

ORDINANCE *Repealed w/ Ord # 74*

(Motion was made by *Charles Smith*, seconded by *Robert Davis*, that the following Ordinance be passed:)

ORDINANCE NO. *66*

AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF MAGNOLIA AND REQUIRING PLATS AND REPLATS TO CONFORM TO SUCH RULES AND REGULATIONS IN ORDER TO PROCURE THE APPROVAL OF THE CITY PLANNING COMMISSION, CITY OF MAGNOLIA, PROVIDING A PENALTY AND SAVINGS CLAUSE AND REPEALING ALL CONFLICTING ORDINANCES:

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

SECTION 1.

GENERAL

These regulations shall govern every person, firm, association, or corporation owning any tract of land within the city limits of the City of Magnolia, who may hereafter divide the same into two or more parts for the purpose of laying out any subdivision of any tract of land or any addition to said City, or for laying out suburban lots or building lots, or any lots, streets, alleys, parks, or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto.

SECTION 2.

DEFINITIONS

2.01 City or The City Hall shall mean the City of Magnolia.

2.02 Subdivision shall mean the division of a tract or parcel of land into two or more parts or lots for the purpose, whether immediate or future of sale or building development or transfer of ownership, and shall include resubdivision.

2.03 Resubdivision shall mean the division of an existing subdivision, together with any change of lot size therein, or with the relocation of any street lines.

2.04 The word "Shall" shall be deemed as mandatory.
The word "May" shall be deemed as permissive.

2.05 Plat shall mean a map or chart of the subdivision. It shall include plan, plat or replat, in both singular and plural.

SECTION 3.

PURPOSE, AUTHORITY AND JURISDICTION

3.01 Under the authority of Article 974a of the Revised Civil Statutes of the State of Texas, which article is hereby made a part of these regulations, the City Council of the City of Magnolia does hereby adopt the following regulations to hereafter control the subdivision of land within the corporate limits of the City of Magnolia, in order to provide for the orderly development of the area and to secure adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewer, and other facilities. And under

the authority of Article 970a, the Municipal Annexation Act, which article is hereby made a part of these regulations, the City Council of the City of Magnolia does hereby adopt these regulations as to the extent of extraterritorial jurisdiction.

3.02 Any owner of land located inside of or within the corporate limits of the City of Magnolia wishing to subdivide such land shall submit to the City Council a preliminary and final plan of subdivision which shall conform to the minimum requirements set forth in these regulations. Any owner subdividing his land into parcels of not less than five (5) acres each for agricultural use and not involving new streets shall be exempt from these requirements.

3.03 No subdivision plat shall be filed or recorded, and no lot in a subdivision inside of the incorporated limits of Magnolia shall be improved or sold, until the preliminary plat shall have been approved by the City Council. The City shall have the authority to prohibit the installation of public utilities in unapproved streets and to prohibit the issuance of building permits for structures on lots abutting on unapproved streets. The final plat must be approved by the City Council.

SECTION 4.

PROCEDURE

40.1 Preliminary Plat: A preliminary plat of any proposed subdivision, prepared by a registered engineer or a registered public surveyor and bearing his seal, shall be submitted to the City Council for approval before the subdivider proceeds with the final plat for record.

1. This preliminary plat shall be drawn to a scale of two hundred (200) feet to the inch or larger.

The preliminary plat shall contain the following information:

2. Existing Features Inside Subdivision:

- a. The existing boundary lines of the land to be subdivided. Boundary lines shall be drawn in heavy for easy identification.
- b. The location of existing water courses, railroads, and other similar drainage and transportation features.
- c. The location and width of existing streets, alleys, easements, buildings and structures.
- d. Topographical information with contour lines at five (5) foot intervals.

3. Existing Features Outside Subdivision:

- a. The name and property lines of adjoining property owners.
- b. The name and location of adjacent subdivisions, streets, easements, pipelines, water courses, etc.

All lines outside of the boundaries of the proposed subdivision to be dashed.

4. New Features Inside of Subdivision:

- a. The proposed name of the subdivision.
- b. The location, width, and names of proposed streets.
- c. The width and depth of all lots. If the side lines are not parallel, the distance between them at the building line and at the narrowest point should be given.
- d. The location of building lines, alleys and easements.
- e. The location and approximate size of sites for schools, churches, parks, and other special land uses.
- f. The acreage of the property to be subdivided.

5. Key Map: A key map showing relation to subdivision to well-known streets in all directions to a distance of at least one (1) mile.

6. Title, Etc.: The date, scale, north point and title under which the plat is to be recorded, with the name of the owner and engineer or surveyor platting the tract.

7. Submission: The City Council shall be furnished with a reproducible tracing and three (3) legible prints of the preliminary plat and with three (3) copies of a letter of transmittal stating briefly the type of street surfacing, drainage, sanitary facilities, and water supply proposed, and the name and address of the owner or agency and engineer or surveyor seven (7) days or more before the regular meeting of the City Council. These documents shall be filed in the office of the City Secretary.

8. Approval: The City Council shall approve, conditionally approve or disapprove within thirty (30) days any preliminary plat submitted to it. Approval of the preliminary plat shall not constitute final acceptance of the final plat. Failure to act within thirty (30) days of the regularly scheduled meeting at which the plat would have been presented shall constitute approval by the City Council unless additional time is requested from the developer. Reasons for the disapproval or conditional approval shall be put in writing, attached to one copy of the plat and returned to the person submitting the plat. Preliminary approval will expire six (6) months after the approval by the City Council of the preliminary plat or of final sections thereof, except that if the subdivider shall apply in writing prior to the end of such six-month (6) period, stating reasons for needing the extension, this period may be extended for another six (6) months, but not beyond the total of one (1) year.

9. Disapproval: If any such plat is disapproved by the City Council, such disapproval shall be deemed by the City of the offered dedication shown thereon.

4.02 Final Plat: After approval of a preliminary plat by the City Council, a final plat, prepared by a registered engineer or a registered public surveyor and bearing his seal, shall be submitted to said City Council by filing in the office of the City Secretary. Such plat shall have all changes and alterations made on it that were required on the previously-submitted preliminary plat.

1. Sheet Size and Scale: All final plats shall be drawn in India ink on tracing cloth sheets 24" x 30" (twenty-four inches by thirty inches) and to a scale of one (1) inch equals one hundred (100) feet. Where more than one (1) sheet is required, an index sheet of maximum size 24" x 30" (twenty-four inches by thirty inches) shall be filed showing the entire subdivision. Where the area to be developed can be drawn on a sheet one-half (1/2) size or less with the scale of the drawing remaining one (1) inch equals one hundred (100) feet, a sheet 24" x 15" (twenty-four inches by fifteen inches) may be used.

The final plat shall contain the following information:

2. Existing Features Inside Subdivision:

- a. The existing boundary lines of the land to be subdivided. Boundary lines shall be drawn in heavy for easy identification.
- b. The location of existing water courses, railroads, and other similar drainage and transportation features.
- c. The location and width of existing streets, alleys, easements, buildings and structures to be retained.

3. Existing Features Outside Subdivision:

- a. The name and property lines of adjoining subdivisions and of the adjoining property owners, together with the respective plat or deed references.
- b. The name and location of adjacent streets, alleys, easements, water courses, etc.

All lines outside of subdivision boundaries to be dashed.

4. Streets, Alleys, Easements: The lines and names of all proposed streets or other ways or easements to be dedicated to public use, with the following engineering data:

- a. For streets: Complete curve data (L,R,P,C., P.R.C.,P.T) shown on the center line or on each side of street. Length and bearings of all tangents. Dimensions from all angles points and points of curve to an adjacent side lot line.
- b. For Water Courses and Easements: Distances to be provided along the side lot line from the front lot line or the high bank of a stream. Traverse line to be provided along the edge of all large water courses in a convenient location, preferably along a utility easement if paralleling the drainage easement or stream.

5. Name of Subdivision and Total Acres:

6. Lots and Blocks: The lines and numbers of all proposed lots and blocks with complete bearings and dimensions for front, rear and side lot lines.

7. Building Lines Shall be Shown on All Lots.

8. Reservations: The use and property dimensions of all special reservations, including sites for schools, churches, and parks.

9. Monuments and Control Points:

a. The description and location of all permanent survey monuments and control points.

b. Suitable primary control points to which all dimensions, bearings, and similar data shall be referred. Dimensions shall be shown in feet and decimals of a foot.

10. Certificate of Approval to be placed on the plat:

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Magnolia, Texas.

Signature and seal of registered
Engineer or Surveyor

Approved this _____ day of _____, 19____, by the City Council of the City of Magnolia, Texas.

Attest:

By: _____
City Secretary

Mayor

11. Water, Sewer, Paving, and Drainage Plans: Two sets of plans and specifications for water, sewer, paving, and drainage prepared by a registered engineer must be submitted with the final plat.

12. Key Map: A key map showing relation of subdivision to well-known streets in all directions to a distance of at least one (1) mile.

13. Title, Etc.: The date, scale, north point and subdivision title.

14. Dedications and Certificates: Such dedications and certificates as are applicable.

15. Special Restrictions: Where restrictions of use of land, other than those given in these regulations are to be imposed by the subdivider, such restrictions may be placed on the final plat or on a separate instrument filed with the plat.

16. Tax Receipt: A receipt showing that all taxes have been paid is to be submitted concurrent with the final plat.

17. Submission: The Planning Commission shall be furnished with three (3) legible prints and the original tracing or a reproducible copy of the final plat seven (7) days or more before the regular City Council meeting. These documents shall be filed in the office of the City Secretary.

18. Approval: Final approval will expire one (1) year after City Council action granting approval of any plat unless the plat has been filed for record, except that if the subdivider shall apply in writing prior to the end of such one (1) year period, stating reasons for needing the extension, this period may, at the discretion of the Council, be extended for another year but not beyond that period.

SECTION 5.

GENERAL REQUIREMENTS AND DESIGN STANDARDS

5.01 Streets:

1. Conformity to Major Street Plan: The width and location of streets shall conform to such Major Street Plan as the City Council may have adopted, if any, both as to horizontal and vertical alignment and right-of-way widths.
2. Relation to Adjoining Street System. The proposed street system shall extend all existing major streets and such existing secondary and local-access streets as may be desirable for convenience of circulation. Where possible, the width and the horizontal and vertical alignment of extended streets shall be preserved.
3. Street Jogs: Where off-sets in street alignment are, in the opinion of the City Council, unavoidable, such off-sets may be employed provided the distance between center lines is not less than one hundred twenty-five (125) feet.
4. Large-Lot Subdivisions: If the lots in the proposed subdivision are large enough to suggest resubdivision in the future, or if part of the tract is not subdivided, consideration must be given to possible future street openings and access to future lots which could result from such resubdivision.
5. Through Traffic: Local residential streets shall be designed so as to discourage high-speed or through traffic.
6. Topography: The street system shall bear a logical relationship to the natural topography of the ground.
7. Street Widths: "Street Width" shall be measured from front lot line to front lot line of opposite lots.
 - a. Local Streets: Local streets shall have a minimum width of fifty (50) feet.
 - b. Secondary Streets: Secondary or feeder streets shall have a minimum width of sixty (60) feet.
 - c. Major Streets: The width of major streets shall be determined by the City Council, the Major Street Plan, and adopted standards. Major streets with a right-of-way width of less than one hundred (100) feet are to be increased to a width of one hundred (100) feet for a distance of one hundred fifty (150) feet at the approach to a major street intersection, with a transition back to normal right-of-way over a distance of an additional one hundred fifty (150) feet.

8. Street Alignment: The maximum deflection in alignment permitted without use of curve shall be ten (10) degrees.
9. Major Street Curves: Curves in major streets shall have a center line radius of two thousand (2,000) feet or more with exceptions to this standard granted only by the City Council.
10. Secondary Street Curves: Curves in secondary or feeder streets shall have a center line radius of eight hundred (800) feet or more, with exceptions to this standard granted only by the City Council.
11. Local Street Curves: Curves in local streets are to have a center line radius of three hundred (300) feet or more, except for "loop" or partial "loop" streets.
12. Reverse Curves: Reverse curves shall be separated by a minimum tangent of one hundred (100) feet.
13. Vertical Curves: See: ENGINEERING AND CONSTRUCTION STANDARDS.
14. Dead-End Streets (Cul-de-sacs):
 - a. Turn-arounds: Turn-arounds are to have a minimum right-of-way radius of fifty (50) feet for a single family and two-family use and sixty (60) feet for other uses.
 - b. Maximum Length: The maximum length of a dead-end street with a permanent turn-around shall be six hundred (600) feet, except in conditions of unusual topography.
 - c. Temporary Turn-Arounds: Temporary turn-arounds are to be provided at the end of streets more than four hundred (400) feet long that will be extended in the future. The following note should be placed on the plat: "Cross-hatched area is temporary easement for turn-around until street is extended (give direction) in a recorded plat."
15. Street Intersections:
 - a. Angle of Intersection: Except where existing conditions will not permit, all streets, major and minor, shall intersect at a ninety (90) degree angle. Variations of more than ten (10) degrees on minor streets and more than five (5) degrees on major or secondary streets must first be approved by the City Council.
 - b. Radius at Acute Corners: Acute angle intersections approved by the Planning Commission are to have twenty-five (25) foot or greater radii at acute corners.
 - c. Center Line Tie with Existing Streets: Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on center line with dimensions and bearing to show relationship.

16. Partial or Half-Streets: Partial or half-streets may be provided where the Planning Commission feels that a street should be located on a property line. The following note shall be used in all such dedication: "This -foot strip is dedicated as an easement for all utility purposes, including storm and sanitary sewers and shall automatically become dedicated for street purposes when and insofar a -foot strip adjacent to it is so dedicated and the required improvements are as installed."

17. Reserve Strips: Provisional one-foot (1) reserves may be used along the side or end of streets that abut acreage tracts, accompanied by a note on the plat as follows: "One (1) foot reserve to become automatically dedicated for street purposes when adjacent property is subdivided in a recorded plat."

18. Street Names: New streets shall be named so as to provide continuity of name with existing streets and so as to prevent conflict with identical or similar names in other parts of the City.

5.02 Lots:

1. Use: All lots shown on the plat will be for residential purposes unless otherwise noted. Standards that apply to residential lots follow.

2. Lot Size: To be approved by the City Council. On the basis of the district in which they lie and the use to which they are to be put, all lots must conform to the regulations of the City Council, including minimum area, width, and depth.

3. Minimum Width: Seventy-five (75) feet. Radial lots to have minimum width of seventy-five (75) feet at and for a distance of thirty (30) feet behind the building line.

4. Minimum Depth: One hundred twenty (120) feet.

5. Minimum Area: Nine thousand (9,000) feet.

6. Corner Lots: Corner lots with a width of less than ninety (90) feet are to be at least five (5) feet wider than average of interior lots in the block. Corner lots with a width of less than ninety (90) feet adjacent to a major thoroughfare are to be at least fifteen (15) feet wider than the average of interior lot in the block.

7. Lots on Major Streets: Lots facing or backing on major streets shall be at least ten (10) feet deeper than average of lots facing on adjacent minor streets.

8. Lots on Drainage Easements: Minimum usable lot depths for lots backing on natural drainage easements shall be not less than eighty (80) feet measured between front lot line and drainage easement.

9. Lot Lines: Side lot lines should be perpendicular or radial to street frontage and the following note may be used in lieu of bearings: "All side lot lines are either perpendicular or radial to street frontage unless otherwise noted."

10. Lot Facing:

- a. Street Frontage: Each lot shall be provided with adequate access to an existing or proposed public street by frontage on such street.
- b. Front Facing: Wherever feasible, each lot should face the front of a similar lot across the street. In general, an arrangement placing adjacent lots at right angles to each other should be avoided.
11. Lot Numbering: All lots are to be numbered consecutively within each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat.

5.03 Blocks:

1. Block Length:

- a. Residential: Maximum block length for residential use shall be twelve hundred (1200) feet, measured along the center of the block. Six hundred (600) feet is a desirable minimum.
- b. On Major Street: Maximum block length along a major street shall be sixteen hundred (1600) feet except under special conditions and upon approval of the City Council.

2. Block Width: Blocks shall be wide enough to allow two (2) tiers of lots of at least minimum depth, except when prevented by the size of the property or the need to back up to a major thoroughfare.

3. Block Numbering: Blocks are to be numbered consecutively within the overall plat and/or sections of an overall plat as recorded.

5.04 Building Lines:

1. Front Street: The front building line shall not be less than twenty-five (25) feet from the front property line, except that where the lots face on a major street, the front building line shall not be less than thirty-five (35) feet from the front property line.
2. Side Street: The building line on the side of corner lots shall not be less than fifteen (15) feet from the side street property line, except that where the lots side on a major street, the building line shall not be less than twenty-five (25) feet from the side street property line, and where the side of a corner lot is across the street from or adjacent to the front of other lots, the building line shall be at the same distance from the streets as the front building line of the opposite or adjacent lots.

5.05 Alleys:

1. Width: Where provided, alleys shall not be less than twenty (20) feet in width.
2. Cut-Offs: In case of intersection alleys, a cut-off shall be required at each corner. Cut-offs shall be triangles having two (2) equal sides each of which shall be not less than ten (10) feet in length.
3. Dead-End Alleys: Alleys shall be required in all business areas and in those portions of new residential subdivisions where partial blocks are needed to complete existing blocks with alleys.

5.06 Easements:

1. Size: The size of easements where alleys are not provided shall not be less than five (5) feet on each side of rear lot lines, with additional five (5) feet on each side beginning at a plane twenty (20) feet above the ground. The full width of easement shall be not less than ten (10) feet at ground level nor less than twenty (20) feet above ground.
2. Use: Where necessary, easements shall be retained for poles, wires, conduits, storm sewers, sanitary sewers, water lines, open drains, gas lines, or other utilities. Such easements may be required across parts of lots (including side lines) other than as described above, if, in the opinion of the City Council, same is needed.

5.08 Reservations:

1. Permitted Purposes: No land contained in the proposed subdivision shall be reserved for any use other than a use permitted by the City Council for the district in which the land to be reserved is located.
2. Designation on Plat: The specific use for which each piece of land is to be reserved must be shown by appropriate label or description on the subdivision plat. Provision for future abandonment of a reservation as may be appropriate must likewise be shown on said plat.
3. Parks and Playgrounds: The location and size of parks and playgrounds shall be in accordance with the City Council's Plan, if any, and with the requirements of the City Council. Park sites are to be purchased at the developer's acreage cost plus a prorated cost of improvements.
4. Schools: The location and size of schools shall be in accordance with the City Council plan with respect to school location, if any, and with the requirements of the School District.

SECTION 6.

ENGINEERING AND CONSTRUCTION STANDARDS

6.01 Policies: Policies, terms and conditions to be followed in paving work and the extending of water and sewer lines must be approved by the

City Council. All improvements shall be installed by the developer. The City shall not participate in the development unless a larger facility or improvement is required by the City. The City will participate in the cost of the facility to the extent of the difference in the cost of the facility or improvement required to serve the developer's land and that required by the City to be installed.

6.02 Engineering and Specifications for Construction: The developer will be required to retain the services of an engineer registered in the State of Texas, whose seal shall be placed on the drawings, for the design and inspection of the drainage, roads and streets, sewer and water facilities within the subdivision.

1. All engineering, construction plans and standard specifications for construction of streets, drainage, storm sewer, or sewer lines shall be approved prior to the commencement of construction of same.
2. The services performed by the developer's engineer shall be as designated in the current issue of "Manual of Professional Practice - General Engineering Service", as published by the Texas Society of Professional Engineers, and shall include both design and inspection as defined therein.

6.03 Streets: All streets will be constructed in accordance with the current minimum standards adopted by the Commissioner's Court of Montgomery County, Texas.

1. Alignment, Grade and Width: Alignment of streets shall be as hereinbefore stated in GENERAL REQUIREMENTS AND DESIGN STANDARDS.

2. Grades: Gutter gradients shall be a minimum of one-quarter ($1/4$) of one (1) percent. Crown sections shall slope not less than one-quarter ($1/4$) inch per foot for asphaltic concrete and one-eighth ($1/8$) inch per foot for Portland cement concrete. The minimum drop around curb return will be one-tenth ($1/10$) of one (1) foot. The maximum drop of grade tangents from opposite direction to a common low point shall not exceed one and one-half ($1\ 1/2$) feet. All gutter grades shall be above the design water surface of ditches and storm sewers. All grade changes with an algebraic difference of one (1) percent or more shall be connected with a vertical curve.

3. Width: Minimum width of streets shall be as follows:

| <u>Classification</u> | <u>ROW Width</u> | <u>Street Width Back to Back of Curb</u> |
|----------------------------|------------------|--|
| Major Streets | 80' | 61' |
| Collector (Feeder) Streets | 60' | 39' |
| Local Streets | 50' | 29' |

4. Pavement Design: Pavement design shall conform to the following general requirements unless otherwise approved by the City Council. References to current Montgomery County specifications regarding road work are hereby adopted.

5. Curb and Gutter: Curb and combination curb and gutter shall be constructed of reinforced concrete. Cross-section and shapes shall conform to standards on file with the Sewer and Water Works Superintendent.

6.04 Drainage and Storm Sewers: Adequate drainage shall be provided within the limits of the subdivisions in accordance with recognized engineering standards and construction practices relating to same.

1. Size: Sizing of inlets, storm sewers, outfalls, culverts and drainage ditches will be based on the following:

a. Design Storm: The design storm will be based on rainfall intensity-frequency data published by the Department of Agriculture by David L. Yarnell. Interior drainage system will be designed for a storm with a frequency of occurrence of once in five years. The intensity of a 60-minute rainfall on this frequency is 2.80 inches. Major drainage ditches and structures will be designed for a storm with a frequency of occurrence of once in twenty-five years. The intensity of a 60-minute rainfall on this frequency is 3.75 inches.

b. Runoff Computations: To determine the runoff rates for the various areas, the standard rational method will be used, utilizing the formula $Q = CIA$, where A - rate of runoff in cubic feet per second, C - runoff coefficient, I - rainfall intensity for the particular duration in inches per hour, and A - the drainage area in acres. Drainage areas will be arrived at by considering location of high and low points on street grades, drainage divides in the area, and general configuration of existing and finished grades.

c. Sizing of Sewers: Sewers shall be sized to carry the discharges (Q) derived from the above formula. Capacity of storm sewers will be determined by the use of Mannings formula on the basis of hydraulic gradients rather than the physical slope of the pipe. Minimum size of storm sewer shall be 15 inches.

d. Sizing and Spacing of Inlets: Inlets shall be spaced so that maximum travel distance of water in gutter will not exceed 600 feet. Inlets will be provided at all low points in gutter gradient. Inlets will be sized using an allowable capacity of one (1) cubic foot per second per foot of opening for a throat height of five inches.

e. Ditches: Ditches shall be sized to carry the runoff (Q) derived from the above formula.

2. Design: Design of storm sewers, outfalls, culverts, and drainage ditches will conform to the following general requirements:

a. Manholes: Manholes (inlets or junction boxes) shall be provided at all changes in grades or alignment, sewer intersections, street intersections and at a maximum of 1,000 feet on straight lines. If monolithic, reinforced concrete sewer lines are used, a manhole is not required where leads from inlets intersect the main sewer. Design of manholes shall follow acceptable engineering practice, and shall be constructed of brick or reinforced concrete.

b. Inlets: Design of inlets shall follow acceptable engineering practice, and walls shall be constructed of reinforced concrete or brick.

c. Pipe: Pipe for storm drains shall be concrete pipe in sizes as shown on the approved plans. Pipe twenty-one (21) inches or larger in diameter shall be reinforced concrete pipe (RCP), ASTM C76, Class 3. Pipe eighteen (18) inches or smaller in diameter shall be plan concrete pipe (PC), ASTM C14 standard strength. Where, in the opinion of the Sewer and Water Works Superintendent, added strength of pipe is needed for traffic loads over added strength of pipe is needed for traffic loads over minimum cover or for excessive height of back fill, concrete pipe shall be ASTM C14 Extra Strength or ASTM C76, Class IV or Class V. Pipe shall have a minimum cover of not less than one (1) foot over the top of pipe. Monolithic, reinforced concrete sewers may be used for storm sewers thirty-six (36) inches and larger.

d. Ditches: Drainage ditches, where approved by the City Council, may be used for outfalls to natural or major drainage channels. Ditches shall have a minimum grade of not less than 0.10 per cent and side slopes not steeper than 2:1.

e. Outfalls: Outfalls from sewers and ditches into natural drainage ways shall enter at the grade of the natural drainage channel. If necessary, drop type outfall structures shall be used to prevent erosion.

f. Major Drainage Ways and Structures: Design of major drainage ways through a subdivision and major structures, such as box culverts or bridges, across a major drainage channel, shall be coordinated with Harris County Flood Control.

6.05 Sewer System: The developer will be required to submit a certificate from a licensed engineer to certify that the systems have been designed in accordance with the requirements of the State Health Department and existing laws. The developer of the subdivision shall provide sewer lines necessary to properly serve the subdivision and shall insure that existing and/or new sewage facilities are adequate to carry the expected load.

1. Sewer Lines:

a. Location: Where the location of the sewer is not clearly defined by dimensions on the drawings, the sewer shall not be closer horizontally than ten (10) feet to a water supply main or service line. Gravity sewer lines passing over water lines shall be constructed for a distance of ten (10) feet each side of crossing with cast iron pipe or asbestos with no joints within three (3) feet of crossing.

b. Materials: Sewer lines will be constructed in accordance with the City Plumbing Code.

c. Manholes: Manholes shall be spaced a distance not to exceed four hundred (400) feet and shall be constructed in accordance with specifications.

d. Forced Mains: Forced mains shall be cast iron or asbestos-cement pipe and fittings, Pressure Class. Pipe shall have

SECTION 11.

REPEALING CLAUSE

11.01 Any ordinance in conflict herewith is expressly repealed.

PASSED AND APPROVED ON THIS 10 day of Oct., 1978.

CITY OF MAGNOLIA

Attest:

By: Walter A. DeRome
Mayor

By: William J. Raab
City Secretary

either mechanical joints or rubber gasket joints, approved by the Sewer and Water Works Superintendent.

b. Threading: Threading on fire hydrant outlets shall be suitable for use with City Fire Protection Equipment.

c. Valves: At intersections of water distribution lines, the number of valves will be one less than the number of radiating lines (two valves for tee connection and three for cross connection).

SECTION 7.

VARIANCES

7.01 Variances: When a subdivider can show that a provision of these regulations would cause unnecessary hardship if strictly adhered to and where, because of some condition peculiar to the site in the opinion of the City Council, a departure may be made without destroying the intent of such provisions, the City Council may authorize a variance.

SECTION 8.

FILING FEES

8.01 The following schedule of fees and charges shall be paid into the general fund of the City of Magnolia when any map or plat is tendered to the City Secretary, and each of the fees and charges provided herein shall be paid in advance, and no action of the City Council or any other board or agency shall be valid until the fee shall have been paid. The City Secretary, deputies or assistance shall calculate the fees and charges in accordance with the following schedule:

Preliminary plats, \$10.00 per plat plus \$.50 per lot plus \$2.50 per acre for other uses. Final plats, \$20.00 per plat plus \$.50 per lot plus \$2.50 per acre for other uses.

The above fees shall be charged on all plats regardless of the action taken by the City Council.

SECTION 9.

PENALTY FOR VIOLATION

9.01 Any person violating this Ordinance or any portion thereof shall, upon conviction, be guilty of a misdemeanor and shall be fined not less than \$10.00 nor more than \$200.00, and each day that such violation continues shall be considered a separate offense and punishable accordingly.

SECTION 10.

SAVINGS CLAUSE

10.01 If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council, in adopting this Ordinance, that no portion thereof, or provision or regulation contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provisions of this Ordinance.