ORDINANCE # 2001 – 04

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND PROMOTE THE PUBLIC WELFARE OF THE CITY OF WELLS, TEXAS, BY ESTABLISHING A POLICY REGARDING THE KEEPING OF LIVESTOCK WITHIN THE CITY LIMITS.

SECTION I. It shall be unlawful for any person to keep, possess, own, control, use or otherwise exercise dominion over any livestock (horses, donkeys, burros, mules, ginnies, goats, cattle, sheep, etc.) within the city limits at any place that does not provide sufficient space for said livestock. Sufficient space is defined as being at least one half (1/2) acre per animal. The space provided for said animals must be no less than two hundred (200) feet from the nearest private residence or dwelling to which the owner or keeper of the animal or animals has no right of occupancy.

SECTION II. For any activity permitted by this regulation it shall be the duty of any person or other entity feeding, breeding, keeping, maintaining or harboring any livestock to keep the enclosure for such animals in a clean and sanitary condition.

SECTION III. 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 thereby shall remain in full force and effect.

SECTION IV. This ordinance shall not preempt the keeping of livestock in a pen or other enclosure maintained in a sanitary condition, which does not meet the other requirements stipulated in this ordinance if:

1. The pen or enclosure was in existence within the city limits on the effective date of this ordinance;
2. The livestock is being kept or maintained within the City limits on a temporary basis not to exceed ten (10) consecutive days and not to exceed ten (10) days within any calendar month;
3. The pen or enclosure contains livestock maintained for school related FFA projects or during any fair or stock show held in compliance with all applicable City ordinances and state laws.

SECTION V. Any person or entity violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed $500.00 for each conviction. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall become effective upon its publication in the newspaper.

PASSED AND APPROVED this 13th day of August, 2001.

Mayor

ATTEST:

City Secretary