

ORDINANCE NO. V

AN ORDINANCE PROHIBITING ANY SEEPAGE, WATER OR OFFENSIVE ODOR ACCUMULATIONS FROM ANY SEPTIC TANK OR SEWAGE DISPOSAL SYSTEM IN THE CITY LIMITS OF PAYNE SPRINGS, TEXAS, WHICH MIGHT CREATE A HEALTH HAZARD, AND SETTING A PENALTY FOR VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF PAYNE SPRINGS, TEXAS:

Section 1. This entire Ordinance is and shall be deemed an exercise of the police powers of the State of Texas and of the City of Payne Springs, Texas, for the public safety, health, comfort, convenience and protection of the City and the citizens of said City, and all of the provisions hereof shall be construed for the accomplishment of that purpose.

Section 2. Whereas the City of Payne Springs, Texas, does not have an Ordinance prohibiting any seepage, water, or offensive odor accumulations from any septic tank or sewage disposal system in the City Limits of Payne Springs, Texas, and there exists a necessity for such an Ordinance as the following:

From and after the date of this Ordinance, it shall be unlawful for any person, firm, or corporation to let any seepage, water, or offensive odor accumulations that might create a health hazard to occur from any septic tank or any type of sewage disposal system in the City Limits of the City of Payne Springs, Texas.

Section 3. Any person violating any portion of this Ordinance shall be deemed guilty of a misdemeanor and after due notice, said person or persons shall be given ten (10) days to correct septic tanks or disposal systems in a workman-like manner so that there will be no violation of this Ordinance, and if the violation has not been corrected, then that person, firm or corporation, shall be deemed guilty of the violation of this Ordinance.

Section 4. Any person, firm or corporation found guilty of violating this Ordinance, after the ten (10) days notice will be deemed guilty and shall be punished upon conviction by a fine of not less than \$10.00 nor more than \$200.00, and each day of such violation shall be deemed a separate offense.

This Ordinance shall become effective upon its passage and publication, as provided by law.

PASSED AND APPROVED this the 11th day of December, 1972.

ATTEST:

Mary Sorrells
Mary Sorrells, City Secretary

C. L. Thomas
C. L. Thomas, Mayor


Section 5.

Each and every provision, paragraph, sentence and clause of this ordinance has been separately considered and passed by the City Council of the City of Payne Springs, and each said provision, paragraph, sentence and clause would have been separately passed without any other provision, and if any provision, paragraph, sentence or clause hereof should be ineffective, invalid, or unconstitutional for any cause, it shall not impair or affect the remaining portion nor any other part thereof, but the valid portion shall be enforced in the same manner as if it had been passed alone.

Section 6.

The fact that the City of Payne Springs, Texas, now has no ordinance governing the matter regulated herein so as to protect the citizens of the City of Payne Springs, Texas, in their property and persons, as aforesaid, creates an emergency, which is here and now declared, and this ordinance shall take effect and be in force, from and after its passage and publication, as provided by law.

APPROVED AND PASSED this 20th day of November, 1972.


C. L. Thomas, Mayor

ATTEST:


Mary Sorrells, Secretary