

ORDINANCE NUMBER 2021-06

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, REVISING ARTICLE 3.1500, DRAINAGE CRITERIA, OF CHAPTER 3, BUILDING AND CONSTRUCTION, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY DELETING EXHIBIT 1, DETAIL FOR CURB DRAIN CONNECTIONS, AND ADOPTING A NEW EXHIBIT 1, DETAILS FOR CURB DRAIN CONNECTIONS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH VIOLATION OF THIS ORDINANCE WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Spring Valley Village, Texas, is a Type A General Law city having authority to utilize police power regulations for the health, safety and welfare of the citizens of the City; and

WHEREAS, by Ordinance Number 2017-29, duly passed and approved on December 12, 2017, the City Council adopted engineering standards and practices governing the design and construction of drainage facilities in order to meet the needs created by new development and redevelopment in the City, and such Ordinance was codified as Section 3.1500, Drainage Criteria, of Chapter 3, Building Construction, of the Code of Ordinances of the City; and

WHEREAS, since the adoption of the drainage criteria regulations and based on discussions regarding the use of curb connections, the City Council has determined that the existing details for curb connections should be revised to address and resolve issues that exist within the City; and

WHEREAS, the City Council of the City of Spring Valley Village hereby finds that Article 3.1500, Drainage Criteria, of Chapter 3, Building and Construction, of the Code of Ordinances should be revised by deleting Exhibit 1, Detail for Curb Drain Connections, and adopting a new Exhibit 1, Detail for Curb Drain Connections, to establish revised curb connection standards for use in the preparation of drainage plans within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Article 3.1500, Drainage Criteria, of Chapter 3, Building and Construction, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby revised by deleting Exhibit 1, Detail For Curb Drain Connections, and adopting a new Exhibit 1, Details For Curb Drain Connections, attached hereto as Exhibit "A" and incorporated herein by reference.

Section 3. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the Ordinances or sections thereof that have been specifically repealed on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance or section thereof and for that purpose the Ordinance or section thereof shall remain in full force and effect.

Section 4. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. All rights and remedies of the City of Spring Valley Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6.

6.01 Any person who intentionally, knowingly, recklessly or with criminal negligence violates any of the provisions of this Ordinance shall be deemed guilty of a Class C misdemeanor and, upon conviction, shall be fined in a sum not to exceed Two Thousand Dollars (\$2000) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

6.02 If the City Council of the City of Spring Valley Village determines that a violation of this Ordinance creates a threat to the public safety, the City of Spring Valley Village may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity. The City of Spring Valley Village is not required to give bond as a condition to the issuance of injunctive relief.

Section 7. This Ordinance shall be in full force and effect from and after its date of passage, in accordance with the law.

DULY PASSED AND APPROVED on this the 23rd day of February, 2021.



Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas