

CITY OF HASLET

ORDINANCE NO. 013-2019

AN ORDINANCE OF THE CITY OF HASLET, TEXAS AMENDING ARTICLE 2.05(6) OF CHAPTER 2 “ANIMAL CONTROL” OF THE HASLET CODE OF ORDINANCES LIMITING THE NUMBER OF LARGE AND SMALL GRAZING ANIMALS, AND AMENDING THE REGULATIONS REGARDING GRAZING ANIMALS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haslet, Texas, is a Type A general-law municipality located in Tarrant and Denton Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council has previously adopted regulations concerning animal control in the City, codified as Chapter 2 “Animal Control” in the Haslet Code of Ordinances; and

WHEREAS, the City Council has determined that it is necessary and advisable to amend portions of the existing animal control regulations regarding the number of large and small grazing animals which shall be permitted in the City, the method of calculation of the number of grazing animals, and requiring a manure management plan for grazing animals in certain circumstances, in order to promote public health and safety and the general welfare of the citizens of the City.

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

SECTION 1.

That subsection (6) “Limitation on grazing animals” of Article 2.05 “Animal Nuisances” of Chapter 2 “Animal Control” of the Haslet Code of Ordinances is hereby amended to read as follows:

...

“(6) Limitation on grazing animals.

(A) It shall be unlawful to keep or harbor any large or small grazing animal on any lot or tract with a total area of less than one (1) acre.

(B) For a lot or tract with a total area of one (1) acre or more, the limitation on the number of grazing animals permitted shall be:

Large Grazing Animals: Two (2) per acre

Small Grazing Animals: Four (4) per acre

For calculation of the number of animals, a lot or tract of one (1) acre or more but less than two (2) acres, may keep or harbor two (2) large grazing animals or four (4) small grazing animals. A lot or tract of two (2) acres or more but less than three (3) acres, may keep or harbor four (4) large grazing animals or eight (8) small grazing animals, and so forth.

(C) It shall be unlawful to keep any grazing animal in the city other than those large grazing animals and small grazing animals defined in Article 2.01.

(D) If offspring are produced which increases the total number of grazing animals in excess of the numbers shown above, the owner shall have up to one year to wean and dispose of the offspring or to otherwise bring the total number of animals back into compliance with this article.

(E) Grazing animals shall be kept in a sanitary manner and in compliance with the nuisance standards set forth in this article. For any lot or tract of less than two (2) acres where grazing animals are kept or harbored, before grazing animals are allowed, the property owner or animal owner shall prepare and submit for approval to the City Code Enforcement Officer a manure management plan which demonstrates how all manure and animal waste from the grazing animals will be disposed of:

- (1) by burial at least six (6) inches below the surface of the ground;
- (2) by placing it in a disposable container, sealing the container and disposing it as household garbage; or
- (3) by depositing in a suitable manure storage bin with a fly-tight lid, which bin shall be cleaned out and disinfected at least once a week. Manure from containers shall not be left in open stacks but shall be removed or buried.

(F) The owner of the grazing animal(s) shall be responsible to install and maintain fencing adequate to restrain the grazing animal(s).

The remaining subsections of Article 2.05 are not amended hereby and remain in full force and effect.

SECTION 2.

This ordinance shall be cumulative of all provisions of the City of Haslet, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause,

sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not effect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

All rights and remedies of the City of Haslet are expressly saved as to any and all violations of the provisions of any ordinances regulating animal control that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

The City Secretary of the City of Haslet is directed to publish the caption, penalty clause, publication clause, and effective date of this Ordinance in the official newspaper of the City of Haslet, Texas, as authorized by Section 52.011 of the Texas Local Government Code.

SECTION 7.

This ordinance shall be in full force and effect on January 1, 2020, and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 15TH DAY OF JULY, 2019.

Bob Golden

BOB GOLDEN, MAYOR

ATTEST:

Dianna Buchanan
DIANNA BUCHANAN, TRMC, CITY SECRETARY

