

ORDINANCE NO. 04.16.2026

**AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS, REGULATING SEWER TAPS; REQUIRING A SEPARATE SEWER TAP FOR EACH DWELLING UNIT, INCLUDING EACH UNIT WITHIN A DUPLEX, TRIPLEX, QUADPLEX, APARTMENT BUILDING, MANUFACTURED HOME PARK, OR OTHER MULTI-UNIT RESIDENTIAL DEVELOPMENT, UNLESS OTHERWISE APPROVED BY THE CITY COUNCIL; REGULATING SEWER TAPS FOR BUSINESSES; PROVIDING APPLICATION REQUIREMENTS; PROVIDING FOR EXCEPTIONS ONLY BY CITY COUNCIL APPROVAL; PROVIDING FOR INTERPRETATION, ENFORCEMENT, PENALTIES, CUMULATIVE REMEDIES, REPEALER, SEVERABILITY, PUBLICATION, AND AN EFFECTIVE DATE.**

WHEREAS, the City of Rio Vista owns and operates a municipal sanitary sewer system and is authorized to regulate sewer tapping and sewer connections; and

WHEREAS, the City Council finds that each separate dwelling unit imposes separate usage, capacity, billing, inspection, maintenance, and enforcement demands upon the municipal sanitary sewer system; and

WHEREAS, the City Council further finds that allowing one sewer tap to serve multiple dwelling units, including duplexes, triplexes, quadplexes, apartment buildings, manufactured homes, or similar multi-unit residential developments, may create administrative, operational, maintenance, capacity, billing, and enforcement issues for the municipal sanitary sewer system; and

WHEREAS, the City Council finds that requiring a separate sewer tap for each dwelling unit, unless an exception is expressly approved by the City Council, promotes orderly utility service, protects the public health and safety, and serves the best interests of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA, TEXAS, THAT:**

**SECTION 1. PURPOSE.**

The purpose of this ordinance is to regulate sewer taps within the City of Rio Vista and its service area, to establish a default rule requiring one separate sewer tap for each dwelling unit, and to prohibit a single sewer tap from serving multiple dwelling units unless a shared-tap exception is expressly approved by the City Council. This ordinance also regulates sewer taps for businesses and requires City Council approval before any additional or shared sewer tap configuration may be installed, maintained, or used.

**SECTION 2. DEFINITIONS.**

For purposes of this ordinance, the following words and phrases shall have the meanings assigned below unless the context clearly indicates otherwise:

Business means a commercial, retail, office, industrial, institutional, service, or other nonresidential use or occupancy operating as a single enterprise, establishment, or utility customer at a site.

City means the City of Rio Vista, Texas.

City Council means the governing body of the City of Rio Vista, Texas.

Dwelling unit means any structure, unit, suite, apartment, manufactured home, or portion of a building or premises that is designed, intended, arranged, or used for independent residential occupancy by one household, whether occupied or vacant. A dwelling unit includes, without limitation, each single-family residence, each side or unit of a duplex, each unit of a triplex or quadplex, each apartment unit, each manufactured home space or manufactured home, and each other separate residential occupancy intended for human habitation.

Multi-unit residential development means any building, premises, lot, tract, parcel, or development containing, or proposed to contain, more than one dwelling unit, including without limitation a duplex, triplex, quadplex, apartment building, townhouse development, manufactured home park, or other residential development containing multiple dwelling units.

Premises means a lot, tract, parcel, building, or portion thereof served or proposed to be served by the City's sanitary sewer system.

Separate sewer tap means an individual physical connection point, including any authorized service connection from the City's sanitary sewer main or lateral, established to serve one dwelling unit or one business. A separate sewer tap shall not be deemed provided merely because separate private plumbing lines, laterals, cleanouts, meters, or internal building connections exist downstream from a single connection point to the City's sanitary sewer system.

Sewer tap means the physical connection point, including any authorized service connection from the City's sanitary sewer main or lateral, established to serve a dwelling unit, business, lot, tract, building, or premises.

### **SECTION 3. SEPARATE SEWER TAP REQUIRED FOR EACH DWELLING UNIT.**

Except as otherwise expressly approved by the City Council under this ordinance, each dwelling unit shall have its own separate sewer tap.

A single sewer tap shall not serve more than one dwelling unit unless the City Council has expressly approved a shared tap exception under this ordinance.

For any multi-unit residential development, the number of required separate sewer taps shall be equal to the number of dwelling units. By way of example and not limitation, a duplex requires two separate sewer taps, a triplex requires three separate sewer taps, and a quadplex requires four separate sewer taps, unless the City Council expressly approves a shared-tap exception.

Each dwelling unit shall be considered separately for purposes of sewer tap requirements regardless of common ownership, common walls, common rooflines, common plumbing chases, common addresses, common lots, common management, common occupancy permits, or whether the dwelling units are located within the same building or on the same premises.

No person shall install, cause to be installed, maintain, use, connect, reconnect, expand, or materially alter any sewer tap configuration that allows one sewer tap to serve more than one dwelling unit unless prior approval has been granted by the City Council.

### **SECTION 4. BUSINESSES.**

Except as otherwise expressly approved by the City Council, only one sewer tap shall be permitted for each business.

No person shall install, cause to be installed, maintain, use, or connect more than one sewer tap for a business unless prior approval has been granted by the City Council.

Where multiple structures are part of a single business operation on the same premises, the default rule shall remain one sewer tap for that business unless the City Council approves an additional sewer tap.

#### **SECTION 5. NO EVASION; MULTIPLE STRUCTURES OR USES.**

No person shall divide, redesignate, recharacterize, or describe a dwelling unit, business, building, premises, lot, tract, parcel, use, occupancy, or development in a manner intended to evade the sewer tap requirements established by this ordinance.

The existence of multiple bathrooms, kitchens, tenants, suites, work areas, accessory structures, or internal plumbing connections shall not, by itself, create an entitlement to a different sewer tap configuration than that required by this ordinance.

Nothing in this ordinance shall be construed to require the City Council to approve any additional tap or shared-tap exception merely because a parcel has multiple structures, multiple uses, or a particular private plumbing design.

#### **SECTION 6. CITY COUNCIL APPROVAL REQUIRED FOR EXCEPTION.**

Any request for a shared-tap exception allowing one sewer tap to serve more than one dwelling unit, or for more than one sewer tap for a business, must be submitted in writing to the City before installation, connection, use, or modification of the proposed sewer tap configuration.

The request shall include, at a minimum: (a) the name and address of the owner; (b) the service address and legal description of the property; (c) a site plan or drawing showing existing and proposed improvements, dwelling units, businesses, plumbing lines, and sewer taps; (d) the number of existing and proposed dwelling units, businesses, and sewer taps; (e) the reason the exception is requested; and (f) any other information reasonably required by the City Secretary, public works official, city engineer, or other designated City representative.

The City Council may approve, deny, or approve with conditions any request submitted under this section.

In considering a request, the City Council may consider any relevant factor, including system capacity, public health and safety, maintenance and access, billing and account administration, lot configuration, the number and nature of dwelling units or businesses served, whether the request would create precedent inconsistent with orderly utility administration, compliance with plumbing and construction standards, and the best interests of the City.

Approval of an exception may be conditioned on payment of all applicable fees, compliance with City construction standards, inspection requirements, easement requirements, platting requirements, separate utility accounts or billing arrangements, execution of agreements or restrictive covenants, and any other lawful condition imposed by the City Council.

#### **SECTION 7. PERMIT REQUIRED.**

No sewer tap shall be made, installed, altered, connected, reconnected, or placed into service without all required permits, inspections, approvals, and payment of applicable fees required by the City.

Issuance of a permit by City staff shall not authorize a shared sewer tap serving more than one dwelling unit, or more than one sewer tap for a business, unless City Council approval has first been granted as required by this ordinance.

Any permit issued in conflict with this ordinance is void to the extent of the conflict.

#### **SECTION 8. EXISTING TAPS AND EXISTING SHARED-TAP CONFIGURATIONS.**

Any lawfully existing sewer tap in place before the effective date of this ordinance may continue, subject to all other applicable City ordinances, regulations, and utility requirements.

An existing shared-tap configuration serving more than one dwelling unit shall not be expanded, replaced, reactivated after abandonment, or materially altered without compliance with this ordinance.

No additional dwelling unit may be connected to an existing sewer tap unless the sewer tap configuration complies with this ordinance or the City Council expressly approves an exception.

Nothing in this section shall be construed as validating any tap or connection that was illegally installed, connected, maintained, or used.

#### **SECTION 9. UNLAWFUL ACTS.**

It shall be unlawful for any person to: (a) install or use one sewer tap to serve more than one dwelling unit without City Council approval; (b) install or use more than one sewer tap for a business without City Council approval; (c) connect to the City sewer system without required authorization; (d) alter, bypass, reconnect, expand, or materially modify a sewer tap contrary to City requirements; (e) make any false statement in an application submitted under this ordinance; or (f) interfere with inspection or enforcement of this ordinance.

#### **SECTION 10. ENFORCEMENT; REMEDIES.**

The City may enforce this ordinance through any lawful means, including denial of permits, stop-work orders, disconnection where otherwise lawful, civil enforcement, criminal prosecution, and injunctive relief.

Remedies under this ordinance are cumulative and not exclusive.

The City may require removal, abandonment, disconnection, replacement, or correction of any unauthorized sewer tap or shared-tap configuration at the owner's expense, to the extent permitted by law and after any notice required by applicable law or ordinance.

#### **SECTION 11. PENALTY.**

Any person violating any provision of this ordinance commits a misdemeanor and, upon conviction, shall be punished by a fine in accordance with the general penalty provision of the City's Code of Ordinances, provided that if no general penalty provision applies, the fine shall not exceed the maximum amount allowed by Texas law for municipal ordinance violations.

Each day a violation continues shall constitute a separate offense.

#### **SECTION 12. INTERPRETATION.**

This ordinance shall be construed to give the City the maximum lawful authority to regulate sewer taps and sewer connections.

In the event of a conflict between this ordinance and any other City ordinance or policy, the more restrictive provision shall control, to the extent permitted by law.

**SECTION 13. REPEALER.**

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict only.

**SECTION 14. SEVERABILITY.**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, the remaining portions of the ordinance shall remain in full force and effect.

**SECTION 15. PUBLICATION.**

The City Secretary is directed to publish the caption or descriptive summary of this ordinance as required by law.

**SECTION 16. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND APPROVED this 14<sup>th</sup> day of April, 2026, by the City Council of the City of Rio Vista, Texas.

CITY OF RIO VISTA, TEXAS

By: Jeff F. Frazier  
Mayor

ATTEST:

By: Andie M. Luntia  
City Secretary