

AN ORDINANCE AMENDING CHAPTER 32, "UTILITIES," OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 32, "Utilities," of the Abilene City Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

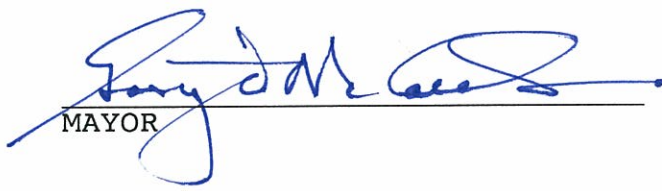
PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) for Subsection (a) and Two Thousand Dollars (\$2,000.00) for Subsection (b). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 23rd day of April, A. D. 1992.

PASSED ON SECOND AND FINAL READING this 14 day of May, A. D. 1992.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

Exhibit A

ORDINANCE NO. 18-1992

That Section 32-146, "Penalties for violations," is hereby amended to read as follows:

Sec. 32-146. Penalties for violations.

(a) Any violation of Stage 1 is hereby prohibited and declared to be unlawful.

(b) Any violation of Stages 2 and 3 is hereby prohibited and declared to be unlawful with the following minimum fines:

- (1) Upon conviction of any violation at a residence, fifty dollars (\$50.00) per violation.
- (2) Upon conviction of any violation at a commercial (including apartments) or industrial location, seventy-five dollars (\$75.00) per violation.

It is an affirmative defense to any violation of this article if the customer proves that the misused wasted water is from an operable water well serving said property.

- END -

00109