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**CITY OF CORINTH, TEXAS
ORDINANCE NO. 24-04-18-20**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING SECTION 91.01, “DEFINITIONS,” AND SECTION 91.11, “WILD AND EXOTIC ANIMALS,” AND ADOPTING SECTIONS 91.14, “MULTIPLE PET OWNERSHIP,” AND 91.15 THROUGH 91.21, “LIVESTOCK, FOWL, AND SWINE,” OF CHAPTER 91, “ANIMALS” OF THE CORINTH CITY CODE OF ORDINANCES IN ITS ENTIRETY, TO INCORPORATE RELEVANT DEFINITIONS AND ESTABLISH REGULATIONS FOR THE OWNERSHIP OF EXOTIC AND LIVESTOCK ANIMALS WITHIN THE CITY OF CORINTH; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas its home rule charter; and

WHEREAS, the health, safety, and welfare of the citizens of the City of Corinth necessitates that regulations be in place for the control and enforcement of the keeping of animals and the keeping and maintaining of certain fowl, livestock and pot-bellied pigs within the city limits of Corinth; and

WHEREAS, the City of Corinth finds it necessary to amend and adopt an ordinance regulating the ownership, possession, confinement, or care of exotic and livestock animals;

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

**SECTION 1
INCORPORATION OF PREMISES**

The above and foregoing recitals constitute legislative findings of the City Council, are true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2
AMENDMENTS**

That Chapter 91, “Animals,” of the Code of Ordinances of the City of Corinth, Texas is hereby amended to adopt Section 91.01, “Definitions,” and Sections 91.11, “Wild and Exotic Animals,” and Sections 91.14, “Multiple Pet Ownership,” and 91.15 through 91.21, “Livestock, Fowl, and Swine,” which shall be and read in its entirety as follows and all other sections not expressly amended hereby shall remain in full force and effect:

“SECTION 91.01 – DEFINITIONS.

DANGEROUS WILD ANIMAL. Any mammal, amphibian, reptile, or fowl of a species that is wild by nature and that, because of its size, vicious nature, or other characteristics, is dangerous to human beings. Including but not limited to:

- (1) A lion;
- (2) A tiger;
- (3) An ocelot;
- (4) A cougar;

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- (5) A leopard;
- (6) A cheetah;
- (7) A jaguar;
- (8) A bobcat;
- (9) A lynx;
- (10) A serval;
- (11) A hyena;
- (12) A bear;
- (13) A coyote;
- (14) A jackal;
- (15) A baboon;
- (16) A chimpanzee;
- (17) An orangutan;
- (18) A gorilla; or
- (19) Any hybrid of an animal listed in this section.

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EXOTIC ANIMAL. Any animal not commonly domesticated by man and is not included in the definition of dangerous wild animal.

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LARGE FOWL. Large birds such as emus, ostriches, rheas, and other similar size birds.

LARGE LIVESTOCK. Animals such as horses, mules, cattle, ponies, llamas, alpacas, and other animal of the same approximate size and weight.

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POT-BELLIED PIG. A Breed of miniature pig meeting the standards established by the North American Potbelly Pig Association (“NAAPA”).

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SECURE ENCLOSURE. A fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children; and
- (3) Capable of preventing the escape or release of a dog; and
- (4) Clearly marked as containing a dangerous dog; and
- (5) In conformance with the requirements for enclosures established by the animal control officer.

SMALL FOWL. Birds commonly considered poultry and including, but not limited to chickens, ducks geese, guinea fowl, turkeys, pigeons, and other similar size birds. For purposes of this chapter, the term “small fowl” shall not include domestic pet birds.

SMALL LIVESTOCK. Animals such as goats, sheep, lambs, and animals of the same approximate size and weight.

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SWINE. A pig

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WILD ANIMAL. Includes all species of animals that commonly exist in a natural unconfined state, usually not domesticated, and any species of animal illegal to own under federal, state, or local law. This shall apply regardless of state or duration of captivity. The term shall

include but is not limited to foxes, panthers, wolves, alligators, crocodiles, apes, elephants, rhinoceroses, and all forms of poisonous or constricting reptiles, and other like animals.

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SECTION 91.11 – WILD AND EXOTIC ANIMALS; ~~ENDANGERED SPECIES~~; AND WILD DANGEROUS ANIMALS STRICTLY PROHIBITED.

It shall be an offense to keep, harbor, sell, transfer, convey or release an exotic animal, dangerous wild animal or poisonous snake or reptile. Rabies control of wild or exotic animals will be based on the Texas Health and Safety Code regulations.

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SECTION 91.14 – MULTIPLE PET OWNERSHIP

No person or family shall keep or harbor any combination of dogs, cats, or ferrets totaling more than four (4) animals at any one residential location. Puppies and kittens under four (4) months of age shall not be counted for purposes of this section.

- (A) It shall be an affirmative defense to prosecution under this subsection, any feral cat participating in a trap, neuter and return program.

SECTION 91.15 – LIVESTOCK; FOWL; AND SWINE.

A person commits an offense if the person keeps or cause to be kept, for any purpose whatever, any large or small livestock, any large or small fowl, or swine within the corporate limits of the city, except as provided in this article. Roosters are prohibited.

SECTION 91.16 – SMALL FOWL.

- (A) A person commits an offense if he keeps, harbors or maintains small fowl in the city other than on a premises classified by the uniform development code as agricultural or residential or otherwise maintains residential use. Small fowl shall be kept within pens, coops or hutches which meet the requirements of this section. A fenced yard shall not qualify as a pen, coop, or hutch for purposes of this section.
- (B) All pens, coops, or hutches for the keeping of small fowl shall be maintained a minimum of twenty-five (25) feet from any residence or commercial building, excluding the residence of the person keeping or harboring the small fowl.
- (C) A person who keeps, harbors or maintains small fowl in the city shall ensure that the animal(s) in their care or custody are treated humanely by, at a minimum, providing the small fowl with sufficient food, potable water, adequate shelter, and protection from weather. All pens, coops, hutches and exercise runs shall be completely enclosed.
- (D) On lots of one (1) acre or more, a person may keep no more than twenty-five (25) small fowl per acre.
- (E) On lots smaller than one (1) acre, a person may keep no more than six (6) small fowl per quarter acre.

SECTION 91.17 – LARGE FOWL.

- (A) A person commits an offense if he keeps, harbors or maintains large fowl in the city other than on a premises that is a minimum of one (1) acre and that is classified by the uniform development code as agricultural or residential or otherwise maintains a residential use. Large fowl shall be kept within a fence or other enclosure so as to prevent the large fowl from wandering in or upon or invading the premises of any other person.
- (B) All large fowl shall be maintained a minimum of fifty (50) feet from any residence or commercial building, excluding the residence of the person keeping or harboring the large fowl.

- (C) A person who keeps, harbors or maintains large fowl in the city shall ensure that the animal(s) in their care or custody are treated humanely by, at a minimum, providing the large fowl with sufficient food, potable water, adequate shelter, and protection from weather.
- (D) A person may keep no more than twelve (12) large fowl per acre.

SECTION 91.18 – LIVESTOCK.

- (A) A person commits an offense if he keeps, harbors or maintains any livestock in the city other than on a premises that is a minimum of one (1) acre and that is classified by the uniform development code as agricultural or residential or otherwise maintains a residential use. Livestock shall be kept within a fence or other enclosure so as to prevent the livestock from wandering in or upon or invading the premises of the other person.
- (B) All livestock shall be maintained a minimum of fifty (50) feet from any residence or commercial building, excluding the residence of the person keeping or harboring the livestock.
- (C) A person who keeps, harbors or maintains livestock in the city shall ensure that the animal(s) in their care or custody are treated humanely by, at a minimum, providing the livestock with sufficient food, potable water, adequate shelter, and protection from weather.
- (D) A person may keep no more than eight (8) small livestock per acre.
- (E) A person may keep no more than one (1) large livestock per acre for the first acre with a minimum of one-half acre required per additional head of large livestock.

SECTION 91.19 – LIVESTOCK; RUNNING AT LARGE; GRAZING; AND CONFINEMENT.

- (A) It shall be unlawful for the owner or keeper of livestock, fowl or swine to permit the same to run at large. The running at large of livestock, fowl or swine is hereby declared a nuisance.
- (B) It shall be unlawful for the owner or keeper of any livestock, fowl or swine to permit any such animal to graze upon or be unattended on any public street or thoroughfare within the city, or to permit the same to graze or go upon any public or private property within the city, except by permission of the owner or custodian of such private or public property.
- (C) If any livestock, fowl or swine is found upon the premises of any person without permission, the owner or occupant of such premises shall have the right to confine such animal until he can notify the police chief or other designated officer of the city. When so notified, such official shall cause such animal to be impounded.

SECTION 91.20 – SWINE.

- (A) A person commits an offense if he keeps, harbors or maintains any swine in the city except as otherwise provided in this section.
- (B) A person commits an offense if he keeps, harbors or maintains any pot-bellied pig other than on a premises that is classified by the uniform development code as agricultural or residential or otherwise maintains a residential use. Pot-bellied pigs shall be kept within a fence or other enclosure so as to prevent the pot-bellied pig from wandering in or upon or invading the premises of any other person.
- (C) All pot-bellied pigs shall be maintained a minimum of fifty (50) feet from any residence or commercial building, excluding the residence of the person keeping or harboring the pot-bellied pig.
- (D) A person who keeps, harbors or maintains pot-bellied pigs in the city shall ensure that the animal(s) in their care or custody are treated humanely by, at minimum,

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providing the pot-bellied pigs with sufficient food, potable water, adequate shelter, and protection from weather.

(E) A person may keep no more than two (2) pot-bellied pigs.

SECTION 91.21 – WAIVER.

The city council may authorize a waiver from the acre requirements contained in this article when, in its opinion, an unnecessary hardship will result from requiring strict compliance. Before granting a waiver, the city council shall hold a public hearing regarding the requested waiver not earlier than fifteen (15) days following notice of public hearing. No waiver shall be granted unless the council finds that all of the following conditions exist:

- (A) There are special circumstances or conditions affecting the property of the applicant seeking the waiver, or the surrounding area such that the strict application of the provisions of this article would deprive the applicant of the reasonable ability to maintain fowl, livestock or pot-bellied pigs; and
- (B) The strict application of the provisions of this article is not necessary to promote the public health, safety and welfare, or injurious to other persons or property in the area; and
- (C) The granting of the waiver will not be detrimental to the public health, safety or welfare, or injurious to other persons or property in the area; and
- (D) The granting of the waiver will be in harmony with the spirit and purpose of this article.”

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SECTION 3 CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 5 SAVINGS/CONFLICT

In the event of a direct conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed

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by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

**SECTION 6
PENALTY FOR VIOLATIONS**

Any person, firm or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7
PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this the 18th day of April, 2024.

APPROVED:

DocuSigned by:

Bill Heidemann

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Bill Heidemann, Mayor

ATTEST:

DocuSigned by:

Lana Wylie

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Lana Wylie, City Secretary



APPROVED AS TO FORM:

DocuSigned by:

Patricia Adams

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Patricia A. Adams, City Attorney