

ORDINANCE NO. 14-440

AN ORDINANCE AMENDING CHAPTER 3, ANIMALS, OF THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING ARTICLE II, DOGS AND CATS, OF DIVISION 1, IN GENERAL, TO AMEND THE DEFINITION OF *AT LARGE* TO INCLUDE CARETAKERS; AMENDING SECTION 3-29, MAXIMUM NUMBER TO BE KEPT, OF DIVISION 1, IN GENERAL, BY DELETING SECTION 3-29 AND SUBSTITUTING IN ITS PLACE A NEW SECTION 3-29; AMENDING DIVISION 2, LICENSE, OF ARTICLE II, DOGS AND CATS, BY DELETING DIVISION 2, LICENSE, IN ITS ENTIRETY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A PENALTY OF NOT LESS THAN \$25.00 AND NOT MORE THAN \$500.00 FOR ANY VIOLATION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Bunker Hill Village, Texas finds that it is in the best interest of the health, safety and welfare of its citizens to clarify the City's regulations regarding the number of dogs and cats that may be kept in the City; and

WHEREAS, the City Council further finds it in the best interest of the health, safety and welfare of its citizens to remove the licensing requirements related to dogs and cats in the City; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS:

Section 1. The facts and matters contained in the preamble are hereby found to be true and correct and are incorporated herein as if set forth at length.

Section 2. The Code of Ordinances of the City of Bunker Hill Village, Texas is hereby amended by adding to Section 3-21, Definitions, of Division 1, Generally, of Article II, Dogs and Cats, of Chapter 3, Animals, the language underscored below, with the new definition to read as follows:

“At large means off the premises of the owner, and not under the control of the owner or a member of his immediate family, or an individual designated by the owner as a caretaker, either by leash, cord or chain.”

Section 3. The Code of Ordinances of the City of Bunker Hill Village, Texas is hereby amended by deleting Section 3-29, Maximum Number to be Kept, of Division 1, Generally, of Article II, Dogs and Cats, of Chapter 3, Animals, in its entirety and adding thereto a new Section 3-29 to read as follows:

“Sec. 3-29. Maximum number to be kept.

~~No person shall harbor, at any time, more than three (3) dogs or cats over the age of six (6) months each in any place in the city within one hundred fifty (150) feet of any dwelling house in use and occupied by human beings other than the dwelling house of the owner of such dogs or cats.~~

- (a) It shall be unlawful for a person to possess or keep at any one location, including in any one building, residential dwelling, or on any one lot, more than:
- (1) Four dogs over four months of age;
 - (2) Four cats over four months of age;
 - (3) A combination of four dogs and cats over four months of age;
 - (4) One litter not over four months of age from any dog, cat, or other household pet.”

Section 4. The Code of Ordinances of the City of Bunker Hill Village, Texas is hereby amended by deleting Division 2, License, of Article II, Dogs and Cats, of Chapter 3, Animals, in its entirety.

Section 5. Repeal. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 6. Penalty. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not less than

twenty-five dollars (\$25.00) and not to exceed five-hundred dollars (\$500.00).

Section 7. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bunker Hill Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 16th day of September, 2014.



Jay Williams
Mayor

ATTEST:



Kelly Johnson
City Secretary