

ORDINANCE NO. **7408** – **Automotive Related Businesses**

ARTICLE XX. AUTOMOTIVE RELATED BUSINESS REGULATIONS

Sec. 13-530. Purpose and Policy.

- (a) To prevent the introduction of pollutants into any Publicly Owned Treatment Works that will interfere with its operation;
- (b) To prevent the introduction of pollutants into the municipal separate storm sewer system (MS4) or otherwise be incompatible with the waters of the United States;
- (c) To enable the Control Authority to comply with its Texas Pollutant Discharge Elimination System (TPDES) permit conditions as well as any and all other federal or state laws to which the city is subject.
- (d) For the protection of human health and the environment.
This ordinance provides for monitoring, compliance, and enforcement activities; and the setting of inspection fees for the equitable distribution of costs resulting from the program established herein.

Sec. 13-531. Applicability.

- (a) This ordinance sets forth uniform requirements for businesses engaged in automotive-related activities in Grand Prairie city limits and its extra territorial jurisdiction. The following automotive-related activities will be regulated under this ordinance:
 - (1) Automotive salvage yards;
 - (2) New or used automobile sales, rental, or leasing;
 - (3) Automotive parts sales, new or used, including, but not limited to tires, tubes, engines, transmissions, exhaust systems, radiators, brakes and body parts, or any aftermarket or replacement parts;
 - (4) Automotive repair and/or replacement shops, including, but not limited to tires, tubes, engines, transmissions, exhaust systems, radiators, brakes and bodies;
 - (5) Automotive front-end alignment shops;
 - (6) Automotive paint and/or body shops;
 - (7) Automotive oil change and lubrication shops;
 - (8) Automotive washing, cleaning, polishing and detailing (excluding self-serve car washes);

(9) Automobile holding yards; and

(10) Inoperable vehicle holding yards.

(b) In addition to 13-531(A), any other groups or activities identified to be automotive by the North American Classification System or those activities determined by the Director to be automotive related.

(c) The Environmental Services Director and the Planning and Development Director may exclude certain automotive businesses or give a waiver upon written request at his/her discretion.

Sec. 13-532. Abbreviations.

The following abbreviations, when used in this ordinance, shall have the designated meanings:

EPA	-	U.S. Environmental Protection Agency
MS4	-	Municipal Separate Storm Sewer System
POTW	-	Publicly Owned Treatment Works
TPDES	-	Texas Pollution Discharge Elimination System

Sec. 13-533. Definitions.

The following words and phrases, when used in this division, shall have the meanings respectively ascribed to them:

Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

Automotive salvage dealer. Any person engaged in the business of disassembling automobiles, trucks, pickups, or any other motor vehicles for the purpose of resale or reuse of any part thereof, and the keeping and maintaining of premises in the city on which any act of salvage, resale or reuse is committed.

City. The City of Grand Prairie or any authorized person acting in its behalf.

Debris. Solid waste (as defined in Texas Health and Safety Code 361.003) or other discarded materials.

Director. The director of the department designated by the city manager to enforce and administer this article or the director's designated representative.

Garbage. Animal and vegetable wastes and residue from preparation, cooking and dispensing of food; and from the handling, processing, storage and sale of food products and produce.

Hazardous. Any matter which is or may be reasonably expected to be dangerous to human health, the environment, or property, and shall include, but not be limited to, those substances defined as hazardous waste or material by federal or state agencies.

Industrial waste. Waste resulting from any process of industry, manufacturing, trade or business from the development of any natural resource, or any mixture of the waste with water or normal wastewater or distinct from normal wastewater.

Inoperable vehicle. Any motor vehicle which is inoperable, does not have lawfully attached thereto both unexpired licenses plate or plates and a valid motor vehicle safety inspection certificate, is wrecked, dismantled, or partially dismantled, or that remains inoperable for a continuous period of more than forty-five days.

Inoperable vehicle holding yard. A place limited to the storage, parking, or holding of two (2) or more whole inoperable motor vehicles for the purpose of retail or wholesale sales of said vehicles; or short or long term storage of said vehicles and provided however; that no repairs, dismantling, partial dismantling, crushing, or compacting of said vehicles or parts of said vehicles shall take place on said yard.

Floodplain or Flood-prone Area. Any land area susceptible to being inundated by flood water from any source.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than the designated height.

Municipal separate storm sewer system (MS4): The system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the City and designed or used for collecting or conveying storm water, and which is not used for collecting or conveying sewage.

Natural outlet. Any outlet into a watercourse, ditch, lake or other body of surface water or groundwater.

Owner or occupant: The person, firm, or public or private corporation, using the lot, parcel of land, building or premises, and who pays, or is legally responsible for the payment charges made against the said lot, parcel of land, building or premises.

Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by the City and/or the Control Authority. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Regulated Materials. Any material regulated by the state and/or federal regulatory agencies including, but not limited to, oils, petroleum products, and vehicle fluids.

Regulatory Authority. The city manager or duly authorized representative of the city manager.

Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

Shall is mandatory; May is permissive.

State environmental regulatory authority. The state's agencies that have the authority to adopt and enforce any environmental rules necessary to carry out its powers and duties under the laws of Texas.

Storm water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Trap. A device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes or other harmful substances.

Waste. Rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities.

Wastewater. A combination of the water-carried waste from residences, business building, institutions, and industrial establishments, together with any ground surface and storm water that may be present.

Watercourse. A natural stream flowing constantly or recurrently on the surface of the earth in a reasonably defined channel.

Sec. 13-534. Inspection and Sampling Fees.

The City may adopt reasonable, non-refundable fees for reimbursement of costs of setting up and operating the City's Automotive-related Business Program which include:

- (a) Yearly inspection fee for all automotive-related businesses excluding automotive salvage yards shall be two hundred dollars (\$200.00).
- (b) Automotive salvage yards shall be charged an annual license fee of three hundred dollars (\$300.00), payable in advance annually on the first day of January of each year.
- (c) Bulk storage fee of fifty-dollars (\$50.00) to be paid by the first of January each year for salvage yard operators.
- (e) Monitoring fees for sampling and analysis shall cover the cost to the city and shall include, but not be limited to the cost of labor, equipment, supplies, laboratory charges, and federal reporting requirements. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the City.

(f) This fee may appear on the monthly water/sewer bills and relates solely to the matters covered in this article and are separate from other fees chargeable by the city.

Sec. 13-535. General Operating Requirements.

The following regulations shall apply to all automotive-related operations in the city and it shall be unlawful to operate such business in any manner not in accordance with the terms contained herein:

(a) The Certificate of Occupancy issued by the City of Grand Prairie, Building Inspection Division for automotive-related businesses shall be plainly displayed on the business premises and activities on the premises shall be as stated on the Certificate of Occupancy.

(b) No space not covered by an automotive salvage license shall be used for the salvaging of parts.

(c) Weeds and vegetation on the premises, other than trees, shall be kept at a height of not more than twelve (12) inches.

(d) No debris shall be allowed to accumulate unless in an approved container.

(e) No junk, parts, or vehicles shall be allowed to rest upon or protrude over any public street, walkway, or curb, or become scattered or blown off the business premises.

(f) Combustible materials of any kind not necessary or beneficial to the business shall not be kept on the premises; nor shall the premises be allowed to become a fire hazard.

(g) No automobile or other material shall be burned on the premises.

(h) All vehicle or vehicle part washing operations discharges shall be to the sanitary sewer system through an approved sand/grit trap.

(i) All industrial waste shall be waste characterized and disposed of in accordance with local, state, and federal regulations.

(j) All facilities shall have any storm water authorization as required by any local, state and/or federal requirements. All covered facilities shall be in compliance with all federal and state storm water discharge permitting and management regulations.

(k) All facilities shall have any air authorization as required by any local, state and/or federal requirements. All covered facilities shall be in compliance with all federal and state air discharge permitting and management regulations.

(l) All premises shall be maintained in such a manner as to not allow any standing water at any time. All facilities must be in compliance with City Code of Ordinances Chapter 13, Article XV – Vector Control.

- (m) All potable water, sanitary sewer, and septic system lines shall be maintained. No leaking water or wastewater from the system shall be allowed to discharge to the ground.
- (n) All drum or other containers used for the storage of regulated materials shall be marked with the name, address, and phone number of the business.
- (o) Used oil generators shall comply with state regulations to register as a “Used Oil Collection Center” and used oil filter generators shall comply with state regulations to register as a “Used Oil Filter Collection Center”.
- (p) All drums or containers containing waste must be labeled in accordance with state and federal regulations.
- (q) Any discarded hazardous or other regulated liquid, semi liquid, or solid waste may not accumulate or be present beyond any time frames established by state and/or federal regulations.
- (r) All generators of liquid waste must be in compliance with City Code of Ordinances Chapter 13, Article IX - Liquid Waste; Generation, Transportation, and Disposal.
- (s) All disposal manifests must be kept on site for three (3) years and available for review upon request.
- (t) All facilities that generate, transport, or retail used or scrap tires must have a waste tire generator identification from the state environmental regulatory authority.
- (u) Tires shall only be removed by a state registered waste tire hauler.
- (v) Non-potable water or sources shall not be cross-connected with the potable water supply.
- (w) Outside repair of vehicles is prohibited.
- (x) No more than two (2) inoperable vehicles shall be allowed to be stored outside. All facilities are subject to and must be in compliance with City Code of Ordinance Chapter 29, Article – VII – Junked Vehicles.
- (y) All spills anywhere on the property shall be cleaned immediately. No liquids or wastes may be allowed to accumulate on the ground or outside of approved containers.

Sec. 13-536. General Prohibitions.

In compliance with federal, state and other statutes, the regulatory authority may designate storm sewers, the MS4, and other watercourses into which unpolluted drainage may be discharged. It shall be unlawful for any person, owner, tenant, or employee, to commit such acts as listed below:

- (a) Unless authorized by a federal or state permit and with the approval of the regulatory authority, no person may discharge any wastewater, industrial waste, polluted, or unpolluted liquids on public or private property in or adjacent to any natural outlet, watercourse, storm sewer, or other area under jurisdiction of the MS4.
- (b) Discharge or deposit, upon any public or private property, any industrial, chemical, hazardous, or other regulated waste.
- (c) Permit any vehicle engine fluids, oils, greases, vehicle fuels, or like material to be discharged or deposited on the ground.
- (d) Allow any waste-hauler not registered by either the local, state, and/or federal authority to take off the premises any waste products.
- (e) Discharge into a private sewage system any industrial or chemical waste.
- (f) Allowing any grass clippings, leaves, or any debris to collect on any curb, gutter, storm inlet, storm drain, or watercourse.
- (g) Discharge any material prohibited by the Texas Water Code or any material that may cause a violation of the Texas Surface Water Quality Standards.
- (h) Discharge of any vehicle wash from any commercial property.
- (i) Discharge from any sanding activities or grinding, cutting, sawing of any materials that result in fine particle dust on the ground outside of any enclosed facilities. All discharge and resulting materials shall be collected and disposed of properly.
- (j) Introduce or cause to be introduced to the MS4 any sediment, dust or other solid material from any activity not intended for outside disposal or accumulation.
- (k) Discharging of cooling, compressor, or boiler blow down water to any area other than the sanitary sewer.
- (l) The storage or parking of any vehicle, operable or inoperable, or any portion of such vehicle on the public right-of-way.
- (m) Vehicles shall not be parked or stored to impede traffic on the sidewalk or to block a portion of the roadway. Vehicles parked or stored on the right-of-way in violation of this article for a period in excess of forty-eight (48) hours will be towed to the city vehicle impound or another approved vehicle storage facility and charges will be assessed for such expenses.
- (n) Any tires or tire parts without rims shall not be stored outside or in a manner in which they will be exposed to the elements.
- (o) Materials used in repair, inoperable vehicles, vehicle parts, or any other related materials shall not be stored outside an enclosed building at a body shop, automotive repair shop, or used

car lot, unless the business has a duly issued certificate of occupancy that specifically allows such storage or use.

(o) The practice of storing salvaged parts of such vehicles and/or the salvaging of any used parts of such vehicles is specifically prohibited except for at a duly licensed and legally operated salvage yard.

Sec, 13-537. Automotive Salvage – Specific Prohibitions.

The following regulations shall apply to all automotive salvage operations in the city, and it shall be unlawful to operate such business in any manner not in accordance with the terms contained herein:

(a) The license issued pursuant to this article shall be plainly displayed on the business premises.

(b) No space not covered in the Specific Use Permit and by the license shall be used in the automotive salvage business.

(c) No inoperable automobiles or parts thereof shall be shown, displayed, or stored outside the fence enclosure or outside of the premises licensed hereunder.

(d) The storage of vehicles, operable, inoperable, or junked, and vehicle parts and/or the storage of hazardous materials, hazardous waste, or other regulated chemicals or materials shall be prohibited in the floodway.

(e) All crushing operations shall be conducted on a concrete pad. The pad shall have dikes or other means of keeping all fluids contained. All fluid discharged to the pad must be cleaned immediately.

(f) For the purposes of these regulations, a tank system is defined as the tank and any distribution equipment. All above-ground and underground storage tank systems must comply with the following regulations:

(1) Tank systems must comply with all federal, state, and local regulations;

(2) Underground storage tank systems are prohibited in the floodway, or within the 100-year floodplain;

(3) Above-ground storage tank systems are prohibited in the floodway;

(4) Above-ground storage tank systems are prohibited within the 100-year floodplain unless the systems are in compliance with section 13-538;

(5) All other above-ground storage tanks must have secondary containment equal to or greater than one hundred and ten (110) per cent of the volume of the largest tank or be an approved double-walled tank. If the secondary containment consists of diking, the material used must be impervious and be approved for use by the city's fire department;

(6) All underground storage tank systems in violation of this section must come into compliance with the state environmental regulatory authority regulations for storage tank permanent removal from service.

(g) Automobiles shall not be stacked higher than one (1) foot below the top of the required screening fence and shall be kept and maintained at all times in rows not exceeding two (2) automobiles in width, which rows shall be a minimum of ten (10) feet apart, so as to provide accessibility for firefighting and other purposes

(h) The area on the premises where the automotive salvage business is conducted shall be enclosed, except for entrances and exits, with a nontransparent, vertical wall or fence of a minimum height of ten (10) feet measured from ground level. All boundaries established by the issuance of a specific use permit shall be designated by fencing or by another readily identifiable means, such as concrete monuments or poles embedded in concrete to a depth of at least six (6) inches. In the event that two (2) salvage yards exist side by side, or the rear property line of a salvage yard abuts a floodway, any fence erected on that boundary line need not be constructed of a nontransparent material. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of the licensed premises and all such entrances and exits shall be covered with paving of a type of material approved by the city engineer.

(i) No automotive salvage dealer licensed hereunder, or the agent or employee of the licensee, shall purchase or receive any merchandise from any person under the age of eighteen (18) years without the written consent of a parent or guardian of such person. Such writing shall be held available for inspection by the representative of the city for a period of at least six (6) months.

(j) No automotive salvage business premises shall be allowed to become a nuisance public or private, nor shall any automotive salvage business premises be operated in such manner as to become injurious to the health, safety or welfare of the community or of any residents or businesses in the vicinity.

(k) Floodway boundaries for the property shall be specifically marked with monument or other permanent structures acceptable to the city for ease in determining on the ground where the floodway is located. The minimum acceptable standard for such monuments shall be an eight-foot-long, four-inch (outside diameter) pipe, set vertically in the ground with at least six (6) feet of pipe visible above the ground level and painted standard international orange.

Sec. 13-538. Bulk Storage Requirements for Salvage Yard Operators.

The bulk storage (greater than twenty-five (25) gallons) of hazardous materials, hazardous waste, or other regulated chemicals or material shall be prohibited within the 100-year floodplain without approval of the Director of the Environmental Services Department, herein called the director.

(a) Persons wishing such storage shall file a written request with the director:

- (1) Types of chemicals to be stored;
 - (2) Average volumes to be stored;
 - (3) Site diagram indicating storage area;
 - (4) A storage area that contains sufficient diking or other measures necessary to render the storage areas flood-resistant;
 - (5) A description of current chemical waste disposal methods including the names, addresses and telephone numbers of disposal companies;
 - (6) A copy of any federal or state required hazardous waste registration form; and
 - (7) Any other information as may be deemed by the director to be necessary to evaluate the request.
- (b) If approval is obtained from the director for a storage area:
- (1) The facility will be subject to periodic inspections by the Water Quality Division of the Environmental Services Division.
 - (2) The facility shall pay an annual fee of fifty dollars (\$50.00) to the Water Quality Division to cover the cost of the bulk storage inspection program.
 - (3) The facility must develop and implement an accidental spill plan. Spill plan development guidelines will be provided by the Water Quality Division. A copy of the plan must be forwarded to the Water Quality Division for approval within 10 days.
 - (4) The facility must provide annual reports by January 10th of each calendar year detailing the types and amounts of chemicals stored within the storage area.
 - (5) Failure to comply with any requirement under this section may result in the withdrawal of storage area approval by the director.
- (c) New bulk storage units planned shall file a request with the Water Quality Division at least thirty (30) days prior to planned construction.

Sec. 13-539. Automotive Salvage - Nonconforming establishments declared nuisances.

It shall be unlawful for any person to engage in the business of an automotive salvage dealer within the city or to continue in such business without conforming to all of the terms and conditions applicable thereto contained in this Code. All automotive salvage operations now in existence in the city that do not conform to the regulations herein imposed are hereby declared public nuisances.

Sec. 13-540. Automotive Salvage License - Required; application.

No person shall engage in the business of automotive salvage operations unless and until such person shall have first obtained a license therefore as provided for herein. Any person desiring to engage in the business of automotive salvage dealer shall make application for such license on forms furnished by the code compliance manager or his designee, which shall contain the following information:

- (a) The name and address of applicant, and in the event applicant is a partnership, the names and addresses of all partners, and in the event applicant is a corporation, the names and addresses of all officers of such corporation.
- (b) The location and size of the location proposed to be licensed hereunder.
- (c) Such other information as may be required by the Code Enforcement Manager.

Sec. 13-541. Automobile Salvage - Investigation.

Upon receipt of an application for a license to engage in the business of automotive salvage dealer, the Code Enforcement Manager or his designee, shall notify the water quality manager, the environmental health manager, the building inspector, planning director, and the fire chief; and such license shall be issued only after:

- (a) The applicant has obtained from the planning director a certificate to the effect that the site proposed to be used as an automotive salvage business will not be in violation of the existing zoning regulations.
- (b) The Building Inspector shall have found that any proposed existing buildings or equipment with which the automotive salvage operation is being or is to be operated conform to the requirements of the building code and other applicable codes and the requirements of this article.
- (c) The Environmental Specialist shall have found that the proposed or existing premises and equipment to be used in the automotive salvage operation conform to the requirements of this article and all applicable health laws.
- (d) The Fire Chief shall have found that the proposed or existing premises and equipment conform to the requirements of this article and all applicable fire prevention laws.
- (e) The Water Quality Manager shall have found that the proposed or existing premises and equipment to be used in the automotive salvage operation conform to the requirements of this article and all applicable local, state, and federal water quality and waste regulations.

Sec. 13-542. Automotive Salvage - Issuance.

If all of the findings required in section 13-541 are favorable to the applicant, the Code Enforcement Manager shall, within thirty (30) days after the filing of the application, notify the applicant that the application has been approved and that a license to operate an auto salvage business in the city shall be issued upon payment of prescribed fees. If any of the findings provided for in said section are unfavorable to the applicant, the Code Enforcement Manager, or

his designee, shall, within thirty (30) days after the filing of the application, notify the applicant that the application is disapproved and that no license will be issued. Upon request, the Code Enforcement Manager or his designee shall furnish the applicant with a brief written statement of the grounds upon which the application was disapproved.

Sec. 13-543. Automotive Salvage -Transfer; form; term.

(a) Licenses issued under this article shall not be transferred or assigned or used by any person other than the one to whom it is issued, unless application for such transfer is made to the Code Enforcement Manager or his designee, and thereafter approved. If approved, the permit may be transferred at no fee for the remainder of the time the original license stays in effect.

(b) The license shall not be used in any location other than the one described in the application upon which it was issued, and shall state on its face the following: "This license applies only to the premises indicated herein and authorizes the licensee to operate an automotive salvage business in a lawful place and manner only; it is not a substitute for any certificate of occupancy, building permit, or other certificate or permit that might be required by law of the licensee, and it does not relieve the licensee of the responsibility to have all such required permits or certificates at all times and comply with all laws affecting the above described premises."

(c) Said license shall further state on its face the date of its issuance and the date of its expiration, which shall be January 1 of the year following its issuance.

Sec. 13-544. Automotive salvage - Causes for revocation and suspension.

The Code Enforcement Manager may revoke or suspend the license of any automotive salvage dealer at any time upon its finding, after report by the fire chief, the environmental health manager, code enforcement officer, water quality manager, or chief of police, that:

(a) The automotive salvage dealer has failed to comply with the provisions of this article of any provisions of the national, state or local laws or ordinances applicable to the premises, equipment or operation of the licensed business;

(b) The licensee has obtained such license through any fraud or misstatement;

(c) The licensed business or activity is being conducted in a manner detrimental to the health, safety or general welfare of the public, or is a nuisance, or is being operated or carried on in any unlawful manner; or

(d) The licensed business or activity is no longer being carried on or operated.

Sec. 13-545. Automotive salvage - Hearing on appealing revoked or suspended permits.

Any person aggrieved by the order of any administrative official authorized to act hereunder granting, denying, renewing or revoking a license for a proposed or existing business or activity subject to the provisions of this article, shall, as a prerequisite to the filing of any proceeding

before any court of competent jurisdiction, file a written appeal of such action or decision to the city manager within ten (10) working after the issuance of such order.

Sec. 13-546. Right of Entry.

The city's representative(s) shall have the right to enter the premises of any person to determine whether that person is compliance with all requirements of this article. Persons shall allow inspecting or monitoring personnel ready access to all parts of the premises for the purposes of inspection, monitoring, records examination and copying, and the performance of any additional duties. Any information concerning a requirement under this article, including, but not limited to water testing data, construction records, state registrations, environmental and closure records, shall be made readily available upon request.

(a) Where security measures are in force which requires proper identification and clearance before entry into the premises, that person shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the city's representative will be permitted to enter without delay for the purposes of performing specific responsibilities.

(b) The city's representatives shall have the right to set up on any person's property such devices as are necessary to conduct monitoring of any person's operations.

(c) Unreasonable delays in allowing inspecting or monitoring personnel access to any person's premises shall be a violation of this article.

Section 13-547. Penalty - For violations; other remedies.

(a) Any person, firm, or corporation who violates any provision of this article or any permit issued under this article is guilty of a misdemeanor and upon conviction is punishable by a fine as provided in section 1-8 of the Code of Ordinances of the City of Grand Prairie, or any amendment thereto or renumbering thereof, for violations of public health for each act of violation and for each day of violation.

(b) Any person, firm, or corporation who obstructs, impedes, or interferes with a representative of the City, with a representative of a City department, with surveillance equipment, or with a person who has been ordered to abate a situation pursuant to this article and who is lawfully engaged in such abatement is guilty of a misdemeanor and upon conviction is punishable by a fine as provided in section 1-8 of the Code of Ordinances of the City of Grand Prairie, or any amendment thereto or renumbering thereof, for violations of public health for each act of violation and for each day of violation.

(c) In addition to proceeding under authority of subsections (a) and (b) of this section, the City is entitled to pursue all criminal and civil remedies to which it is entitled under authority of statutes or other ordinances against a person, firm, or corporation that remains in violation of this article.

(d) The City may disconnect the water service for violation of this division.

Sec. 13-548. Right of Revision.

The Regulatory Authority reserves the right to establish, by ordinance more stringent standards or requirements on discharges to the MS4 and by RCRA.

Sec. 13-549. Search Warrants.

If the Regulatory Authority has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Regulatory Authority may seek issuance of a search warrant from the appropriate court.

Sec. 13-550. Responsibility for cleanup costs, damages.

All owners/occupants are subject to fees as outlined in Chapter 13, Article VI – Abatement of Hazardous Conditions if the owner/occupant fails to comply with this article.

Sec. 13-551. Remedies Nonexclusive.

The remedies provided for in this ordinance are not exclusive. The Regulatory Authority may take any, all, or any combination of these actions against a noncompliant user.

Sec. 13-552. Administrative Liability.

- (a) No officer, agent, or employee of the City shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such person's duties under this article.
- (b) Any suit brought against any officer, agent, or employee of the City as a result of any act required or permitted in this discharge of such duties under this article shall be defended by the City Attorney until the final determination of the proceedings therein.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 1st DAY OF JUNE, 2010.