

ORDINANCE NO. 2733

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 4, ARTICLE II OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTIONS 4-31 AND 4-32, AND AMENDING SECTION 4-33, THEREBY DELETING PROVISIONS RELATING TO PERMITTED NUMBER AND LOCATION OF LIVESTOCK; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, regulations pertaining to the number and location of livestock that may be kept in the City have been included in the Comprehensive Zoning Ordinance; and

WHEREAS, portions of Chapter 4, Article II of the Code of the City of Mesquite conflict with the provisions of the Zoning Ordinance.

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

SECTION 1. That Chapter 4, Article II of the Code of the City of Mesquite is hereby amended by deleting Sections 4-31 and 4-32 in their entirety and amending Section 4-33 to read as follows, said Code and Chapter in all other respects to remain in full force and effect:

Sec. 4-33. Standards of sanitation for pens and enclosures.

All pens and enclosures used for the keeping of livestock, as defined in the Mesquite Zoning Ordinance, shall be maintained and kept in such a manner as not to become offensive or disagreeable by reason of odors or otherwise to persons residing in the vicinity thereof nor shall they be maintained or kept in a manner that will breed flies or in any manner cause any injury to the health of the public or any person residing in the vicinity of the pen or enclosure.

SECTION 2. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Mesquite Zoning Ordinance as a whole.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Mesquite Zoning Ordinance as amended, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 4. That the present ordinances of the City of Mesquite do not provide adequate standards for the keeping of livestock, creates an urgency and emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of April, 1991.



George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:



Lynn Prugel  
City Secretary



B.J. Smith  
City Attorney