

CITY OF HUMBLE

ORDINANCE NO. 14-732

AN ORDINANCE OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 10, ANIMALS, OF ITS CODE OF ORDINANCES TO PROHIBIT KENNELS IN RESIDENTIAL NEIGHBORHOODS, AND TO LIMIT THE NUMBER OF ANIMALS THAT MAY BE KEPT NEAR OTHER SINGLE FAMILY RESIDENCES OR WITHIN A MULTI-FAMILY LIVING UNIT; PROVIDING A PENALTY UP TO \$500 PER DAY FOR VIOLATIONS; PROVIDING REPEALING AND SAVINGS PROVISIONS; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

SECTION 1 Chapter 10, Animals, of the Code of Ordinances of the City of Humble, Texas, is hereby amended by adding new sections 10-09 and 10-10 to read as follows.

“Sec. 10-09 – Kennels prohibited in residential neighborhoods.

- (a) Kennel means any building, establishment, place, premises or residence wherein any person keeps, harbors, owns, or maintains more than four dogs over three months of age or more than four cats over three months of age.
- (b) Residential neighborhood means.
 - (1) A subdivision for which a plat is recorded in the real property records of the county and that contains or is bounded by public streets or parts of public streets that are abutted by residential property occupying at least 75 percent of the front footage along the block face;
 - (2) A subdivision for which a plat is recorded in the real property records of the county and a majority of the lots of which are subject to deed restrictions limited the lots to residential use; or
 - (3) A block that is divided into four or more lots or tracts and in which 75 percent or more of the lots or tracts contain a private residence; or
 - (4) A block face that has been divided into at least four or more lots or tracts and at least 75 percent of the front footage along the block face are lots or tracts on which there is a private residence.
- (c) A person commits an offense if the person constructs, maintains or operates a kennel in a residential neighborhood within the City

Sec. 10-10 – Number of dogs, cats, fowl and livestock limited.

- (a) A person commits an offense if the person keeps, harbors, owns, maintains, or allows to be harbored, owned, or maintained more than a total of four dogs or cats, over three months of age, upon or within any premises owned, occupied, or under the control of such person within 60 feet of a residence that the person does not have the right to occupy
- (b) A person commits an offense if the person keeps, harbors, owns, maintains, or allows to be kept, harbored, owned, or maintained more than three dogs or cats, over three months of age, within any apartment of, or on the premises of, a multiple dwelling structure within the City

(c) Exemptions. The provisions of subsection (a) of this Section shall not apply to an animal shelter, kennel, pet shop, or veterinary clinic in existence prior to April 10, 2014 ”

SECTION 2. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500 Each day of violation shall constitute a separate offense.

SECTION 3 In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional, and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 4 All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

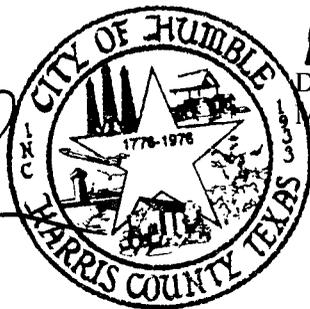
SECTION 5 Upon the passage of this ordinance, the City Secretary is ordered to publish this Ordinance in accordance with the provisions of Article II Section 13 of the Charter of the City of Humble and to note on this Ordinance and on the record thereof the fact that this Ordinance has been published as required by the Charter, including the date of such publication.

SECTION 6 This Ordinance shall be in full force and effect from and after its passage and its publication, as provided by law

PASSED, APPROVED AND ADOPTED this the 10th day of April, 2014

APPROVED

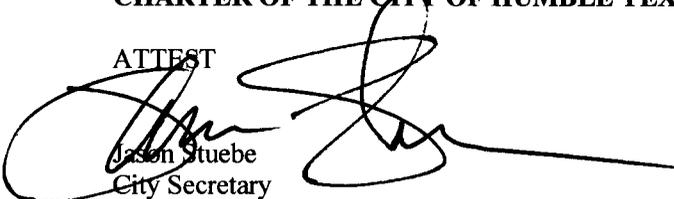

D.G. McMannes
Mayor



ATTEST

Jason Stuebe
City Secretary

THIS ORDINANCE WAS PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY OF HUMBLE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 13 OF THE CHARTER OF THE CITY OF HUMBLE TEXAS ON: APRIL 16, 2014.

ATTEST

Jason Stuebe
City Secretary