

# Mayor and Council Communication

**DATE:** 08/13/19

**M&C FILE NUMBER:** M&C 19-0026

**LOG NAME:** 20AMEND\_MUNICIPAL DRAINAGE UTILITY SYSTEM\_ORDINANCE

## **SUBJECT**

Adopt Ordinance Amending Chapter 12.5, Article III, Division 4: "Municipal Drainage Utility System," of the Code of the City of Fort Worth, Texas (2015), as Amended, to Add a New Section 12.5-348 Regulating Public Access to City Drainage Infrastructure (ALL COUNCIL DISTRICTS)

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## **RECOMMENDATION:**

It is recommended that the City Council adopt the attached ordinance amending Chapter 12.5, Article III, Division 4: "Municipal Drainage Utility System," of the Code of the City of Fort Worth, Texas (2015), as amended, by adding a new section 12.5-348 regulating public access to City drainage infrastructure.

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## **DISCUSSION:**

Amending Chapter 12.5, Article III, Division 4: "Municipal Drainage Utility System," of the Code of the City of Fort Worth, Texas (2015) by adding a new section 12.5-348 regulating public access to City drainage infrastructure reflects the City's desire to protect the health, safety, and welfare of its citizens by placing reasonable regulations on public access to drainage infrastructure.

Transportation and Public Works/Stormwater Management is recommending this ordinance to better protect the community from the hazards associated with drainage infrastructure. Of particular interest is regulating the use of green space that functions as a drainage facility. Such green space drainage facilities can have a park-like appearance that naturally invites public use. This amendment will allow these areas to be posted to distinguish between the areas that are open to public use from those that are not. Additionally, this amendment allows the Director of the Transportation and Public Works Department to set and regulate public use hours for those facilities that are open to public use.

Violations of the ordinance would be Class C misdemeanors and result in citations with a fine not to exceed \$500.00 for each offense.

This M&C does not request approval of a contract with a business entity.

A Form 1295 is not required for this contract because: This M&C does not request approval of a contract with a business entity.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that this action will have no material effect on city funds in the short term. In the long term, the Municipal Court department will have the responsibility to collect the revenues due to the city.

**Submitted for City Manager's Office by:** Susan Alanis 8180

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