

Sec. 14.126. - Landscape irrigation systems.

- (a) Landscape irrigation rule. The landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapter A, § 344.1, Subchapter C, §§ 344.30—344.38, Subchapter D, §§ 344.40—344.43 and Subchapters E and F, §§ 344.50—344.65, Texas Administrative Code (effective January 1, 2009), as the same may be from time to time amended, are hereby adopted by reference as the landscape installation irrigation rules of the city.
- (b) P2609 Landscape irrigation. The International Residential Code, 2015 Edition, as adopted by the International Code Council, Inc., in cooperation with the International Conference of Building Officials and with all local amendments as previously adopted by the City of San Marcos is hereby amended to add Section P2610 to Chapter 26, General Plumbing Requirements and to read as follows.
- (c) Minimum standards for landscape irrigation systems. The landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapter A, § 344.1, Subchapter C, §§ 344.30—344.38, Subchapter D, §§ 344.40—344.43 and Subchapters E and F, §§ 344.50—344.65 Texas Administrative Code (effective January 1, 2009), as the same may be from time to time amended, are hereby adopted by reference as the landscape installation irrigation rules of the city.
- (d) Valid license required and exemptions.
 - (1) Any person who connects an irrigation system to the water supply within the City or the City's extraterritorial jurisdiction (ETJ), must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903, Subchapter F of the Texas Occupations Code, or as defined by Title 22, Chapter 365 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.
 - (2) A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, § 1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas Administrative Code, Chapter 344, Sections:
 - 344.50 (Backflow Prevention Methods),
 - 344.51 (Specific Conditions and Cross-Connection Control),
 - 344.52 (Installation of Backflow Prevention Device),
 - 344.60 (Water Conservation),
 - 344.61 (Minimum Standards for the Design of the Irrigation Plan, except (c)(1)) and,
 - 344.62 (Minimum Design and Installation Requirements, except (o)).
 - (3) Upon completion of the irrigation system, the home or property owner must prepare and retain an irrigation plan that shows the actual installation of the system.
 - (4) As provided in the Texas Occupations Code § 1903.002 for other exemptions to the licensing requirement.
- (e) Permit required and exemptions.
 - (1) Any person installing an irrigation system within the territorial limits or extraterritorial jurisdiction of the City is required to obtain a permit from the City. Any plan approved for a permit must be in compliance with the requirements of this chapter. The permit will be issued by the permit center a division of Planning and Development Services.
 - (2) The permitting requirements do not apply to:

- a. An irrigation system that is an on-site sewage disposal system, as defined by Section 366.002, Health and Safety Code; or
 - b. An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or
 - c. An irrigation system connected to a groundwater well used by the property owner for domestic use.
- (f) Backflow prevention methods and devices. All irrigation systems must comply with the adopted City of San Marcos Article 9 - Cross Connection Control and Backflow Prevention Requirements.
- (g) Water conservation. All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation.
- (h) Design and installation.
 - (1) Irrigation plan design and installation shall meet the minimum standards and rules of the Texas Administrative Code.
 - (2) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code, shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not on-site, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.
 - (3) Completion, maintenance, alteration, repair, or service of irrigation systems shall comply with the landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapter A, § 344.1, Subchapter C, §§ 344.30—344.38, Subchapter D, §§ 344.40—344.43 and Subchapters E and F, §§ 344.50—344.65 Texas Administrative Code (effective January 1, 2009), as the same may be from time to time amended.
- (i) In addition to the requirements under 30 TAC Chapter 344, all new landscape irrigation systems must be designed, installed and operated in accordance with the following requirements:
 - (1) A separate metered water service must be utilized for the landscape irrigation system.
 - (2) Above-ground emission devices must be attached to lateral lines with flexible pipe or swing joints.
 - (3) Use of shrub risers is prohibited. Surface or subsurface drip irrigation, or low-angle spray heads that direct water to the base of the plant may be used in lieu of shrub risers.
 - (4) Irrigation controllers must be capable of providing multiple irrigation programs, with at least three (3) start times per program.
 - (5) Irrigation controllers must be capable of limiting irrigation frequency to once every seven (7) days and once every fourteen (14) days as per drought restrictions.
 - (6) Irrigation controllers must have a water budgeting feature.
 - (7) Landscape irrigation systems must have a master valve.
 - (8) Zone valves must be equipped with an adjustable flow control.
 - (9) Zone valves must be enclosed in an accessible valve box.
 - (10) Check valves are required where elevation differences may result in low-head drainage. Check valves may be located at the sprinkler head(s) or on the lateral line.
- (j) All new ICI and multi-family residential landscape irrigation systems must also be designed, installed and operated in accordance with the following requirements:

- (1) Landscape irrigation systems must be equipped with a flow sensor that will automatically shut down the irrigation system during excessive water flows.
 - (2) Landscape irrigation systems must be equipped with a freeze sensor that will automatically shut down the irrigation system when ambient temperatures fall below 32 degrees F.
 - (3) An irrigation system evaluation must be conducted at least once per year, and the results of the evaluation shall be provided to the director.
- (k) All existing landscape irrigation systems must be retrofitted with a rain shutoff device or soil moisture shutoff device.
- (l) Existing ICI and multi-family residential landscape irrigation systems must have an irrigation system evaluation conducted at least once per year, and the results of the evaluation shall be provided to the director.
- (m) Reclaimed water. Reclaimed water may be utilized in landscape irrigation systems if:
 - (1) There is no direct contact with edible crops, unless the crop is pasteurized before consumption;
 - (2) The irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;
 - (3) The irrigation system is installed using purple components;
 - (4) The domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with Title 30, Texas Administrative Code, Section 290.47(i) (relating to Appendices);
 - (5) A minimum of an eight-inch by eight-inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER — DO NOT DRINK" and "AGUA DE RECUPERACION NO BEBER"; and
 - (6) Backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the City's water provider.
- (n) Items not covered by this article. Any item not covered by this article and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, City of San Marcos Plumbing Code and any other applicable state statute or Texas Commission on Environmental Quality rule.
- (o) Enforcement.
 - (1) The City shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any knowing violation of the elements of this [article] as codified in the San Marcos Code is declared to be a nuisance.
 - (2) The City water purveyor can suspend utility service for any violation of this article.
 - (3) Any person who knowingly violates any provision of this section shall, upon conviction, be fined a sum as provided in chapter 1, subsection 1.015(a) of the San Marcos Code.
 - (4) An offense under this section is a Class C misdemeanor.
 - (5) Nothing in this section shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this section, or any other building code violation, and to seek remedies as allowed by law, including, but not limited to the following:
 - a. Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and
 - b. Other available relief.

- (6) Whenever a corporation or association violates any provision of this section, the president, vice-president, secretary, treasurer, manager or any agent or employee of the corporation or association who is responsible for the violation shall be subject to the penalty prescribed for the violation.
- (p) Fees. The City Council, by separate ordinance, may create a schedule of fees for obtaining and renewing an irrigation permit. These fees will be in amounts sufficient to cover the City's costs in issuing and renewing the permits, including, but not limited to, staff time and other costs.

([Ord. No. 2015-21, § 1, 7-7-15](#))