

**ORDINANCE NO. 767**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS AMENDING CHAPTER 10, ANIMALS, ARTICLE I, IN GENERAL, CODE OF ORDINANCES OF HEDWIG VILLAGE, BY ADDING A NEW SECTION 10-4, FEEDING OF ANIMALS, FOR THE PURPOSE OF CONTROLLING THE FEEDING OF ANIMALS ON PUBLIC AND PRIVATE PROPERTY.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS THAT:**

**Section 1.** *Chapter 10, Animals, Article I, In General, of the Code of Ordinances of the City of Hedwig Village, Texas, is hereby amended by adding a new Section 10-4, Feeding of Animals, for the purpose of controlling the feeding of animals on public and private property in the City of Hedwig Village. The new Section shall read as set out in Appendix A, attached hereto. All other portions of Chapter 10 of the City's Code not specifically amended hereby shall remain in full force and effect.*

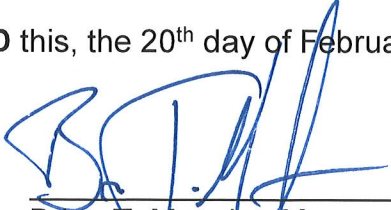
**Section 2.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 4.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 5.** This Ordinance shall be effective ten (10) days after notice of its passage has been published in the official newspaper of the City.


**PASSED, APPROVED and ADOPTED** this, the 20<sup>th</sup> day of February 2020.



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Brian T. Muecke, Mayor  
City of Hedwig Village, Texas

ATTEST:



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Kelly Johnson, City Secretary  
City of Hedwig Village, Texas

## APPENDIX "A"

### Section 10-4. Feeding of Animals.

a. Feeding of Animals on Public Property. It shall be unlawful for any person to feed, whether by leaving food for or otherwise, any animal on public property, including without limitation, on any property owned in fee simple or controlled by the City as an easement or public right-of-way.

b. Feeding of animals on Private Property. It shall be unlawful for any person, other than the owner of the property, to feed, whether by leaving food for or otherwise, any animal on private property without the written consent of the owner of the property. Regardless of whether or not consent is given, it shall be unlawful for any person, including the owner of the property, to feed any animal by leaving food outside for more than one hour unless such food is within a working trap. The time limit contained in the section for leaving food outside shall not apply to properly maintained bird or squirrel feeders.

c. Affirmative Defense. It shall be an affirmative defense to prosecution under subsection a. of this section that the person feeding an animal on public property is only placing food within a working trap and such trap has been placed on public property with the written permission of the City Administrator.