

ORDINANCE NO. 19-12-05-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY OF CORINTH'S CODE OF ORDINANCES BY ADOPTING A NEW CHAPTER, "CHAPTER 153: - DRAINAGE DESIGN STANDARDS" OF TITLE XV "LAND USAGE"; ADOPTING THE DRAINAGE DESIGN MANUAL; ADOPTING A NEW CHAPTER, "CHAPTER: - 156 ENGINEERING STANDARDS" OF TITLE XV "LAND USAGE"; ADOPTING THE REVISED ENGINEERING STANDARDS MANUAL; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas, (the "City") is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

WHEREAS, the City adopted a Code of Ordinances which specifies codes and standards for the city; and

WHEREAS, upon review and consideration of the foregoing factors, the City Council has determined that the Code of Ordinances should be amended as set forth below.

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

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2
ADOPTIONS

2.01 “Chapter 153: - Drainage Design Standards” of Title XV “Land Usage” of the Code of Ordinances of the City of Corinth is hereby adopted and shall be read in its entirety as follows:

“Adoption of Regulatory Codes by Reference

153.01 – Adoption of Drainage Design Standards

The Drainage Design Manual, otherwise known as the iSWM Local Criteria Manual and other necessary iSWM documents, a copy of which is on file with the City Secretary, is hereby adopted by reference as if set forth fully herein. The Drainage Design Manual shall be maintained as a public record in the office of the City Secretary. In the event a conflict is determined to exist between the Drainage Design Manual as adopted and the other provisions of this chapter, the later provisions shall be construed as controlling and taking precedence over the former.”

2.02 Chapter 156, “Engineering Standards” of Title XV, “Land Usage” of the Code of Ordinances of the City of Corinth is hereby adopted and shall read in its entirety as follows:

“Adoption of Regulatory Codes by Reference

156.01 – Adoption of Engineering Standards

The Engineering Standards Manual as revised, a copy of which is on file in the office of the City Secretary, is hereby adopted by reference as if set forth fully herein. The Engineering Standards Manual shall be maintained as a public record in the office of the City Secretary. In the event a conflict is determined to exist between the Engineering Standards Manual as adopted and the other provisions of this chapter, the later provisions shall be construed as controlling and taking precedence over the former.”

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

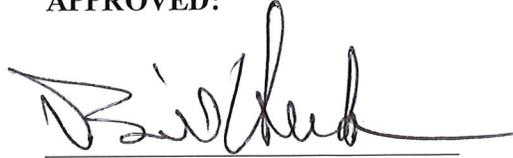
Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

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.

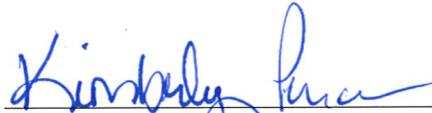
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
CORINTH, TEXAS on this the 5 day of December 2019.**

APPROVED:



Bill Heidemann, Mayor
City of Corinth, Texas

ATTEST:



Kimberly Pence, City Secretary
City of Corinth, Texas

APPROVED AS TO FORM AND LEGALITY:



Patricia A. Adams, City Attorney