

ORDINANCE No. 2019-62

AN ORDINANCE AMENDING THE CITY OF LEON VALLEY CODE OF ORDINANCES, CHAPTER 8, OFFENSES AND NUISANCES BY UPDATING ARTICLE 8.07.003, PROHIBITED NOISE; PROVIDING FOR REPEALING, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary to amend the City of Leon Valley Code of Ordinances to provide guidance for the possession of domesticated animals in Leon Valley; and

WHEREAS, it is also necessary to properly define what constitutes an animal nuisance within Leon Valley; and

WHEREAS, it is necessary to amend the prohibited noise nuisance to accurately reflect what is a noise violation within the City of Leon Valley; and

WHEREAS, it is now the desire of City Council to amend Chapter 8 Offenses and Nuisances of the City of Leon Valley Code of Ordinances as detailed below;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:

Section 1. The City of Leon Valley Code of Ordinances, Chapter 8, Offenses and Nuisances is hereby amended as follows:

CHAPTER 8

OFFENSES AND NUISANCES

ARTICLE 8.07 Noise and Sound Level Regulation

Sec. 8.07.003 Prohibited Noise (*Current*)

(c) It shall be unlawful to keep any animal, fowl, or bird which, by causing frequent or long-continued noise, shall disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.

Change to:

(c) The owner or keeper of an animal shall not allow animals being held on their property to create a noise disturbance in such a manner, to annoy, distress or disturb within the vicinity of hearing thereof. For the purpose of this chapter, an animal noise nuisance shall be defined as a minimum of ten minutes of noise events over a period of one hour any time during the day or night where the animal can be heard continuously one hundred (100) yards away, or behind the wall of a livable structure;

Section 2. Severability: Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions

of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are severable.

Section 3. Repealer: All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

Section 4. Effective Date: The ordinance shall be effective immediately following its publication in the local newspaper as required by Section 52.011 of the Texas Local Government Code. Thereafter, the rules contained therein will apply within the City of Leon Valley.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 17th day of December 2019.

APPROVED



CHRIS RILEY
MAYOR

Attest:



SAUNDRA PASSAILAIGUE, TRMC
City Secretary



Approved as to Form:



HABIB H. ERKAN, JR.
City Attorney