

CITY OF JOHNSON CITY  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTIONS 2.01.004 DEFINITIONS, 2.01.005 PROHIBITIONS, AND 2.04.001 NUMBER ALLOWED OF CHAPTER 2 ANIMAL CONTROL OF THE CITY OF JOHNSON CITY CODE OF ORDINANCES; AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ANY OTHER CODE PROVISIONS, ORDINANCES, OR PARTS OF ORDINANCES, AND OTHER PROVISIONS IN CONFLICT HEREWITH; INCORPORATING RECITALS; AND ADOPTING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance that is for the good government, peace or order of the City, and is necessary or proper for carrying out a power granted by law to the City.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Johnson City:

**ARTICLE I. FINDINGS OF FACT**

The foregoing recitals are adopted as facts and are incorporated fully herein.

**ARTICLE II. AMENDMENT, ADOPTION AND ENACTMENT**

The City Council of the City of Johnson City hereby amends and enacts the amendments to Sections 2.01.004 *Definitions*, 2.01.005 *Prohibitions*, and 2.04.001 *Number Allowed* of Chapter 2 *Animal Control* of the City of Johnson City Code of Ordinances, as depicted below and incorporated fully herein for all intents and purposes. The Sections are hereby revised with underlined text constituting new text and strikethrough text constituting removed text. All other provisions contained within said Sections that are not underlined or struck remain intact.

**§ 2.01.004 Definitions.**

For purposes of this chapter, the following definitions shall apply except where the context indicates a different meaning:

**Dwelling unit.** A building or portion of a building, including outdoor areas assigned to said building or portion of a building, that is arranged, occupied, or intended to be occupied as living quarters for one family and that includes facilities for food preparation, bathing, use of the toilet, and sleeping.

**§ 2.01.005 Prohibitions.**

**(g) Nuisance.** It shall be unlawful for anyone to keep, hold, or maintain any animal on any property located within the corporate limits of the City in violation of this Chapter that is a menace

to public health and safety and constitutes a public nuisance.

**§ 2.04.001 Number allowed.**

~~It shall be unlawful for a person to own more than four adult dogs and four adult cats in any residential district within the city. Veterinarian facilities, pet shops and animal care facilities are exempt from this requirement.~~

- (a) The maximum number of adult dogs and adult cats, of any numbered combination, allowed within any dwelling unit within any residential district within the City is four (4) maximum animals. It shall be unlawful for anyone to keep, hold, or maintain adult dogs and adult cats, of any numbered combination, in violation of this Section.
- (b) Puppies and kittens aged four months and younger that have matured to an age over four months old and, in addition to adult dogs and adult cats located within a dwelling unit, would violate the maximum number provisions contained within this Section, shall be promptly removed from a dwelling unit by the occupant within thirty (30) calendar days of the violation.
- (c) Veterinarian facilities, pet shops, and animal care facilities are exempt from this Section.

**ARTICLE III. REPEALER AND SEVERABILITY**

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**ARTICLE IV. EFFECTIVE DATE**

A. This Ordinance shall be effective immediately upon passage and approval.

**PASSED AND APPROVED** this, the 19<sup>th</sup> day of September, 2023, by a majority vote of the City Council of Johnson City, Texas.

**CITY OF JOHNSON CITY, TEXAS**

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Stephanie Fisher, Mayor

Attest:

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Whitney Walston, City Secretary