

**ORDINANCE NO. 528**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, AMENDING SECTION 13.08.041(a) OF ARTICLE 13.08, WATER WELLS, OF THE WOLFFORTH CODE OF ORDINANCES, AND ITS AUTHORIZING ORDINANCE, NUMBER 446, ADOPTED OCTOBER 6, 2014, TO REQUIRE REDUCED PRESSURE ZONE VALVE ASSEMBLIES FOR WATER WELLS TO BE INSTALLED AT THE METER; PROVIDING FOR THE REPEAL OF ORDINANCE SECTIONS IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council, having determined it is necessary in order to protect the best interests of the public and necessary for the government, interest, welfare, or good order of the municipality as a body politic to require reduced pressure zone valve assemblies for water wells to be installed at the meter, now desires to amend the City's Water Well regulations to reflect these changes for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Wolfforth, Texas; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS:**

**PART 1: Amendment.**

**THAT**, Section 13.08.041(a) of the Wolfforth Code of Ordinances, at Article 13.08, Water Wells, passed and approved in City Ordinance number 446, adopted October 6, 2014 is hereby amended to add the phrase "at the meter" to the first sentence of the Section, to read as follows:

**Sec. 13.08.041 Polluted or polluting wells declared nuisance; abatement**

(a) Every well dug, drilled, constructed or operated within the city limits must have a reduced pressure zone (RPZ) valve assembly installed at the meter. The RPZ assembly shall be inspected annually by a licensed backflow device inspector and documentation of the inspection filed with the city within 30 days of the inspection. Any well or other opening constructed within the city penetrating the underground water supply and which pollutes or contaminates any other well or the city's water supply, is hereby declared a nuisance and on notice to the owner of such well, to the operator thereof or to his agent in charge of the well or of the property on which it is situated, issued by the director of public works, said nuisance shall be abated by the owner within ten (10) days from date of such notice by filling and plugging the well or opening in the manner provided for in this article for abandoned wells. If he shall fail to abate such nuisance within said time, or if after exercising reasonable diligence the director of public works is unable to locate the owner or his agent, the director of public works shall have the right to go on the land or property upon which the well is situated and abate said nuisance in the manner provided and the owner thereof shall be liable to the director of public works for the cost of such work and shall pay same upon demand.

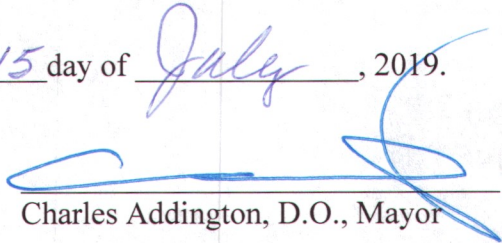
**PART 2. Repeal.**

All other Ordinance and Code sections not changed herein shall continue in full force and effect. All sections of prior ordinances of the City Council of the City of Wolfforth in conflict with this ordinance are hereby repealed to the extent of the conflict.


**PART 3 Publication and Effective Date**

The City Secretary is hereby authorized and directed to cause the caption and penalty for violation of this ordinance to be published in accordance with law. (The penalty shall remain the same as that for the previous Section 13.08.19). This ordinance shall take effect upon completion of publication as provided by law.

PASSED AND APPROVED on this the 15 day of July, 2019.

  
Charles Addington, D.O., Mayor

ATTEST:

  
Debra Perkey, City Secretary