

**ORDINANCE # 29**  
**STORAGE OF SULFUR AND CHEMICALS**

**REAFFIRMED BY # 36**

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ORDINANCE NO. 29 2A

AN ORDINANCE OF THE CITY OF DANBURY, BRAZORIA COUNTY, TEXAS, DECLARING THE STORAGE OF SULPHUR AND/OR OTHER CHEMICALS IN IMPROPER STORAGE FACILITIES A NUISANCE, PROVIDING A PENALTY FOR VIOLATION THEREOF, PROVIDING FOR REMOVAL AT OWNERS EXPENSE AFTER DUE NOTICE, PROVIDING FOR THE FIXING OF A LIEN AGAINST LOTS, REPEALING CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, sulphur and/or other chemicals have heretofore been stored within the confines of the city limits of the City of Danbury, Brazoria County, Texas, without use of adequate and proper storage facilities; and, such improper storage has resulted in numerous fires, and has injured and affected the public peace, health, safety and welfare and should be declared a nuisance,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, BRAZORIA COUNTY, TEXAS, duly assembled at a regular monthly meeting as follows, to-wit:

I.

From and after the effective date of this Ordinance, and within the city limits of the City of Danbury, Brazoria County, Texas, or any extension thereof, the storage of sulphur and any other chemicals without adequate and proper storage facilities is hereby declared to be a nuisance, and that it shall be unlawful for any person, firm or corporation to store sulphur and/or other chemical or to allow sulphur and/or other chemicals to be stored on their property within the said city limits in other than a proper and adequate storage facility.

II.

Should any owner of any lot, lots or other property within the city limits of the City of Danbury, Brazoria County, Texas, allow sulphur and/or other chemicals be stored thereon in an inadequate or improper container or storage facility, and

after ten days notice to said owner to remove same, in writing, or by letter addressed to such owner at his postoffice address, or within ten days after notice by publication as many as two times within ten consecutive days in the official newspaper of the City of Danbury, Texas, if personal service may not be had as aforesaid, or if the owners address be not known; then in any such events, the City of Danbury, Brazoria County, Texas, may remove such sulphur and/or other chemicals as are stored in an inadequate and improper manner or cause the same to be done and may pay therefor, and charge the expense incurred in doing such work or having such work done to the owner of such lot or lots or real estate; and, if such work is done at the expense of the City of Danbury, Texas, then such expense or expenses shall be assessed on the lot, lots or real estate upon which such expense was incurred.

### III.

Any person, firm or individual who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined any sum not exceeding Two Hundred (\$200.00) Dollars, and each and every day's violation shall constitute a separate and distinct offense, and in case the owner or occupant of any lot, lots or premises under the provisions of this ordinance shall be a corporation, and shall violate any provision of this ordinance, the president, vice president, secretary, and treasurer of any such organization, or any manager, agent or employee of such corporation shall be also severally liable for the penalty provided herein.

### IV.

That if any part of this Ordinance is, or should be held invalid for any reason, then that fact shall not invalidate the entire ordinance, but the balance thereof shall be in full force and effect.

### V.

All other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

VI.

Whereas, the storage of sulphur and/or chemicals within the city limits of the City of Danbury, has created a nuisance and is injuring and affecting the public health, comfort, safety and welfare of the citizens of said town, and has created a fire hazard in said town, and said emergency is created in behalf of the public health, peace, safety and general welfare, all necessitating that this Ordinance become effective at once, and it is accordingly ordained that this Ordinance become effective immediately upon its passage and shall take effect and be in force from its passage.

Signed and approved by the Mayor, and attested by the City Secretary, this the 28<sup>th</sup> day of August, 1967.

Paul D. Harvey  
Mayor, City of Danbury, Texas

ATTEST:

Betty R. Wollam  
City Secretary