

ORDINANCE 2006-09

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS, AMENDING ORDINANCE NO. 921105 AND ARTICLE 402.001c, OF THE CITY OF MABANK CODE OF REGULATIONS PERTAINING TO THE INSTALLATION OF CULVERTS IN THE CITY OF MABANK; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

SECTION 1. Section III of Ordinance 921105 and Article 402.001c of the Mabank City Code pertaining to the installation of culverts, are hereby amended as follows:

Any person wishing to install a culvert within the City of Mabank shall contact the City prior to installation to determine the size culvert required. City personnel will determine the size and type of culvert required and notify the applicant. The application for a permit to construct a culvert shall be made to the City Secretary. The application shall be accompanied by a sketch showing the location of the culvert, the proposed size of the culvert and the materials to be used. The application shall be submitted to the City Engineer for examination and recommendation to the City Council. The application shall be considered by the City Council at its next meeting. If the City Council approves the application, approved, then a permit will be issued by the City Secretary. The Applicant is required to contact the City for inspection purposes prior to covering the culvert with any material.

SECTION 2. SEVERABILITY

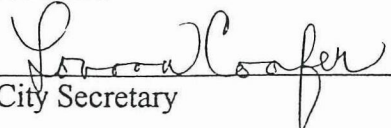
If any article, paragraph or subdivision, clause or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE

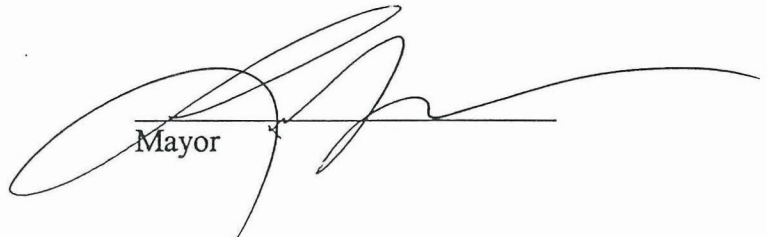
This Ordinance shall take effect immediately from and after the publication of its caption, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF MABANK, TEXAS this the 12th day of September, 2006.

ATTEST



City Secretary



Mayor

402.001 c

ORDINANCE NO. 921105

AN ORDINANCE REQUIRING PERMITS TO CONSTRUCT CULVERTS IN OR ALONG THE STREETS OR DITCHES THEREOF, IN THE CITY OF MABANK, TEXAS; PROVIDING THAT THE CULVERT SHALL BE LAID TO A GRADE ESTABLISHED BY THE CITY ENGINEER; AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

That the Code of Ordinances, City of Mabank, Texas, is hereby amended by adding Article 402.001c to read as follows:

ARTICLE 402.001c CULVERTS

SECTION I.

It shall hereafter be unlawful for any person, firm, or corporation to install or construct a culvert in, on, or under the streets, alleys, or drainage ditches thereof, in the City of Mabank, Texas, without securing a permit therefor. The grade for such culvert shall be established by the City Engineer and it shall be unlawful for any person to construct such a culvert without same being laid to the grade established by the City Engineer. The word "culvert" includes any type of drainage structure including what is known as the box type, or a pipe of any kind, whether used in connection with a drive-way or otherwise.

SECTION II.

All culverts built of concrete, box or round type, or any drainage structure of any kind shall have a bottom of the same material.

SECTION III.

The application for a permit to construct a culvert shall be made to the City Secretary. The application shall be accompanied by a sketch showing the location of the culvert, the size of the culvert, and the materials to be used. The application shall be submitted to the City Engineer for examination and recommendation to the City Council. The application shall be considered by the City Council at its next meeting. If the City Council approves the application, then a permit will be issued by the City Secretary.

SECTION IV.

Any culvert now in existence which does not comply with the provisions of this ordinance as to size, location, grade or otherwise shall be made to conform to the requirements of this ordinance by the owners of the property adjacent to same or by

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those responsible for the construction of the culvert in the first place within 60 days from notification.

SECTION V.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor.

PASSED AND APPROVED by the City Council on this 3rd day of November, 1992.

MAYOR

ATTEST:

CITY SECRETARY

Article 402.001 c CULVERTS

SECTION I.

It shall hereafter be unlawful for any person, firm, or corporation to install or construct a culvert in, on, or under the streets, alleys, or drainage ditches thereof, in the City of Mabank, Texas, without securing a permit therefore. The grade for such culvert shall be established by the City Engineer and it shall be unlawful for any person to construct such a culvert without same being laid to the grade established by the City Engineer. The word "culvert" includes any type of drainage structure including what is known as the box type, or a pipe of any kind, whether used in connection with a driveway or otherwise.

SECTION II.

All culverts built of concrete, box or round type, or any drainage structure of any kind shall have a bottom of the same material.

SECTION III.

The application for a permit to construct a culvert shall be made to the City Secretary. The application shall be accompanied by a sketch showing the location of the culvert, the size of the culvert, and the materials to be used. The application shall be submitted to the City Engineer for examination and recommendation to the City Council. The application shall be considered by the City Council at its next meeting. If the City Council approves the application, then a permit will be issued by the City Secretary.

SECTION IV.

Any culvert now in existence which does not comply with the provisions of this ordinance as to size, location, grade or otherwise shall be made to conform to the requirements of this ordinance by the owners of the property adjacent to same or by those responsible for the construction of the culvert in the first place within 90 days from notification.

SECTION V.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor.

Ordinance 921105 – adopted November 3, 1992