

## ARTICLE 6.100 DISPOSAL OF HUMAN EXCRETA; PRIVIES

### Sec. 6.101 How Human Excreta may be Disposed of

It shall be unlawful for any person to dispose of any human excreta within the corporate limits of the City of Abernathy, except in a sanitary water-flush closet or a chemical toilet or concrete-vault toilet or an improved sanitary pit privy built according to the specifications of the State Department of Health, as set forth in Section 6.103 below; provided, that in no instance shall a toilet of either of the types enumerated be permitted within 150 feet of a water well. (1974 Code, Chapter 10, Article 1, Section 10-1)

### Sec. 6.102 Buildings to be Connected with Sewer

Every building intended for human habitation or occupancy abutting on a street or alley in which there is a public sewer, or within 200 feet of a public sewer, shall be connected with the sewer by the owner or agent of the premises in the most direct manner possible and with a separate connection for each house or building. (1974 Code, Chapter 10, Article 1, Section 10-2)

### Sec. 6.103 Requirements for Privies

The minimum requirements of a privy are that it shall be so constructed, built, or rebuilt that:

- (1) The excreta deposited therein shall not fall upon the surface of the ground but enter into a pit or vault in the ground, or a compartment built for the purpose.
- (2) The contents of said compartment, vault or pit shall be inaccessible to flies, fowl, or small animals at all times.
- (3) Self-closing lids shall be provided for each unit.
- (4) (A) For a pit toilet the pit shall consist of an excavated chamber conforming to the following dimensions:
  - Minimum width inside curbing 3 feet.
  - Minimum length inside curbing 4 feet.
  - Minimum depth from ground surface 5 feet.
- (B) The pit shall be provided with a box curbing, fitted to the sides of the pit.
- (5) Over the pit shall be placed a fly-tight seat which shall be ventilated by a flue extending from the pit to eight (8) inches above the roof of the building and screened at the top and bottom with sixteen (16) inch mesh wire screen.

(1974 Code, Chapter 10, Article 1, Section 10-3)

### Sec. 6.104 Cost to be Borne by Owner

The cost of installing a sanitary flush toilet and connection to the public sewer system, or the construction of sanitary pit privy, chemical toilet, or concrete-vault privy shall be borne by the owner of the property on which the improvement is to be located. (1974 Code, Chapter 10, Article 1, Section 10-4)

### Sec. 6.105 To be Kept Clean, Etc.

All sanitary pit privies in the corporate limits of Abernathy, Texas, shall be kept in a clean condition at all times. Self-closing lids shall be kept closed when not in use. Such pits shall be used only for the disposal of human excreta, and no wash water or garbage shall be deposited therein. (1974 Code, Chapter 10, Article 1, Section 10-5)

Sec. 6.106 Defects in Privies

If any defects occur in the pit privy which would affect its sanitary condition, the defect shall immediately be repaired. (1974 Code, Chapter 10, Article 1, Section 10-6)

Sec. 6.107 Privies Which do Not Conform Declared Nuisances

All privies existing or maintained within the corporate limits of the City of Abernathy after this article becomes effective which do not conform to the requirements of this article shall be, and are hereby declared a nuisance, dangerous, and a menace to public health; and the City of Abernathy shall have the power and authority to abate such nuisance in accordance with the ordinances of said City of Abernathy. (1974 Code, Chapter 10, Article 1, Section 10-7)

Sec. 6.108 Health Officer may Enter Premises

It shall be the duty of the health officer having jurisdiction or his duly authorized assistant to enter all premises as may be necessary in the enforcement of this article, and he is hereby so empowered. (1974 Code, Chapter 10, Article 1, Section 10-8)

Sec. 6.109 Penalty

Any person, firm or corporation who violates, refuses or fails to comply with any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine in accordance with the general penalty provision found in Section 1.106 of this code. (1974 Code, Chapter 10, Article 1, Section 10-9)