

AN ORDINANCE AMENDING THE CITY OF PROSPER'S ANIMAL CONTROL ORDINANCE NO. 8810, SECTION XV; PROVIDING FOR A PENALTY HEREOF; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION HEREOF.

WHEREAS, the City Council of the City of Prosper, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Prosper, Texas ("Prosper") to amend its Animal Control Ordinance No. 88-10, Section XV, and that such amendment will not be detrimental to the public welfare, safety or health, and that the amendment should be adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PROSPER, TEXAS:

SECTION 1: Section XV is hereby amended to read as follows:

IT SHALL BE UNLAWFUL FOR ANY PERSON TO KEEP ANY SWINE WITHIN THE CITY LIMITS OF PROSPER, EXCEPT FOR ANY SWINE KEPT IN A FACILITY OPERATED BY THE AGRICULTURE DEPARTMENT OF THE PROSPER INDEPENDENT SCHOOL DISTRICT.

Section 2: Any person, firm or corporation who violates any provision of this Ordinance or Ordinance No. 88-10 or its amendments shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in a sum not exceeding Two Hundred Dollars (\$200.00), and each and every day such violation continues shall be continued a separate offense; provided, however, such penal provision shall not preclude a suit to enjoin such violation.

Section 3: All Ordinances in conflict herewith, either in whole or in part, are repealed and replaced by this Ordinance only to the extent of such conflict. Any remaining portions of the repealed ordinance shall remain in full force and effect. All other Sections of Ordinance No. 88-

10 and any amendments thereto are not altered by this Ordinance, and shall remain in full force and effect, including the penalty provisions contained herein.

Section 4: Should any part or portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions and those provided for within this Ordinance shall remain in full force and effect.

Section 5: This Ordinance shall take effect immediately from and after its passage and publication in accordance with the laws of this state, and it is accordingly so ordained.

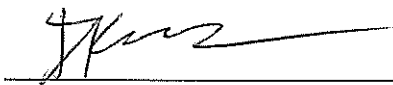
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PROSPER,
TEXAS, on this 13 day of FEBRUARY 1996.


STEPHEN COFFMAN
Mayor, City of Prosper

ATTEST:

APPROVED AS TO FORM:


SHIRLEY JACKSON
City Secretary


Abernathy, Roeder, Robertson & Joplin, P.C.
D. KAY WOODS
City Attorneys

DATE OF PUBLICATION IN THE MCKINNEY COURIER GAZETTE: FEBRUARY 21, 1996