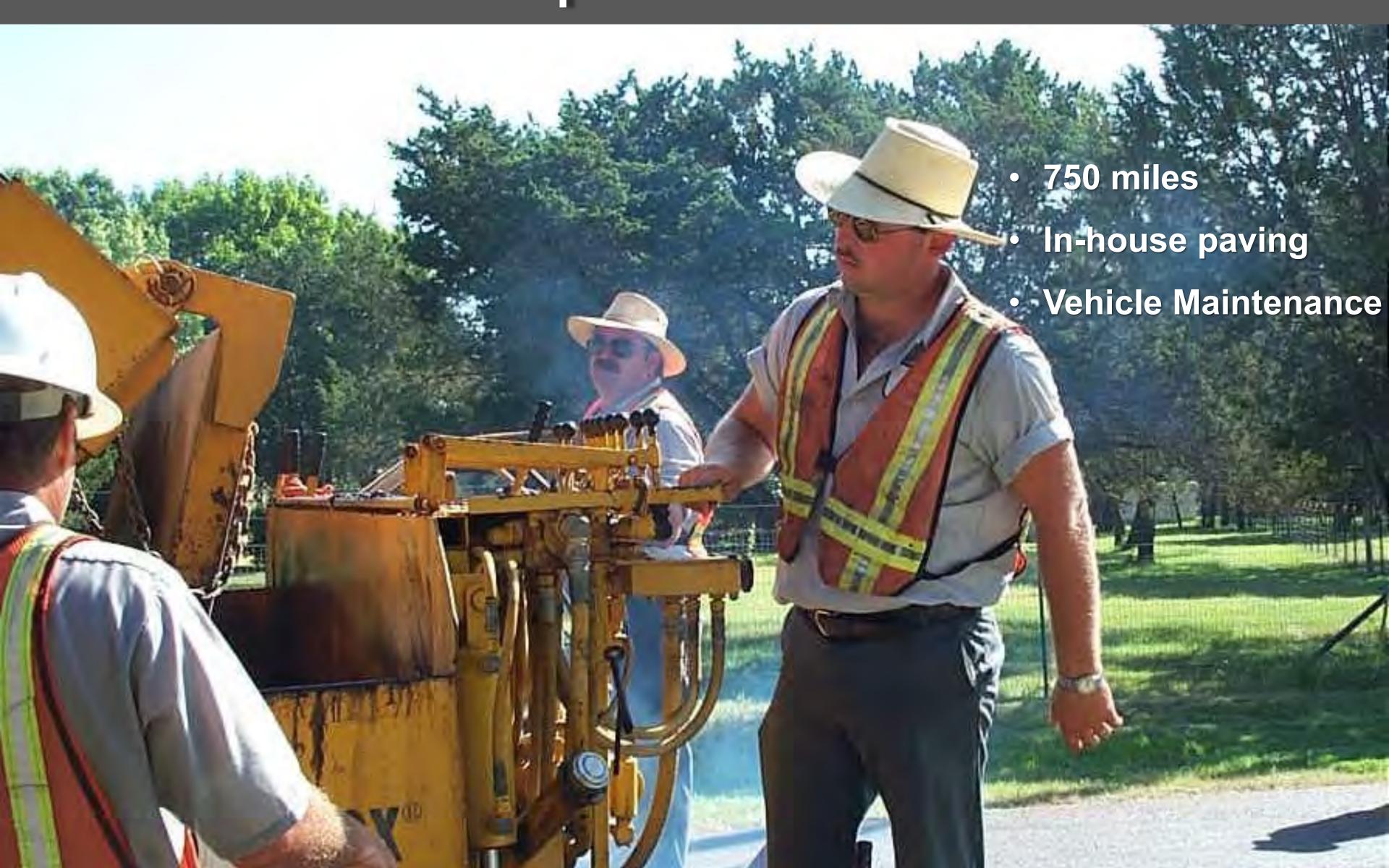


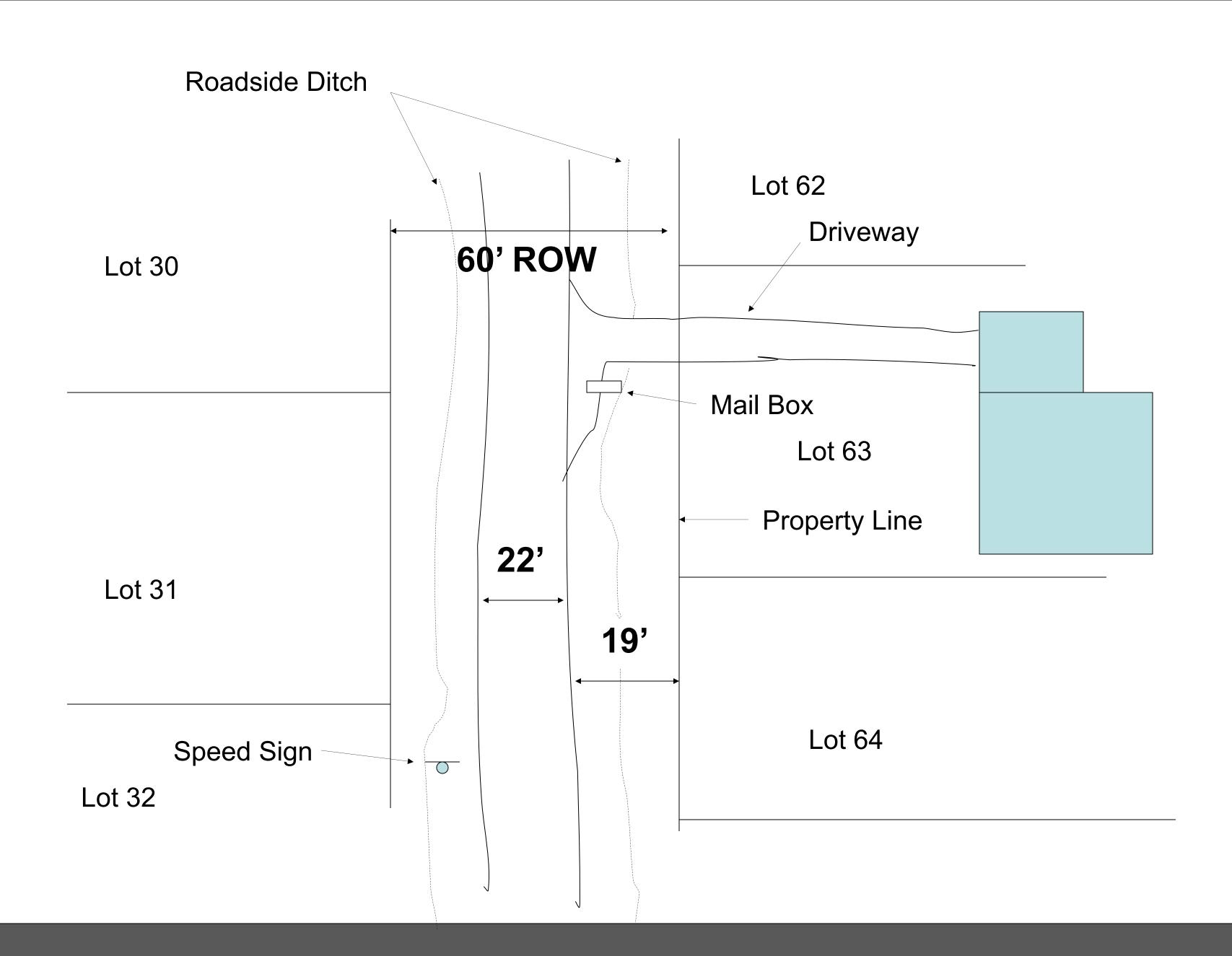


# Road Department



# Road Department

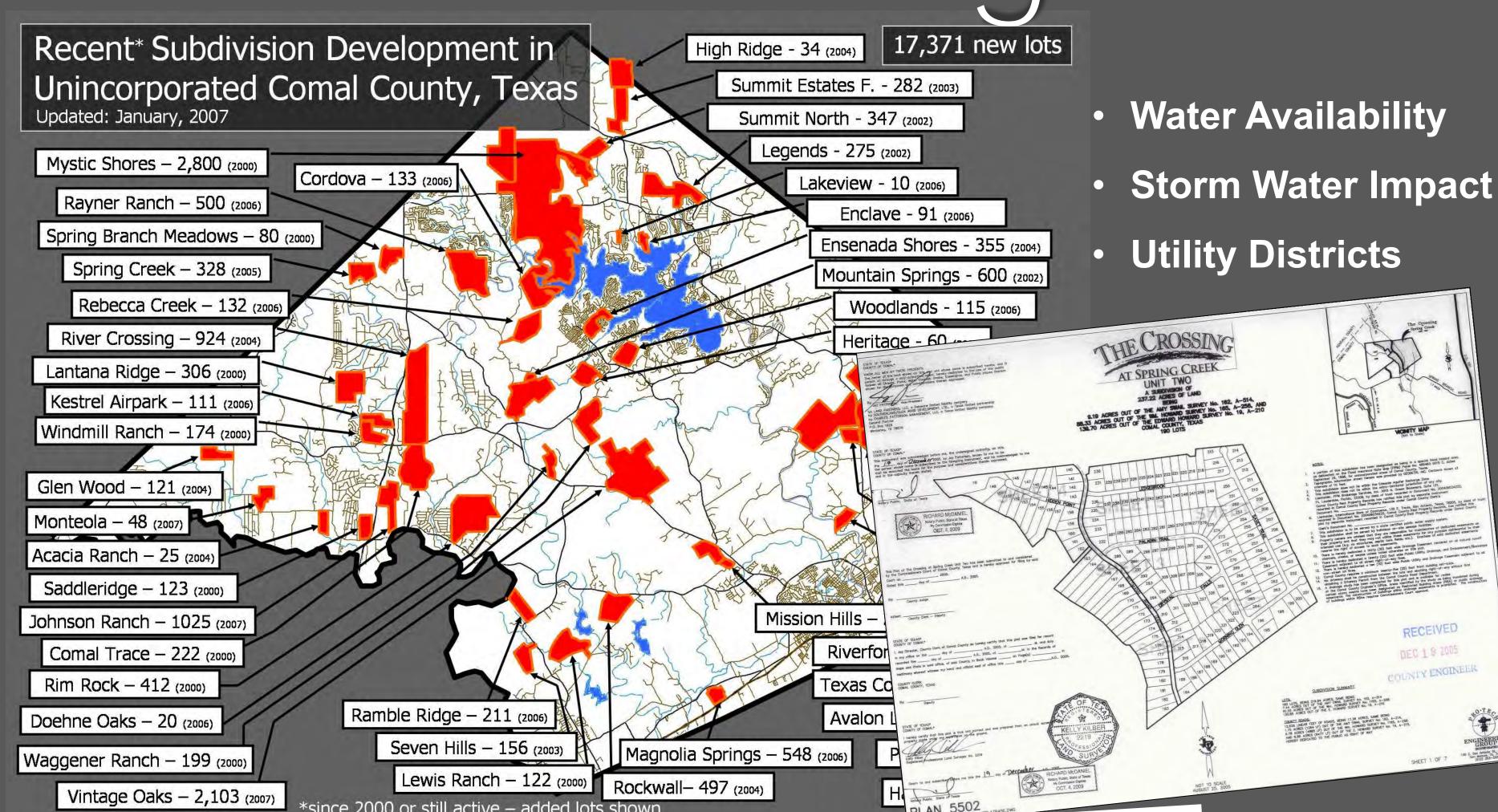




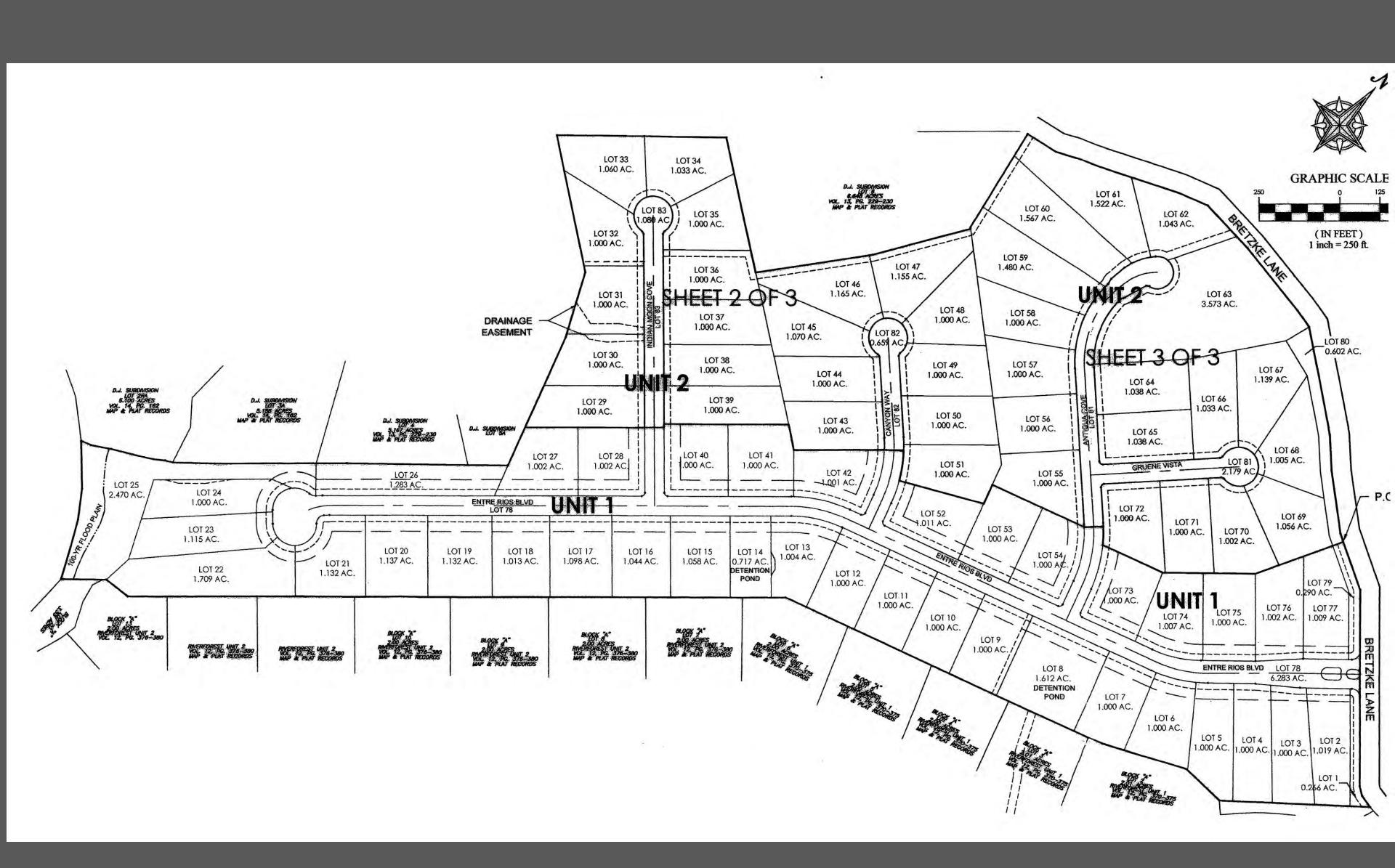
Methods of accepting roadways in the County Unit Road System:

- Acceptance of roads built to the Comal County Road Standard
- 2. Acceptance of existing roads meeting the Comal County Road Standard
- 3. Acceptance of roads pursuant to Transportation Code Chapter 253, County Improvement of Subdivision Roads

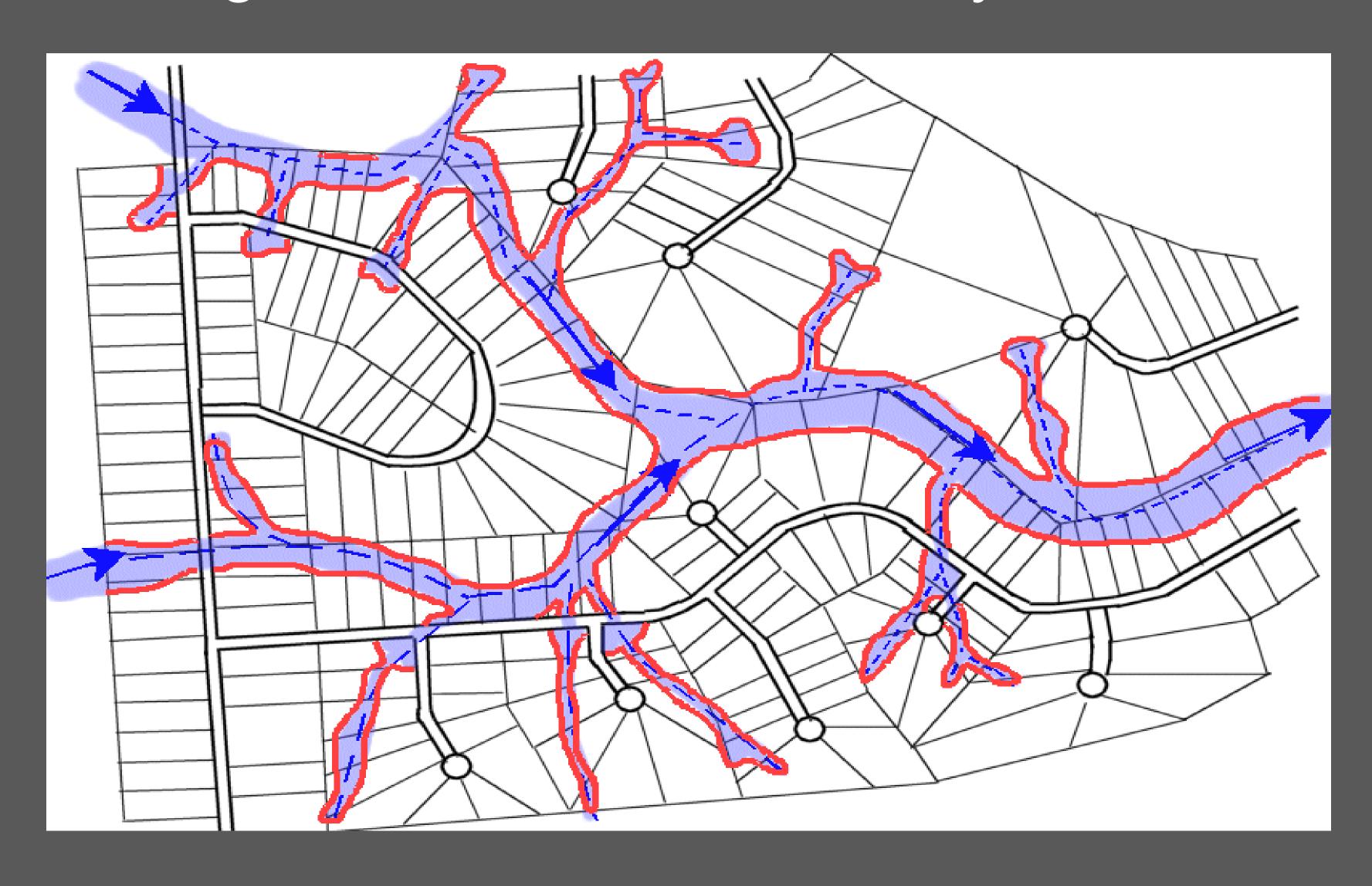
# Subdivision Regulation

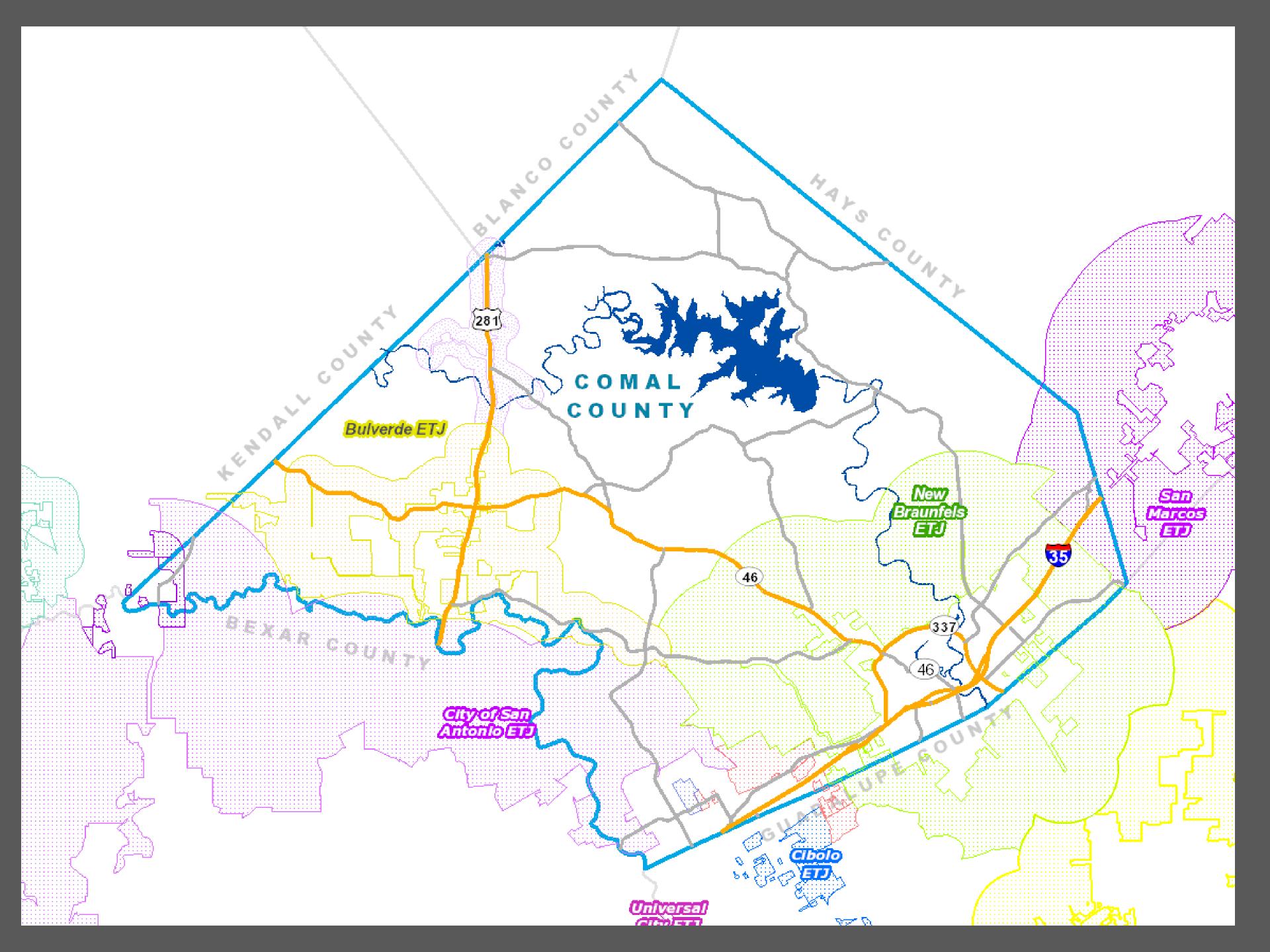


19,000 Lots in about 8 years



## Building Setbacks Determined By Inundation

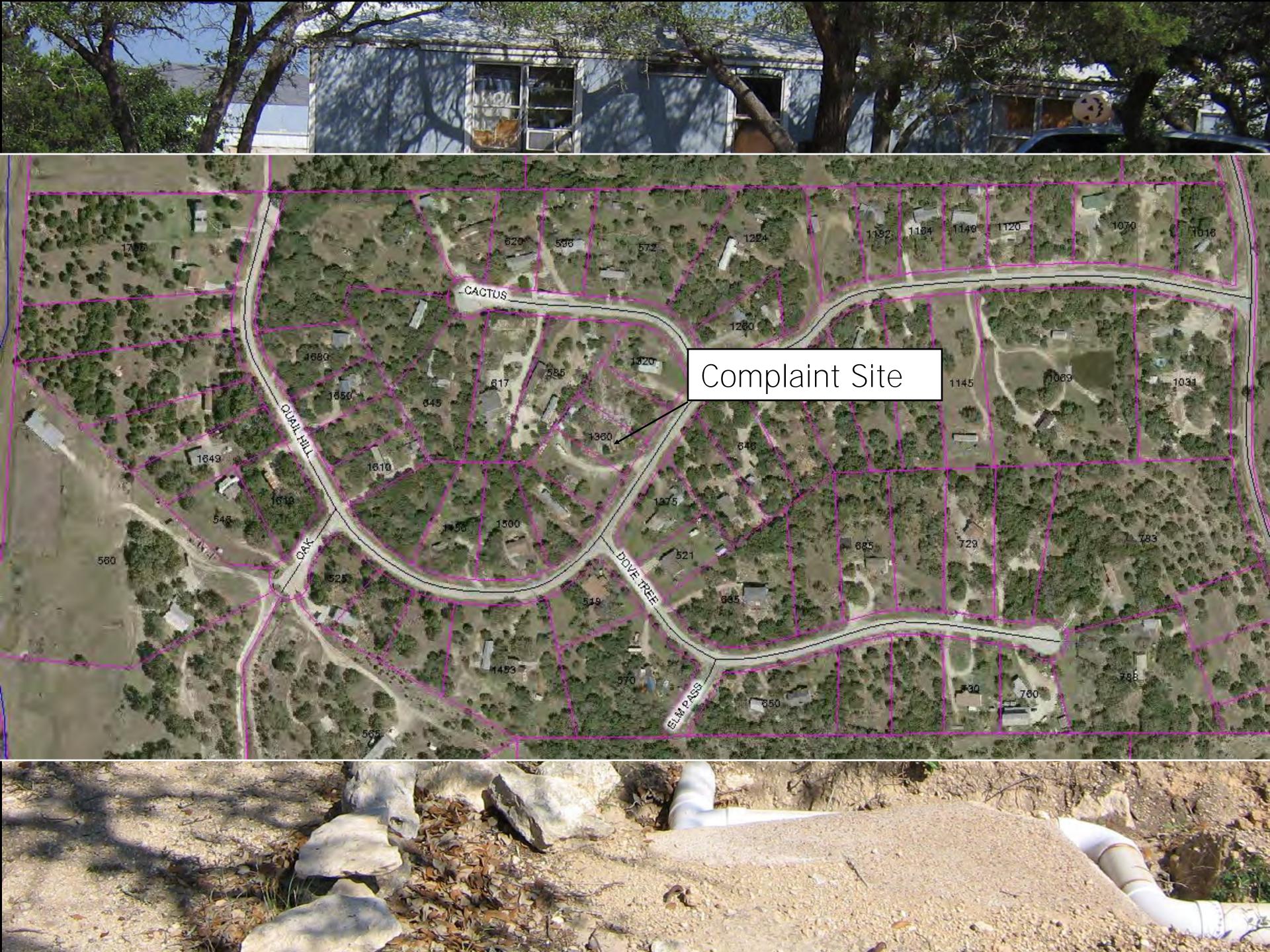




# OSSF Regulation









- 10.4 A permit shall be required for all On-Site Sewage Facilities within Comal County's area of jurisdiction regardless of acreage.
- 10.5 To ensure floodplain issues are addressed a determination must be made by the Comal County Flood Plain Administrator if the property is in compliance with the Comal County Flood Damage Prevention Order.
- 10.6 Installers and apprentices shall be able to present documentation at the job-site verifying their valid certification or registration.
- 10.7 A reinspection fee shall be assessed to the Installer of record each time a reinspection is required. The reinspection fee shall be set by the County and the County may revise this fee from time to time.
- 10.8 In no case shall the sewer line diameter be reduced to a size smaller than the building's sewer stubout.
- 10.9 No man-made items such as, but not limited to, picnic tables, play equipment, or BBQ pits shall be placed within the surface application spray area.

#### SECTION 11. DUTIES AND POWERS

The County Engineer of Comal County, Texas is herewith declared the designated representative for the enforcement of these Rules within its jurisdictional area. The appointed individual must be approved and certified by the Texas Natural Resource Conservation Commission before assuming the duties and responsibilities of the Designated Representative of Comal County.

## SECTION 14. PENALTIES

This order adopts and incorporates all applicable penalty provisions related to on-site sewerage facilities, including, but not limited to, those found in Chapters 341 and 366 of the Texas Health and Safety Code, Chapter 26 and Chapter 7 of the Texas Water Code and 30 TAC Chapter 285.

## Texas Water Code - Chapter 7

- Sec. 7.173. VIOLATION RELATING TO SEWAGE DISPOSAL. (a) A person commits an offense if the person violates a rule adopted by the commission under Chapter 366, Health and Safety Code, or an order or resolution adopted by an authorized agent under Subchapter C, Chapter 366, Health and Safety Code.
- (b) Except as provided by this subsection, an offense under this section is a Class C misdemeanor. If it is shown on the trial of the defendant that the defendant has been previously convicted of an offense under this section, the offense is punishable under Section 7.187(1)(A) or Section 7.187(2)(A) or both. Added by Acts 1997, 75th Leg., ch. 1072, Sec. 2, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 824, Sec. 1, eff. Sept. 1, 1999

...Class C Misdemeanor...

## Texas Water Code - Chapter 7

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...Class C Misdemeanor...

## ...Penal Code

```
§ 12.23. CLASS C MISDEMEANOR. An individual adjudged guilty of a Class C misdemeanor shall be punished by a fine not to exceed $500.
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Acts 1973, 63rd Leg., p. 883, ch. 399, § 1, eff. Jan. 1, 1974. Amended by Acts 1991, 72nd Leg., ch. 108, § 1, eff. Sept. 1, 1991; Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994.
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## ... fine not to exceed \$500.





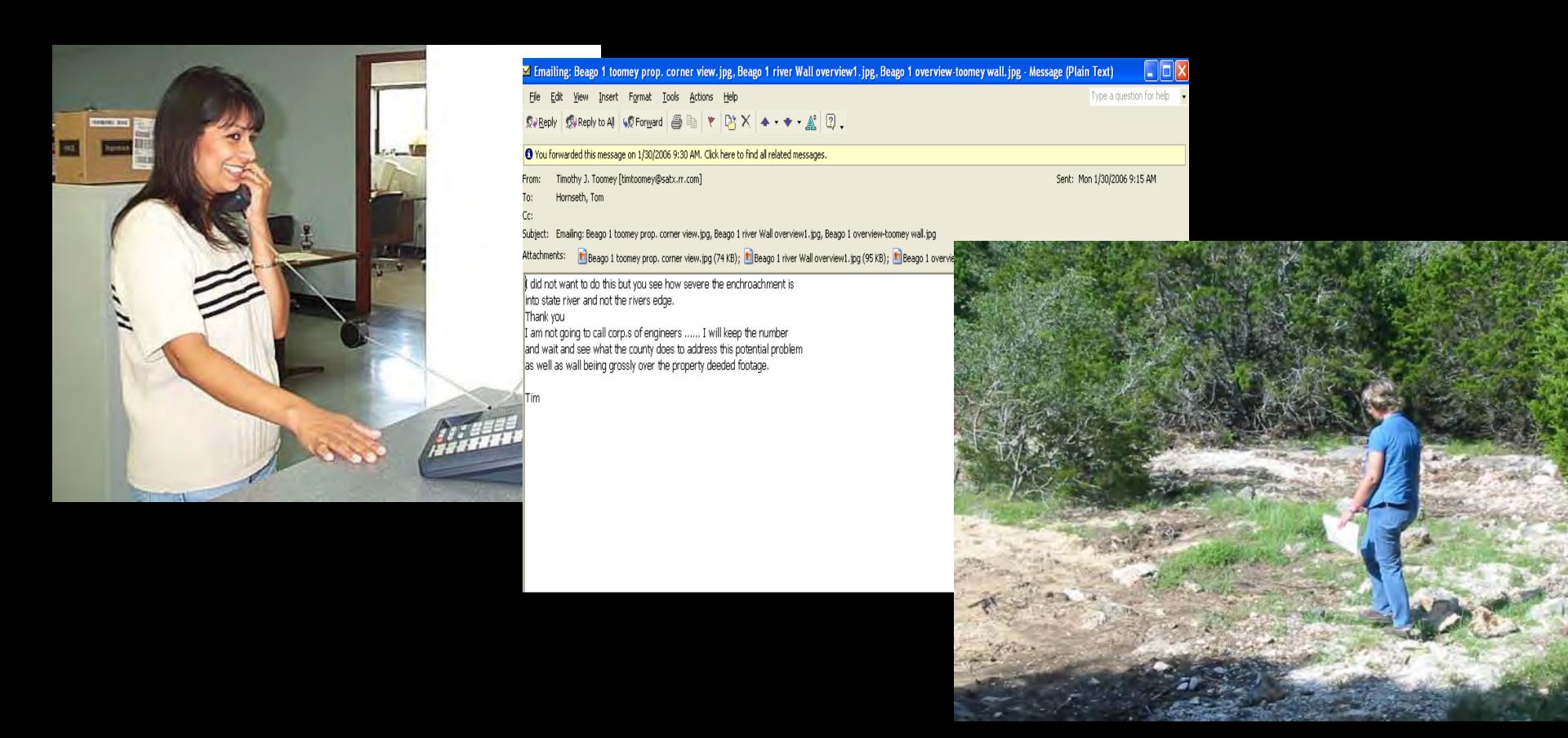








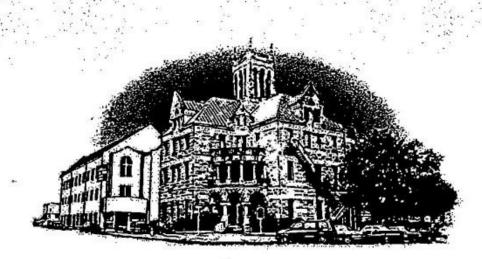
The County receives a report from an individual or independently discovers an OSSF violation.



The County Engineer's Office investigates, and if a violation is found, documents the situation.



The property owner in violation of the Order receives a written Notice of Violation (NOV) through certified US mail from the County Engineer's Office and is given a period of time to establish compliance.



## **Comal County**

OFFICE OF COMAL COUNTY ENGINEER

### NOTICE OF VIOLATION

#### VIA CMRRR # 7004 1350 0003 7680 8686

April 25, 2006

#### Mailing Address:

Ramiro Sanchez 1360 Quail Hill Drive Spring Branch, TX 78070 Location of Violation 1360 Quail Hill Drive Comal County

Comal County Environmental Health Complaint #248

#### Comal County Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities:

§285.1(b)(2) of Title 30 of the Texas Administrative Code Chapter 285 states that any person who participates in any activity relating to the development of planning materials, construction, alteration, repair, extension, operation, maintenance, permitting, inspection, or investigation of an OSSF shall fall under the applicability of Chapter 285.

§285.3(a) of Title 30 of the Texas Administrative Code Chapter 285 states that a person shall hold a permit for an OSSF.

§7.173(a) of the Texas Water Code states that a person commits an offense if the person violates a rule adopted by the commission under Chapter 366, Health and Safety Code, or an order or resolution adopted by an authorized agent under Subchapter C, Chapter 366, Health and Safety Code.

It was observed on April 10, 2006 that an alteration to the referenced property had occurred without obtaining a new permit through the Comal County Engineers Office.

This is an official Notice of Violation that your property is in violation of the Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities. You must comply with the following instructions:

If the property owner has not remedied the violation within 30 days of the NOV, the County Engineer's Office files a criminal complaint with the Justice of the Peace.

### IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

I, ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER, DO SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE THAT RAMIRO SANCHEZ ON OR ABOUT THE 3RD, 4TH, 5<sup>TH</sup>, 6<sup>TH</sup> AND 7<sup>TH</sup> DAY OF JUNE 2006, AND BEFORE THE MAKING AND FILING OF THIS COMPLAINT, WITHIN THE COUNTY OF COMAL AND THE STATE OF TEXAS, DID THEN AND THERE AS OWNER OF THE PROPERTY LOCATED AT SPRING BRANCH ACRES, BLOCK 1, LOT 25, ACRES .5, COMAL COUNTY, TEXAS, ALTER THE STRUCTURE WITHOUT OBTAINING A NEW OSSF PERMIT CONTRARY TO SECTION 8 OF THE ORDER ADOPTING RULES OF COMAL COUNTY, TEXAS FOR ON-SITE SEWAGE FACILITIES, SECTION 285.1(B)(2) OF TITLE 30 OF THE TEXAS ADMINISTRATION CODE CHAPTER 285 AND SECTION 7.173 OF THE TEXAS WATER CODE.

AGAINST THE PEACE AND DIGNITY OF THE STATE Sworn to and subscribed before me by ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER, credible Person, this 2600 DAY OF Clerk, Justice of the Peace Court, Precinct 1 Comal County, Texas VIOLATION OF THE ORDER ADOPTING RULES OF COMAL COUNTY, TEXAS FOR ON-CHARGES:

SITE SEWAGE FACILITIES.

CLASS:

MISDEMEANOR C







## Complaint Received and Logged



Sandra Hernandez, DR
Comal County
Environmental Health

#### Septic Complaint # 248

Complaint taken by SANDRA on 4/25/2006 7:35:43 AM . Assigned to

Brenda on 4/25/2006

<u>Complainant</u> <u>Complaint Location</u>

NAME: anonymous NAME: Ramiro Sanchez
ADDRESS: ADDRESS: 1360 Quail Hill Drive

CITY:

CITY: PHONE:

This person DID NOT request to remain anonymous

Mr. Sanchez has a permit #77720 for a 3-bedroom single-family residence on Lot 25. He has recently added a very

small house and plumbed it into the OSSF.

DIRECTIONS:

DATE NOTES NOTICE LEFT

10/30/2006 License to Operate issued 10/26/06. Case closed. YES

10/10/2006 Permit to Construct (88775) issued on 10/10/06. NO

9/22/2006 Mr. Sanchez did not show up for court. NO

7/24/2006 Met with Mr. Sanchez and Virginia Castro. NO

Explained that if they wanted to connect the houses they could, but the connection would have to be air conditioned space. The other option is to build a septic system that could handle both

structures.

6/12/2006 New home still tied into old OSSF without a new NO

permit.

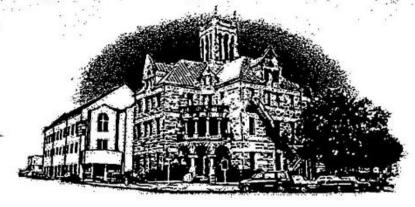
4/27/2006 owner called office. said that he thinks his system NO

is large enough. he said he will contact

countryside to obtain new planning materials. told him he would then need to come in and obtain a

permit.

4/25/2006 no notes NO



## Comal County

OFFICE OF COMAL COUNTY ENGINEER

#### NOTICE OF VIOLATION

#### VIA CMRRR # 7004 1350 0003 7680 8686

April 25, 2006

Mailing Address:

Ramiro Sanchez 1360 Quail Hill Drive

Spring Branch, TX 78070

Comal County Environmental Health Complaint #248

#### Comal County Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities:

§2.85.1(b)(2) of Title 30 of the Texas Administrative Code Chapter 285 states that any person who participates in any activity relating to the development of planning materials, construction, alteration, repair, extension, operation, maintenance, permitting, inspection, or investigation of an OSSF shall fall under the applicability of Chapter 285.

Location of Violation

1360 Quail Hill Drive

Comal County

§285.3(a) of Title 30 of the Texas Administrative Code Chapter 285 states that a person shall hold a permit for an OSSF.

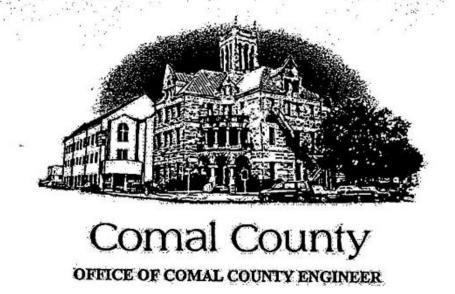
§7.173(a) of the Texas Water Code states that a person commits an offense if the person violates a rule adopted by the commission under Chapter 366, Health and Safety Code, or an order or resolution adopted by an authorized agent under Subchapter C, Chapter 366, Health and Safety Code.

It was observed on April 10, 2006 that an alteration to the referenced property had occurred without obtaining a new permit through the Comal County Engineers Office.

This is an official Notice of Violation that your property is in violation of the Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities. You must comply with the following instructions:

Within thirty (30) working days from receipt of this notice, you must:

- 1) Obtain a Permit to Construct from the Comal County Engineers Office.
- 2) Install new On-Site Sewage Facility for the structure according to the Permit to Construct issued in Step 1 above.
- 3) Obtain a License to Operate from the Comal County Engineers Office for the



### NOTICE OF VIOLATION

VIA CMRRR # 7004 1350 0003 7680 8686

April 25, 2006

Mailing Address: Ramiro Sanchez 1360 Quail Hill Drive

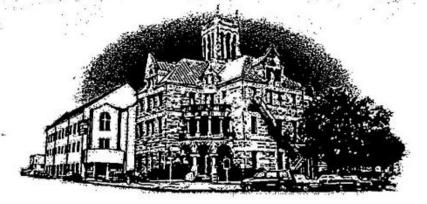
Location of Violation 1360 Quail Hill Drive Comal County

§285.1(b)(2) of Title 30 of the Texas Administrative Code Chapter 285 states that any person who participates in any activity relating to the development of planning materials, construction, alteration, repair, extension, operation, maintenance, permitting, inspection, or investigation of an OSSF shall fall under the applicability of Chapter 285.

§285.3(a) of Title 30 of the Texas Administrative Code Chapter 285 states that a person shall hold a permit for an OSSF.

§7.173(a) of the Texas Water Code states that a person commits an offense if the person violates a rule adopted by the commission under Chapter 366, Health and Safety Code, or an order or resolution adopted by an authorized agent under Subchapter C, Chapter 366, Health and Safety Code.

<sup>3)</sup> Obtain a License to Operate from the Comal County Engineers Office for the structure.



## Comal County

OFFICE OF COMAL COUNTY ENGINEER

### NOTICE OF VIOLATION

#### VIA CMRRR # 7004 1350 0003 7680 8686

April 25, 2006

Mailing Address:

Ramiro Sanchez
1360 Quail Hill Drive

Spring Branch, TX 78070

Comal County Environmental Health Complaint #248

Comal County Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities:

§285.1(b)(2) of Title 30 of the Texas Administrative Code Chapter 285 states that any person who participates in any activity relating to the development of planning materials, construction, alteration, repair, extension, operation, maintenance, permitting, inspection, or investigation of an OSSF shall fall under the applicability of Chapter 285.

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1) Obtain a Permit to Construct from the Comal County Engineers Office.

Location of Violation

1360 Quail Hill Drive

Comal County

- 2) Install new On-Site Sewage Facility for the structure according to the Permit to Construct issued in Step 1 above.
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<sup>3)</sup> Obtain a License to Operate from the Comal County Engineers Office for the structure.

## Comal County

OFFICE OF COMAL COUNTY ENGINEER

April 25, 2006
Page Two
OSSF Violation Notice

Failure to comply with the Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities by the end of the 30-day notice period may result in a criminal case being filed on the 31<sup>st</sup> day if the violation is not abated. A fine of \$200 per day may be assessed for non-compliance.

Please address any questions concerning this Notice of Violation to the Environmental Health Coordinator Brenda Ritzen at (830) 608-2090.

Signed this 35th day of HOV

Brenda Ritzen

Comal County Environmental Health Coordinator

Failure to comply with the Order Adopting Rules of Comal County, Texas for On-Site Sewage Facilities by the end of the 30-day notice period may result in a criminal case being filed on the 31<sup>st</sup> day if the violation is not abated. A fine of \$200 per day may be assessed for non-compliance.

Please address any questions concerning this Notice of Violation to the Environmental Health Coordinator Brenda Ritzen at (830) 608-2090.

Signed this 5th day of

2006

Brenda Ritzen

Comal County Environmental Health Coordinator

### IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

I, ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER, DO SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE THAT RAMIRO SANCHEZ ON OR ABOUT THE 3<sup>RD</sup>, 4<sup>TH</sup>, 5<sup>TH</sup>, 6<sup>TH</sup> AND 7<sup>TH</sup> DAY OF JUNE 2006, AND BEFORE THE MAKING AND FILING OF THIS COMPLAINT, WITHIN THE COUNTY OF COMAL AND THE STATE OF TEXAS, DID THEN AND THERE AS OWNER OF THE PROPERTY LOCATED AT SPRING BRANCH ACRES, BLOCK 1, LOT 25, ACRES .5, COMAL COUNTY, TEXAS, ALTER THE STRUCTURE WITHOUT OBTAINING A NEW OSSF PERMIT CONTRARY TO SECTION 8 OF THE ORDER ADOPTING RULES OF COMAL COUNTY, TEXAS FOR ONSITE SEWAGE FACILITIES, SECTION 285.1(B)(2) OF TITLE 30 OF THE TEXAS ADMINISTRATION CODE CHAPTER 285 AND SECTION 7.173 OF THE TEXAS WATER CODE.

AGAINST THE	PEACE AND DIGNITY OF THE STATE  COMPLAINTANT
Sworn to and subscribed before me by ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER,	
credible Perso	DAY OF  2006.  Clerk, Justice of the Peace Court, Precinct 1 Comal County, Texas
CHARGES: CLASS:	VIOLATION OF THE ORDER ADOPTING RULES OF COMAL COUNTY, TEXAS FOR ONSITE SEWAGE FACILITIES.  MISDEMEANOR C

#### **Identifiers**

Ramiro Sanchez 1360 Quail Hill Drive Spring Branch, TX 78070

Description: Altered structure without obtaining new permit.

I, ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER, DO SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE THAT RAMIRO SANCHEZ ON OR ABOUT THE 3<sup>RD</sup>, 4<sup>TH</sup>, 5<sup>TH</sup>, 6<sup>TH</sup> AND 7<sup>TH</sup> DAY OF JUNE 2006, AND BEFORE THE MAKING AND FILING OF THIS COMPLAINT, WITHIN THE COUNTY OF COMAL AND THE STATE OF TEXAS, DID THEN AND THERE AS OWNER OF THE PROPERTY LOCATED AT SPRING BRANCH ACRES, BLOCK 1, LOT 25, ACRES .5, COMAL COUNTY, TEXAS, ALTER THE STRUCTURE WITHOUT OBTAINING A NEW OSSF PERMIT CONTRARY TO SECTION 8 OF THE ORDER ADOPTING RULES OF COMAL COUNTY, TEXAS FOR ONSITE SEWAGE FACILITIES, SECTION 285.1(B)(2) OF TITLE 30 OF THE TEXAS ADMINISTRATION CODE CHAPTER 285 AND SECTION 7.173 OF THE TEXAS WATER CODE.

AGAINST THE PEACE AND DIGNITY OF THE STATE

COMPLAINTANT

Ramiro Sanchez 1360 Quail Hill Drive Spring Branch, TX 78070

### Complaint Filed with Justice of the Peace



#### IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

I, ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER, DO SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE THAT RAMIRO SANCHEZ ON OR ABOUT THE 3RD, 4TH, 5<sup>TH</sup>, 6<sup>TH</sup> AND 7<sup>TH</sup> DAY OF JUNE 2006, AND BEFORE THE MAKING AND FILING OF THIS COMPLAINT, WITHIN THE COUNTY OF COMAL AND THE STATE OF TEXAS, DID THEN AND THERE AS OWNER OF THE PROPERTY LOCATED AT SPRING ROANCH ACRES DECOM 1 LOT 25 ACRES

### JP arranges court date and sends a summons to the defendant.

COMPLAINTANT

Sworn to and subscribed before me by ROBERT BOYD, COMAL COUNTY ASSISTANT ENGINEER, credible Person, this 2604 Clerk, Justice of the Peace Court, Precinct \_\_\_\_1\_\_Comal County, Texas VIOLATION OF THE ORDER ADOPTING RULES OF COMAL COUNTY, TEXAS FOR ON-CHARGES:

SITE SEWAGE FACILITIES.

CLASS:

MISDEMEANOR C

Description: Altered structure without obtaining new permit.

#### **Identifiers**

Ramiro Sanchez 1360 Quail Hill Drive Spring Branch, TX 78070

04-045

6/23/2006

From: Griffin, Kathy

To:

Boyd, Robert; Hornseth, Tom

Cc:

Subject: FW: court settings

----Original Message----From: Kuhlmann, Ann

Sent: Tuesday, May 09, 2006 9:32 AM

To: Griffin, Kathy

Subject: court settings

these cases are set for June 1 at 9:00 a.m.

12006,1973 Robert Hart 12006,1974 Brad Beago

Eugene B. Barnett 12006.1975

If you have any problem with that please let me know.

Thanks, Ann

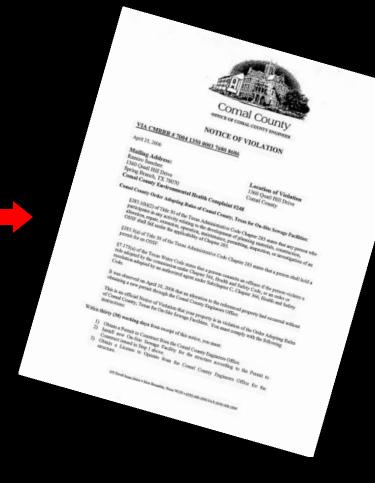




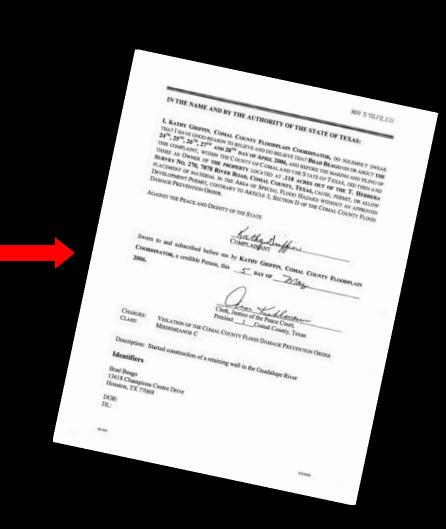
Receive complaint



Investigate



Notice of Violation



File compliant with JP



JP summons



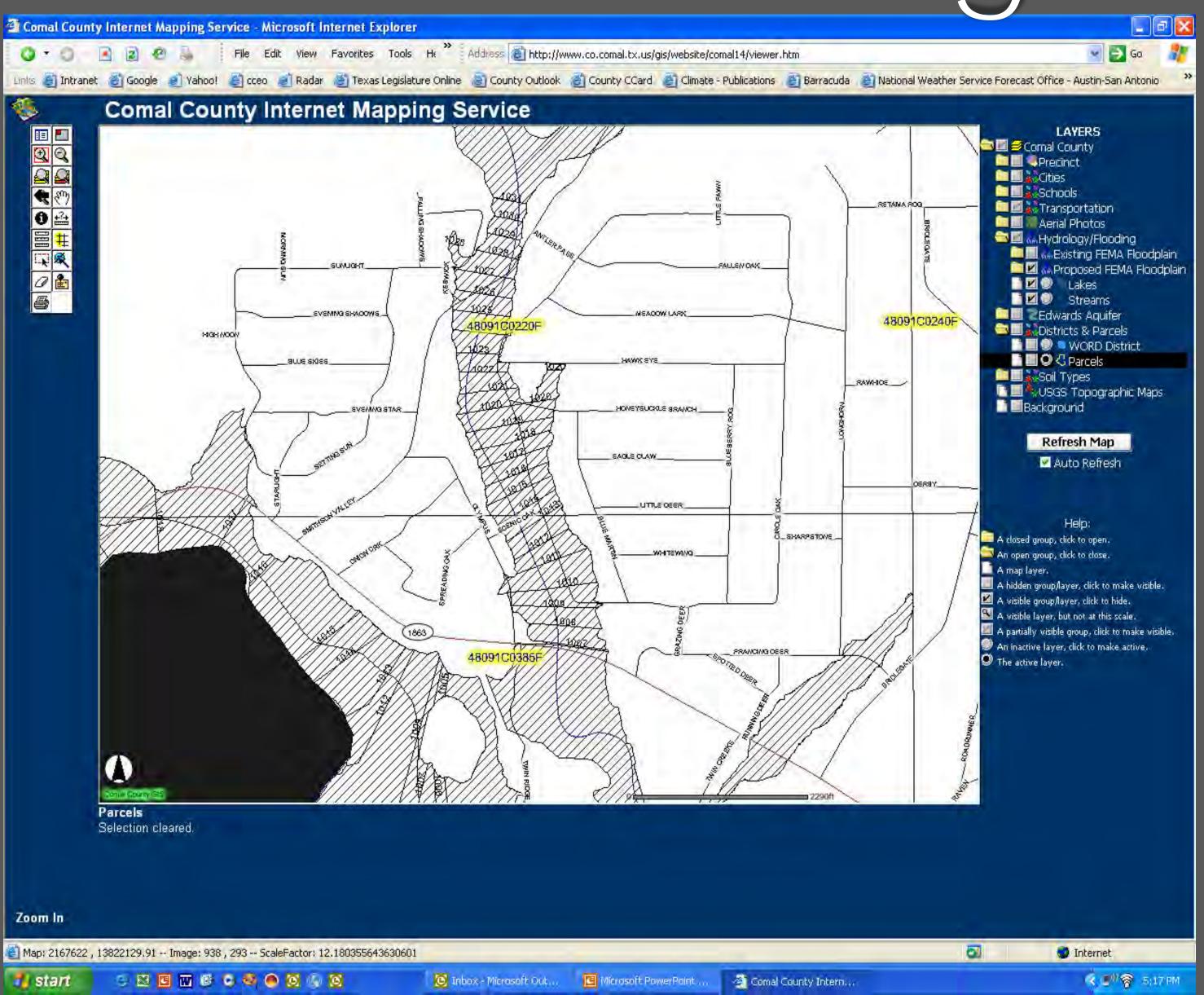
Pre-trial hearing



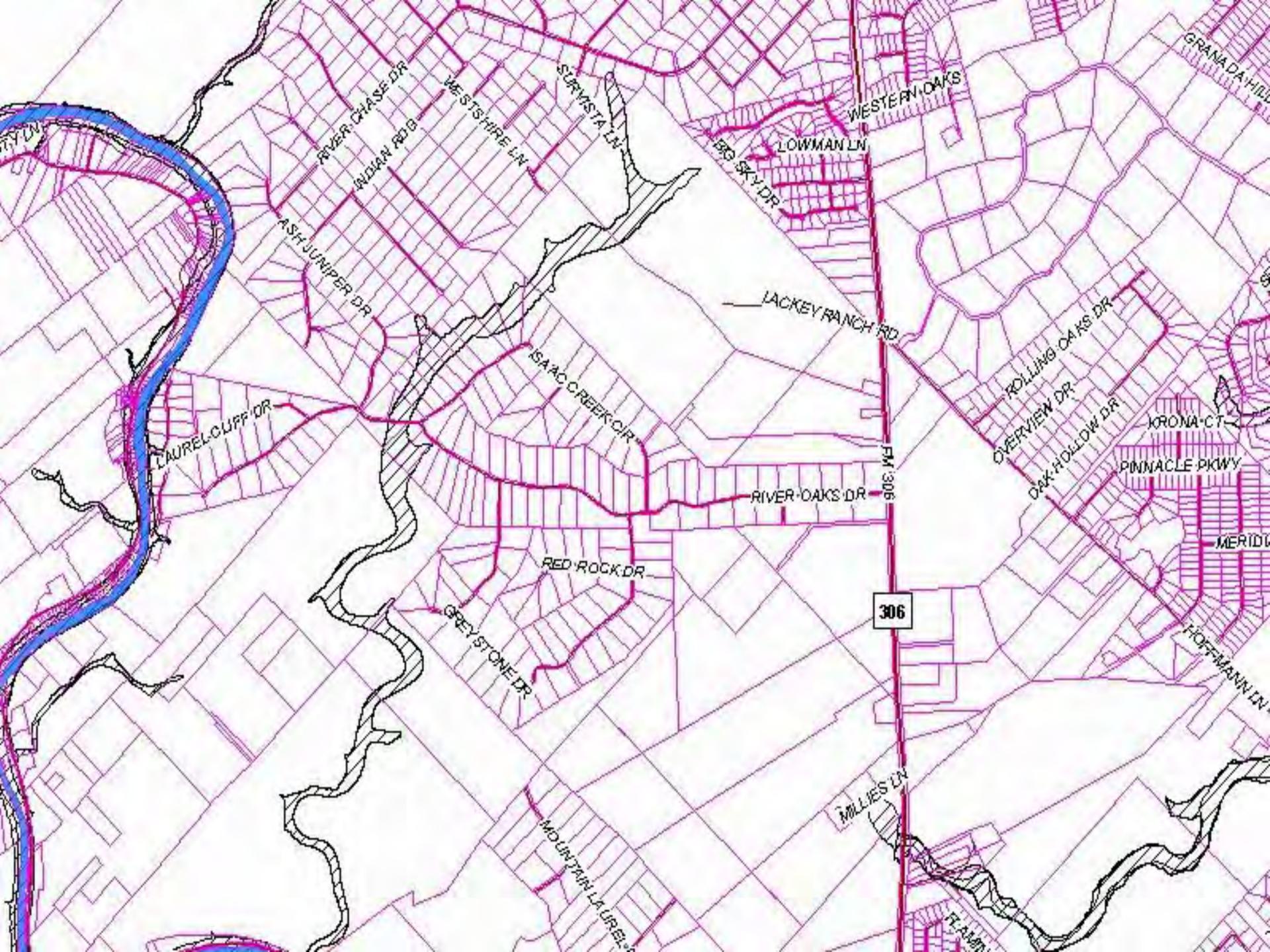
DA negotiates

Compliance or trial

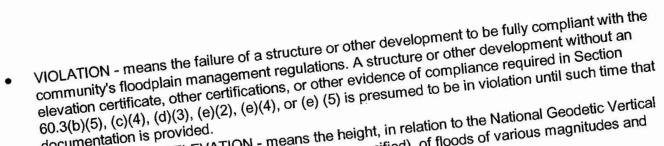
# Flood Plain Regulation



- New Maps
- Enforcement







WATER SURFACE ELEVATION - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

#### ARTICLE 3: GENERAL PROVISIONS

SECTION A: LAND TO WHICH THIS ORDER APPLIES

This Order shall apply to all areas of special flood hazard within the jurisdiction of Comal County.

BURNES FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD

#### SECTION D: VIOLATIONS AND PENALTIES

- A person commits a violation of this Order if a person:
  - erects, constructs, or alters any improvement, or places any material in the Area of Special Flood Hazard without an approved Development Permit; or

Comal County

Order

- allows or permits the erection, construction, or alteration of any improvement, or allows or permits the placement of any material in the Area of Special Flood Hazard without an approved Development Permit.
- A violation of this Order is enforceable under Chapter 16 of the Texas Water Code. misrepresentation as to a material fact in the application or plans upon

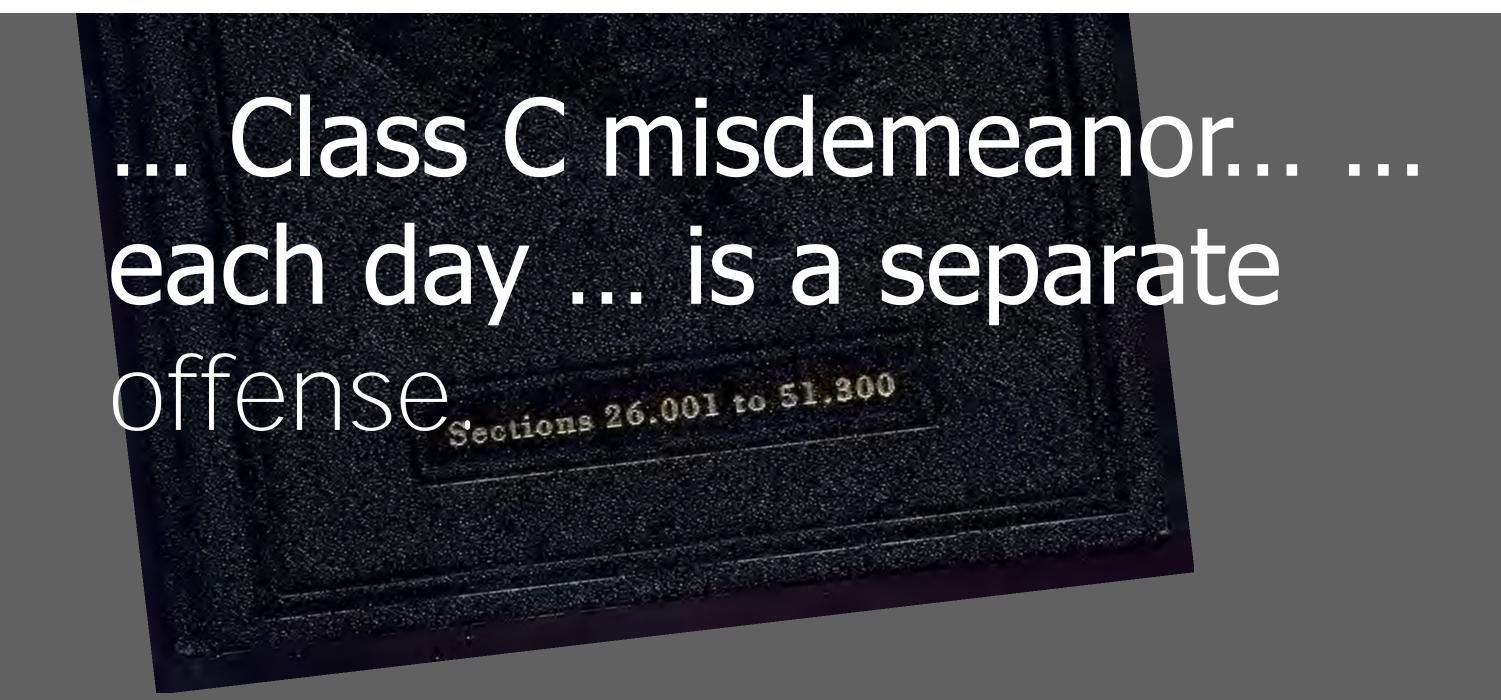
SECTION E: ABROGATION AND GREATER RESTRICTIONS

This Order is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed Order and another conflict or overlap, whichever imposes the more restrictions. However, where this stringent restrictions shall prevail.



- § 16.3221. CRIMINAL PENALTY. (a) A person commits an offense if the person violates this subchapter.
  - (b) An offense under this section is a Class C misdemeanor.
- (c) Each violation of this subchapter and each day of a continuing violation is a separate offense.

Added by Acts 2001, 77th Leg., ch. 258, § 5, eff. Sept. 1, 2001.



# ...Penal Code Vernon's ANNOTATED TRYAS CODES ANNOTATED

§ 12.23. CLASS C MISDEMEANOR. An individual adjudged guilty of a Class C misdemeanor shall be punished by a fine not to exceed \$500.

Acts 1973, 63rd Leg., p. 883, ch. 399, § 1, eff. Jan. 1, 1974. Amended by Acts 1991, 72nd Leg., ch. 108, § 1, eff. Sept. 1, 1991; Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994.



