

ORDINANCE NO. 2025-12-08 (10)

AN ORDINANCE OF THE CITY OF ROCKDALE AMENDING DIVISION 2 LIVESTOCK AND FOWL, SECTIONS 2.01.001 DEFINITIONS; 2.01.009 PENS OR COOPS FOR FOWL, RABBITS OR OTHER NON-LIVESTOCK ANIMALS; 2.05.031, AND 2.07.001; PROVIDING FOR DEFINITIONS FOR FOWL TO EXCLUDE ROOSTERS; PROVIDING REGULATIONS AND REQUIREMENTS FOR THE OWNERS OF SUCH ANIMALS; AND PROVIDING REGULATIONS FOR FOWL WITHIN THE CITY LIMITS; PROVIDING FINES AND PENALTIES; AMENDING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City of Rockdale, Texas ("City") has adopted rules, regulations and requirements by ordinance, which is codified and set forth in Division 2, Livestock and Fowl;

Whereas, such rules, regulations and requirements may not be inconsistent with State law;

Whereas, the City Council desires to make such amendments to the City's Code related to Division 2, Livestock and Fowl, to define and regulate and disallow the presence of roosters within the City limits to promote the overall health, safety and quality of life of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKDALE, TEXAS, THAT:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Modification of Section 2.01.001. Definitions. When used in Section 2.01.001 Definitions, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Fowl" shall include all birds, e.g., chickens, turkeys, pheasants, quail, guineas, geese, ducks, peafowl and other domestic feathered creatures and nondomestic feathered creatures, regardless of age. The applicability of this Division 2, as to the

definition of Fowl does not include and specifically excludes the allowance of roosters

Section 3. Modification of Section 2.01.009. Pens or coops for fowl, rabbits or other non-livestock animals.

(a) All fowl, as defined herein, and rabbits shall be kept within a pen, coop or hutch. A fenced yard shall not qualify as a pen or coop.

(b) Any person keeping or harboring any animal, other than livestock, shall locate any pen, coop, hutch or other housing at least 50 feet from any residence, excluding the residence of the person keeping or harboring the animals.

(c) No one shall keep any roosters in any pen, coop, hutch or other housing or yard within the City limits.

Section 4. Modification of Section 2.05.031(b). Running at large prohibited.

(b) It is unlawful for the owner or person in control of any chicken or other fowl to permit the same to run at large on any land not his own or under his control, or on any street, alley or other public place in the city. It is unlawful for the owner or person in control to allow roosters to be on any land, whether it his own or under his control or on any street, alley, or any public place in the City limits.

Section 5. Modification of Section 2.07.001(c). Permit Required.

(c) No permits shall be given for any commercial animal enterprises and/or multi-animal owners for any roosters to be allowed within the City limits.

Section 6. Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 7. Savings Clause. All rights and remedies of the City of Trinidad are expressly saved as to any and all violations of the provisions of any ordinances affecting animals within the City which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 8. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 9. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are

severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 10. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on the first reading on this 10 day of November 2025.

PASSED AND APPROVED on second reading on this 08 day of December 2025.

ATTEST:

CITY OF ROCKDALE, TEXAS



Shanna Johnson, City Secretary

Ward Roddam, Mayor