

**ORDINANCE 2021-001
TOWN OF PINE ISLAND, TEXAS**

AN ORDINANCE SETTING FORTH THE SET-BACK RESTRICTIONS FOR THE TOWN, INCLUDING BUILDING LINES ON TOWN STREETS, SET-BACKS FOR WATER WELLS, SET-BACKS FOR SEPTIC SYSTEMS, AND SPACING BETWEEN WATER WELLS AND SEPTIC SYSTEMS; ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the authority of the Town of Pine Island to institute an ordinance proper for the government, interest, welfare or good order of the Town is granted in Texas Government Code Sections 51.051 and 51.012; and

WHEREAS, the authority of the Town of Pine Island to establish building lines on streets within the Town's limits is granted in Texas Local Government Code Section 214.132; and

WHEREAS, it has been determined by the Town Council of the Town of Pine Island, Texas that the health, safety and general welfare of the Town should be promoted by preventing overcrowding of land through planned and orderly growth of the Town; and

WHEREAS, the Town Council of the Town of Pine Island finds it to be in the best interest of the public safety, health and general welfare of the Town to establish set-back restrictions within the Town's limits.

NOW, THEREFORE:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND, TEXAS:

Section 1. This Ordinance is hereby referenced as the Town of Pine Island Set-Back Ordinance.

Section 2. **DEFINITIONS** For the purpose of this Ordinance, certain terms and phrases shall have the meanings below:

- (A) Set-back Line: A line indicating the limit beyond which dwellings, structures, water wells, or septic systems may be erected or installed. Also known as "building line."
- (B) Town: The Town of Pine Island, Texas
- (C) Town Council: Town Council of the Town of Pine Island.

Section 3. REGULATIONS

(A) Set-back for dwelling or other structure:

After the effective date of this ordinance, a dwelling or other structure may only be erected in compliance with the following minimum set-back restrictions:

100 feet from the front property line; and
30 feet from either side property line; and
100 feet from the rear property line.

(B) Set-back for driveway or access easement:

After the effective date of this ordinance, a driveway or access easement may only be installed in compliance with the following minimum set-back restriction:

10 feet from either side property line.

(C) Set-back for water well:

After the effective date of this ordinance, a water well may only be installed in compliance with the following minimum restrictions:

100 feet from the front property line; and
30 feet from either side property line; and
150 feet from any septic system.

(D) Set-back for septic system:

After the effective date of this ordinance, a septic system may only be installed in compliance with the following minimum restrictions:

30 feet from any property line (front, side, or rear) for aerobic system;
20 feet from any property line (front, side, or rear) for conventional system; and
150 feet from any water well.

Section 4. PERMITS

- (A) Permit Required. It shall be unlawful for any person to erect/install a dwelling, other structure, driveway/easement, water well, or septic system within the limits of the Town without a valid permit for such issued by the Town Council in the name of the owner.

(B) Application; Issuance of Permit

1. Application for permit. Application for the permit to erect/install shall be filed with the Town Council. The application shall be in writing and signed by the owner, and shall include the following:

- (a) The name and address of the owner applicant.
- (b) The location and legal description of the site, including total acreage
- (c) A drawing showing that the proposed location complies with the above set-back restrictions.
- (d) Such further information as may be requested by the designated official to help that official to determine whether the erection/installation will comply with this ordinance and other applicable legal requirements.
- (e) The designated official shall inspect the application and any attachments. If the erection/installation of the dwelling, other structure, driveway/easement, water well or septic system, will be in compliance with all provisions of this Ordinance and all other applicable ordinances and statutes, the official shall recommend approval of the application to the Town Council.

(C) Permit Fee. All applications to the Town Council shall be accompanied by a fee of One Hundred Dollars (\$100.00).

(D) Denial of Permit; Rehearing. Any applicant whose application for a permit under this Ordinance has been denied may request in writing a rehearing on the matter before the Town Council and offer additional evidence if desired.

Section 5. Penalty Provisions

Any person violating this Ordinance or any portion thereof shall, upon conviction, be guilty of a misdemeanor and shall be fined not less than \$100.00 nor more than \$500;00 and each day that such violation continues shall be considered a separate offense and be punishable accordingly.

The Town may seek an injunction in state district court enjoining a person from installing a dwelling or structure, a water well, or a septic system in violation of this Ordinance.

This Ordinance shall be effective immediately upon its passage, approval and publication.

PASSED AND APPROVED this 2 day of March, 2021.

APPROVED: Steve Nagy, Mayor
STEVE NAGY, MAYOR
Town of Pine Island, Texas

ATTEST:

Jeanette Freeman
JEANETTE FREEMAN, CITY SECRETARY
Town of Pine Island, Texas

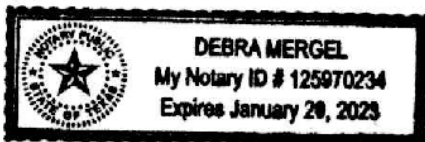
County of Waller, State of Texas

On the 2nd day of March 2021 before me,
the undersigned Notary Public, personally appeared
Steve Nagy, known to me as the person whose
name is subscribed to the foregoing instrument, and
acknowledged to me that she executed the same.
In witness whereof, I have set my hand and seal
the day and year as above written.

Debra Mergel
Notary Public

January 20, 2023
Commission Expires

Seal



FILED AND RECORDED

Instrument Number: 2105402

Filing and Recording Date: 05/13/2021 03:19:41 PM Pages: 5 Recording Fee: \$28.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in black ink that reads "Debbie Hollan".

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Martha Perez, Deputy

Returned To:
TOWN OF PINE ISLAND



Waller County
Debbie Hollan, County Clerk
836 Austin St.
Suite 217
Hempstead, TX 77445
979-826-7711

Receipt: 21-5559

Product	Name	Extended
0	Ordinance	\$20.00
	Pages	3
	Document #	2105403
	Document Info:	TOWN OF PINE ISLAND
Records Management		\$10.00
Courthouse Security		\$1.00
Recording Fee - \$3 1st page, \$4 add pages		\$9.00
Total		\$20.00
Tender (CHECK)		\$20.00
Check Number	1534	
Paid By	TOWN OF PINE ISLAND	

Thank You for Your Business