



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-6G, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON TO PROHIBIT REMOVING CLEAN-OUT CAPS IN SEWER LINES; DECLARING THE REMOVAL OF CLEAN-OUT CAPS A PUBLIC NUISANCE; PROVIDING FOR EXCEPTIONS AND AFFIRMATIVE DEFENSES; 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-6G

**Summary Statement:**

This Ordinance was originally combined with Ordinance No. 2009-O-6D. It prohibits the removal of clean-out caps in sewer lines except in limited circumstances. At your June 9, 2009 meeting, you requested certain revisions to the Ordinance. Since that meeting, staff has revised the Ordinance to provide exemptions from its provisions for persons needing to remove the clean-out caps to repair the sewer line or to maintain same by a licensed plumber, roto-roooter service or a similar plumbing maintenance or repair service. An exception has also been added for situations when it is necessary to remove the clean-out cap to prevent damage to the sewer line or the sanitary sewer system. There is also an exception when the City Manager authorizes removal of the clean-out cap in an emergency situation. Failure to properly maintain clean-out caps can allow raw sewage to run out onto the ground and damage the sanitary sewer system which can cause serious public health and safety problems.

**Recommendation:**

Staff recommends your approval of this Ordinance.