

**ORDINANCE 2010-03**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, TEXAS, AMENDING SECTION 12-66 THROUGH 12-80 AND REPLACING WITH SECTION 12-7, WATER AND SEWER EXTENSIONS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, TEXAS:**

The water and sewer extension by Section 12-7 of the Code of Ordinances of the City of Mount Vernon, Texas, shall hereafter read as follows:

**“Sec. 12-7. Water and Sewer Extension**

**A. Method of extending mains.**

1. Upon request of any individual owner or developer of a platted lot or lots within the city and upon the approval of the City Engineer or representative, the city may investigate the practicability of extending water and/or sanitary sewer mains and necessary appurtenances to platted lot to lots for which a request is made. The owner or developer shall pay the total cost of installation for utility services. Total cost shall be defined as to include engineering, surveying and construction costs.
2. If the owner or developer decides to proceed with the project based on an engineer's estimate, a written request shall be submitted to the city, along with a complete set of plans and specifications.
3. The City Engineer or representative may then authorize the owner or developer to have the project performed under a private contract. The city shall approve the contractor and shall inspect the construction project to insure that work is performed in conformity with standards and specifications provided by the city. The owner or developer shall be responsible to the private contractor for all costs associated with the construction of the project.

**B. Size of Main**

1. The City Engineer or representative shall determine appropriate size water and/or sanitary sewer lines for each project. The minimum size water line for noncommercial structures shall be six inches and the minimum sanitary sewer shall be six inches. The minimum size water

line for commercial structures shall be eight inches and minimum sanitary sewer shall be six inches.

2. The City Engineer or representative may require construction of a main larger than minimum size in order to serve other areas or provide for future extension of such service. In such instances, the city shall pay the difference in material costs between the main or mains that is required by owner or developer and the size requested by the City Engineer or representative.
3. Water mains will not be allowed to dead end and must be looped into system or a fire hydrant must be placed at termination point, at the owner's expense.

C. City May Act as Sponsor.

1. Upon approval by the City Council, the city may find it necessary to act as sponsor for certain projects. The City Council may elect to pay for a part or all of the cost of such a project. However, the project must be deemed necessary for the protection of health and welfare to a particular area, city personnel must be able to complete the project in a timely manner and funds must be available within the budget to adequately fund project.

D. Appurtenances Furnished by City.

1. The owner or developer shall be responsible for the total costs of water and/or sanitary sewer mains and necessary appurtenances that are solely for the purpose of providing utility service to a platted lot or lots. This shall include the intersection tap into existing main, all appurtenances necessary upon the new extension for proper operation and ending with termination of extension, including tap into existing main. Appurtenances which are not solely necessary for proper utility service or fire protection to platted lot or lots shall be provided by City Engineer or representative.

E. Extension Across Lot or Tract.

1. All extensions of water and/or sanitary sewer service shall be installed across the entire width of platted lot or lots. Width shall be defined as being that side of a platted lot or tract which faces a public easement to which utility service will be constructed from property line to property line.

F. Ownership of Main, No Vested Rights.

1. All mains, facilities and appurtenances constructed under the provisions of this subchapter shall become the property of the city and extension thereto may be made at any time.
2. No person shall acquire any vested rights under the terms of this subchapter.

G. Water and Sewer Improvements By Assessment.

1. Upon the recommendation of the City Administrator, the City Council may consider and determine the necessity for the extension and construction of water and/or sanitary sewer main improvements by providing for the payment of a part of the cost of such improvements by assessments to be made against the benefited property and the owners.

PASSED, ADOPTED AND APPROVED this the 8th day of June, 2010.

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J. D. Baumgardner – Mayor

ATTEST:

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Tina Rose – City Secretary