

ORDINANCE NO. 2024-00053

AN ORDINANCE AMENDING CHAPTER 22 “UTILITIES”, ARTICLE 22.04 “WASTEWATER SYSTEM” OF THE CODE OF ORDINANCES OF THE CITY OF LUBBOCK, TEXAS, IN ORDER TO DELINEATE SEWER LINE REPAIR AND MAINTENANCE RESPONSIBILITIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Lubbock maintains the City’s sanitary sewer mains throughout the City; and

WHEREAS, the City Council of the City of Lubbock finds that it is for the public good, public health and safety, and for a public purpose, that the City shall make any necessary repairs to sewer lateral lines located in the public rights-of-way in order to maintain the integrity of the City’s sanitary sewer system as a whole; and

WHEREAS, the City Council of the City of Lubbock, Texas deems it in the best interest of the citizens of Lubbock to make the following amendments to Article 22.04 of the Code for the reasons stated above; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:

SECTION 1. THAT Article 22.04, Section 22.04.09 of the Code of Ordinances of the City of Lubbock, Texas, is hereby amended to read as follows:

**Sec. 22.04.009 Sanitary sewer later line maintenance.**

**(a)** The city and its designated contractors shall be the only authorized entities or persons to repair or replace the sewer wye, tee, or tapping saddle connection to the city sewer main for an existing property with current sewer service and to replace the customer’s lateral service line located in the city’s right-of-way.

**(b)** The customer shall be responsible for cleaning, clearing, removing obstructions, maintenance, and operation of the customer's sanitary sewer lateral line from the home, business, facility, or other point of service, to the sewer wye, tee or tapping saddle connection at the public sewer main. The customer shall be responsible for the repair and replacement of the customer's lateral sewer service line from the point of service to the property line.

**(c)** The customer or the customer's contractor shall acquire the proper permits and comply with all applicable laws, ordinances, and policies for the maintenance, repair and operation of this lateral sewer service line. Physical obstructions in the city's alley right-of-way, such as landscaping, irrigation systems, fencing, or other such surface or subsurface obstructions may potentially be damaged by excavation activity and are prohibited. All repairs and construction of the sewer service line or pavement within city right-of-way or alleyways shall be performed in accordance with all applicable ordinances and the City of Lubbock Engineering Minimum Design Standards and Specifications.

**(d)** The customer's utility contractor shall perform the proper one-call notification pursuant to Texas State Utility Code title 5, chapter 251. Such notification requires a 48-hour advance notice before excavation can begin. In addition, prior to excavation, the customer's utility contractor shall complete a permit with the City of Lubbock right-of-way department.

**(e)** Repairs:

**(1) Emergency repairs.**

An emergency repair request is one where the customer does not have sewer service and the lack of wastewater flows creates a potential health concern. The city shall respond to emergency repairs if the customer's utility contractor determines there is a problem with the connection at the city's sanitary sewer main, and a sanitary sewer overflow is imminent or discharging in the residence or place of business. Once both conditions have been confirmed the utility contractor shall contact the city for emergency repairs of the city's main.

**(2) Repair of an existing sewer wye, tee, or tapping saddle:**

The city shall be responsible for replacing the wye, tee, or tapping saddle if it is found to be inoperable or in disrepair. A contractor of the customer shall not make these repairs. Rather, requests for repair shall be made directly to the water utility department by the contractor making the sanitary sewer lateral line repairs.

**(3) Routine repair:**

A routine repair request is one where there is service, but the tap is in need of repair. The tap repair will be scheduled and placed on the repair priority list based upon whether the service is an emergency or routine repair. City personnel or its contractors will perform all paving and concrete repair.

**(4) Sewer lateral service in right-of-way:** The request for repair of a lateral service line in the city's right-of-way or alley, shall be made directly to the water utility department by a licensed plumber. The plumber must mark the location of the sewer connection and/or lateral service line with paint or pin flags.

SECTION 2. THAT should any paragraph, section, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby.

SECTION 3. THAT a violation of any provision of this Ordinance shall be deemed a misdemeanor punishable in accordance with state law and Section 1.01.004 of the Code of Ordinances of the City of Lubbock.

SECTION 4. THAT the City Secretary of the City of Lubbock, Texas, is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative means of publication provided by law.

**AND IT IS SO ORDERED.**

Passed by the City Council on first reading this 26th day of March, 2024.

Passed by the City Council on second reading this 9th day of April, 2024.

/s/ Tray Payne  
TRAY PAYNE, MAYOR

ATTEST:

/s/ Courtney Paz  
Courtney Paz, City Secretary

APPROVED AS TO CONTENT:

/s/ Latrelle Joy  
Latrelle Joy, Councilwoman, District 6

/s/ Steve Massengale  
Steve Massengale, Councilman, District 4

APPROVED AS TO FORM:

/s/ Kelli Leisure  
Kelli Leisure, Senior Assistant City Attorney