



AGENDA REQUEST FORM-CITY COUNCIL

SUBJECT: (Fill in Description)

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Consent item | <input type="checkbox"/> Discussion item |
| X Discussion and possible action | <input type="checkbox"/> Public Hearing |

Discussion and possible action on ORDINANCE NO. 2009-O-6D, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON TO PROHIBIT THE FILLING OR BLOCKING OF A DRAINAGE EASEMENT OR DITCH OR FAILING TO MAINTAIN SAME FREE FROM DEBRIS IN CERTAIN CIRCUMSTANCES AND DECLARING SAME A PUBLIC NUISANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH VIOLATION AND MAKING EACH DAY OR PORTION OF A DAY THAT A VIOLATION CONTINUES A SEPARATE VIOLATION; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING FOR EXCEPTIONS AND AFFIRMATIVE DEFENSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER AND A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Requested by: Robert Owens

Budgeted amount: Not applicable. **Funds requested:** Not applicable.

Attachments: (Attachment description)

Ordinance No. 2009-O-6D

Summary Statement:

This Ordinance was originally combined with Ordinance 2009-O-6G. It prohibits the removal of sewer clean-out caps at your June 9 2009 meeting. You requested certain revisions to the Ordinance. The Ordinance prohibits the filling or blocking of a drainage ditch or easement or failing to maintain the ditch free from debris. Blocking a drainage ditch with debris or failing to maintain same free of debris can direct the flow of surface water causing damage to the sanitary sewer system or to neighboring property, causing serious public health and safety problems. After consulting with Councilman Rhyne, we have revised the Ordinance to provide for an exemption for citizens who temporarily place tree limbs or other debris in a drainage ditch for the purpose of pickup by Waste Connections or other solid waste haulers.

Recommendation:

Staff recommends your approval of this Ordinance.