

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF PFLUGERVILLE AMENDING SECTION 1 - GENERAL PROVISIONS OF THE 2014 ENGINEERING DESIGN MANUAL AND CONSTRUCTION STANDARDS, REPLACING ALL ENGINEERING AND CONSTRUCTION STANDARDS IN CONFLICT; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the 2014 Engineering Design Manual and Construction Standards were adopted by City Council of the City of Pflugerville on February 24, 2015 by Ordinance No. 1206-15-02-24, and revised by the City Council of the City of Pflugerville, Texas, by Ordinance No. 1290-16-11-22; and

WHEREAS, the City Council recognizes the proposed amendments to Section 1 – General Conditions of the 2014 Engineering Design Manual and Construction Standards will allow for greater consistency, clarity, ease of use and administration of public infrastructure; and

WHEREAS, the City Council does find that there is a public necessity for the amendment and revision of the said Manual and Construction Standards; that the public interest clearly requires the adoption of Manual and Standards, that the Manual and Standards, as amended does not unreasonably invade the rights of those who bought or improved property with reference to the classification and development standards which existed at the time the investment was made; and

WHEREAS, the City Council does find that the adoption of the proposed amendments to the Engineering Design Manual and Construction Standards promotes the health, safety, and general welfare; facilitates the adequate provisions of transportation, water, sewage, and other public requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

**I. Adoption**

The Engineering Design Manual and Construction Standards, Section 1 – General Conditions is hereby amended as set forth in **Exhibit “A”** attached hereto and incorporated by reference for all purposes.

**II. Review**

The City Engineer shall cause the Engineering Design Manual and Construction Standards to be reviewed from time to time, and shall recommend such revisions as are necessary to account for changing conditions, updated technical standards for the development of public infrastructure, and administration of the Engineering Design Manual and Construction Standards.

**III. Severability**

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

**IV. Ongoing Projects**

Any project for which a complete development application has been accepted and permitted by the City before the effective date of this Ordinance may proceed pursuant to the 2014 Engineering Design Manual and Construction Standards adopted as Ordinance No. 1206-15-02-24, and the revision of the Engineering Design Manual and Construction Standards adopted as Ordinance No. 1290-16-11-22. Any project which has not been started by the City on or after the effective date of this Ordinance shall adhere to the standards set forth in this Ordinance.

**V. Effective Date.**

This Ordinance will take effect upon its adoption by the City Council and publication as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF PFLUGERVILLE, TEXAS

By: \_\_\_\_\_  
Victor Gonzales, Mayor

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

## EXHIBIT A

(Amendments are reflected as underlined and deletions are reflected as ~~strikethrough~~)

### ENGINEERING DESIGN MANUAL SECTION 1 – GENERAL PROVISIONS

#### DG1.0 TITLE

These standards are hereby adopted as the “Engineering Design Manual,” Sections 1-11 and Appendices, which shall be in full force and effect from and after the effective date of adoption of the Engineering Design Manual.

#### PURPOSE

The purpose of the Engineering Design Manual is to protect the health, safety, and welfare of the public by establishing standard engineering practices and minimum engineering criteria for the City of Pflugerville (City), Texas, and its extraterritorial jurisdiction (ETJ).

#### INTERPRETATION

- A. In the interpretation and application of the provisions of these regulations, it is the intention of the City that the principles, standards, and requirements provided for herein shall be minimum requirements for the design of both public and municipal capital projects in the City and its ETJ. The Engineer of Record (Engineer) is expected to meet all City, State, and Federal ordinances and regulations. The Engineering Design Manual contains City-specific criteria. Where other City, State, Federal, or other jurisdiction regulations are more restrictive than the Engineering Design Manual, such other ordinances or regulations shall govern.
- B. The City has adopted various ordinances, master plans, policies, and documents, which address requirements not explicitly included in the Engineering Design Manual, including, but not limited to, the following below. The Engineer is responsible for requesting additional City requirements, such as corridor-specific or Planned Development (PD) master plans, that may not be included in this list. The Engineer is responsible for understanding and complying with the City’s various ordinances and master plans.

#### ENFORCEMENT

- A. The City’s Engineering Design Manual is issued by the Engineering Department. The Engineering Department is hereby authorized to enforce the provisions of the Engineering Design Manual. The standards and any updates will be available on the City’s website.
- B. The Engineering Design Manual shall be in full force and effect immediately upon being filed with the City Secretary. Projects will be required to comply with all requirements. The Engineering Design Manual includes the various design criteria which are considered minimum requirements for the design of adequate public facilities within the City. The

Engineer shall bear the sole responsibility for meeting the Engineering Standard of Care for all aspects of the design and providing a design that is required by the site-specific conditions and intended use of the facilities, while at a minimum meeting the City's design and construction requirements.

#### AMENDMENT

- A. The City may amend the Engineering Design Manual at any time without advanced notice. In order to ensure that the Design Engineer has the City's latest design standards, they are directed to the City's website to acquire the City's most current Engineering Design Manual version. The Engineering Design Manual will include a Record of Revisions to identify any revisions.
- B. A formal request to modify current design criteria or add new design criteria may be submitted in writing to the Director of Engineering for consideration.

#### DG1.0 COORDINATION

A. The Commission, City Council, and City Engineer shall do their utmost to ensure that actions taken under these guidelines shall conform to the City's Comprehensive Master Plan as well as City standards, codes, and ordinances.

B. The City has adopted various ordinances and master plans, which address various requirements not explicitly included in the Engineering Design Standards, including, but not limited to the following. The Engineer is responsible for understanding and complying with the City's current ordinances and master plans, including but not limited to:

- a. Building Code
- b. Water Master Plan
- c. Wastewater Master Plan
- d. Reclaimed Water Master Plan
- e. Comprehensive Plan
- f. Unified Development Code
- g. Flood Damage Prevention
- h. Parks & Open Space Master Plan - Trails Master Plan
- i. Impact Fee
- j. Master Transportation Plan
- k. Zoning
- l. Code of Ordinances

~~C. The City may amend the Engineering Design Manual and Construction Standards. In order to ensure that the design engineer has the City's latest design standards, they are directed to the City's website to acquire the City's most current version. The website will include a Record of Revisions to identify any revisions to the Standards.~~

C.D. In addition to Engineering Design Manual, all engineering design shall reference and incorporate, as necessary, all federal, state and other jurisdictional entity requirements.

#### DG1.1 DEFINITIONS

- A. For the purpose of these guidelines, the following terms and words

are defined as indicated below:

1. “Electric Utility lateral lines” mean those electric lines from which Electric Utility service lines emanate.
2. “Electric Utility service lines” mean those electric lines that directly
3. “Multi-family” means, for purposes of these guidelines, any development which proposes more than one living unit on one lot, excluding duplexes.

B. The following terms used herein shall be defined in the same manner as they are defined in the City Unified Development Code:

1. “Capital Improvement Program” or “CIP”
2. “City”;
3. “City Engineer”;
4. “Commission”;
5. “Comprehensive Master Plan”;
6. “Conservation Area”; “Extraterritorial Jurisdiction” or “ETJ”;
7. “Legal Description”;
8. “Park” or “Park Area”;
9. “Parkland”;
10. “Pedestrian and Bicycle Facilities”;
11. “Person”;
12. “Plat”;
13. “Street”;
14. “Subdivider”;
15. “Subdivision”;
16. “Waterway”.
17. “Lot”;
18. “Setback”;
19. “Square foot dimensions – SF”;
20. “Use”
21. “Development”

## DG1.2 PLANS AND SPECIFICATIONS

- A. The plans and specifications for subdivision and site development improvements, including, but not limited to, water and wastewater facilities and street and drainage improvements, shall be drawn by a licensed engineer on plan-profile sheets and shall either be accompanied by a separate specifications document for each set of plans or clearly reference and demonstrate in the plans that they are complying with the City of Pflugerville Construction Standards. All specifications shall be in accordance with the current City of Pflugerville Construction Standards and Subdivision Code or Site Development Code, as applicable, as approved by the City Engineer. City of Pflugerville Standard Details (in electronic format) are available on the City’s ~~Development Services/~~Engineering Section webpage.

The Engineer shall be responsible for the applicability of the information contained in the Engineering Design Manual to the design of their project. The Engineer shall also be responsible for the applicability and accuracy of

the information furnished in their design. Acceptance by the City of the study or plans for construction shall not be construed to relieve the Engineer of any responsibility.