

ORDINANCE NO. 2019-O-197

AN ORDINANCE OF THE CITY OF LAREDO TEXAS, AMENDING CHAPTER 6 "ANIMALS AND FOWL," OF THE CODE OF ORDINANCES, SPECIFICALLY SECTIONS 6-1 (DEFINITIONS) AND 6-61 (KEEPING RESTRICTED) ALLOWING FOR A PERSON TO KEEP, HARBOR, HOUSE, CORRAL OR OTHERWISE MAINTAIN PIGS WITHIN THE CITY LIMITS PURSUANT TO A SPECIAL PERMIT FOR BONA FIDE EDUCATIONAL PURPOSES WHEN SPONSORED BY A LICENSED EDUCATIONAL INSTITUTION OR AUTHORITY; ADDING A NEW SECTION 6-69 PROVIDING FOR REGULATIONS PERTAINING TO KEEPING OF PROJECT ANIMALS, LIVESTOCK OR FOWL BY SCHOOL CHILDREN FOR EDUCATIONAL PURPOSES WHEN SPONSORED BY A LICENSED EDUCATIONAL INSTITUTION OR AUTHORITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Laredo is a municipal corporation organized under the Constitution and the laws of the State of Texas and exercises the powers granted by the City's Charter and the provisions of Article XI, Section 5 of the Texas Constitution; and

WHEREAS, Section 6-61 of the Laredo Code of Ordinances prohibits keeping, harboring, housing, corralling or maintaining swine at all times within the city limits; and

WHEREAS, the City Council desires to authorize the keeping of pigs within city limits pursuant to a special permit for educational purposes only; and

WHEREAS, the City Council finds it to be in the best interest of the health, safety and welfare of the community to revise the language of the current ordinance to allow for the keeping of pigs within city limits pursuant to a special permit for educational purposes only when sponsored by a licensed educational institution or authority, and to provide for regulations pertaining to the keeping of project animals, livestock or fowl by school children for educational purposes.

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

Section 1. The City of Laredo Code of Ordinances, Chapter 6, Article I, Section 6-1, Definitions, is hereby amended to hereafter read as follows:

...

Large livestock: [~~Horses, Shetland ponies, mules, donkeys, ponies, cattle, goats, sheep and other similar animals regardless of age, sex or breed, but specifically excluding swine]~~ Regardless of age, sex, or breed, horses, consisting of all equine species including mules, donkeys, and ponies; cattle, consisting of all bovine species; sheep, consisting of all ovine species; goats, consisting of all caprine species; and pigs, consisting of all swine species.

...

Section 2. The City of Laredo Code of Ordinances, Chapter 6, Article IV, Section 6-61, Keeping Restricted, is hereby amended to hereafter read as follows:

Sec. 6-61. - Keeping restricted.

It shall be unlawful for any person to keep, harbor, house, corral or otherwise maintain within the city limits, any large livestock, other than pigs, except in agriculturally zoned areas of the city or as hereinafter provided. The keeping, harboring, housing, corralling or maintaining of wild animals is prohibited at all times, except as hereinafter provided. The keeping, harboring, housing, corralling or maintaining of ~~[swine]~~ pigs is prohibited at all times within the city limits, except pursuant to a special permit issued by the director for a bona fide educational purpose when sponsored by a licensed educational institution or authority.

Section 3. The City of Laredo Code of Ordinances, Chapter 6, Article IV, is hereby amended by adding a new Section 6-69 entitled "Keeping of project animals, livestock or fowl by school children" to hereafter read as follows:

Sec. 6-69. – Keeping of project animals, livestock or fowl by school children

(a) School-age children enrolled in a public or private school which offers FFA/4-H programs, in which class participants are required or allowed to raise project animals, livestock or fowl for show or profit purposes, may apply for a special permit to keep certain prohibited animals, livestock or fowl for the school project. Those students are required to:

(1) Apply for an annual special permit for educational purposes;

(2) Pay the annual permit fee;

(3) Show proof of enrollment in one of the listed school programs;

(4) Agree to comply with the cleanliness, sanitation, and other requirements of this article and the Texas Health and Safety Code;

(5) Obtain approval, in writing, of all adjacent and across the road property owners;

(6) Allow inspection by department staff of the project animal, livestock, or fowl; pens; facilities; and property before issuance of the special permit.

(b) Failure to comply with any of the requirements of this section will disallow the issuance of the necessary permit. Permits are non-transferable and are revoked upon either graduation from high school, dropping the class, or nonattendance by the student.

Section 4. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

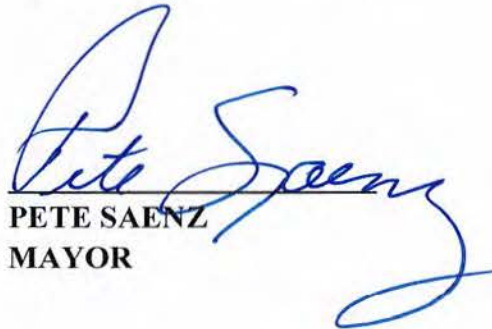
Section 5. It is hereby declared to be the intention of the City Council that the phrases, clauses,

sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

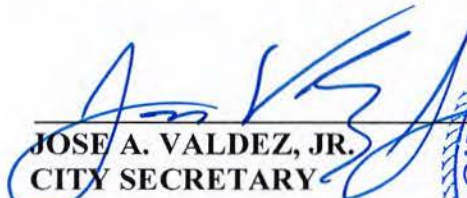
Section 6. The publishers of the City Code of Laredo, Texas are authorized to amend said code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.


Section 7. This Ordinance shall become effective immediately upon passage.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
18 DAY OF November 2019.


PETE SAENZ
MAYOR

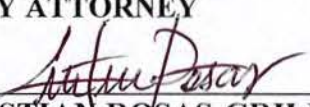
ATTESTED:


JOSE A. VALDEZ, JR.
CITY SECRETARY



APPROVED AS TO FORM:

KRISTINA K. LAUREL HALE
CITY ATTORNEY

BY: 
CRISTIAN ROSAS-GRILLET
ASSISTANT CITY ATTORNEY

City Council-Regular

Meeting Date: 11/18/2019

Staff Source: Cristian Rosas-Grillet, Assistant City Attorney

SUBJECT

2019-O-197 An Ordinance of the City of Laredo, Texas, amending Chapter 6 "Animals and Fowl," of the Code of Ordinances, specifically Sections 6-1 "Definitions" and 6-61 "Keeping Restricted" allowing for a person to keep, harbor, house, corral or otherwise maintain pigs within the city limits pursuant to a special permit for bona fide educational purposes when sponsored by a licensed educational institution or authority; adding a new Section 6-69 providing for regulations pertaining to keeping of project animals, livestock or fowl by school children for educational purposes when sponsored by a licensed educational institution or authority; providing a severability clause; providing a savings clause; and providing an effective date.

VENDOR INFORMATION FOR COMMITTEE AGENDA

n/a

PREVIOUS COUNCIL ACTION

On October 21, 2019, the City Council approved a motion to amend Chapter 6 of the Code of Ordinances to include pigs in the list of livestock that may be kept within City limits through issuance of a special permit when for educational purposes only.

On November 4, 2019, City Council introduced the ordinance.

BACKGROUND

Section 6-1 of the Laredo Code of Ordinances specifically excludes swine from the definition of Large Livestock. In addition, Section 6-61 of the Laredo Code of Ordinances prohibits the keeping, harboring, housing, corralling or maintaining of swine at all times within the city limits.

The proposed ordinance amendment authorizes the keeping of pigs within city limits pursuant to a special permit issued by the Animal Care Services Department director for a bona fide educational purpose when sponsored by a licensed educational institution or authority. School-age children enrolled in a school which offers FFA/4-H programs may apply for a special permit to keep certain prohibited animals, and must: (a) pay the annual permit fee, (b) show proof of enrollment in one of the listed school programs, (c) agree to comply with certain cleanliness and sanitation requirements, and (d) obtain approval, in writing, of all adjacent and across the road property

owners.

COMMITTEE RECOMMENDATION

N/A

STAFF RECOMMENDATION

Staff recommends that City Council approve this ordinance.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

Final Reading of Ordinance 2019-O-197
