

Sec. 6-27. - Livestock; sanitary conditions and registration requirements.

- (a) It shall be unlawful for any person to keep or harbor any livestock within the corporate limits of the city if the person does not have a parcel of land at least one acre in size.
- (b) It shall be unlawful for any person to keep or harbor more than two (2) head of livestock within the corporate limits of the city if the person has a parcel of land less than three (3) acres in size.
- (c) For every parcel of land greater than three (3) acres, a person may have one additional head of livestock for every acre over three (3) acres.
- (d) In addition to the requirements in subsections (a) through (c), it shall be unlawful for any person to feed or keep any species of swine in any lot, pen, building, stable, or other enclosure in the city, any part of which lot, pen, building, stable or other enclosure is nearer than one thousand (1,000) feet to any building. If a person is in compliance with this subsection, future changes to adjacent property owned by another will be a defense to prosecution under this ordinance.
- (e) It shall be unlawful for any person to keep or harbor any livestock within the corporate limits of the city, where there is less than ten thousand (10,000) square feet for each head of cattle or horse and three thousand (3,000) square feet for all other types of livestock.
- (f) It shall be unlawful for any owner or person in control of any livestock to maintain yards, pens, stables, sheds, or other enclosures in which such animals are confined in such a manner as 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 rodents, or in any manner to endanger the public health, safety or welfare, or to create a public nuisance.
- (g) Manure and droppings shall be removed from pens, stables, yards, coops and other enclosures weekly and handled or disposed of in such a manner as to keep the premises free of any nuisance.
- (h) Mound storage of droppings of manure between such removals shall be permitted, only under such conditions as to protect against the breeding of flies, rodents, and to prevent the migration of fly larvae (maggots) into the surrounding soil.
- (i) The feeding of vegetables, meat scraps or garbage to livestock shall be done only in impervious containers or on an impervious platform.
- (j) Watering troughs or tanks shall be provided, which shall be equipped with adequate facilities for draining the overflow so as to prevent the breeding of flies, mosquitoes or other insects.
- (k) No putrescible material shall be allowed to accumulate on the premises; and all such material used to feed, which is unconsumed, shall be removed and disposed of by burial or other sanitary means.
- (l) Registration requirements. Persons maintaining livestock within the city limits shall annually register with the City of Denton Animal Services Department. The registration shall include a designation by the owner of the use of the property for livestock, proof of the acreage of the parcel of land, the distance requirements for swine if applicable, and the number and type of livestock kept on the parcel. There shall be no fee for this registration. It shall be unlawful for a person to add additional heads of livestock without amending the registration within thirty (30) days of acquiring the additional livestock.

(Ord. No. 2000-460, § 1, 12-19-00; Ord. No. 2003-309, § 3, 9-16-03; Ord. No. 2005-291, § 1, 9-20-05)

Cross reference— Solid waste generally, Ch. 24.

Sec. 6-28. - Livestock riding or driving.

- (a) It shall be unlawful for any person to allow livestock to be driven or ridden upon any public property; provided however, horses may be ridden on the unimproved or unpaved portion of the right-of-way and the chief of police, or his designee, may authorize horses and other livestock to be ridden or driven on the right-of-way under the authority of a parade.
- (b) It shall be unlawful for any person to allow livestock to be driven or ridden on any private property, except on the property of the owner of the livestock or by permission of the owner of the property.

(Ord. No. 2000-460, § 1, 12-19-00)

Sec. 6-29. - Wild animals.

- (a) It shall be unlawful to keep or harbor any wild animal within the city, except at commercial animal establishments dealing in the sale or handling of such animals and having proper zoning for such commercial establishments and having proper facilities for the restraint and care of such animals.
- (b) The animal control officer may establish conditions under which it would be permissible to keep or harbor wild animals at locations other than those listed in this section for a period of time not to exceed thirty (30) days.

(Ord. No. 2000-460, § 1, 12-19-00)

Sec. 6-30. - Prohibited animal permit and impoundment.

- (a) It shall be unlawful for a person to harbor, own or exhibit a prohibited animal within the city. If a person is found in possession of a prohibited animal and the person does not have a valid permit for possession of the prohibited animal issued by the Animal Services Unit of the City of Denton, the animal may be immediately impounded by an animal services officer or by a City of Denton Police Officer. Section 6-16(b) regarding release or disposition of the animal shall apply to prohibited animals. However, the prohibited animal shall only be released to the owner if the owner has found a place where the animal may be legally kept.
- (b) It is an exception to the application of subsection (a) of this section if the owner, harborer, or exhibitor holds a prohibited animal permit or is a governmental entity.
- (c) A permit for the possession of a prohibited animal may be issued only to a zoo, research institution, individual researcher, public or private primary or secondary school, performing animal exhibition, rodeo or circus, or carnival of which the animal is an integral part, if the animal is restrained from inflicting injury upon persons, property or other animals and adequate provision is made for the care and protection of the animal. A permit may be issued to an individual researcher only upon the recommendation of a medical institution or the director of a research institution.
- (d) The fee for such permit shall be established by the city council and is on file in the office of the city secretary. The permit shall be issued for one (1) or more animals of an owner or exhibitor at a single location. The permit is valid for a designated period of time not to exceed twelve (12) months and may be renewed for the same fee.

(Ord. No. 2000-460, § 1, 12-19-00; Ord. No. 2006-330, § 8, 12-12-06)

Cross reference— Licenses, permits and business regulations generally, Ch. 16.

Sec. 6-31. - Revocation of prohibited animal permit.

The animal control officer shall revoke a permit to harbor, own or exhibit a prohibited animal within the city if:

- (1) The permit holder fails to properly restrain the animal; or
- (2) The permit holder fails to generally care for or protect the animal.

(Ord. No. 2000-460, § 1, 12-19-00)

Sec. 6-32. - Prohibited animal permit appeal from denial or revocation.

- (a) If the animal control center refuses to issue or renew a prohibited animal permit or revokes a permit, he or she shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of his action and a statement of the right to appeal.
- (b) The applicant or permit holder may appeal the decision of the animal control officer to the chief of police by filing with the chief of police a written request for a hearing, setting forth the reasons for appeal, within ten (10) days after receipt of the notice from the animal control center. The filing of a request for an appeal hearing with the chief of police stays any action by the animal control center to revoke a permit until a final decision is rendered. If a request for an appeal hearing is not made within the prescribed period, the action of the animal control center is final.
- (c) The chief of police, or his designee, shall serve as hearing officer at an appeal hearing and shall consider evidence offered by any interested person. The formal rules of evidence do not apply at an appeal hearing. The hearing officer shall make his decision on the basis of a preponderance of the evidence presented at the hearing. The hearing officer must render a decision within thirty (30) days after the request for an appeal hearing is filed. The hearing officer shall affirm, reverse or modify the action of the animal control officer and his decision is final.

(Ord. No. 2000-460, § 1, 12-19-00)