

AN ORDINANCE OF THE CITY OF ABILENE REQUIRING PERMITS FOR THE DRILLING OF TEST WELLS FOR OIL AND/OR GAS PURPOSES WITHIN CERTAIN PORTIONS OF THE CITY LIMITS, AND DECLARING AN EMERGENCY.

WHEREAS, The City of Abilene has an ordinance prohibiting the drilling of test wells for oil and/or gas purposes within the City Limits of The City of Abilene; and

WHEREAS, said ordinance was amended by ordinance duly passed on November 20, 1958, and captioned as follows: "ORDINANCE OF THE CITY OF ABILENE ALLOWING THE DRILLING OF TEST WELLS FOR OIL AND/OR GAS PURPOSES WITHIN CERTAIN PORTIONS OF THE CITY LIMITS; REPEALING SECTION 42, CHAPTER 18, OF THE CODE OF THE CITY OF ABILENE, TEXAS, 1957, INSOFAR AS THE SAME CONFLICTS WITH THIS ORDINANCE, AND DECLARING AN EMERGENCY"; and

WHEREAS, it is deemed advisable to require permits to be granted by the Building Official prior to the drilling of an oil and/or gas well within the City Limits of The City of Abilene on property zoned Temporary "A" as defined in Section 28, Chapter 53, The Code of The City of Abilene, Texas, 1957;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS:

SECTION 1: That that certain ordinance adopted by the Board of Commissioners of The City of Abilene, Texas, on November 20, 1958, and captioned as follows: "ORDINANCE OF THE CITY OF ABILENE ALLOWING THE DRILLING OF TEST WELLS FOR OIL AND/OR GAS PURPOSES WITHIN CERTAIN PORTIONS OF THE CITY LIMITS, REPEALING SECTION 42, CHAPTER 18, OF THE CODE OF THE CITY OF ABILENE, TEXAS, 1957, INSOFAR AS THE SAME CONFLICTS WITH THIS ORDINANCE, AND DECLARING AN EMERGENCY" be, and it is hereby, amended by adding thereto Sections 2 and 3, which shall read as follows:

"Sec. 2. Prior to the drilling of any exploratory wells for oil and/or gas purposes within the City Limits of The City of Abilene, and falling within a zone classified as Temporary "A", as defined in Section 28, Chapter 53, The Code of The City of Abilene, Texas, 1957, the person wishing to drill said well shall first secure a permit from the Building Official of The City of Abilene. The Building Official, prior to granting such permit, shall investigate as to whether the proposed well will create a nuisance and whether the same will unreasonably infringe upon the health, property, and community rights of the citizens of The City of Abilene. In the event that the Building Official, from his investigation,

feels that such permit should be granted, then he shall grant such permit. In the event that the Building Official refuses to grant such permit, applicant may appeal to the Board of Commissioners of The City of Abilene by giving written notice to said Board within two weeks from the date such application was rejected by the Building Official. The Board of Commissioners shall act upon said appeal within a reasonable time from the date of filing of such appeal.

"At the time of application, applicant shall pay to the Building Official, for the use of The City of Abilene, a fee of TEN DOLLARS (\$10.00), which application fee shall be retained by The City of Abilene regardless of whether or not said application be granted or denied.

"Sec. 3. That any person, firm, or corporation found guilty of violation of any section of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any amount not to exceed TWO HUNDRED DOLLARS (\$200.00). Each day that such violation exists shall constitute a separate offense."

PASSED ON FIRST READING this the 4th day of December, 1958.

The Board of Commissioners hereby finds that an emergency exists requiring suspension of the rule provided in Section 32 of the City Charter, requiring ordinances to be read and passed at two separate meetings of the Board of Commissioners; said rule is hereby suspended and said ordinance is passed twice at one and the same meeting of the Board of Commissioners. PASSED ON SECOND AND FINAL READING ON this 4th day of December, 1958.

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO  
FORM BEFORE PASSAGE:

  
CORPORATION COUNSEL