



Installing Landscape Irrigation Systems Without a License

There is concern that lawn irrigation systems are being installed by people without a license because they can offer the service at a lower cost than a licensed installer. The fear is that an unlicensed installer will contaminate the public water supply because they are not trained to prevent non-potable water in lawn irrigation pipes from flowing into public water supply pipes that must be opened to install a lawn irrigation system. Concerned parties reported to the Legislature that many municipal and county judges will not prosecute unlicensed irrigation installers because there was no clear punishment for the offense. In response to this concern the Texas 82nd Legislature passed House Bill 2507, which relates to the installation of a landscape irrigation system without a license. Effective September 1, 2011, offenses can be addressed as Class C misdemeanors and could result in fines up to \$500.00 in addition to related costs.

What does this mean:

This means a complaint against an unlicensed irrigator can now be filed in Municipal and Justice of the Peace courts, and law enforcement officers can issue a ticket; both citing a violation of Texas Occupational Code, Sec. 1903.256. This provides an effective tool to use in enforcement of unlicensed irrigators performing irrigation installations. Filings in Justice of the Peace and Municipal Courts should be completed in accordance with Texas Code of Criminal Procedures, Article 45.019, Requisites of Complaint.

Information regarding Justice of the Peace courts:

The Texas Constitution requires that each county in the State establish between one and eight Justice of the Peace precincts, depending upon the population of the county. Also, depending on the population of the precinct, either one or two justice of the peace courts are to be established in each precinct. There are approximately 820 Justice of the Peace courts in Texas.

Justice of the Peace courts have original jurisdiction in Class C misdemeanor criminal cases, which are less serious minor offenses. These courts also have jurisdiction of minor civil matters. These courts also function as small claims courts.

Justice of the Peace Addresses and Websites:

Texas Justice of The Peace Courts' contact information, including web site links, is available in the Texas Judicial System Directory at (<http://www.courts.state.tx.us/courts/jp.asp>).

How to address concerns with an installer:

Complaints against installers licensed or not, should first be filed with the local municipality or water district. If the local authority does not resolve the complaint, notify the local authority's supervising authority (county judge, county commissioner, mayor, aldermen, boards, etc.). If the complaint is not resolved, contact the TCEQ central office Landscape Irrigation Program. Your local Better Business Bureau may also be able to assist you in resolving issues with installers. Unlicensed installers can also be reported to local law enforcement.

Find the rules concerning Landscape Irrigation in Texas:

Rules can be obtained electronically through:

http://www.tceq.texas.gov/licensing/irrigation/forms_li/li_program.html

Copies of the rules (RG-470) and rule implementation (RG-466) can be obtained through: http://www.tceq.texas.gov/publications/search_pubs.html

Contact the TCEQ Landscape Irrigation Program:

Phone: 512-239-LAWN (5296)

Fax: 512-239-2249

www.tceq.texas.gov/goto/lawn

Central Texas Area

Program Support Section (MC-235)

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
LANDSCAPE IRRIGATION
P R O G R A M