

AGENDA



Recommendation for Council Action

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| Austin City Council | Item ID | 27116 | Agenda Number | 97. |
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| Meeting Date: | 10/3/2013 | Department: | Austin Water Utility |
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Subject

Conduct a public hearing and consider approval of an ordinance amending Chapter 15-5 of the Austin City Code related to on-site sewage facilities.

Amount and Source of Funding

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

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| Purchasing Language: | |
| Prior Council Action: | February 11, 1999 - Council approved Ordinance 990211-E to amend Chapter 12-4 of City Code regarding On-site Sewage Facilities. |
| For More Information: | Bart Jennings, 972-0118; Denise Avery, 972-0104 |
| Boards and Commission Action: | September 4, 2013 - Approved by the Environmental Board on a 5-0-0-2 vote with Board members Gary and Walker absent. September 11, 2013 - Unanimously approved by the Water and Wastewater Commission on a 7-0 vote. |
| MBE / WBE: | |
| Related Items: | |

Additional Backup Information

An on-site sewage facility (OSSF, aka septic system) is a system that collects, treats, and disposes of wastewater in which the amount of wastewater treated is less than 5,000 gallons per day, and the treatment and disposal systems are generally located on the same property that the wastewater is generated. Chapter 15-5 of the Austin City Code establishes the requirements for property owners to design, construct, install, operate, and maintain on-site sewage facilities for the treatment and disposal of wastewater. The City adopted its current version of Chapter 15-5 in 1999. The Code adopts by reference minimum state requirements established in Title 30, Chapter 285 of the Texas Administrative Code. Austin Water is the State’s authorized representative to manage the City’s OSSF program. The City’s jurisdiction includes its corporate limits and limited purpose areas annexed for public health and safety. The City’s jurisdiction contains approximately 3,100 OSSFs; approximately 24% of these are located within the City’s Edwards Aquifer Recharge Zone and the Edwards Aquifer Contributing Zone.

The City, similar to its neighboring governmental entities such as Travis County, Williamson County, City of West

Lake Hills, and the Lower Colorado River Authority, has identified the need to adopt more stringent standards to better manage OSSFs within its jurisdiction. Approximately 74% of the 3,100 OSSFs in the City jurisdiction are more than 20 years old. Recent studies conducted in and around Austin have documented elevated levels of nitrate in area surface water bodies. OSSFs that are malfunctioning or have failed can be a contributing factor to nitrate levels. To better protect surface and groundwater supplies, additional oversight is needed to ensure the essential periodic maintenance of advanced treatment systems is actually being conducted. Major amendments to chapter 15-5 include:

1. Requiring low-flow fixtures for upgrades to OSSFs for the purpose of water conservation and to reduce the sizing requirements for OSSFs;
2. Requiring larger lot sizes for new residential subdivisions, platted in the future, using OSSFs for wastewater treatment and disposal (particularly those located within the City's Edwards Aquifer Recharge Zone and the Edwards Aquifer Contributing Zone) in order to allow a future property owner to develop the lot to its potential while still maintaining the sanitary easement around a drinking water source;
3. Eliminating exemptions for OSSFs, located on lots greater than 10 acres, not being permitted or inspected;
4. Authorizing City representatives to enforce this ordinance through the issuance of fines for continued non-compliance;
5. Improving ongoing maintenance and reporting for advanced treatment systems through either contract management by a private vendor of the property owner's choice or by a homeowner with certified training; and
6. Requiring treatment for nitrogen if:
 - a. the drainfield is located within 75 ft. of Lake Austin; or
 - b. the drainfield is located within Edwards Aquifer Recharge Zone; or
 - c. a standard drainfield cannot be used within Barton Springs Segment of Edwards Aquifer Contributing Zone because of poor soil conditions.

City staff has obtained citizen and homeowner input into the creation of the ordinance through multiple stakeholder and public meetings as well as at meetings of the Environmental Board and the Water and Wastewater Commission.