

CITY OF CUMBY ORDINANCE NO. 2005-03

THIS ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CUMBY IS TO CONTROL THE USE OF PROPERTY AROUND THE CITY WELLS.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS, MARCH 1, 2005.

THE PURPOSE OF THIS ORDINANCE IS TO PROTECT THE WATER SUPPLY OF THE WELLS DESCRIBED AND LOCATED BELOW BY MEANS OF SANITARY CONTROL.

THE CONSTRUCTION AND OPERATION OF UNDERGROUND PETROLEUM AND CHEMICAL STORAGE TANKS AND LIQUID TRANSMISSION PIPELINES, STOCK PENS, FEEDLOTS, DUMP GROUNDS, PRIVIES, CESSPOOLS, SEPTIC TANKS OR SEWAGE TREATMENT DRAINFIELDS, IMPROPERLY CONSTRUCTED WATER WELLS OF ANY DEPTH, AND ALL OTHER CONSTRUCTION OR OPERATIONS THAT COULD CREATE AN UNSANITARY CONDITION WITHIN, UPON, OR ACROSS THE PROPERTY SUBJECT TO THIS ORDINANCE ARE PROHIBITED WITHIN THE STATED AREA.

THE CONSTRUCTION OF TILE OR CONCRETE SANITARY SEWERS, SEWERS APPURTENANCES, SEPTIC TANKS, STORM SEWERS AND CEMETERIES IS SPECIFICALLY PROHIBITED WITHIN A 50-FT. RADIUS OF THE WATER WELL.

CONSTRUCTION OF BUILDING AND/OR NORMAL FARMING AND RANCHING OPERATIONS ARE ACCEPTABLE IF THE ABOVE RESTRICTIONS ARE COMPLIED WITH, EXCEPT LIVESTOCK SHALL NOT BE ALLOWED WITHIN 50 FEET OF THE WATER WELL.

THIS ORDINANCE SHALL BE BINDING ON ALL PARTIES AND PERSONS WITH PROPERTY WITHIN 150 FT. OF THE WELL, UNTIL THE USE OF THE SUBJECT WATER WELL AS A SOURCE OF THE WATER FOR PUBLIC WATER SYSTEM CEASES.

LOCATION OF WELLS:

- #2 – DEPOT & BARKER STREET
- #3 – S. E. CORNER OF LINE & GREEN ST.
- #4- HWY. 499 WEST
- #5- HOLLAND STREET

ENFORCEMENT:

ENFORCEMENT OF THIS ORDINANCE SHALL BE PROCEEDINGS AT LAW OR
IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR
ATTEMPTING TO VIOLATE THE RESTRICTIONS OF THIS ORDINANCE,
EITHER TO RESTRAIN THE VIOLATION OR TO RECOVER DAMAGES.

APPROVED THIS 1st DAY OF March 2005.

ATTEST:

Juanis Balle
MAYOR

Mary France