

**ORDINANCE NO. 2017-02-02**

**AN ORDINANCE AMENDING SECTION ARTICLE 13.02 "WATER AND SEWER SERVICE", OF THE CITY OF QUINLAN CODE OF ORDINANCES, ADDING A NEW SECTION "PRIVATE LIFT STATIONS", REGULATING NEW AND EXISTING PRIVATE LIFT STATIONS; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Council finds it to be in the public interest to amend the City of Quinlan Code of Ordinances, Article 13.02 Water and Sewer Service, adding regulations for the installation, operation and maintenance of private lift stations;

**NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF QUINLAN, TEXAS:

**SECTION 1.** THAT, Article 13.02, "Water and Sewer Service", of the Quinlan Code of Ordinances, is amended so as to add a new Section "Private Lift Stations":

**Sec. 13.02.005 Private Lift Stations**

(a) **Applicability and regulation of private lift stations.** The purpose of this addition is to establish minimum standards to safeguard public health, safety, and welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance and use of private lift station systems including those private lift stations systems in existence at the adoption of this ordinance subsection addition. Maintenance records must be kept on site or obtainable in a timely manner when requested for existing and new private lift stations.

(b) **Existing Installations.** Private lift stations lawfully in existence at the time of the adoption of this ordinance shall be permitted to have their use and maintenance continued so long as the use, maintenance or repair is in accordance with the original design and no hazard to life, health, or property is created by such plumbing system, and the holding tank is continuously watertight.

(1) **Shared private lift station system.** Two or more properties that share a privately owned private lift station system shall be required at the property owners' expense to connect to the public sewer with a separate connection or an onsite sanitary sewer facilities when the existing lift station requires a new system or a new pump. The joint connection to the public sanitary sewer system may not continue longer than 180 days after which time each property must be independently connected to the public sanitary sewer or an onsite sewer facility.

(c) **Private lift station requirements.** Compliance with State and Local regulations. The installation of private lift station systems is required to comply with State regulations, the International Plumbing Code (IPC) and the National Electric Code as adopted by the City, instructions supplied by the manufacturer and with specifications required by the City, with the most stringent requirements being applicable. The following provisions of this ordinance shall not be deemed to nullify any provisions of state or federal law.

- (1) *City approval required.* No new private lift station shall be installed without prior approval from the City of Quinlan. No existing lift station shall be modified without prior approval from the City of Quinlan.
  - (2) *Plans required.* Prior to review or approval of a new private lift station, a site plan, and lift station plans and specifications must be submitted. Site plan must show system layout, lift station location, lift station access, buildings and other improvements, plumbing layout, property boundaries and adjacent public sewer mains.
  - (3) *Access to public sewer.* Private lift stations shall not pump to any location beyond the property on which it is located. If no public sewer mains are adjacent to the property, public sewer mains shall be extended by the owner/developer, in accordance with other provisions of this Code.
  - (4) *Private manhole required.* Private lift stations shall pump to a private manhole located on the property which the lift station serves. The private manhole must provide a gravity connection to an adjacent public sewer main, and may not be located in an public utility easement, alley or public right-of-way.
  - (5) *Watertight construction.* The holding tank for the private lift station system shall be watertight and prevent storm water from entering the system.
  - (6) *Alarm notification.* All new and existing private lift stations shall provide malfunction/non-function alarms and high level alarms. A light and audio component shall be installed on the exterior of the lift station to provide a visual and audible notification of the alarm.
  - (7) *Sump specifications.* All new or modified private lift station pump installations shall use systems in compliance with the IPC, State and Federal regulations. Alternative pump systems may be approved by the Public Works Director, under the seal of State of Texas licensed professional engineer.
  - (8) *Plumbing and electrical permits required.* Plumbing and electrical permits required for the private lift station shall be obtained from the Quinlan City Hall, when otherwise required.
  - (9) *Odor nuisance prevention.* Private lift stations shall be located, designed and maintained in such a way as to reduce or minimize odor nuisance.
- (d) **In Case of Emergency Malfunction.**
- (1) *Emergency repair.* In the event of a private lift station system malfunction where sewage is spilled onto the surrounding soil, the property owner must take immediate action to make the necessary repairs to the system. After hours repairs may be conducted without a permit. A permit, when otherwise required, must be obtained the following business day and all required inspections associated with the permit must be conducted to ensure proper installation, operation, and compliance of codes and regulations.
    - (A) Owner/contact person emergency contact information must be posted on a 6x6 placard either fixed to the surrounding fence, or on control panel box.
    - (B) The City shall have access to private lift stations at all times. In the event an emergency malfunctions occurs afterhours or on a holiday. The Public works Department (PWD) is not responsible for maintenance or repair of the private lift stations. The PWD will contact the owner of the private lift station. In the event public health, safety, and welfare

concerns exist, the PWD may make repairs or alterations to the lift station to extinguish the above safety and health concerns. The City shall be reimbursed for all labor and parts involved by the owner of the private lift station.

- (2) *Sewage spill cleanup required.* In the event of a malfunction or nonfunctioning system that spills sewage, the sewage spill shall be cleaned by removing the contaminated soil, and disposing of it according to County Health regulations and state regulations. In order to prevent ongoing sewage spillage, the private lift station holding tank may require pumping by a licensed pumping company. All expenses for the clean-up and repairs are the responsibility of the property owner.
- (3) *Disconnection of water service if not maintained.* Properties with private lift station systems that are not operated or maintained in accordance with this ordinance will be subject to disconnection of water service.
- (4) *Electrical service to the pump required.* The owner of property shall maintain electrical service to private lift station system at all times.

(e) **Annual Registration and Inspection**

- (1) The owner of each private lift station shall submit, on forms provided by the Public Works Department, an annual registration of their lift station annually on or before March 1st. In addition, the owner of any new or modified private lift station shall provide such registration upon completion. At a minimum, the following information must be provided:
  - (A) Name, address and contact information for the owner of the private lift station.
  - (B) Contact information for maintenance or emergencies.
  - (C) Lift station specifications.
  - (D) Documentation related to any maintenance, repairs, and/or malfunctions.
- (2) All registration information shall be sent to:

City of Quinlan  
Attn: Public Works Director  
PO Box 2740  
Quinlan, TX 75474
- (3) Upon receipt of a new, updated or annual private lift station registration, the City will perform an inspection of the private lift station to ensure compliance with these regulations, approved plans and specifications and other applicable standards.
- (4) The City may perform inspections throughout the year, as deemed necessary by the Public Works Director.

(f) **Enforcement**

- (1) **Violations.** It shall be unlawful for any persons, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any plumbing system, or cause same to be done, in conflict with or in violation of any of the provisions of this ordinance.
- (2) **Notice of Violation.** The building official or his designee shall serve a Notice of Violation to the person responsible for the erection, installation, alteration, extension, repair, removal, or demolition of plumbing work in violation of the provisions of this code, in violation of detail

statement, the approved construction documents, in violation of a permit, or acceptance issued under this chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

- (3) **Prosecution of Violation.** If the Notice of Violation is not complied with in the specified time period, the building Official or his designee shall request the City Attorney to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.
- (4) **Violation Penalties.** Any person who shall violate a provision of this ordinance or shall fail to comply with any of the requirement thereof or directive of the Building Official or his designee, or of a permit, shall be guilty of a misdemeanor, punishable by a fine not to exceed two thousand dollars (\$2,000). Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (5) **Unsafe plumbing.** Any private lift station system regulated by this ordinance that is unsafe, or that constitutes an insanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of a private lift station system regulated by this ordinance constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe equipment is hereby declared a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.
  - (A) **Authority to condemn equipment.** Whenever the Building Official or a designee determines that any private lift station system, or portion thereof, regulated by this ordinance has become hazardous to life, health or property or has become insanitary, the Building Official or his designee shall order in writing that such private lift station system either be removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain defective plumbing after receiving such notice.

**Sec. 13.02.006 Connection fees**

*(Previously Sec. 13.02.005. Change Section number only. No text Amendments)*

**Sec. 13.02.007 Monthly rates**

*(Previously Sec. 13.02.006. Change Section number only. No text amendments)*

**SECTION 2.** THAT, all ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**SECTION 3.** THAT, if any provision, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or

set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

**SECTION 4.** THAT, this ordinance shall take effect immediately from and after its passage by the City Council of the City of Quinlan, Texas and after required publication.

**PASSED AND APPROVED** by an affirmative vote of the City Council of the City of Quinlan, Texas, this the 13th day of February, 2017.

  
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Jacky Goleman, Mayor

**ATTEST:**

  
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Laura Kennemer, City Secretary



## City Council Agenda Item Report

Item VI – G

Meeting Date February 13, 2017

Item Contact Chris Duncan, Public Works Director  
[cduncan@cityofquinlan.net](mailto:cduncan@cityofquinlan.net), (903) 356-3306

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**Subject: Ordinance 2017-02-02, amending Section 13.02 of the City of Quinlan Code of Ordinances, Water and Sewer Service, inserting a new Section 13.02.05, Private Lift Stations, providing regulations for the construction and maintenance of private sanitary sewer lift stations.**

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### 1. Background/History

There are several private sanitary sewer lift stations operating throughout the City of Quinlan, however, there are no specific regulations in place regarding the general design criteria, operation or maintenance of these lift station. In particular, City Staff would like to reduce the inflow of storm water runoff that may be entering some of these facilities. In addition, that we have regulations in place to address situations when lift stations are not operating properly and may become a public health hazard.

### 2. Findings/Current Activity

While the technical design criteria for the installation of a lift station will be covered by other adopted codes or engineering standards, the proposed ordinance provides some basic design guidelines such as:

- City approval requirements, required permits.
- Public sewer must be available adjacent to the property. This ensures that lift stations are not used as an alternative to extending public sewer to the site, as required by other provisions of our Code of Ordinances. This also prevents are rights of way, alleys and easements from being occupied by private lines.
- A private manhole, which can gravity flow into the adjacent sewer line, is required. This provides a clear separation of private and public lines, as well as a clear starting and stopping point for the force line.
- Water tight construction.
- Audible and visible alarms in case of malfunction.

In addition, the ordinance provides requirements and procedures to address malfunctions, emergency repairs, sewage clean-up and the ability for the City to disconnect water service if the lift station is not properly maintained.

### 3. Financial Impact

This item has no anticipated financial impact.

### 4. Recommendations

Staff recommends approval of Ordinance 2017-02-02, adding private lift station regulations to the City's Code of Ordinances.