

ORDINANCE NO. 91-005

AN ORDINANCE REGULATING THE NUMBER OF LIVESTOCK AND PROHIBITING FEED LOTS WITHIN THE CITY OF NEW BERLIN, TEXAS; PROVIDING A PENALTY AND SEVERABILITY CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS:

Section 1. Definitions

Feed lot. Any establishment used for the purpose of feeding livestock within an enclosed fence or pen to fatten for slaughter or resale or for any other commercial feeding purposes.

Person. An individual, partnership, company, association or corporation.

Livestock. Cattle, swine, sheep or goats.

Section 2. Feed Lots Prohibited

It shall be unlawful for any person to establish and/or maintain a feed lot within the corporate limits of the City of New Berlin, Texas, or within the extraterritorial jurisdiction of the City of New Berlin, Texas.

Section 3. Number of Livestock Permitted

It shall be unlawful for any person to permit more than 3 head of cattle, 3 head of swine, 3 head of sheep and 3 head of goats to be penned or pastured per each acre of

land within the City of New Berlin or within its extraterritorial jurisdiction.

Section 4. Penalty

Any person violating any provision of this ordinance shall be fined not less than \$5.00 nor more than \$500.00 and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 5. Injunction

Any violation of this ordinance is hereby declared to be a nuisance. In addition to any other relief provided by this ordinance, the city attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this ordinance. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction.

Section 6. Severability

The provisions of this ordinance are severable, and if any sentence, section or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

PASSED AND APPROVED this the 16 day of ^{SEPTEMBER}~~August~~, 1991.

Freddie Frederick
FREDDIE FRIEDERICK, Mayor

ATTEST:

Jarvis W. Wallace
City Secretary