

WHEREAS, Section 56-2(b) of Chapter 56 of The Code of The City of Abilene, <sup># 38</sup> Texas, 1957, as amended, requires that dwelling and dwelling units abutting upon a street or alley in which is located a public sanitary sewer, or which are within one hundred feet (100') of a public sanitary sewer, must be connected to the sewer; and

WHEREAS, Section 9-14 of Chapter 9 of The Code of The City of Abilene, Texas, 1957, as amended, requires the construction of water closets in buildings which are provided with a public sanitary sewer or which are located within one hundred feet (100') of such sewer, and said water closets are required to be connected to same, and furthermore it is unlawful to build or use a privy vault upon a lot which is within one hundred feet (100') of a sanitary sewer; and

WHEREAS, Section 9-15 of Chapter 9 of The Code of The City of Abilene, Texas, 1957, as amended, requires water closets to be connected to a public sanitary sewer where the water closets are located within one hundred feet (100') of such

unit in the most direct manner possible and with separate connections for each unit. The requirement to connect to the public sanitary sewer line shall not apply in those instances where the water closet is connected to another method or system of sewage disposal which is approved by the Director of Public Health of the City of Abilene, Texas, and is consistent with recognized public health standards. It shall be the duty of the owner of buildings, dwellings or dwelling units to maintain water closets and their connections to a public sanitary sewer main or other sewage disposal system in good condition and working order and free from obstructions.

"(b) No person, firm or corporation shall construct, use or maintain a privy vault above or below the ground within the corporate limits of the City of Abilene upon any lot or parcel of land, the property line of which at any point extends within a distance of one hundred feet (100') to a public sanitary sewer main, or in any instance where the Director of Public Health of the City of Abilene determines that another method or system of sewage disposal consistent with recognized public health standards is reasonably feasible and available to such person, firm or corporation."

Section 3: That Section 9-15, Chapter 9 of The Code of the City of Abilene, Texas, 1957, as amended, be and the same is hereby repealed.

Section 4: That Section 9-16 of Chapter 9 of The Code of the City of Abilene, Texas, 1957, as amended, be amended so as to hereafter read as follows:

"Sec. 9-16. Depositing Filth on Ground.

No person shall throw or permit any person under his control to throw or deposit upon the surface of the ground or in any hole or vault upon or under the surface of the ground, upon any lot or parcel of land within the corporate limits of the City of Abilene, except for the proper and necessary manuring of the soil, any water which has been used for domestic purposes or any liquid or solid filth, feces or urine, where said lot or parcel of land is within one hundred feet (100') of a public sanitary sewer, or in those instances where the Director of Public Health of the City of Abilene has determined there is a method or system for sewage disposal which is reasonably feasible and which is consistent with recognized public health standards."

Section 5: That if any provision of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 6: 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 Two Hundred Dollars (\$200.00). Each such violation which shall continue or be permitted to continue shall be deemed a separate offense.

PASSED ON FIRST READING this 10th day of October, A. D. 1963.

PASSED ON SECOND AND FINAL READING this 24<sup>th</sup> day of October, . . .

A. D. 1963.

ATTEST:

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MAYOR

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CITY SECRETARY

APPROVED:  
JOHN W. DAVIDSON, City Attorney

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