

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO PROTEST TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (“TPDES”) PERMIT APPLICATIONS FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (“TCEQ”), OR ITS SUCCESSOR AGENCY, THAT SEEK TO DISCHARGE TREATED WASTEWATER INTO DENTON WATERSHEDS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to accelerated growth in the City of Denton and the region, the City has observed an increase in the rate of TPDES permit applications for small, localized water reclamation plants; and

WHEREAS, current or proposed water reclamation plants may produce lower quality effluent than would otherwise be produced by the City pursuant to its 2023 Wastewater Master Plan and its discharge permits; and

WHEREAS, new or amended TPDES permits may allow discharges that impact stormwater management in the City and the region; and

WHEREAS, wastewater regionalization through connection to larger, regional wastewater systems provides efficiencies of scale, more opportunity for reuse, and better controls for the impact of increased wastewater flows in the City and the region; and

WHEREAS, to best preserve its ability to protest, the City of Denton must file a hearing request with TCEQ within the public comment period, which ends 30 days from when TCEQ’s Executive Director publishes the Notice of Application and Preliminary Decision; and

WHEREAS, in certain circumstances, the City Manager will need to be equipped to expeditiously protest a permit application; and

WHEREAS, to protect and maintain the integrity of the local watershed and provide for the orderly management of wastewater, the City of Denton City Manager must have the ability to efficiently and expeditiously protest TPDES permit applications, as needed; and

WHEREAS, upon filing of a hearing request or otherwise protesting a permit application, the City Manager or their designee will notify the City Council of the protest details through the creation and timely submission of an Informal Staff Report (“ISR”); and

WHEREAS, the City Council finds that the delegation of its authority to the City Manager or their designee under this Ordinance will lead to the efficient implementation of City initiatives conducted pursuant to the policies and direction of the City Council; and

WHEREAS, the City Council finds that it is in the public interest to delegate authority to the City Manager or their designee to protest TPDES permit applications filed with TCEQ, or its successor

agency, that seek to discharge treated wastewater into Denton watersheds.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The recitations contained in the preamble of this ordinance are incorporated herein by reference as findings of the City Council.

SECTION 2. The City Council hereby authorizes the City Manager or their designee to take such actions as they find reasonable and appropriate to accomplish the intents and purposes of this ordinance to protest TPDES permit applications filed with TCEQ, or its successor agency, that seek to discharge treated wastewater into Denton watersheds.

SECTION 3. Upon protesting a permit application, the City Manager or their designee shall notify the City Council of the protest details through the creation and timely submission of an Informal Staff Report.

SECTION 4. Any provision of any prior ordinance of the City which conflicts with any provision of this ordinance is hereby repealed to the extent of the conflict, but all other provisions of the ordinance of the city which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by [_____] and seconded by [_____].

The ordinance was passed and approved by the following vote [__ - __ - __]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: 