

**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 23-04-06-16**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING TITLE V: "PUBLIC WORKS", CHAPTER 50: "WATER AND SANITARY WASTEWATER SYSTEMS" TO ADOPT A NEW SECTION 50.60, "INDIRECT DISCHARGE INTO THE SANITARY WASTEWATER SYSTEM" OF CHAPTER 50, TITLE V, OF THE CITY OF CORINTH CODE OF ORDINANCES SETTING FORTH UNIFORM REQUIREMENTS FOR USERS OF THE PUBLICLY OWNED TREATMENT WORKS FOR THE CITY OF DENTON AND ENABLES THE CITY OF CORINTH TO COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CRIMINAL PENALTIES WITH A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) PER DAY FOR EACH DAY OR PART OF A DAY THAT A VIOLATION EXISTS OR CONTINUES; PROVIDING CIVIL PENALTIES IN ACCORDANCE WITH STATE LAW AND PROVIDING OTHER ENFORCEMENT MECHANISMS; AUTHORIZING THE COLLECTION OF RELATED FEES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth is a home rule municipality and pursuant to its Charter and state law; and

**WHEREAS**, the City must adopt uniform requirements for users of publicly owned treatment works and the adoption of this Ordinance enables the City of Corinth to comply with all applicable State and Federal laws and regulations, including the Clean Water Act (33 United States Code § 1251 et seq), and the General Pretreatment Regulations (Title 40, CFR, Part 403); and

**WHEREAS**, this Ordinance sets forth requirements for users of the publicly owned treatment works for the City of Denton, and the City of Corinth has determined it necessary to adopt the regulations set forth herein to comply with state and federal law and the ordinances of the City of Denton; and

**WHEREAS**, the City has determined it is in the best interest of human health, the environment, and general welfare of the public to amend the City Code of Ordinances to adopt uniform requirements contained herein applicable to all users of the publicly owned treatment works and to provide for the setting of fees for the equitable distribution of the costs of the program established in this Ordinance.

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

**SECTION 1**

**INCORPORATION OF PREMISES**

That the foregoing recitals are findings of the Corinth City Council and are incorporated into this Ordinance as if written word for word.

**SECTION 2**

**AMENDMENTS**

Title V: "Public Works" Chapter 50: Water and Sanitary Wastewater Systems of the Code of Ordinances of the City of Corinth, is hereby amended to adopt a new Section 50.60 "Indirect Discharge to the Sanitary Wastewater System" which shall contain the provisions set forth entirely within Exhibit "A", "Indirect Discharge to the Sanitary Wastewater System", a copy of which is attached hereto and incorporated herein. Section 50.60, "Indirect Discharge to the Sanitary Wastewater System", of Chapter 50 "Water and Sanitary Wastewater Systems" of Title V of the Code of Ordinances of the City of Corinth shall be and read in its entirety as follows, and all other subparagraphs and subsections of Title V, "Public Works" not specifically amended hereby shall remain in full force and effect without amendment:

"§50.60. Indirect Discharge to the Sanitary Sewer Wastewater System. The provisions set forth in Exhibit "A", "Indirect Discharge into the Sanitary Wastewater System", to Ordinance No. 23-04-06-16 of the City of Corinth adopted by the City on April 6, 2023 shall be applicable within the City of Corinth. Exhibit "A" shall remain on file in the office of the City Secretary of the City of Corinth and available for public inspection upon request."

**SECTION 3**

**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. 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.

**SECTION 4**

**SEVERABILITY**

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and

provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

## SECTION 5

### SAVINGS

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by Charter, another ordinance, resolution or other authorization of the City, the provisions of this Ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

## SECTION 6

### PENALTY

**7.01** In addition to and cumulative of the penalties set forth in Exhibit “A” to this Ordinance, the following shall apply:

**Criminal Penalty.** Any person, firm or corporation who intentionally, recklessly, or knowingly violates any provision of this Section or of Chapter V of the Code of Ordinances of the City, as amended hereby, that governs the public health and sanitation, or fails to comply therewith or with any requirements thereof, or a permit or certificate issued thereunder, shall upon conviction be guilty of a misdemeanor punishable by a daily fine of an amount not-to-exceed two thousand dollars (\$2,000) per day, as provided by Section 54.001(b) of the Texas Local Government Code, as amended.

**Civil Penalty.** Any person or entity who intentionally, knowingly or recklessly violates any provisions of this ordinance that relates to point source effluent limitations, or discharge of a pollutant, other than from a non-point source, into a sewer system, including sanitary or storm sewer system owned by the City and/or for which the City utilizes as its system, shall be guilty of and subject to a daily civil penalty not to exceed the sum of five thousand dollars (\$5,000) per day, pursuant to Chapter 54 of the Texas Local Government Code. As amended,

**Separate Offense.** Each such person or entity shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of this ordinance is committed or continued, and upon conviction or adjudication of any such violations such person shall be punished within the limits provided herein.

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**SECTION 7**  
**PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this 6<sup>th</sup> day of April, 2023.

APPROVED:

DocuSigned by:  
*Bill Heidemann*  
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Bill Heidemann, Mayor

ATTEST:

DocuSigned by:  
*Lana Wylie*  
D77DD89FB0C3473...

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Lana Wylie, City Secretary



APPROVED AS TO FORM:

DocuSigned by:  
*Patricia Adams*  
B5BAF55D871D428...

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Patricia A. Adams, City Attorney