

ORDINANCE NO. 3934

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING CHAPTER 78, ARTICLE IV OF THE CODE OF ORDINANCES, NORTH RICHLAND HILLS, TEXAS, AS AMENDED, BY AMENDING SECTION 78-213, "PROHIBITED DISCHARGES" TO PROHIBIT CERTAIN TRUCKED OR HAULED POLLUTANTS, THE DISCHARGE OF BTEX CONCENTRATIONS GREATER THAN 1.0MG/L, AND THE DISCHARGE OF PFAS AND PFAS-RELATED SUBSTANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEALING CONFLICTING PROVISIONS; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills ("City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council finds that the unregulated transportation and discharge of liquid waste presents a hazard to the public health, safety, and welfare of the citizens of the City; and

WHEREAS, the City provides wastewater utility service through wholesale wastewater contracts with the City of Fort Worth and the Trinity River Authority; and

WHEREAS, these wholesale wastewater contracts provide that the City, as a wholesale customer, agreed that it would comply with all permit conditions in any way relating to the collection system and the discharge into the collection system; and

WHEREAS, the Texas Commission on Environmental Quality has requested that the holders of TPDES permits and all jurisdictions contributing to their wastewater collection systems to make certain amendments and revisions to their respective industrial waste ordinances; and

WHEREAS, the City Council finds that the amendments herein are in the best interest of the public health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

Section 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

Section 2: Section 78-213, “Prohibited Discharges”, of Article IV “Sanitary Sewer System” of Chapter 78 “Utilities” of the North Richland Hills Code, is hereby amended by amending subsections (d)(19), (d)(22), and (d)(28) to read as follows:

“(19) Trucked or Hauled Pollutants.

- a. Trucked or hauled industrial waste, except as approved in writing by the director; or
- b. **For facilities discharging to the City of Fort Worth Village Creek Wastewater Treatment Facility:** Trucked or hauled waste from any industrial activities/processes regulated by any specific category listed in 40 Code of Federal Regulations (40 CFR) Parts 405-471 with detectable quantities of PFAS.

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(22) BTEX. **For facilities discharging to the City of Fort Worth Village Creek Wastewater Treatment Facility:**
BTEX concentration greater than 1.0 mg/L.

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(28) **For facilities discharging to the City of Fort Worth Village Creek Wastewater Treatment Facility:** Any PFAS or PFAS-related substances above baseline collection system concentrations of 25 ng/L without an approved plan of correction, as defined in the dischargers permit, which employs “Best Management Practices” (BMPs) to reduce or eliminate the pollutants within one year of detection/notification.”

Section 3: This Ordinance shall be cumulative of all provisions of the North Richland Hills Code, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

Section 4: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 5: Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined, upon conviction, in accordance with Section 1-13 of the North Richland Hills Code. Each day that a violation is permitted to exist shall constitute a separate offense and shall be punishable as such.

Section 6: All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances in the North Richland Hills Code that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7: The City Secretary is hereby authorized and directed to cause the publication of this Ordinance in accordance with applicable law.

Section 8: This Ordinance shall be in full force and effect upon its passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on the 27th day of October, 2025.

Jack McCarty, Mayor

ATTEST:

Alicia Richardson,
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Bradley A. Anderle, City Attorney