

AN ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, ADDING PROVISIONS RELATED TO MINIATURE SWINE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code;

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

SECTION I. That Chapter 6, Articles I and VI of the City of Killeen Code of Ordinances are hereby amended to read as follows:

Chapter 6 Animals

ARTICLE I. IN GENERAL

Sec. 6-4. Definitions.

Livestock means or includes, but [is] not limited to, domesticated animals raised for typically kept to provide food or fiber or perform work, whether or not they actually provide these functions, including, but not limited to, regardless of age, sex, or breed: horses, consisting of all equine species including ponies, mules, donkeys, jackasses, and burros; cattle, consisting of all bovine species; sheep, consisting of all ovine species; llamas and alpacas; goats, consisting of all caprine species; rabbits kept primarily outdoors or raised as a food or fiber source; chickens, ducks, ostriches, emus, and other fowl; and pigs or hogs, consisting of all swine species, excluding miniature swine.

Miniature swine means any member of the swine family which has, through selective breeding, been genetically manipulated to attain a maximum height of 20 inches, from the feet to the shoulders, and a maximum weight of 200 pounds, except as otherwise indicated in Section 6-158.

Swine means any of the ungulate mammals of the family Suidae, including the pig, hog, and boar, and excluding the Vietnamese pot-bellied pig miniature swine.

ARTICLE VI. TRAPPING, WILD ANIMALS, AND LIVESTOCK

DIVISION 3 LIVESTOCK, FOWL AND SWINE

Sec. 6-158. Miniature Swine.

Miniature swine may be kept as pets in the City of Killeen. The following requirements shall apply to the keeping of miniature swine.

- (a) There shall be a maximum of two (2) miniature swine per household or business. The swine may be of any age.
- (b) All miniature swine must be either spayed/neutered in compliance with section 6-63. The owner of such animal must retain documentation of the spay/neuter of their animal. Under no circumstances may a person engage in the propagation or breeding of miniature swine within the Killeen city limits.
- (c) It shall be unlawful for any person to keep or maintain miniature swine outdoors. A person may permit miniature swine outdoors for brief periods (but not to exceed one (1) hour per occurrence) as necessary for exercise or for the elimination of waste. The outdoor area used for exercise and waste elimination must be a secure area from which the miniature swine may not escape.
- (d) It shall be unlawful for any person to keep or maintain miniature swine unless the swine have received annual vaccinations against erysipelas, parvo virus, and Leptospirosis. The first inoculations for such diseases must be received before the animal is four (4) months of age.
- (e) It shall be unlawful to allow the miniature swine to drink water from, or have access to, or enter into any public body of water, including a creek, stream, or lake, within the Killeen city limits.
- (f) All miniature swine kept within the corporate city limits must be microchipped in compliance with section 6-62.

(g) All areas where miniature swine are located shall be kept in a clean and sanitary condition. Exercise areas shall be cleaned of swine excrement on a daily basis.

(h) It shall be unlawful for any person to keep or maintain miniature swine over 200 pounds within the city limits in an R-1 residential zone or over 100 pounds in a first floor multi-family unit.

SECTION II. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

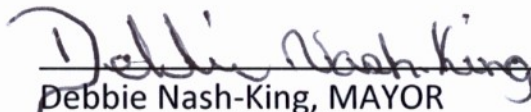
SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

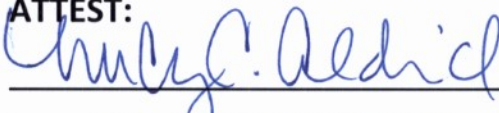
SECTION V. That this ordinance shall be effective on May 11, 2022, after its passages and publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 10th day of May 2022, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED



Debbie Nash-King, MAYOR

ATTEST:


Lucy Aldrich, CITY SECRETARY

Lucy Aldrich, CITY SECRETARY

APPROVED AS TO FORM:


Traci S. Briggs, CITY ATTORNEY

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CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: May 10, 2022
TO: Kent Cagle, City Manager
FROM: Danielle Singh, Assistant City Manager
SUBJECT: Consider an ordinance amending the Code of Ordinances Chapter 6 Animals, adopting miniature swine regulations

BACKGROUND AND FINDINGS:

Chapter 6 of the Code of Ordinances prohibits pigs in the City limits, unless on property zoned agricultural-open space or agricultural-residential. At the April 12, 2022 City Council meeting a citizen's petition was made requesting an amendment of the Chapter 6 Ordinance to allow miniature swine within the City limits.

Miniature pigs are bred specifically to attain a maximum height of 20 inches at the shoulder and a maximum weight of 150 pounds. They are very intelligent and can be housetrained, trained to walk on a leash, and respond to basic commands much like a dog. Their average life span is 15-18 years.

In order to amend the Chapter 6 Ordinance to allow miniature swine within the City limits for properties zoned other than agricultural-open space or agricultural-residential, the following changes would be added:

1. Maximum weight of 150 pounds and maximum height of 20 inches at the shoulder
2. Maximum of two miniature swine allowed per household or business
3. All miniature swine must be either spayed or neutered; no propagation or breeding of miniature swine
4. Must be vaccinated and microchipped
5. Excrement cleared daily to meet sanitary requirements
6. Miniature swine are permitted outdoors in a secure area for exercise and elimination only, not to exceed one hour per occurrence

If the ordinance amendment is approved, specialized equipment will be needed to ensure the safety of personnel and the animal(s) when handling/transportation of miniature swine is required. One truck will need to be outfitted with a mechanical lift and a steel cage specifically to be used for swine.

THE ALTERNATIVES CONSIDERED:

1. Do not approve the amendment to Chapter 6 of the Code of Ordinances.
2. Approve the amendment to Chapter 6 of the Code of Ordinances, with revisions.
3. Approve the amendment to Chapter 6 of the Code of Ordinances as drafted.

Which alternative is recommended? Why?

Staff recommends that the City Council consider the ordinance request.

CONFORMITY TO CITY POLICY:

This item complies with all applicable policies.

FINANCIAL IMPACT:**What is the amount of the expenditure in the current fiscal year? For future years?**

This action does not authorize any expenditure of funds. Specialized equipment will need to be considered during upcoming fleet purchases.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Staff recommends that City Council consider the amendment to Chapter 6 of the Code of Ordinances.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance