

AN ORDINANCE PROHIBITING THE KEEPING OF CATTLE, HORSES, SHEEP AND GOATS WITHIN CITY LIMITS; REGULATING THE KEEPING OF CHICKENS, FOWL OR OTHER SIMILAR ANIMALS; REGULATING STABLES, STALLS, PIG PENS OR OTHER SIMILAR PLACES; DECLARING VIOLATIONS TO BE A MISDEMEANOR; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND OTHER MATTERS RELATED THERETO.

BE IT ORDAINED BY THIS BOARD OF ALDERMEN FOR THE CITY OF PELICAN BAY, TEXAS:

SECTION I.

It shall be unlawful to keep, possess or maintain any horse, mule, donkey or other animal of the equine family or any cow, calf, steer or bull or other member of the bovine family or any sheep, ram, ewe, lamb, or any goat, billy, nannie or kid or any pig, boar, sow, or hog within the corporate limits of the City of Pelican Bay.

Section II.

It shall be unlawful to keep, possess or maintain within the corporate limits of the City of Pelican Bay any chicken, pigeon, turkey, goose, duck, pea-fowl or other fowl in any pen, enclosure or other structure within one-hundred (100) feet of any private residence, church, school, or hospital, other than the residence of the keeper, possessor or owner of such fowl, such distance of one-hundred (100) feet to be measured in a straight line from the nearest point of any pen, enclosure or other structure in which such fowl is kept to the nearest point or such residence, church, school or hospital.

Section III.

Every keeper of any livestock, fowl or pet permitted within the corporate limits of the City of Pelican Bay shall cause the litter and droppings therefrom to be collected daily in a container or receptacle of such type that, when closed, it is ratproof and flytight and after each collection, shall cause such container or receptacle to be kept closed with a ratproof and fly-tight lid, and such keeper shall maintain such receptacle in a condition so as to prevent the escape of odor from such litter or droppings. At least once each week, each keeper shall cause all litter and droppings so collected to be disposed of in such a way as not to permit fly breeding.

Section IV.

Any pen, lot, stable, yard, shed or other place in which any livestock, fowl or pet is permitted within the corporate limits of the City of Pelican Bay which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.

Section V.

Any peace officer and/or any person assigned to be an animal control officer of the City of Pelican Bay shall have the right to enforce any of the provisions of this ordinance.

Section VI.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum of money not to exceed \$200.00. Each and every violation of this ordinance shall constitute a separate violation.

Section VII.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

Section VIII.

If any section, part of a section, or provision of any section of this Ordinance shall be held to be void, ineffective or unconstitutional by a Court of competent jurisdiction, the holding of such section to be void, ineffective or unconstitutional for any cause whatsoever shall in no way affect the validity or the remaining sections and provisions of this Ordinance, which shall remain in full force and effect. The Board of Aldermen would not have passed any section, part of a section, or provisions of any section of this Ordinance that were void, ineffective or unconstitutional if they had known it was void, ineffective or unconstitutional at the time of the adoption of this Ordinance.

Section IX.

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

PASSED AND APPROVED this 18 day of December, 1986.

APPROVED:

BY: 
Mayor

(S E A L)

ATTEST:

BY: 
City Secretary

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