

ORDINANCE NO. 134-1983

AN ORDINANCE AMENDING CHAPTER 21, "OIL AND GAS" 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 21, "Oil and Gas," of the Abilene Municipal 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 Two Hundred Dollars (\$200.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense.

PART 4: A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 27 day of November, 1983, the same being more than twenty-four (24) hours prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 1 day of December, 1983, to permit the public to be heard prior to final consideration of this ordinance. 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 17th day of November, A.D., 1983.

PASSED ON SECOND AND FINAL READING this 1st day of December, A.D., 1983.

ATTEST:

Patricia Foster  
CITY SECRETARY

Joe Ray  
MAYOR

APPROVED:

May Sanders  
CITY ATTORNEY

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EXHIBIT "A"

City Code, Chapter 21, Section 23, 011 and Gas.

DELETE from the first sentence: "or two (2) good and sufficient individual sureties," so that the new first sentence will read as follows, minus the deleted phrase which is in parenthesis:

// Sec. 21-23. Performance bond required.

In the event a permit be issued by the city council under the terms of this article for the drilling and operation of a well, no actual drilling operations shall be commenced until the permittee shall file with the city secretary a performance bond in the principal sum as set by the city council, the bond shall be executed by applicant as principal and by one good and sufficient corporate surety (or two (2) good and sufficient individual sureties) running to the city for the benefit of the city and all persons concerned, conditioned that the permittee will comply with the terms and conditions of this chapter in the drilling and operation of the well. //

END