

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES RELATING TO SECTION 14-5 OF CHAPTER 14 “ANIMALS”, ARTICLE I (IN GENERAL); PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 14 of the Bay City Code of Ordinances regulates certain animals, and declares certain animal care practices to be nuisances; and

**WHEREAS**, this ordinance amends Article I of Chapter 14 to clarify the maximum number of swine to be kept by any person in the City of Bay City;

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

1. That Section 14-5, Chapter 14, Article I of the City Code of Ordinances is hereby amended by adding the bold and underlined text as follows:

Sec. 14-5. - Prohibited animals.

(a) It shall be unlawful and a public nuisance for any person to place or keep upon any premises situated within the corporate limits of the city:

(1) Swine, except **two or fewer** domesticated pot belly pigs; or

(2) Any receptacle similar to a pigeon roost designed or used for roosting or collecting pigeons, unless the pigeons are completely penned.

(b) It shall be unlawful and a public nuisance for any person to place or keep upon any premises situated within the corporate limits of the city any receptacle similar to a pigeon roost designed or used for roosting or collecting pigeons, unless the pigeons are completely penned.

2. That all ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

3. That it is the intention of the City Council that this ordinance shall become a part of the Code of the City of Bay City, Texas, and it may be renumbered and codified therein accordingly, in the manner approved by the City Attorney. The Code of the City of Bay City, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

4. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor. In addition to any other remedy provided by law, the City and its officers shall have the right to enjoin any violation of this ordinance by injunction or civil remedy issued by a court of competent jurisdiction.

5. That the City Secretary shall publish the caption or a descriptive title of this ordinance one time within 10 days after final passage of the ordinance in a newspaper of general circulation in the City of Bay City.

6. That if any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect

without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

7. That the provisions of this ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Bay City, Texas.

**PASSED AND APPROVED** on this 6<sup>th</sup> day of December, 2022.

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Robert K. Nelson, Mayor  
City of Bay City, Texas

ATTEST:

APPROVED AS TO FORM:

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Jeanna Thompson, City Secretary  
City of Bay City, Texas

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Anne Marie Odefey, City Attorney

<b><u>Council Member:</u></b>	<b><u>Voted Aye</u></b>	<b><u>Voted No</u></b>	<b><u>Absent</u></b>
Robert K. Nelson Mayor	_____	_____	_____
Floyce Brown	_____	_____	_____
Jim Folse Mayor Pro Tem	_____	_____	_____
Brad Westmoreland	_____	_____	_____
Becca Sitz	_____	_____	_____
Blayne Finlay	_____	_____	_____