - (4) Be served by any of the following methods:
 - a. By delivery to the owner or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion;
 - b. By depositing the notice in the United States Post Office by certified mail, return receipt requested, addressed to the owner, agent or person in control of said building or structure at his last-known address, postage prepaid thereon;
 - c. Where the owner is unknown or his whereabouts are unknown, by an official notice in a generally circulated and recognized Ingleside newspaper, to be published twice within a ten-day period.
- (b) Issuance of permits; substandard buildings. The following provisions set forth conditions and regulations to govern issuance of permits for repairs to existing buildings:

- (1) Where it is within the knowledge of the building official or his duly authorized representative, or the building official or his duly authorized representative suspects that a building for which a permit is sought is substandard, the building official or his duly authorized representative shall inspect it before the issuance of any permit and inform the owner that the building will be repaired and be occupant ready to the original intended use.
- (2) If the cost of any alterations or repairs to make a building conform to the minimum requirements of this code as determined by the building official or his duly authorized representative is in excess of 50 percent of the physical value as of the moment before such repairs or alterations are proposed or commenced to an existing building, such building shall be made to conform to all of the requirements of the building code, applicable to new buildings and including those pertinent zoning requirements.
- (3) If an existing building is damaged by a fire or otherwise to the extent that the cost of repair or restoration is in excess of 50 percent of its then physical value before such damage is repaired, the building shall be made to conform to the requirements of the building code for new buildings.
- (4) If a building is altered or repaired for other causes or damaged by fire or accident and the cost of such alterations or repairs or the amount of such damage is more than 25 percent, but not more than 50 percent of the physical value of the building, the portions to be altered or repaired shall be made to conform to the requirements of the building code for new buildings and to such extent as the building official or his duly authorized representative may determine.
- (5) Repairs and alterations not covered in the preceding paragraphs of this section, restoring a building to its condition previous to damage or deterioration, or altering it in conformity with the provisions of the building code or in such manner as will not extend or increase an existing nonconformity or hazard, may be made with the same kind of materials as those of which the building is constructed so long as the work performed conforms to chapter 18, article II, section 18-33 and section 18-34 of the City of Ingleside Code of Ordinances.
- (6) The term "then physical value" means, as to property damage by fire or accident or other sudden cause, the physical value of the building immediately before the fire, accident or other sudden cause. As to deterioration or damage other than fire, accident or other sudden cause, the term "then physical value" shall mean the value as of the date notice was given as per the provisions of this code. For the purpose of this code, the "physical value" or the "then physical value" of a building or structure as

hereinafter defined shall be determined by the Building Official or his duly authorized representative.

(c) Authority of city to demolish and attach lien.

(1) The following measures shall be taken by the city council in ordering repair, vacation or demolition:

- a. If the substandard building or structure can reasonably be repaired so that it will no longer be in a condition which is in violation of the terms of this code, it shall be ordered repaired.
- b. If the substandard building or structure is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public or lacks illumination, ventilation or sanitation facilities adequate to protect the health and safety of the occupants or the public, it shall be ordered to be vacated and shall be placarded to prevent occupancy until the building or structure is brought up to all minimum standards of this code.
- c. If the building cannot be repaired or is not repaired so that its existence will no longer be a violation of the terms of this code, it shall be demolished and removed from the premises.

(2) Notification of a public hearing shall be sent to an owner, lienholder, or mortgagee. This notice shall include a statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with this section and the time it will take to reasonably perform the work.

(3) After the public hearing if the building is found substandard the city council shall order the building be vacated, secured, repaired, removed, or demolished by the owner within 30 days. The municipality may order that the occupants be relocated within the 30 days. If the owner does not take the ordered action within the allotted time, the city shall make a diligent effort to discover each mortgagee and lienholder having an interest in the building or in the property on which the building is located. The city shall personally deliver or send by certified mail, return receipt requested, to each identified mortgagee and lienholder a notice containing:

- a. An identification, which is not required to be a legal description, of the building and the property on which it is located:
- b. A description of the violation of city standards that is present at the building: and
- c. A statement that the city will vacate, secure, remove, or demolish the building or relocate the occupants of the building if the ordered action is not taken within 30 days.

- d. As an alternative to the procedure prescribed by subsection (c)(3), the municipality may make a diligent effort to discover each mortgagee and lienholder before conducting the public hearing and may give them a notice of and an opportunity to comment at the hearing. In addition, the municipality may file notice of the hearing in the official public records of real property in the county in which the property is located. The notice must contain the name and address of the owner of the affected property if that information can be determined, a legal description of the affected property, and a description of the hearing. The filing of the notice is binding on subsequent grantees, lienholders, or other transferees of an interest in the property who acquire such interest after the filing of the notice, and constitutes notice of the hearing on any subsequent recipient of any interest in the property who acquires such interest after the filing of the notice. If the municipality operates under this subsection, the order issued by the municipality may specify a reasonable time as provided by this section for the building to be vacated, secured, repaired, removed, or demolished by the owner or for the occupants to be relocated by the owner and an additional reasonable time as provided by this section for the ordered action to be taken by any of the mortgagees or lienholders in the event the owner fails to comply with the order within the time provided for action by the owner. Under this subsection, the municipality is not required to furnish any notice to a mortgagee or lienholder other than a copy of the order in the event the owner fails to timely take the ordered action.
- (4) Within ten days after the date that the order is issued, the city shall:
 - a. File a copy of the order in the office of the city secretary; and
 - b. Publish in the official newspaper of the city a notice containing:
 - 1. The street address or legal description of the property;
 - 2. The date of the hearing;
 - 3. A brief statement indicating the results of the order; and
 - 4. Instructions stating where a complete copy of the order may be obtained.
 - (5) After the hearing, the city shall promptly mail by certified mail, return receipt requested, or personally deliver a copy of the order to the owner of the building and to any lienholder or mortgagee of the building. The city shall use its best efforts to determine the identity and address of any owner, lienholder, or mortgagee of the building.
 - (6) In a public hearing to determine whether a building complies, the owner, lienholder, or mortgagee has the burden of proof to demonstrate the scope

of any work that may be required to comply and the time it will take to reasonably perform the work.

- (7) If the building is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the 30 days, the city may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense. If the city incurs expenses, the city may assess the expenses on, and the city has a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the building was located. The lien is extinguished if the property owner or another person having an interest in the legal title to the property reimburses the city for the expenses. The lien arises and attaches to the property at the time the notice of the lien is recorded and indexed in the office of the county clerk in the county in which the property is located. The notice must contain the name and address of the owner if that information can be determined with a reasonable effort, a legal description of the real property on which the building was located, the amount of expenses incurred by the city, and the balance due.
- (8) When the city mails a notice to a property owner, lienholder, or mortgagee and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

Sec. 18-301. Penalty for violation.

Any person who shall willfully refuse or fail to leave a building which has been ordered vacated under the terms of this article, or who shall enter a building which has been ordered vacated under the terms of this article, or who shall enter an area around such building that has been declared to be dangerous and notice of which declaration shall have been posted, or any person who shall interfere with or hinder the vacation, repair or demolition of any building under the terms of this article or who shall procure the violation of any provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction shall be fined as provided in section 1-14 of this Code; and each and every day's violation shall constitute a separate and distinct offense.

Secs. 18-302—18-320. Reserved.

ARTICLE IX. SWIMMING POOLS

Sec. 18-321. Code adopted.

The Standard Swimming Pool Code, 1985 Edition, International Swimming Pool and Spa Code 2012 Edition as published by the Southern Building Code Congress International, Inc., International Code Council is hereby adopted as the swimming pool

code of the city with certain enumerated exceptions in section 18-322. A copy of the ~~Standard Swimming Pool Code, 1985 Edition~~, International Swimming Pool and Spa Code 2012 Edition, shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.

Sec. 18-322. Amendments and deletions.

The swimming pool code adopted in section 18-321 is amended as follows:

~~Section 105.6~~ 105.6.2 is amended to read as follows:

~~105.6~~ 105.6.2 Schedule of fees. Permit fees shall be established by resolution of the city council and printed in appendix A of the Ingleside City Code.

~~Chapter 1~~ is amended to ~~add a new amend~~ section 108 to read as follows:

The board of adjustment of the city, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-321 of the Ingleside City Code, and any provision in any of such code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Secs. 18-323—18-345. Reserved.

ARTICLE X. FLOODPLAIN MANAGEMENT

Sec. 18-346. Code adopted.

~~The Standard Code for Floodplain Management, 1994 Edition, as published by the Southern Building Code Congress International, Inc., is hereby adopted as the floodplain management code of the city with certain enumerated exceptions in section 18-347. A copy of the Standard Code for Floodplain Management, 1994 Edition, shall be retained on file in the office of the city secretary, with the enumerated exceptions and/or deletions.~~

A. Statutory Authorization

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of City of Ingleside Texas does ordain as follows:

B. Findings of Fact

(1) The flood hazard areas of the City of Ingleside are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

Sec. 18-347. Amendments and deletions.

- (a) The floodplain management code adopted in section 18-346 is amended to include the provisions in this section:
- (b) In all areas of special floodplain hazard where 100-year floodplain base elevation data has been provided, the following provisions are required:
 - (1) Elevation data for the 100-year floodplain are from the maps and the Flood Control Study, prepared by Naismith Engineers, Inc., for the San Patricio Drainage District, ~~the July 1987 study~~ revised 2004 study. This study and maps will determine the need for an elevation certification before a building permit can be issued in the City of Ingleside. This study and maps are on file in the building official's office.
 - (2) New construction or substantial improvements of any residential structure shall have the lowest floor elevated to 12 inches or more above the 100-year floodplain elevation or 12 inches above the crown of the street, whichever gives the highest elevation. If the area floodplain maps show the building sight to be in the 100-year floodplain, a registered land surveyor shall submit a certification to the floodplain management inspector that the standards of this subsection are satisfied.
- (c) The board of adjustment of the city, which has been established pursuant to Charter §§ 10.05 and 10.06 and which functions as the board of adjustment under the zoning ordinance of the city and under V.T.C.A., Local Government Code §§ 211.008 through 211.010, is hereby designated as the appellate body to hear

appeals and, where appropriate, to grant special exceptions and variances under the code adopted in section 18-346 of the Ingleside City Code, and any provision in any of such code in conflict is hereby repealed.

All requirements and rules concerning the appropriate appellate body, its constitution and make up, the number, appointment, qualifications and terms of office of members, quorum and voting requirements, vacancies and filling of vacancies, duties, power and authority of the body, and all procedural and other rules regarding the taking of appeals to or from and hearings before such body shall be the same for all matters arising under this code as they are for all matters arising under the zoning code and regulations. Those requirements and rules are set forth in the rules of procedure adopted by the board of adjustment to govern its own procedures.

Sec. 18-348. Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure that potential buyers are notified that property is in a flood area.

Sec. 18-349. Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Sec. 18-350. Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

Alluvial Fan Flooding - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant Structure - means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure

Area Of Future Conditions Flood Hazard - means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Area Of Shallow Flooding - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area Of Special Flood Hazard - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

Base Flood - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (Bfe) – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.

Basement - means any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical Feature - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated Building – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing Construction - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park Or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion To An Existing Manufactured Home Park Or Subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood Or Flooding - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Study – means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (Firm) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) – see Flood Elevation Study

Floodplain Or Flood-Prone Area - means any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain Management - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood Protection System - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood Proofing - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway – see Regulatory Floodway

Functionally Dependent Use - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure - means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(a) By an approved state program as determined by the Secretary of the Interior or;

(b) Directly by the Secretary of the Interior in states without approved programs.

Levee - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest Floor - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manufactured Home - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park Or Subdivision - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New Construction - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park Or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Primary Frontal Dune - means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Recreational Vehicle - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Riverine – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Sand Dunes - mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special Flood Hazard Area – see *Area of Special Flood Hazard*

Start Of Construction - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or

walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial Damage - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Sec. 18-351. General Provisions

A) Lands To Which This Ordinance Applies

The ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Ingleside.

B) Basis For Establishing The Areas Of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for City of Ingleside, Texas, San Patricio County, dated August 4, 2004, Revised, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated August 4, 2004 and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

C) Establishment Of Development Permit

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

D) Compliance

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

E) Abrogation And Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

F) Interpretation

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

G) Warning And Disclaimer Or Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

Sec. 18-352 Administration

A) Designation Of The Floodplain Administrator

The Building Official is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

B) Duties & Responsibilities Of The Floodplain Administrator

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

(2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

(9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development

(including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

C) Permit Procedures

(1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(e) Maintain a record of all such information in accordance with Article 4, Section (B)(1);

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

D) Variance Procedures

(1) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 half acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Sec. 353. Provisions For Flood Hazard Reduction

A) General Standards

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

B) Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B (8), or (iii) Article 5, Section C (3), the following provisions are required:

(1) Residential Construction

New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to 12" above the Base Flood Elevation (BFE) or the crown of the road, whichever is highest. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied.

(2) Nonresidential Construction

New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to 12" above the Base Flood Elevation (BFE) or the crown of the road, whichever is highest, or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) Enclosures

New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) Manufactured Homes

(a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to 12" above the Base Flood Elevation (BFE) or the crown of the road, whichever is highest, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

(i) the lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) Recreational Vehicles

Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

C) Standards For Subdivision Proposals

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

D) Standards For Areas Of Shallow Flooding (Ao/Ah Zones)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is

unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified).

(2) All new construction and substantial improvements of non-residential structures:

(a) have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified),
or

(b) together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C are satisfied.

(4) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

E) Coastal High Hazard Areas

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as Coastal High Hazard Areas (Zones V1-30, VE, and/or V). These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, in addition to meeting all provisions outlined in this ordinance, the following provisions must also apply:

(1) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information.

(2) All new construction shall be located landward of the reach of mean high tide.

(3) All new construction and substantial improvements shall be elevated on pilings and columns so that:

(i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level;

(ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (3)(i) and (ii) of this Section.

(4) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(i) breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

(ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

(5) Prohibit the use of fill for structural support of buildings.

(6) Prohibit man-made alteration of sand dunes and mangrove stands that increase potential flood damage.

(7) Manufactured Homes

Require that manufactured homes placed or substantially improved within Zone V1-30, V, and VE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (1) through (6) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of Article 5, Section B(4) of this ordinance.

(8) Recreational Vehicles

Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the requirements in Article 3, Section C of this ordinance and paragraphs (1) through (6) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

F) Severability

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

G) Penalties For Non Compliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction be subject to fines as provided in Section 1-14 of this Code for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Ingleside from taking such other lawful action as is necessary to prevent or remedy any violation.

Secs. ~~18-348~~ 18-354—18-370. Reserved.

SECTION 2. EFFECTIVE DATE. As provided by Article III, Section 3.11.C of the Charter of the City of Ingleside, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the City of Ingleside.

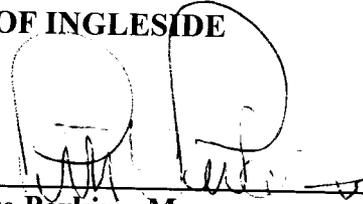
SECTION 3. READING. As provided by Article III, Section 3.11.B of the Charter of the City of Ingleside, this ordinance or the caption of it shall be read at two city council meetings with at least two weeks elapsing between each reading.

SECTION 4. SEVERANCE. If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

SECTION 5. PUBLICATION. If and as required by Article III, Section 3.11.C of the Charter of the City of Ingleside, the caption of this ordinance shall be published one time in the official newspaper of the City of Ingleside, San Patricio County, Texas.

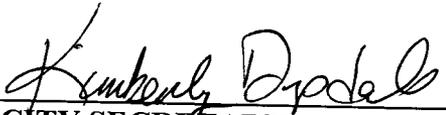
PASSED, ORDAINED, APPROVED AND ADOPTED this 16 day of December, 2014.

CITY OF INGLESIDE

BY: 

Pete Perkins, Mayor

ATTEST:


CITY SECRETARY

First Reading: 11-18-14

Second Reading: 12-16-14

APPENDIX F
Drought Contingency Plan

ORDINANCE 2015-01

AN ORDINANCE AMENDING CHAPTER 66-
UTILITIES, ARTICLE II WATER, DIVISION
4, WATER CONSERVATION AND
PROVIDING FOR EFFECTIVE DATE,
READING, SEVERANCE, AND
PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
INGLESIDE, COUNTY OF SAN PATRICIO, STATE OF TEXAS:

SECTION 1. AMENDMENT. Chapter 66-Utilities, Article II, Division 4 - Ingleside Code of Ordinances is hereby amended to read as follows, new matter being indicated by underscoring and deleted matter by interlineations and brackets

Sec. 66-66. Plan established

(Including provisions to inform the public and opportunity for public input.)

(1) There is hereby established a city water conservation plan. The City of Ingleside made The Drought Contingency Plan available to its retail customers at City hall. The City made drought contingency planning information available to the public as follows:

(a) The proposed plan was provided to anyone requesting a copy.

(b) The plan was presented for adoption to the Ingleside City Council at a public meeting at the Ingleside City Hall at 6:30 P.M. on December 16, 2014.

(2) Coordination with the Regional Water Planning Group

The Service Area of the City of Ingleside is located within the Regional Water Planning Area (N)-Coastal Bend and has provided a copy of this plan to the Regional Water Planning Group (N) – Coastal Bend. The City of Ingleside shall review and update, as appropriate, the plan at least every 5 years based on new or updated information.

Sec. 66-67. Declaration of policy.

(1) It is hereby declared that the general welfare requires that the water resources available to the city be put to the maximum beneficial use to the extent to which they are capable and that the waste or unreasonable use, or unreasonable method of use of water be prevented, and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the area served by the city's water resources and for the public welfare. In making decisions under this division concerning the allocation of water

between conflicting interests, highest priority will be given to allocation necessary to support human life and health; i.e., the minimum amount of water necessary for drinking, prevention of disease, and the like. Second highest priority will be given to allocations which will result in the least loss of employment to persons whose income is essential to their families.

(2) Targets for Water Use Reduction.

A) The purpose of this water conservation plan is intended to comply with TCEQ requirements and achieve:

(i) Long-term reductions in overall water demands 5 % per capita over the next ten years;

(ii) Reductions in the magnitude of seasonal water demands by 2% over the next five years;

(iii) Reductions in wastewater flow volumes by 1% over the next five years; and

(iv) Reductions in percent unaccounted for water by 7% over the next ten years.

B) Given current and projected water and wastewater service requirements and issues, specific water conservation objectives are:

(i) To reduce waste and influence conservation habits of the residents of the City;

(ii) To reduce seasonal water demands such that future expansions of water treatment facilities can be deferred; and

(iii) To continue to investigate the feasibility of reusing wastewater for suitable non-potable uses (i.e., irrigation of public green space and private landscaping).

Sec. 66-68. Authorization.

The city manager, or his designee, upon the recommendation of the city council is hereby authorized and directed to implement the applicable provisions of this division upon their determination that such implementation is necessary to protect the public welfare and safety. The city manager, or designee, shall monitor water supply and/or demand conditions on a weekly basis and, in accordance with the triggering criteria set forth as part of this plan shall determine that a mild, moderate, severe, critical, or emergency water shortage condition exists and shall implement the following notification procedures set forth in this plan.

Sec. 66-69. Violations, penalty and enforcement.

(a) Any person violating any provision of this division shall be deemed guilty of a misdemeanor and, upon conviction shall be punished by a fine as provided in section 1-14. The commission of a violation of each provision, and each separate violation thereof, shall be deemed a separate offense, and upon conviction thereof shall be fined as herein above provided. If any person or a second person in the same household or premises, is

found guilty of a second violation of this division, the director of public utilities shall be authorized to discontinue water service to the premises where such violation occurs.

(b) Any police officer, or other city employee designated by the city manager, may issue a citation to a person he reasonably believes to be in violation of this division. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him to appear in the city's municipal court no sooner than ten days and no later than 21 days of service of the citation. The alleged violator shall be requested to sign the citation, and shall be served a copy of the citation. Service of the citation shall be complete upon the attempt to give it to the alleged violator, to an agent or employee of a violator, or to a person over fourteen (14) years of age who is a member of the violator's immediate family or is a resident at the violator's residence. The alleged violator shall appear in municipal court to make his plea no sooner than ten days and no later than 21 days of service of the citation, and failure to so appear shall be a violation of this division. A police officer may arrest for any offense under this division where permitted by state arrest law. Said cases shall be expedited and given preferential setting in municipal court before all other cases.

(c) A person in apparent control of the property where the violation occurs or originates shall be presumed to be the violator, and proof of facts showing apparent control by such person of the premises and proof that the violation occurred on the premises shall constitute prima facie evidence that said person committed the violation, but said person shall have the right to show that he did not commit the violation. Any person whose name is on file with the utilities department as the customer on the water account for the property where the violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on said premises shall constitute prima facie evidence that the customer committed the violation, but said customer shall have the right to show that he did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children, and proof that a child committed a violation on property within the parent's control shall constitute prima facie evidence that said parent committed the violation, but said parent may be excused if he proves that he had previously directed the child not to use the water as it was used in the violation and that the parent could not have reasonably known of the violation.

(Ord. No. 677, § 2, 6-11-96)

Sec. 66-70. Allocation and review committee; establishment, composition, powers and duties.

The allocation and review committee shall be composed of five members, the director of public utilities, a representative of industry, a representative of business and commerce, a homemaker-citizen, and a citizen of the city. The industry, business, homemaker, and citizen members shall be appointed by the mayor and council and shall serve at the pleasure of the city council. In addition, five alternate members shall be appointed. Each alternate shall serve in place of his/her respective regular committee member whenever that regular committee member is unavailable to participate. The city manager shall appoint alternates for the director of public utilities. The mayor and council shall appoint

alternates for the industry, business, homemaker, and citizen members of the committee. Alternates appointed shall have qualifications similar to those of their respective regular member. An alternate serving in place of a regular committee member shall exercise the same powers and have the same duties as a regular member.

The committee shall consider requests of water users for special consideration to be given as to their respective particular circumstances and the committee shall hear and decide such requests and is hereby authorized to, in special cases, grant such variance from the terms of this article as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this division will result in unnecessary hardship, and so that the spirit of this division shall be observed and substantial justice done. Should a permit for special exception be granted by such committee, it shall be in effect from the time of granting; provided, that the permit is prominently posted on the premises within two feet of the street number located on the premises. Should protest be received after the granting of any such special permit, the committee shall consider the revocation of such permit and shall reconsider the granting of such permit at a public hearing, notice of which shall have been given at least one day prior to the holding of such hearing. After the conclusion of such hearing, the committee shall take such action by way of revocation of such permit, or refusal to revoke the same, or modification of such permit as the committee may deem proper under the circumstances.

Sec. 66-71. Prohibition and regulation of uses.

For the purposes of this division the following provisions shall apply:

(1) No person shall knowingly, recklessly, or with criminal negligence, make, cause, use or permit the use of water from the city system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this section, or in an amount in excess of that use permitted by the conservation stage in effect pursuant to action taken by the city manager, or his designee, in accordance with the provision of this section. The provisions of this section shall apply to all uses of water from the city water supply system wherever situated. As used in this division, "person" includes individuals, corporations, partnerships, associations, and all other legal entities.

(2) The city manager shall promulgate guidelines which shall set forth the criteria for determining when a particular conservation stage is to be implemented and terminated. Such guidelines shall be updated when, in the opinion of the city manager the conditions of the water system have changed so as to necessitate such update, said guidelines to be published and filed in the office of the city.

(3) The use or withdrawal of water from the water supply system of the city for the following purposes or uses is hereby regulated during any period of water shortage commencing with the promulgation of water conservation guidelines and implementation of same by the city manager and continuing until such water conservation measures are no longer deemed necessary by the city manager in accordance with such guidelines.

(A) Trigger Conditions. Daily water demand will be monitored by impending emergency conditions by City Staff. Trigger conditions will be based on an emergency situation caused by a drop in reservoir storage levels, natural disaster, equipment, or system failure, or extended high daily water demands.

a) Condition I - Mild Water Shortage Conditions

- 1) Combined storage level of Choke Canyon Reservoir and Lake Corpus Christi declines below 50% or Lake Texana storage level declines below 40%, or
- 2) Water demand reaches eighty-five percent (85%) of firm production capacity, or,
- 3) A disruption due to equipment or distribution system failure that would limit the capacity of the water system below eighty-five percent (85%) of capacity during high demand periods.

b) Condition II - Moderate Shortage Conditions

- 1) Combined Lake and Reservoir levels declines to below 40%, or
- 2) Water demand exceeds ninety percent (90%) of the firm production capacity, or,
- 3) A disruption due to equipment or distribution system failure that would limit the capacity of the water system below seventy five percent (75%) of capacity during high demand periods.

c) Condition III - Severe Water Shortage Conditions

- 1) Combined Lake and Reservoir levels declines to below 30%, or
- 2) Water demand reaches ninety-five percent (95%) of firm production capacity, or,
- 3) A disruption due to equipment or distribution system failure that would limit the capacity of the water system below seventy percent (70%) of capacity during high demand periods.

d) Condition IV - Critical Water Shortage Conditions

- 1) Combined Lake and Reservoir levels declines to below 20%, or
- 2) Water demand reaches one hundred percent (100%) of firm production capacity

e) Condition V - Emergency Water Shortage Conditions

- 1) Extended period of the severe or critical condition, or
- 2) Any natural catastrophic situations that interrupt or have the potential to interrupt the City's potable water supply, including but not limited to the following:
 - a) A major water line break, or pump or system failure occurs, which causes unprecedented loss of capability to provide water service; or
 - b) Water distribution system limitations; or

c) Natural or man-made contamination of the water supply source occurs.

Sec. 66-72. – Condition I— ~~Water shortage possibility.~~ Mild Water Shortage Conditions.

Upon implementation by the city manager, customers of the water system of the city are requested to voluntarily conserve and limit their use of water and shall comply with the following mandatory restrictions on the use of water for irrigation of vegetation. All municipal operations are placed on mandatory conservation. Water used for irrigation of vegetation may be used only on such day or days of each week, other than between the hours of 10:00 a.m. and 6:00 p.m., based on street numbers, as may be designated by the city manager. However, any person may raise as a defense to prosecution for violation of this section the fact that the use of water for the following purposes, if such defense has not been disallowed by motion of the city council upon recommendation of the city manager:

(1)The water was used, other than during the hours between 10:00 a.m. and 6:00 p.m., for irrigation, at the minimum rate necessary, for the establishment and maintenance of flower gardens, vegetable gardens, fruit gardens, trees, and shrubs, or plants in containers, and applied using:

- a. A hand-held hose equipped with a positive shutoff nozzle.
- b. A drip irrigation system equipped with an automatic shutoff device.
- c. A soaker hose, which does not spray water into the air, equipped with an automatic shutoff device.
- d. A root feeder equipped with an automatic shutoff device.
- e. A hand-held bucket or watering can.

(2)The water was used at any hour for irrigation, at the minimum rate necessary, for the establishment and maintenance of commercial nursery stock and applied using:

- a. A hand-held hose equipped with a positive shutoff nozzle.
- b. A sprinkler system.
- c. A drip irrigation system equipped with an automatic shutoff device.
- d. A soaker hose, which does not spray water into the air, equipped with an automatic shutoff device.
- e. A root feeder equipped with an automatic shutoff device.

f. A hand-held bucket or watering can.

(3) The water used, other than during the hours between 10:00 a.m. and 6:00 p.m., for irrigation, at the minimum rate necessary, for the establishment of newly planted materials within 30 days of planting. Water used for this purpose may be applied by any means.

(4) Wastewater treatment plant effluent, graywater, well water, or other water not obtained from the city water system was used, other than during the hours between 10:00 a.m. and 6:00 p.m. However, the use of well water that is not mixed with any water from the city's water supply may be used at any hour if a permit is obtained from the city manager and a sign posted stating that the water used for irrigation is from a permitted private well.

(5) The water is used, other than during the hours between 10:00 a.m. and 6:00 p.m., for irrigation, at the minimum rate necessary, for the maintenance of golf course greens and tee boxes.

(6) The water was used at any hour for short periods of time for testing related to the installation, maintenance, and repair of sprinkler systems.

(7) The water was used for the irrigation of vegetation on a large parcel of land or unique botanical institutions, such as the Corpus Christi Botanical Gardens and Blucher Nature Center, in conformance with a special watering plan, specifically approved for the parcel by an official designated by the city manager. The official approving any special watering plan shall ensure that the plan achieves similar water conservation goals to the mandatory conservation measures applicable to other customers under this section.

In the event the premises have no number, application shall be made to the city building official for the assignment of a number to such premises and such premises shall thereafter bear the number so assigned. Such day or days may be changed by further directive of the city manager. In the event any premises does not have a number at the time of the occurrence of any violation under this division, the premises shall be in the category of premises with street numbers ending in zero. No person or customer shall cause or permit water to run or waste in any gutter or otherwise.

Sec. 66-73. Condition II – ~~Water shortage watch.~~ Moderate Shortage Conditions (Under threat of penalty for violation, the following restrictions shall apply to all persons during Stage II).

Upon implementation by the city manager, and publication of notice, the following restrictions shall apply to all persons and the withdrawal of water from the system for the following purposes or uses is hereby prohibited. The city manager, in the exercise of his discretion, may implement any or all of those elements of Condition II as are deemed necessary at any particular time. All elements of Condition I shall remain in effect in Condition II.

(1) The sprinkling or watering of lawns is prohibited; provided, however, the city manager may authorize watering of vegetation as follows:

a. The watering of trees; shrubbery; annual, biennial or perennial plants; vines; gardens; vegetables and flowers may be permitted through the means of a hand-held hose equipped with a positive shutoff nozzle, a drip irrigation system, a hand-held bucket or watering can, or a sprinkler system which is either attended throughout its use or is equipped with an automatic shutoff. When authorized, such watering shall be done only on Tuesday, Thursday, Saturday and/or Sunday. When such watering is authorized during the Daylight Savings Time period of the year it shall be permitted only between the hours of 6:00 a.m. and 9:00 a.m. and between the hours of 6:00 p.m. and 9:00 p.m.

b. The watering of lawns may be permitted once every ten (10) days through the means of a hand-held hose equipped with a positive shutoff nozzle, a drip irrigation system, a hand-held bucket or watering can, or a sprinkler system which is either attended throughout its use or is equipped with an automatic shutoff. When authorized, such lawn watering shall be permitted only where the last digit of a customer's street address is the same as the last digit of the calendar date (e.g., a customer with a street number of 102 would be permitted to water only on the second, twelfth and twenty-second of each month). No such watering is permitted on the thirty-first day of any month. For February, street addresses with the last digit of "9" may water on February 28 and street addresses with the last digit of "0" may water on March 1.

c. Commercial nurseries shall be excepted from the prohibition of this subparagraph and shall be permitted to water nursery stock by means of a hand-held hose equipped with a positive shutoff nozzle, a drip irrigation system, a hand-held bucket or watering can, or a sprinkler system which is attended throughout its use, is equipped with an automatic shutoff or recaptures and recirculates irrigation water.

d. The allowing of water to run off yards or plants into gutters or streets shall be deemed a waste of water and is prohibited.

(2) The washing of automobiles, trucks, trailers, boats, airplanes and any other type of mobile equipment except that individuals may wash their private cars or boats if they use a bucket, pail, or normal sized receptacles; and further provided, that filling stations shall wash their customers' cars with a bucket, pan, pail or other receptacles not larger than of five-gallon capacity; however, an individual or filling station, after such washing, shall be permitted to rinse the car or boat off with a hose, using only a reasonable amount of water in so doing. Commercial or automatic car wash establishment shall use minimum practical water settings.

- (3) The washing of building exteriors and interiors, trailers, trailer houses and railroad cars, except that in the interest of public health the director of public health may permit limited use of the water as the case may be.
- (4) The permitting or maintaining of defective plumbing in a home, business establishment or any location where water is used on the premises. The permitting of the wasting of any water by reason of defective plumbing as herein above mentioned shall include the existence of out-of-repair water closets, underground leaks, defective faucets and taps. The permitting of water to flow constantly through a tap, hydrant, valve or otherwise by any user of water connected to the city system, shall be considered as a wasting of water and prohibited by this division.
- (5) The use of fire hydrants for any purpose other than fire fighting is prohibited; except that the city manager may permit the use of metered fire hydrant water by the city or by commercial operators using jet rodding equipment to clear and clean sanitary and storm sewer.
- (6) The use of water in ornamental fountains or in artificial waterfalls where the water is not reused or recirculated in any manner.
- (7) The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced area, or building or structure.
- (8) The use of water for dust control.
- (9) The use of potable water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens and only between the hours of 6:00 a.m. and 10:00 a.m. on the designated watering days.
- (10) Any use of water for the purposes or in a manner prohibited in this section shall be deemed to be a waste of water and any person violating any of the provisions of this division and any person in whose name a water meter connection is registered in the department of public utilities, which water connection serves premises upon which a violation occurs and proof that the particular premises have a water meter connection registered in the name of the defendant named in the complaint, shall constitute in evidence a prima facie presumption that the person in whom such water connection was registered was the person who permitted or caused the act of waste charged to occur on the premises.
- (11) Concurrently with the implementation of Condition II, the city council shall appoint an allocation and review committee, as hereinafter provided, for the purpose of reviewing water conservation policies and establishing exemptions.

Sec. 66-74. Condition III—~~Water shortage warning.~~ Severe Water Shortage Conditions.

Upon implementation by the city manager and publication of notice, the following restrictions shall apply to all persons. The city manager, in the exercise of his discretion, may implement any or all of those elements of Condition III as are deemed necessary at any particular time. All elements of Condition II shall remain in effect in Condition III.

- 1) New service connections to the city's water system are prohibited where some other source independent of the city's water system is existing and in use at the time of passage of this division.
 - 2) A mandatory limit of normal water use by customers without use penalty, in amounts as determined by the city council.
 - 3) In connection with the enforcement of subsection (2), the city council shall establish a maximum limit beyond which water service will be terminated.
 - 4) The use of water to serve a customer in a restaurant unless requested by the customer is prohibited.
 - 5) The use of water for the expansion of commercial nursery facilities is prohibited.
 - 6) The use of water for scenic and recreational ponds and lakes is prohibited.
 - 7) The use of water for private, single-family residential swimming pools, wading pools, Jacuzzi pools, hot tubs and like or similar uses is prohibited.
 - 8) The use of water for municipally owned swimming pools is prohibited.
 - 9) The use of water for privately owned neighborhood and subdivision swimming pools owned by country clubs, athletic clubs, health clubs, fraternal organizations and other like or similar pools is prohibited.
 - 10) The use of water for hotel, motel, condominium, apartment and other multifamily, residential-user swimming pools, including commercial and business swimming pools is prohibited.
 - 11) The use of water to put new agricultural land into production is prohibited.
 - 12) The use of water for new planting or landscaping is prohibited.
- (Ord. No. 677, § 2, 6-11-96)

Sec. 66-75. Condition IV—~~Water shortage emergency.~~ Critical Water Shortage Conditions

Upon implementation by the city manager and publication of notice, the following restrictions shall apply to all persons. The city manager, in the exercise of his discretion,

may implement any or all of those elements of Condition IV as are deemed necessary at any particular time. All elements of Condition III shall remain in effect in Condition IV.

- (1) No applications for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by the allocation and review committee.
- (2) All allocations of water use to industrial and commercial customers in amounts as established after consultation with the allocation and review committee.
- (3) The maximum monthly use for a residential customer be established with revised rate schedules and penalties by the city council on recommendation by the allocation and review committee.
- (4) The city council and city manager shall take those actions deemed necessary to meet the conditions resulting from the emergency.

Sec. 66-76. Condition V—Emergency Water Shortage Conditions

1. Notify customers that all preceding measures that are in place due to moderate, severe, and critical trigger conditions will be continued except as modified below:
 - a) Irrigation of landscaped areas is absolutely prohibited.
 - b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is absolutely prohibited.
2. The City shall take those actions deemed necessary to meet the conditions resulting from the emergency.

Sec. 66-76. 66-77 Effluent distributions; permit and regulations.

- (a) Upon implementation of the conservation plan as provided in this division, the city may make available effluent water discharged from its sewage treatment plants for the purpose of watering lawns, grass, and other plants, dust control and similar uses. Such effluent water shall be made available only under the terms and conditions herein provided and only to such persons as are duly permitted as distributors as provided in this section. The city shall be under no obligation to provide such effluent and reserves the right to discontinue such service at any time and to limit the volume and to establish or alter loading procedures and/or locations as necessary for the efficient administration of the wastewater division.
- (b) No effluent distribution permit shall be issued except upon application filed with the wastewater division of the city. Every such application shall contain the following information:

- (1) Name of applicant.
 - (2) Name of authorized representative (e.g., president of corporation; partner; etc.) if applicant is other than an individual.
 - (3) Business address and phone number.
 - (4) Residence address and phone number of authorized individual representative.
 - (5) Description of each vehicle and container unit to be used in the transportation or distribution of effluent water, including the make, year, model, type, weight and gross vehicle weight, container unit capacity in gallons, vehicle registration number, and the state safety inspection certificate number and expiration date.
 - (6) Names and driver's license number of every proposed driver of such vehicles.
 - (7) Statement of previous use of container units and any proposed use after or concurrently with such units use for effluent distribution.
 - (8) Statement of the proposed uses of any effluent water, including whether the use is proposed for residential, commercial, or industrial purpose.
- (c) Upon the filing of the required application, and payment of the permit fee specified herein for each container unit, the director of the public utilities department, or his designee, shall upon his determination that the applicant and vehicles and container units are in compliance with all applicable provisions of this division, issue a permit for each such container unit. Said permit shall identify the particular unit for which it is issued and shall be displayed in a prominent place upon the unit. Each unit shall be separately permitted.
- (d) The permit fee shall be in an amount to be set by resolution of the city council and listed in appendix A of this Code. Permits shall be issued on a quarterly basis from the effective date of this section; fee proration shall be on a monthly basis.
- (e) Provisions to the contrary notwithstanding, the permit fee herein required and the liability insurance requirements of subsection (f)(8) shall be waived for receipt of effluent water from the city treatment plant only. Every such restricted permit so issued shall be prominently marked to indicate such restriction.
- (f) Every effluent distribution permit shall be subject to the following terms and conditions and no person shall receive or distribute effluent water except in compliance herewith:
- (1) Container units or tanks shall have a minimum capacity of 500 gallons; shall be capable of being closed watertight and shall be so closed during transport of effluent water; and shall be maintained in a leak-proof condition; provided,

however, that special permits may be issued for container units with a capacity of less than 500 gallons upon the determination by the wastewater division superintendent that all other container unit specifications herein required have been met and that the particular container unit does not create an increased risk to the public health and safety.

(2) No vehicle may be used in connection herewith which has not been reported on the application and approved for such use.

(3) The city health department shall establish a course of instruction on the handling of wastewater effluent and shall issue a certificate to each driver or handler who completes such course. Every driver or handler shall be so certified prior to receiving any effluent water from the city.

(4) Effluent water shall be used as soon as possible to prevent regrowth of bacteria. Permittees shall check effluent water in their units not less than every four hours for chlorine residual and bacteria levels, except for effluent stored in fixed-site containers which shall be checked not less than every eight hours.

(5) Chlorine residuals shall be maintained at one milligram per litre (parts per million) [1 mg/l (ppm)], consistent throughout the effluent container.

(6) Average fecal coliform (bacteria) levels shall not exceed 200 counts/100 ml.

(7) Effluent containers, including those used for storage, shall be subject to inspection and approval of the city health department, whose inspectors are hereby authorized to prohibit the use of any container or effluent water which is determined to be outside the parameters established in this section or is otherwise determined to present a danger to the public health.

(8) Every permittee shall provide proof of and shall maintain in force a policy of comprehensive general liability insurance covering personal injury and property damage with minimum limits of liability for personal injury in the amounts of \$100,000.00 per person and \$300,000.00 per occurrence and for property damage in the amount of \$50,000.00; or shall maintain a policy of general business liability insurance with a contractual liability endorsement; and shall maintain a policy of automobile liability insurance in the minimum amounts set by state law.

(9) By acceptance of a permit under this section and/or receipt of effluent water from the city system, the permittee and/or recipient of such effluent agree to fully indemnify, save and hold harmless, the city, its agents and employees, from and against all claims and actions, and all expenses incidental to the investigation and defense thereof, based upon or arising out of damages or injuries to person or property in any way related to or in connection with the use or distribution of effluent water under this section.

(10) Permittees shall provide a written notice to every person to whom effluent is furnished which shall state in not less than ten-point type, substantially as follows:

CAUTION

You are hereby advised that effluent water is the discharged water from a sewage treatment plant. The Director of Public Health has determined that improper use or handling could be harmful and recommends the following precautions:

1. Do not use effluent water for drinking, bathing, or personal hygiene purposes.
2. Do not use effluent water for washing autos, clothes, or other personal contact items.
3. Do not use effluent water in swimming pools or for similar recreational uses.
4. Do not allow children to play on grass wet with effluent water, wait until it dries.
5. Do not use effluent which has been stored for more than four hours unless the chlorine residual level has been tested and is not less than, one part per million [1 mg/l(ppm)].
6. Application of effluent shall be by coarse stream and shall not be by fine spray.

(g) Violation of any of the cautions herein set forth, by any person, shall be a violation of this division.

(h) Violation of any of the provisions of this section, in addition to the general penalties provided in this division, shall result in denial or revocation of any such violator's effluent distribution permit.

(Ord. No. 677, § 2, 6-11-96)

Sec. ~~66-77~~. 66-78 Emergency water demand and conservation plan.

(1) Education and information programs.

- The City of Ingleside will promote this plan through mailouts with the monthly water bills. These will include the information contained in the following pamphlets published by or under the auspices of the Texas Water Development Board, P.O. Box 13231, Capitol Station, Austin, Texas 78711-3231:
 - (a) Water Conservation Services for Municipal, Institutional, Commercial and Industrial Water Users.
 - (b) Conservation—Homeowners Guide to Water Use and Conservation.
 - (c) Toilet Tank Leak Detectors.
 - (d) Summer Lawn Watering Guide.
 - (e) Conservation—Saving Water Inside the Home.

- (f) Conservation—Forty Nine Water Saving Tips.
- (g) Conservation—Saving Water Outside the Home.
- (h) Water Saving Ideas for Business and Industry.
- (i) Xeriscape.

(2) *Emergency water demand management plan.*

(a) *Education and information programs.* The citizens of Ingleside will be informed of this plan through several means of communications, such as local television, radio, newspaper and/or other means of communication. The public will also be invited and encouraged to participate in the plan during public meetings along with public hearings associated with this plan.

(b) *Public notification of water demand conditions.*

1. *Initiation procedures.* When one of the water demand trigger conditions has been reached and the need for a response measure is obvious, then the following procedure will be followed:

- a. The utility director or person responsible for the water system will make a concise yet rapid assessment of the situation and notify the city manager.
- b. The city manager will initiate the proper response for the trigger conditions.
- c. The local news media including the TV station, radio and newspaper will be notified of the condition and be requested to respond accordingly.
- d. A notice of the water demand condition will be prepared and posted immediately at City Hall.

2. *Termination notification actions.* Once the repairs have been made and the emergency conditions overcome, the following procedures will be followed:

- a. The utility director will make a concise assessment of the repairs and the resulting effects to assure himself that the system has been returned to normal. It will also be necessary to notify the city manager that the emergency has been removed.
- b. The city manager will notify the local news media that the emergency has been resolved and that water usage may return to normal.

3. *Measures to determine and control unaccounted water usage.* The utility department including the billing office will cross-check the water purchased from the SPMWD and the records of water consumed by the city's water system in an effort to determine water losses due to large leaks or theft of service.

SECTION 2. EFFECTIVE DATE. As provided by Article III, Section 3.11.C of the Charter of the City of Ingleside, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the City of Ingleside.

SECTION 3. READING. As provided by Article III, Section 3.11.B of the Charter of the City of Ingleside, this ordinance or the caption of it shall be read at two city council meetings with at least two weeks elapsing between each reading.

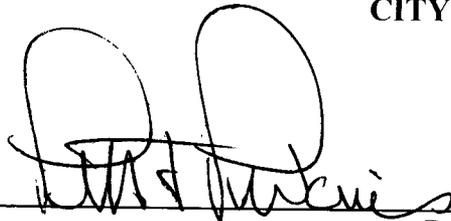
SECTION 4. SEVERANCE. If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

SECTION 5. PUBLICATION. If and as required by Article III, Section 3.11.C of the Charter of the City of Ingleside, the caption of this ordinance shall be published one time in the official newspaper of the City of Ingleside, San Patricio County, Texas.

PASSED, ORDAINED, APPROVED AND ADOPTED this 13 day of January, 2015.

CITY OF INGLESIDE

BY: _____



Pete Perkins, Mayor

ATTEST:

Kimberly Sampson
CITY SECRETARY

First Reading: 12-16-14

Second Reading: 1-13-15