

Sec. 2.05.006 Keeping of livestock, goats, fowl, hogs or swine

(a) The keeping of livestock shall be permitted in “A” agriculture zoning districts and in areas primarily used for agriculture purposes, with the exception of the following limitations.

(b) Goats. The keeping of goats shall be permitted in “R-1L” single family residential - large lots zoning districts and in “A” agriculture zoning districts subject to the following requirements:

(1) In “R-1L” zoning district, lots must be a minimum of one (1) acre, and only two (2) goats are permitted per acre.

(2) In “A” zoning districts, lots must be a minimum of two (2) acres, and only four (4) goats are permitted per acre.

(C) Fowl. (1) For the purpose of this division (C), fowl shall be limited to female chickens (hens).

(2) This division does not apply if the land upon which the animals are maintained is zoned "A - Agricultural".

(3) A person commits an offense if the person knowingly:

(a) Keeps or maintains a rooster;

(b) Keeps or maintains more than six fowl;

(c) Keeps or maintains fowl in an inadequate fowl shelter, including the fenced run, at a distance closer than 25 feet of an occupied building of a person other than the owner;

(d) Fails to provide an adequate fowl shelter as defined in § 2.05.005;

(e) Keeps or maintains fowl in the front yard area;

(f) Fails to provide fowl with fresh, clean water and food;

(g) Fails to store fowl feed in secure containers protected from rodents, insects and other animals;

(h) Slaughters fowl within the city limits;

(i) Fails to keep or maintain fowl within a fowl shelter, pen, coop or hutch as defined in § 2.05.005. A fenced yard shall not qualify as a pen, coop or hutch;

(j) Sells eggs for profit. Any eggs produced by fowl permitted under this section shall be for personal use only;

(k) Fails to allow an animal control officer to inspect the fowl shelter, pen, coop, or hutch and related premises.

(D) The owner or person in possession of animals shall keep yards, pens, coops, and enclosures in which these animals are confined in such a manner so as not to give off odors offensive to persons of ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes, or other noxious insects, or in any manner to endanger the public health or safety, or create a public nuisance. All persons keeping these animals shall comply with the following sanitary regulations: manure and droppings shall be removed from pens, yards, cages and other enclosures daily, and handled or disposed of in such manner as to keep the premises free of any nuisance.

(E) The slaughter of livestock shall be prohibited within the city limits unless performed by a licensed professional at a rendering or meat processing facility.

(F) It is an exception to this section that:

(1) The animal or structure was at a veterinary clinic or hospital, pet store, feed store, farm store, school building, or any similar establishment properly zoned for keeping these animals;

(2) The structure, pen, corral or other enclosure was in existence at the time the premises on which it is located were annexed by the city. However, if the ownership or primary use of the premises changes, this exception shall not apply;

(3) The structure, pen, corral or other enclosure was in existence prior to the time a habitation was erected on another's property; or

(4) The livestock was purchased and housed prior to January 1, 2005.

(d) Hogs and swine. It shall be unlawful for any person other than a veterinarian to keep any live hogs or swine within the city limits, except in the hereinafter-named location(s), for a period longer than twenty-four (24) hours:

(1) The campus and grounds of Joshua Independent School District.

(e) All hog pens, barns, stables and other facilities housing livestock shall meet the requirements of the city building code, zoning ordinance, and the general design standards, specifications, and operating procedures for animal establishments.

(f) Unless specifically provided for herein, only one (1) head of livestock is permitted per one (1) acre of land.

(g) It shall be a defense to prosecution regarding the number of livestock being kept, that the same livestock in question were being kept on the same premises, by the owner of the livestock, prior to the adoption of this section. Notwithstanding the foregoing, at such time as the livestock on the

property dies or is otherwise disposed of by the owner, it may not be replaced until such time as the livestock meets the requirements set forth herein and then only may be replaced to the extent such number and kind is in conformance with this section.

(h) It shall be a defense to prosecution that the person keeping the livestock is a student, is a member of the local FFA Club and has been issued a temporary permit by the animal control officer Supervisor, who shall have the discretion to issue said permit upon proper documentation provided by the student and/or teacher.