

ORDINANCE 2021- 01A

AN ORDINANCE OF THE CITY OF KENEFICK, TEXAS, PROVIDING RULES AND REGULATIONS FOR THE KEEPING AND HOUSING OF SWINE, HOGS, AND PIGS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Kenefick, Texas, ("City") desires to regulate the keeping and housing of swine, hogs, and pigs; and

WHEREAS, the City Council find that such regulations are for the betterment of the City and promote the health and safety of the general public by reducing nuisances in the form of noise and odor;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENEFICK, TEXAS:

Section 1. The facts and recitations found in the preamble to this ordinance are true and correct and incorporated herein for all purposes.

Section 2.

(a) Except as provided for in subsection (b), it shall be unlawful for any person to keep or house more than two (2) swine, hogs, or pigs within the territorial limits of the City of Kenefick. All swine, hogs, or pigs shall be contained in a secure, clean enclosure at least 360 feet from any residential structure of another property owner.

(b) More than two (2) swine, hogs, or pigs may be kept or housed if such animal is being kept or housed temporarily as part of a sanctioned school program as long as such animals are kept in clean and sanitary conditions as to prevent a nuisance.

Section 3. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). If such rule, ordinance, or police regulation governs fire safety or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00). If such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

Section 4. Severability. the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the

city council of the City of Kenefick, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. *Repeal.* All ordinance or parts of ordinances in conflict herewith shall be and are hereby repealed only to the extent of such conflict.


Section 6. *Effective Date.* This Ordinance shall become effective immediately and enforceable when published as required by law.

PASSED, APPROVED, and ADOPTED this, the 22nd day of March, 2021.



Martin Wells, Mayor

ATTEST:


Marlene Clanton, City Secretary

