

ORDINANCE 92

AN ORDINANCE REGULATING LIVESTOCK

AN ORDINANCE REGULATING LIVESTOCK WITHIN THE CITY LIMITS; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Coahoma finds that it is in the public interest to protect the public health, safety and welfare of its citizens; and

WHEREAS, the City Council has determined that livestock within the corporate limits of Coahoma, Texas shall be regulated as follows and that the adopted regulations shall be deemed to be the minimum standards under which livestock may be allowed within the City of Coahoma.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF COAHOMA, TEXAS THAT THE FOLLOWING REGULATIONS SHALL BE EFFECTIVE ON THIS DATE, **DECEMBER 1, 2011**.

ARTICLE I. REGULATION OF LIVESTOCK AND POULTRY

Section 1. Definitions.

The following words, terms and phrases when used in this ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

"Livestock" shall include cows, calves, bulls, horses, ponies, mules, donkeys, sheep or lamb, goats, and llamas or similar large animal.

"Poultry" shall include any chicken, duck, turkey, goose, guineafowl, pigeon, peacock, or other similar animal commonly classified as poultry.

Section 2. Limitations on keeping livestock—**Generally and Specifically.**

- (a) An adequate pen or enclosure must be provided for **all livestock and poultry**, every part of which shall be situated at least 50 feet from the nearest residence not including the livestock owner's residence.
- (b) An "enclosure," as the term is used in this section, shall mean any and all connected buildings, whether under one roof or otherwise, and buildings and sheds which may have entrances to the enclosure.
- (c) No livestock **or poultry** shall be permitted to graze, forage, or otherwise roam within 50

feet of any dwelling or residence other than the livestock owner's residence.

- (d) All pens, enclosures, and fencing shall be safe and adequate.
- (e) Where any animals are kept as permitted under Section 5, pens or enclosures in which such animals are kept and the entire premises shall be kept clean and free from accumulations of refuse, and shall be well drained to prevent unsanitary conditions. Failure to keep such pens, stalls or premises clean and in a sanitary condition shall constitute a nuisance and a violation of this section.
- (f) The keeping of all livestock or poultry within the City shall be subject to all pertinent regulations of the State of Texas.
- (g) *Exception:* (1) Young persons who are members of recognized youth organizations or accredited school projects that are required to maintain livestock projects shall be exempt from subsections (a) and (b) above but shall not be exempt from other provisions within these regulations. (2) Temporary training of livestock may be permitted for a time period not to exceed forty five days.

Section 3. Keeping of swine or pigs prohibited.

It shall be declared a nuisance to keep, harbor, or raise any hog, pig, swine, or other member of the swine species of animals within the city limits. Pot bellied pigs are included within this provision.

Section 4. Livestock at large.

It shall be unlawful for any person to let or allow the running at large of livestock or poultry in any public place.

Section 5. Area Limitations for the Keeping of Livestock and Poultry.

Livestock and poultry must be kept in compliance with the following requirements:

- (a) Horses may be kept for personal use on tracts of land with not less than 20,000 square feet dedicated exclusively for animal use in an A, Agricultural District or in the R-1, Residential-1 District.
- (b) Cows, calves and bulls may be kept for personal use on tracts of land with not less than 40,000 square feet dedicated exclusively for animal use in an A, Agricultural District or in the R-1, Residential-1 District.
- (c) Livestock may be kept for commercial purposes at farms and ranches in the A, Agriculture District. Regardless of whether livestock or poultry are kept for personal use or commercial purposes, there shall be provided not less than 20,000 square feet of contiguous land for each animal unit. The following animal unit values are assigned to livestock as follows: Each *sheep or lamb*: one-fifth animal unit; each *goat*: one-sixth animal unit; each *horse, pony, mule or donkey*: one-half animal unit; each *cow or large animal*: one animal unit. Animal unit values for offspring are as follows: horses, mules,

ponies and donkeys are not assigned an animal unit value until they reach 18 months of age; other livestock are not assigned an animal unit value until they reach 12 months of age.

(c) Poultry are permitted in any zoning district with the exception that the total number shall not exceed three per one hundred square feet of pen or enclosure floor area and not to exceed eighteen in total.

(d) Rabbits, hamsters or guinea pigs or other animals or fowl of a similar size are permitted in any zoning district with the exception that the total number shall not exceed four per premises; provided, however, that the number limitation of four shall not apply to newborn offspring before they are weaned.

SECTIONS 6-10. Reserved.

ARTICLE II. Penalty; Savings and Severability

Section 1. Violation/Penalty.

Any violation of any provision of this Ordinance constitutes a misdemeanor and upon conviction thereof is subject to a fine of up to \$200.00 per day or as otherwise provided by a court of competent jurisdiction. Each and every day a violation continues constitutes a separate offense.

Section 2. Savings and severability.

(a) The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinances are hereby expressly repealed to the extent of any such inconsistency or conflict.

(b) If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Coahoma hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.





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