

This order shall be in full force and effect from and after its date of approval as required by law and upon the approval of the Texas Natural Resource Conservation Commission.

AND IT IS SO ORDERED:

PASSED AND APPROVED THIS 23rd DAY OF September, 1997.

APPROVED:

Val Clark Beard
COUNTY JUDGE

ATTEST:
Berta R. Martinez
COUNTY CLERK
COUNTY, TEXAS

**ORDER ADOPTING RULES OF BREWSTER COUNTY, TEXAS
FOR ON-SITE SEWAGE FACILITIES**

WHEREAS, the Texas Natural Resource Conservation Commission has established Design Criteria for on-site sewage facilities to provide the citizens of this State with adequate public health protection and a minimum of environmental pollution; and

WHEREAS, the Legislature has enacted Legislation, codified as Texas Health and Safety Code, Chapter 366, which authorizes a local government to regulate the use of on-site sewage disposal facilities in its jurisdiction in order to abate or prevent pollution, or injury to public health arising out of the use on-site sewage facilities; and

WHEREAS, the notice was given of a meeting and public hearing to determine whether the Commissioners Court of Brewster County, Texas should enact an order controlling the installation or use of on-site sewage facilities in the County of Brewster County, Texas; and

WHEREAS, said meeting and public hearing were held in accordance with the notice thereof, and the evidence and arguments there presented were considered by the Commissioners Court of Brewster County, Texas; and

WHEREAS, the Commissioners Court of Brewster County, Texas finds that the use of on-site sewage facilities at Brewster County, Texas may cause pollution, injure the public health, and

WHEREAS, the Commissioners Court of Brewster County, Texas has considered the matter and deems it appropriate to enact an Order adopting Rules regulating on-site sewage facilities to abate or prevent pollution, or injury to public health in Brewster County, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BREWSTER COUNTY, TEXAS:

Chapter 285 - On-site sewage facilities, Texas Administrative Code, is adopted by Brewster County, Texas, to regulate the planning, installation, construction, alteration, extension, repair, operation and maintenance of on-site sewage facilities.

The Rules shall apply to all the area lying in Brewster County, Texas, except for the area regulated under an existing rule and the areas within incorporated cities. These rules shall apply to those incorporated cities or towns that have executed intergovernmental contracts with Brewster County, Texas.

THE NATIONAL ARCHIVES
COLLECTIONS DIVISION

1000 ...

...

...

...

...

...

...

...

...

...

The Commissioners Court of Brewster County, Texas, is herewith declared the designated representative for the enforcement of these Rules within its jurisdictional area. The Commissioners Court shall appoint an individual that will be approved and certified by the Texas Natural Resource Conservation Commission before assuming the duties and responsibilities of the Designated Representative of Brewster County.

All fees collected for permits and/or inspections shall be made payable to Brewster County, Texas.

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision to the Commissioners Court of Brewster County, Texas.

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

If the Commissioners Court of Brewster County, Texas decides that it no longer wishes to regulate on-site sewage facilities in its area of jurisdiction, the Commissioners Court shall follow the procedures outlined below

- a. The Commissioners Court shall inform the Texas Natural Resource Conservation Commission by certified mail at least 30 days before the published date of the public hearing notice that it wishes to relinquish its On-site Sewage Facility Order.
- b. The authorized agent shall post the required public notice in a newspaper regularly published or circulated in the area of jurisdiction at least 30 days prior to the anticipated date of action by the authorized agent.
- c. The authorized agent shall send a copy of the public notice, a publisher's affidavit of public notice, and a certified copy of the minutes to the Texas Natural Resource Conservation Commission.
- d. The executive director shall process the request for relinquishment and may issue an order relinquishing the authority to regulate OSSF's within the authorized agent's jurisdiction or may refer the request to relinquish to the commission.
- e. Prior to issuance of a relinquishment order the local governmental entity and the executive director shall determine the exact date the authorized agent would surrender its authorized agent designation to the executive director.

The Commission on the part of the Government of the State of New York is pleased to advise you that the Commission has received your letter of the 10th instant regarding the proposed amendments to the Education Law, Chapter 1000 of the Laws of 1988, and the Commission has approved the same. The Commission has also approved the proposed amendments to the Education Law, Chapter 1000 of the Laws of 1988, and the Commission has approved the same.

Very truly yours,
Commissioner of Education

Enclosed for you are two copies of the proposed amendments to the Education Law, Chapter 1000 of the Laws of 1988, and the Commission has approved the same.

Very truly yours,
Commissioner of Education

Very truly yours,
Commissioner of Education