

ORDINANCE NO. 2015-07

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 3 (ENTITLED "ANIMALS AND FOWL") SECTION 3-21 (ENTITLED "SANITARY REQUIREMENTS") BY REPLACING THE EXISTING LANGUAGE IN SUBSECTION (a) ITS ENTIRETY; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, City code of ordinance section 3-21 (a) provides for minimum sanitary standards for pens, enclosures, or fenced or unfenced yards located within the city's corporate limits in which any animal or fowl is kept; and,

WHEREAS, the Police Department has recommended that subsection (a) be amended.

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

SECTION 1.

That Section 3-21 (entitled "Sanitary requirements") of the City's Code of Ordinances is hereby amended by replacing the existing language in its entirety with the language that follows:

- (a) *All pens, enclosures, or fenced or unfenced yards located within the city's corporate limits in which any animal or fowl are kept shall be maintained and kept in such condition as not to become unsanitary, offensive, or disagreeable to persons residing in the vicinity thereof. For the purposes of this section an unsanitary, offensive or disagreeable condition occur when the failure to maintain any pen, enclosure, or fenced or unfenced yards causes the pen, enclosure, or fenced or unfenced yard to become:*
- (i) *a breeding place for flies; or*
 - (ii) *a place that may become a risk to the health and safety of any person working or residing in the vicinity of the pen, enclosure, or fenced or unfenced yard; or*
 - (iii) *a place that produces odors that would disturb the reasonable sensibilities of any person working or residing in the vicinity of the pen, enclosure, or fenced or unfenced yard.*

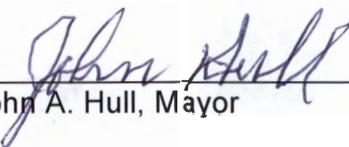
SECTION 2.

That should any section, clause, or provision of the Animals and Fowl Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 3.

That this ordinance shall go into effect immediately upon its adoption and approval by City Council, and publication, as required by law.

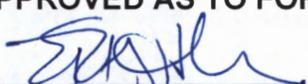
PASSED, APPROVED AND ADOPTED this 10th day of February 2015, at a regular meeting of the City Council of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code* §551.001, et.seq., at which meeting a quorum was present and voting.



John A. Hull, Mayor

ATTEST:


Mariela Altott, City Secretary

APPROVED AS TO FORM:


Denton, Navarro, Rocha
& Bernal, Hyde & Zech, P.C., City Attorney

