

ORDINANCE NO. 2016-217

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AMENDING THE PROVISIONS OF CHAPTER 6 "ANIMALS" OF THE CODE OF ORDINANCES BY ADDING A DEFINITION FOR ENCLOSURE TO SECTION 6-2, BY CHANGING BY THE TIME PERIOD FOR FILING A DANGEROUS ANIMAL CASE IN SECTION 6-34 TO 30 DAYS, BY REMOVING SECTION 6-34(d), AND BY ADDING SECTION 6-49 TO ADD PROVISIONS TO ALLOW THE KEEPING OF BEES WITHIN THE CITY LIMITS OF DENTON WITH CERTAIN RESTRICTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR VIOLATIONS OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Section 6-2 "Definitions" of Chapter 6 of the Code of Ordinances of the City of Denton is hereby amended by adding a definition for "enclosure" to read as follows:

*Enclosure* means a fenced area or structure that physically blocks the escape of an animal contained therein. Additionally, in non-rural zoning districts, an enclosure must serve as a physical barrier to the entry of adults, children and dogs.

SECTION 2. Subsection (a) of Section 6-34 "Filing the complaint" of Chapter 6 of the Code of Ordinances of the City of Denton is hereby amended to read as follows:

(a) To invoke the provisions of this article, a written complaint shall be filed with the animal control center within 30 calendar days of the date the person or animal was attacked or bitten, on a form provided by the city which shall give notice of the penalty for the filing or signing of a false complaint as provided in this article.

SECTION 3. Subsection (d) of Section 6-34 "Filing the complaint" is hereby deleted.

SECTION 4. Chapter 6 "Animals" of the Code of Ordinances of the City of Denton is hereby amended by adding Section 6-49 to read as follows:

**Sec. 6-49. Keeping of Bees.**

- (a) Honeybees may be kept if the following conditions are met:
- (1) All hives shall be located a minimum of 50 feet from any inhabited dwelling other than that of the person keeping such bees;
  - (2) There is an adequate source of water within 20 feet of all hives;

- (3) Any hive contaminated with or known to have Africanized honeybees (killer bees) shall be destroyed by a qualified beekeeper at the owner's expense;
- (4) Adjacent neighbors must be notified that bees will be kept on your property; and
- (5) A Honeybee Registration Form must be completed and submitted to the City of Denton. Any violation for failing to complete a Honeybee Registration Form shall be dismissed without any fine or costs assessed upon the submission of a Honeybee Registration Form within thirty days of the violation.

(b) It shall be unlawful for any owner of any hive to maintain more than the prescribed number of hives on the chart below on any single parcel of property in a residential neighborhood.

|          |         |         |         |
|----------|---------|---------|---------|
| .25 Acre | .3 Acre | .5 Acre | 1 Acre  |
| 2 hives  | 3 hives | 4 hives | 5 hives |
| 2 nucs   | 3 nucs  | 4 nucs  | 5 nucs  |

The total number of hives allowed are staggered according to the size of the parcel. An equal number of hives and nucs (nucleus colonies, or small honeybee colonies created from larger colonies) are allowed on the property with restriction. Nucs are allowed to be on the property for 90 days before they must be removed.

(c) It shall be unlawful for any person to keep, or allow to be kept, bees in such a manner as to deny the reasonable use and enjoyment of adjacent property or endanger the personal health, safety, and welfare of the inhabitants of the city.

(d) It shall be unlawful for any person to keep any hive within the corporate limits of the city unless the person has submitted a current and valid registration with the City of Denton.

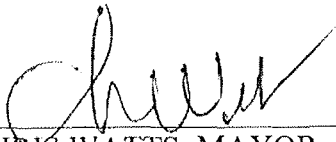
SECTION 5. If any section, subsection, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Denton, Texas hereby declares it would have enacted such remaining portions despite any invalidity.

SECTION 6. Save and except as amended hereby, all the provisions, sections, subsections paragraphs, sentences, clauses, and phrases of the Code of Ordinances shall remain in full force and effect.

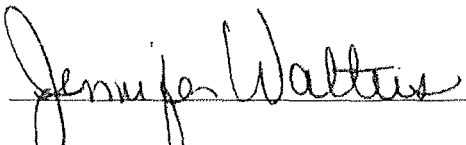
SECTION 7. Any person found guilty of violating this ordinance by a court of competent jurisdiction shall be fined a sum not to exceed five hundred dollars (\$500) per day. Each day that a provision of this ordinance is violated shall constitute a separate offense.

SECTION 8. This ordinance providing for a penalty shall become effective 14 days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record- Chronicle, the official newspaper of the City of Denton, Texas, within 10 days of the date of its passage.

PASSED AND APPROVED this the 2 day of August, 2016.

  
CHRIS WATTS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

BY: 