

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROHIBITING THE KEEPING OF MORE THAN THREE (3) ADULT DOGS AND ONE (1) LITTER WITHIN THE CITY; BY FURTHER LIMITING THE TOTAL NUMBER OF DOGS, WHETHER ADULT OR PUPPIES, THAT MAY BE KEPT WITHIN THE CITY TO NOT MORE THAN TEN (10) DOGS; BY PROVIDING DEFINITIONS; BY PROVIDING EXCEPTIONS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200) AND DECLARING AN EMERGENCY.

WHEREAS, the increasing urbanization of the City of Mesquite makes the keeping of an unlimited number of dogs within the City incompatible with living in a metropolitan area; and

WHEREAS, the keeping of an unlimited number of dogs within the City constitutes an impairment to the enjoyment of property by large numbers of the citizens of the City of Mesquite; and

WHEREAS, the keeping of an unlimited number of dogs within the City constitutes a hazard to the health and welfare of its inhabitants.

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

SECTION 1. DEFINITIONS

For the purpose of this ordinance the following words shall have the meanings below expressed:

- A. DOGS - Any animal of whatever size or description that is generally categorized as belonging to the canine family.
- B. ADULT DOGS - Any animal as defined in "A" above which is more than six (6) months of age.
- C. PUPPIES - Any animal as defined in "A" above that is less than six (6) months of age.
- D. LITTER - One or more puppies under six months of age.
- E. KEPT WITHIN THE CITY - The harboring or owning of dogs, they being permanently located or living at any location within the City regardless of where situated.

SECTION 2. KEEPING DOGS PROHIBITED

THAT it shall be unlawful for any person to keep within the City Limits of the City of Mesquite more than three (3) adult dogs and one (1) litter; that it shall further be unlawful for any person to keep within the City more than ten (10) dogs, regardless of whether such dogs are adults or puppies within the meaning of this ordinance.

SECTION 3. EXCEPTIONS

THAT the provisions of this ordinance shall not be applicable to any properly zoned veterinarian hospital, veterinarian clinic, kennel, or place of scientific research.

SECTION 4. SEVERABILITY

THAT it is the intent of the City Council of City of Mesquite, Texas, that the provisions of this ordinance be deemed severable and in the event any such provision be deemed invalid or unconstitutional for any reason, such invalidity or unconstitutionality shall not affect the provisions of this ordinance or any other ordinance of the City of Mesquite left standing.

SECTION 5. PENALTY

THAT any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction therefor shall be fined in an amount not to exceed Two Hundred Dollars (\$200.00).

SECTION 6. EMERGENCY

THAT the present ordinances of the City of Mesquite, Texas, are inadequate to regulate the number of dogs that may be kept within the City, constitutes an urgency and emergency in the interest of the public health, safety and welfare and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its title as the law in such cases permits.

PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on this the 1 day of June, 1970.

ATTEST:

Norma G. McLaughy
Norma G. McLaughy
City Secretary

George Boyce
George Boyce
Mayor

APPROVED AS TO FORM:

William Springfield
William Springfield
City Attorney