

AN ORDINANCE AMENDING SECTIONS 21-1 AND 21-2 OF THE CODE OF THE CITY OF ABILENE, TEXAS, 1957, AS AMENDED, BY PROVIDING THAT AN "ITINERANT RESTAURANT" SHALL MEAN ONE OPERATING FOR A PERIOD NOT TO EXCEED THREE (3) MONTHS, AND BY FURTHER PROVIDING THAT THE PERMIT FEE FOR THE OPERATION OF AN ITINERANT RESTAURANT SHALL BE FIVE DOLLARS (\$5.00) PER THREE MONTHS; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

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

Section 1: That Subsection "B", Section 21-1 of Chapter 21 of The Code of The City of Abilene, Texas, 1957, be, and it is hereby, amended so as to hereafter read as follows:

"Sec. 21-1 B. Itinerant Restaurant - The words "Itinerant Restaurant" shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering. A temporary period shall not exceed three (3) months."

Section 2: That Section 21-2 of The Code of The City of Abilene, Texas, 1957, be, and is hereby, amended, so as to hereafter read as follows:

- "Sec. 21-2. No person shall operate a restaurant or itinerant restaurant in the City of Abilene who does not possess a valid permit from the Health Officer. Upon application for a permit, the City-County Health Officer, City Fire Marshal, and the Building Inspector shall make an inspection of the premises for which the application is made; if these officers recommend approval of the establishment and the applicant has complied with all the terms of the ordinances of the City of Abilene, then a permit shall be issued upon payment to the Abilene-Taylor County Health Department of an annual fee of Twenty Dollars (\$20.00) per establishment, provided the fee for an itinerant restaurant shall be Five Dollars (\$5.00) for any three months period of operation. School Lunch Rooms are exempt from permit fees, but must secure an annual permit. All annual permits shall expire on December 31 of each year in which the permit was issued unless previously revoked. Permits shall not be transferable from person to person or establishment to establishment or from one location to another."

Section 3: That violation of any provision of this ordinance shall be a misdemeanor, and upon conviction thereof shall be punishable by a fine not to exceed Two Hundred Dollars (\$200.00), and each day such violation shall continue shall be deemed a separate offense.

PASSED ON FIRST READING this 7th day of September, A. D. 1961.

requiring ordinances to be read and passed at two separate meetings of the Board of Commissioners and 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 this 7th day of September, A. D.

1961.

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MAYOR

ATTEST:

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CITY SECRETARY