

ORDINANCE NO. 43

"AN ORDINANCE REGULATING THE PLACING AND DISPLAYING OF ANY BOX, BARREL, WOOD OR OTHER SUBSTANCE, AND GOODS, WARES AND MERCHANDISE ON ANY SIDEWALK IN THE CITY OF ABILENE: REPEALING SECTION FIVE OF ORDINANCE NO. 3 TITLE VI, REVISED ORDINANCES OF THE CITY OF ABILENE AS REVISED A. D. 1890; PROVIDING A PENALTY FOR THE VIOLATION THEREOF AND CARRYING AN EMERGENCY. "

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF

ABILENE:

SECTION ONE: That it shall be unlawful for any person or persons to place or cause to be placed, any box, barrel, wood, hardware, goods, wares, and merchandise or any other substance, and permit same to remain on any sidewalk in the City of Abilene; and it shall be unlawful for any person to store or cause to be stored any box, barrel, goods, wares and merchandise or any other substance on any sidewalk in The City of Abilene.

SECTION TWO: Nothing in this ordinance shall be construed as to prevent any merchant from occupying not to ~~ex~~ exceed one-half of the width of any sidewalk in front of, or abutting on, their place of business in receiving or forwarding goods, wares and merchandise; provided that they shall not occupy such sidewalk while thus engaged for longer than ten hours in any one day.

SECTION THREE: Every merchant, owner, or proprietor of any store in The City of Abilene shall be allowed not to exceed 30 inches on the inside of the sidewalk, ~~w~~ abutting on his or their place of business, for the purpose of displaying goods, wares and merchandise offered for sale provided that any person or persons so displaying or causing to be displayed fruit, vegetables, candies, or other articles of merchandise intended for human consumption, on any sidewalk in The City of Abilene, shall place, and at all times keep the same while so displayed, ~~t~~ not less than twenty inches above such sidewalk, and all benches, stools or other devices on which said articles of merchandise are displayed shall be removed from the sidewalk at all times when his or their place or store is not open for the purpose of business. Provided further that the provisions of this section requiring articles of merchandise intended for human consumption to be kept 20 inches above the sidewalk when displayed, shall not apply to the displaying of watermelons on any sidewalk.

SECTIONFOUR: That any persons displaying or causing to be displayed

any fruit, vegetables, or other articles of merchandise intended for human consumption, on any sidewalk within The City of Abilene, shall keep the same while so displayed ~~xxxx~~ thoroughly covered or screened with fly-proof covering or screening.

SECTION FIVE: That Section Five of Ordinance No. Three, Title VI, Revised Ordinances of The City of Abilene, as revised A.D.1890, be and the same is hereby expressly repealed.

SECTION SIX: That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof in the Corporation Court of The City of Abilene, shall be fined in any sum not to exceed One Hundred Dollars.

SECTION SEVEN: That this ordinance shall take effect and be in force from and after its passage.

Approved this the 8th day of August, A.D. 1912.

E.N.Kirby, Mayor, The City of Abilene

ATTEST:

P.L.Kirk, City Secretary

Approved this the 8th day of August, 1912.

H.N.Hickman,
Corporation Counsel,
The City of Abilene