

ORDINANCE NO. 2021-O-076

AN ORDINANCE OF THE CITY OF ATHENS, TEXAS, AMENDING CITY CODE OF ORDINANCES BY AMENDING CHAPTER 22, ARTICLE IV, SECTIONS 22-32(g) AND 22-32(h) AND CHAPTER 22, APPENDIX A, A-3 TO DELETE THE USES AND DEFINITIONS OF BACK YARD CHICKENS, BACK YARD HORSES AND PRIVATE STABLE FROM THE ZONING ORDINANCE, PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on the 15th day of March 2021, the City Council of the City of Athens, Texas after due notice did meet to discuss current city regulations regarding farm animals and to receive input from the public regarding the same matter.

WHEREAS, the City Council finds it necessary to amend the ordinances regulating farm animals within the city limits to further enhance and protect the health, safety, and welfare of the citizens of the City of Athens.

WHEREAS, on the 14th day of June 2021, the City Council of the City of Athens, Texas after due notice as required by law, held the first reading of the ordinance as required by Article III, Section 3.11 of the City of Athens Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS

Section 1. The City Council hereby authorizes the amendment of Chapter 22, Article IV, Section 22-32(g) to delete the uses of “Backyard Chickens” and “Backyard Horses” from the Utility, Service and Other Uses chart.

Section 2. The City Council hereby authorizes the amendment of Chapter 22, Article IV, Section 22-32(h) to delete the use of “Stable (Private)” from the Recreational and Entertainment Uses chart.

Section 3. The City Council hereby authorizes the amendment of Chapter 22, Appendix A, A-3 to delete the definitions of “Chickens, Backyard”, “Horses, Backyard” and “Stable, Private”.

Section 4. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 5. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 6. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

PASSED, APPROVED and ADOPTED this the **28th** day of **June 2021** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Toni Clay, Mayor	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary