

ORDINANCE NO. 31

**AN ORDINANCE PROHIBITING NON-CONFORMING USES AFTER
ABANDONMENT WITHIN THE CITY LIMITS OR EXTRATERRITORIAL
JURISDICTION OF THE CITY OF UHLAND, TEXAS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND,
TEXAS:

1. The City Council finds that the health and safety of the citizens and inhabitants of the City of Uhlend and its extraterritorial jurisdiction require that septic sewer systems have adequate area to provide proper drainage and dispersion of sewage effluent.

2. A non-conforming use is defined as:

A use of property that was in effect on property within the City or extraterritorial jurisdiction at the time the City adopted subdivision regulations, rules pertaining to installation of sewer septic systems, and rules requiring certain areas of land for installation of sewer septic systems; and which use would not be permitted on new installation, or major repair, of a sewer septic system by reason of a lot size, or drainage area, that is too small in area.

3. (a) A non-conforming use is lost when the property is disconnected from a water supply provided by a public water supply company.

(b) A non-conforming use is lost when it has not been used, or abandoned, for a period of ninety days.

4. (a) Once lost as set forth in paragraph 3, any new installation of a sewer septic system must comply with city rules and regulations as to lot size, area, or drainage area in force at that time.

(b) Once lost through non-user, or abandoned, as set forth in paragraph 3, the use may not be again commenced unless the property can comply with city rules and regulations as to lot size, area, or drainage area in force at that time.

5. If a specially engineered system is designed, and expressly approved by the Uhlend City Council, the prohibition shall not apply, and such use shall be permitted, *if* the installation conforms in all respects to the special design.

This Ordinance shall be effective immediately.

PASSED and APPROVED this 7th day of May, 1997.