

ORDINANCE 11-09

AN ORDINANCE OF THE CITY OF OAK RIDGE, KAUFMAN COUNTY, TEXAS REGULATING THE KEEPING OF LIVESTOCK AND OTHER ANIMALS AND CREATURES ASSOCIATED WITH THE CONDUCT OF AGRICULTURAL ACTIVITIES IN THE CITY OF OAK RIDGE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE, KAUFMAN COUNTY, TEXAS THAT:

Whereas, the City Council of the City of Oak Ridge in Kaufman County, Texas, has determined that it is necessary to regulate the keeping of livestock and other animals and creatures associated with the conduct of agricultural activities in the City of Oak Ridge, and

Whereas, it is the obligation of this Council to protect the health, welfare and property of the inhabitants of this City.

SECTION I.

NOW THEREFORE, BE IT ORDAINED that the following regulations will apply to the keeping of livestock and other animals and creatures associated with the conduct of agricultural activities in the City of Oak Ridge in areas established as Ag-Exempt by the Kaufman County Tax Appraisal District.

- A. Areas approved by the Kaufman County Tax Appraisal District as Ag Exempt:
1. Only such livestock, other animals and creatures recognized by the Kaufman County Appraisal District as qualifying the property for Ag-Exempt status are regulated by this portion of the Ordinance (Section A). Other animals and creatures will be regulated by other City of Oak Ridge ordinances.
 2. Feed lots for cattle, hogs, chickens, chicken egg production facilities and related chicken facilities involving over 100 head of cattle, chickens, and/or hogs will not be initiated without specific consideration and written authorization by the City Council of Oak Ridge.

3. Since the City of Oak Ridge includes significant Single Family Subdivisions with a large population of residents, the development of any new livestock, animal or other creature shelter, feeding area or enclosure for the purpose of penning the cited livestock, animal or creature will be required to be located a minimum distance of 500 feet from any residential property so as to not create a public nuisance.
 4. Agricultural activities will not be conducted on Ag-Exempt property or separate property, non-contiguous to other property owners on less than 10 acres. Parcels of land between 10 and 50 acres in size will require the property owner to consider the number of animals which can be properly managed under the rules of appropriate animal husbandry practice, in order to avoid a possible public nuisance. The City of Oak Ridge reserves the right to review such operations on the basis of possible public nuisance activities and require the property owner to correct the situation.
 5. The keeping of exotic animals if conducted as an authorized agricultural activity for Ag-Exempt land will be subject to rules and regulations adopted by Kaufman County.
 6. In general, agricultural activities related to the keeping of livestock, animals and creatures on Ag-Exempt property in the City of Oak Ridge shall be subject to being conducted in the manner as prescribed by appropriate animal husbandry and other professional agricultural guidelines.
- B. Areas not approved by the Kaufman County Appraisal District as Agricultural-Exempt.
1. Areas smaller than 5 acres shall not be utilized for the keeping of livestock, other animals or creatures under the title of agricultural activities conducted on land not approved as Ag-Exempt with out specific approval of the City Council of Oak Ridge.
 2. Livestock, other animals or creatures shall not be kept at a density greater than that recommended by appropriate animal husbandry and other professional agricultural guidelines.

SECTION II.

A. Enforcement

Property owners found to be in violation of any of the regulations stated in this ordinance shall be subject to a fine.

SECTION III.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION IV.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases 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 V.

This Ordinance will take effect immediately from and after its passage and the publication of the captions, as the law in such cases provides.

PASSED AND APPROVED on this the 25th day of June 2009

ROY W. PERKINS, Mayor

ATTEST:

seal

JAN SHEDD, City Secretary

