

ORDINANCE 2026-02

AN ORDINANCE OF THE CITY OF BARDWELL, TEXAS, REPEALING CITY OF BARDWELL ORDINANCE 2000-7, LIMITING THE NUMBER OF FOWL AND OTHER SPECIFIED ANIMALS THAT MAY BE KEPT WITHIN THE CITY; REGULATING THE LOCATION OF COOPS, CAGES AND SIMILAR ENCLOSURES, REQUIRING THAT FOWL AND OTHER SPECIFIED ANIMALS BE KEPT IN COOPS, CAGES OR SIMILAR ENCLOSURES; REQUIRING THAT COOPS, CAGES AND SIMILAR ENCLOSURES BE KEPT IN A SANITARY CONDITION; ESTABLISHING A PENALTY OF UP TO \$500.00 FOR VIOLATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEAL CLAUSE; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, the City Council in compliance with the laws of the State of Texas, and the ordinances of the City, and the exercise of the City's legislative discretion and police powers pursuant to Section 51.001 of the Texas Local Government Code, have concluded that the regulations set forth should be adopted.

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

**SECTION I. KEEPING OF POULTRY, FOWL AND OTHER ANIMALS.**

- (1) It shall be unlawful for any person to keep, harbor or maintain more than six (6) chickens, ducks, turkeys, geese, peacocks, guineas, goats, sheep or any other animals and combinations thereof within the city limits of the City of Bardwell.
- (2) It shall be unlawful for any person or persons to keep, harbor, or maintain more than six (6) such animals on any one (1) or more premises regardless of who owns, keeps, harbors or maintains such animals.
- (3) It shall be unlawful for any person who owns, keeps or harbors any chickens, ducks, turkeys, geese, peacocks, guineas, goats, sheep or any other animals or combinations thereof to allow such animals to run at large off the property and onto another person's property or onto public property. All such animals must be secured in coops, cages, pens or other enclosures designed to house poultry or fowl, when the animals are not being supervised, cared for or during cleaning or feeding.
- (4) It shall be unlawful to keep or maintain any chicken coop, cage, pen, yard or other enclosure designed to house poultry or fowl as described in subsection A above within twenty (20') feet of any dwelling not owned by the property owner, any business establishment, or any public place. Public place as used herein shall mean any public road, street, alley, park, building, or other

property owned by the City or any other places to which people commonly resort for the purpose of business, recreation or amusement.

- (5) All chicken coops, cages, pens or other enclosures, or the yard of the property if being used as an enclosure designed to house poultry or fowl as described in subsection A shall be maintained and kept in such a manner as not to become unclean, unsanitary or offensive to persons residing in the vicinity thereof nor shall they be maintained or kept as to breed flies or in any manner cause any injury to the health of the public residing in the vicinity of the coop, cage, pen, or other enclosure.

## **SECTION 2. PENALTY.**

Any person, firm, or corporation who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding Five Hundred Dollars (\$500.00), and each and every day's violation shall constitute a separate offense.

## **SECTION 3. SEVERABILITY.**

That if any section, subsection, paragraph, sentence, clause, phrase or word in the Ordinance, or application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council of the City of Bardwell hereby declares that it would have passed such remaining portions of the Ordinance despite such invalidity.

## **SECTION 4. REPEAL CLAUSE.**

That all ordinances of the City of Bardwell, Texas in conflict with the provisions of this Ordinance be and the same are hereby repealed and all other ordinances of the City of Bardwell, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

## **SECTION 5. EFFECTIVE DATE**

That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

## **SECTION 6. RECITALS.**

That all recitals contained in this Ordinance are fully incorporated herein as if fully written.

PASSED AND APPROVED this the 2<sup>nd</sup> Day of February 2026.

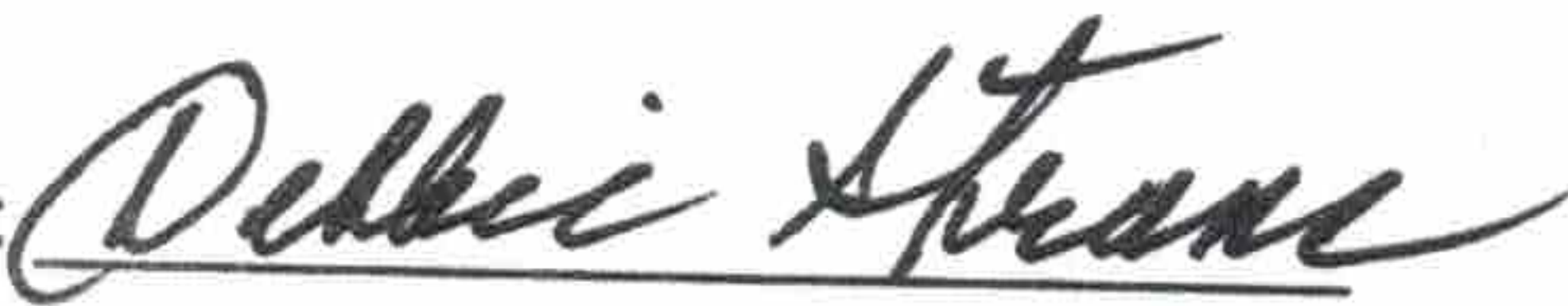
APPROVED:

By: 

Jodie Odlozil, Mayor

SHAWNA L. DRENNAN MAYOR PRO TEM

ATTEST:

By: 

Debbie Strunc, City Secretary

