
VIII. Local Ordinances

A number of the actions in the *Galveston Bay Plan (Plan)* will be implemented through local ordinances. Major local ordinance initiatives recommended in the *Plan* are described in this chapter, by implementation year. Corresponding action numbers are also shown.

The Galveston Bay Program (GBP) will help link local governments with appropriate technical assistance resources in developing their ordinances. However, actual passage of the ordinances will ultimately be the responsibility of the elected leadership of the local government.

FY 1997

- **Develop a tax incentive program for habitat protection. (HP-6)**

Based on the outcome of the legislative initiative for this action described in Chapter 5, local governments may have the opportunity to adopt ordinances creating tax incentives or exemptions for wetlands and other valuable habitat. Local governments will also be encouraged to revise their existing subdivision and development regulations, zoning ordinances and building codes, to eliminate any existing *disincentives* to habitat protection.

FY 1998

- **Develop ordinances requiring trash pick-up at marinas and other shoreline facilities. (SD-5)**

The *Plan* recommends local governments adopt ordinances to ensure adequate waste pick-up at marinas, shoreline parks, and boat ramps with shoreline trash handling facilities. County adoption of ordinances will require passage of legislation granting Galveston Bay Area counties special ordinance-making authority in the 1997 Texas Legislature (see Chapter 5).

- **Establish shoreline development standards or guidelines. (SM-2, SM-3)**

The *Plan* recommends that local governments along the bay shore develop a comprehensive shoreline plan. The outgrowth of this plan should be the development of model residential and industrial shoreline development standards or guidelines. Local governments along the shore should adopt a resolution committing to incorporate these standards, or guidelines, where applicable, into existing or new zoning, subdivision, and/or other development-related ordinances. County adoption of ordinances will require passage of legislation granting Galveston Bay Area counties special ordinance-making authority in the 1997 Texas Legislature (see Chapter 5).

- **Establish local nonpoint source pollution controls for new development.** (*NPS-1, NPS-6*)

The local government stormwater management plans recommended in *NPS-1* and the NPS reduction plan for new development recommended in *NPS-6* may require some communities to adopt new development ordinances, addressing the following areas:

- impervious cover standards.
- erosion control practices for construction sites.
- floodplain restrictions.
- detention or retention ponds in development design.

County adoption of ordinances will require passage of legislation granting Galveston Bay Area counties special ordinance-making authority in the 1997 Texas Legislature (see Chapter 5).

The Houston/Harris County Storm Water Joint Task Force *Storm Water Quality Management Guidance Manual* and the Houston-Galveston Area Council's (H-GAC) *Action Guide for Erosion and Sediment Control During Construction Activities* will be a possible resources in the development of these ordinances.

- **Establish local residential NPS control measures.** (*NPS-4*)

To implement *NPS-4*, local governments may need to adopt ordinances regulating fertilizer application, lawn chemicals and the disposal of pet waste. County adoption of ordinances will require passage of legislation granting Galveston Bay Area counties special ordinance-making authority in the 1997 Texas Legislature (see Chapter 5).

- **Establish ordinances to correct malfunctioning shoreline septic tanks.** (*NPS-5*)

The *Plan* recommends local governments adopt septic tank ordinances (or modify existing ordinances) to reduce fecal coliform pollution from malfunctioning septic tanks. Such ordinances would require the establishment of septic system and lot size standards and education requirements for installers. Other factors which should be included are:

- encouraging innovative collective approaches where development is clustered.
- requiring septic permits be issued prior to or in conjunction with the building permit for new construction.
- ban or limit septic tanks in problem areas.
- require certification upon the sale or transfer of property in problem areas; systems failing to meet the standards would have to be upgraded to receive the certification.

FY 1999

- **Implement state plumbing code and other low water use devices. (FW-6)**

The *Plan* recommends that the GBP and TWDB work with municipalities to adopt the state plumbing code and other codes that require low water use devices. In the implementation of *FW-6*, local governments may have to modify existing building codes, plumbing codes, and/or subdivision regulations to require low water use devices.

FY 2000

- **Establish local NPS control measures for construction activities. (NPS-12)**

Implementation of *NPS-12* may require local governments to adopt ordinances that regulate construction activities so that nonpoint source pollution control measures are required. The action calls for the GBP and other agencies to provide technical assistance and model ordinances to local governments. County adoption of ordinances will require passage of legislation granting Galveston Bay Area counties special ordinance-making authority in the 1997 Texas Legislature (see Chapter 5).

The Houston/Harris County Storm Water Joint Task Force *Storm Water Quality Management Guidance Manual* and the H-GAC *Action Guide for Erosion and Sediment Control During Construction Activities* will be possible resources in the development of these ordinances.

- **Establish local toxic and nutrient control measures at construction sites. (NPS-13)**

The *Plan* recommends that local governments adopt ordinances regulating construction activities so that toxic and nutrients are controlled at construction sites. County adoption of ordinances will require passage of legislation granting Galveston Bay Area counties special ordinance-making authority in the 1997 Texas Legislature (see Chapter 5).

A resource for developing these ordinances will be the Environmental Protection Agency's *Guidance Specifying Management Measures for Sources of Non-Point Source Pollution in Coastal Waters* (issued under the authority of Section 6217(g) of the Coastal Zone Act Reauthorization Amendments).