

**ORDINANCE NO. 42715-1**

**AN ORDINANCE OF THE CITY OF YORKTOWN, TEXAS AMENDING CHAPTER 2, ANIMAL CONTROL, ARTICLE 2.01 GENERAL PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF YORKTOWN, TEXAS PROVIDING FOR A LIMIT ON THE NUMBER OF CHICKENS KEPT IN THE CITY LIMITS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.**

**WHEREAS**, the City of Yorktown, Texas is a General Law municipality incorporated and operating under the Laws of the State of Texas; and

**WHEREAS**, Section 51.001, Texas Local Government Code, authorizes the City Council of the City of Yorktown to adopt ordinances for the good government, peace, and order of the municipality; and

**WHEREAS**, the City Council finds that in order to protect the health, safety, and well being of the citizens of the City of Yorktown, Texas, it is necessary to amend the City of Yorktown's animal control requirements;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF YORKTOWN, TEXAS:**

**Section 1: Amendments**

That the Code of Ordinances, Chapter 2, ANIMAL CONTROL, Article 2.01 GENERAL PROVISIONS, Sec. 2.01.015 Minimum area for keeping livestock; enclosures; keeping swine, is amended in its entirety to read as follows:

**Sec. 2.01.015 Minimum area for keeping livestock; enclosures; keeping swine; keeping chickens**

- (a) Keeping swine. It is hereby declared to be a nuisance and no person shall keep or maintain any swine within the city except miniature swine as defined herein.
- (b) Keeping chickens. It is hereby declared to be a nuisance and no person shall keep or maintain a cumulative total exceeding ten (10) chickens within the city. No adult roosters (crowing age) may be kept or maintained within the city.
- (c) Keeping cows or horses. It is hereby declared to be a nuisance and no person shall keep a cow or horse on any premises, the overall area of which is less than one-third of an acre for each cow or horse kept, or keep more of said animals than can be cared for under sanitary conditions. The total number of cows or horses permitted shall not exceed one adult per one-third acre for the first acre, and two adults per acre for each additional acre over two acres of a single tract of land.
- (d) Enclosures. Livestock pens, stables, corrals, or enclosures shall be capable of preventing the entry of the general public and capable of preventing the escape of the livestock.
- (e) Exemptions. FHA and FFA (or their successor organizations) projects are exempt from the provisions of this section.

**Section 2: Severability**

If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are declared to be severable.

**Section 3: Effective Date**

This Ordinance shall be effective immediately upon its passage and publication as required by law.

**Section 4: Proper Notice and Meeting**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED and APPROVED ON** this 27<sup>th</sup> day of April, 2015.

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**Hon. Rene Hernandez, Mayor**

**ATTEST**

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**Robert Mendez, City Administrator/City Secretary**