

ORDINANCE NO. 1834

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,
REGULATING THE KEEPING OF FARM ANIMALS WITHIN
THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE;
PROVIDING FOR A PENALTY NOT TO EXCEED TWO
HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE;
AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 7 of the Code of the City of
Mesquite is hereby amended by adding a new Section 4-7.1, in
all other respects to remain in full force and effect.

Section 4-7.1 Nuisance. In addition to the foregoing
Section 4-5, 4-6 and 4-7 and cumulative thereof, it is expressly
provided that it shall be unlawful to keep or maintain any animal
in the City in such a manner as to create a nuisance by reason of
excessive noise, odors, flies, disease or such unsightly appearance
of animals or premises as to render habitation of adjoining and
nearby property unpleasant or unsafe or to substantially lower
property values in the City. Where the keeping of animals is
expressly permitted by this chapter, such animals must be kept
in compliance with this section, taking into consideration the
location on the premises where such animals are kept, the
facilities provided for such animals and the view presented.

Where necessary to prevent the existence of a nuisance, a
keeper of animals may be required to provide proper and sightly
facilities for animals, including pens, shelter and fencing,
including solid fencing for screening purposes and may be required
to limit the portion of the premises where animals are kept to a
portion of such premises such as the rear yard or a portion thereof,
providing a buffer between animals and other property to the extent
necessary to prevent a nuisance hereunder.

SECTION 2. Should any word, phrase, sentence, paragraph or
section of this ordinance be held to be invalid or unconstitutional
the remaining provisions of this ordinance shall remain in full
force and effect.

SECTION 3. Any person, firm, or corporation violating any of
the provisions of this ordinance shall be deemed to be guilty of a
misdemeanor and upon conviction in the Municipal Court shall be
subject to a fine not to exceed Two Hundred Dollars (\$200.00) for
each offense.

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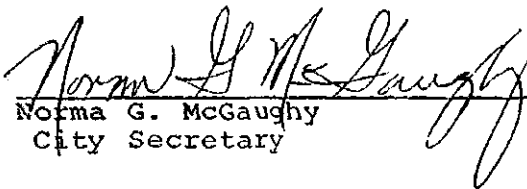
SECTION 4. The fact that the Code of the City of Mesquite does not adequately regulate the keeping of farm animals within the City creates an urgency and an emergency and requires that this ordinance shall take effect immediately from its passage and publication as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of November, A.D., 1982.


LEN GIBBENS
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney