

Permit # _____

TOWN OF BAYSIDE, TEXAS
P.O. BOX 194
909 1ST ST. CITY HALL BUILDING
BAYSIDE, TEXAS 78340
PH. (361) 529-6520 FAX. 361-529-6409

PERMIT APPLICATION FOR KEEPING FOWL

PROPERTY OWNER'S NAME: _____
 BLOCK#: _____ LOT #: _____ PHONE #: _____
 ADDRESS: _____
 NUMBER AND TYPE OF THE FOWL TO BE MAINTAINED: _____

Applicant		Staff
<input type="checkbox"/>	ANIMAL ENCLOSURE IS THE REQUIRED DISTANCE FROM ANY BUILDING INTENDED FOR HUMAN OCCUPANCY, EXCEPT THE DWELLING OCCUPIED BY THE OWNER OF THE FOWL. MUST BE AT LEAST ONE HUNDRED (100) FEET FROM ANY BUILDING INTENDED FOR HUMAN OCCUPANCY	<input type="checkbox"/>
<input type="checkbox"/>	ANIMAL ENCLOSURE IS LOCATED IN THE REAR YARD.	<input type="checkbox"/>
<input type="checkbox"/>	PROPOSED EXTERIOR DIMENSIONS OF THE PROJECT ARE STAKED AND STRING LINED WHERE THE ANIMAL ENCLOSURE WILL BE LOCATED;	<input type="checkbox"/>

*******THIS PERMIT EXPIRES ONE YEAR AFTER THE APPROVAL DATE AND MUST BE RENEWED EACH YEAR OR FOWL MUST BE REMOVED FROM THE PROPERTY.**

ANIMAL ENCLOSURE.

- All pens, cages, coops, lofts or enclosures wherein animals, fowl or birds are kept shall be securely built and maintained, adequate in size for the kind and number of animals, fowl or birds contained therein and maintained in a sanitary condition; such enclosures shall be cleaned and maintained so as to not become offensive to residents or businesses adjacent thereto. The keeping of enclosures under conditions allowing the breeding of flies is specifically prohibited. The keeper of any pen shall be responsible for the pickup and disposal of all animal feces found in such pen. Feces must be removed often enough so that there is no odor or fly attraction to the enclosure which would disturb a person of normal sensibilities or to constitute a health hazard to humans.
- Shelter must be provided with adequate food and a continuous source of clean, wholesome water for every animal.

KEEPING OF FOWL AND BIRDS

- It shall be the duty of the person owning, or having within his management or control, any chickens, turkeys, geese, or other domestic fowl, to keep same enclosed upon his own premises in such manner that same cannot go upon the public streets, highways, alleys or parkways of the city, or upon the private property of others.
- It shall be unlawful for any person owning or having under his control or management any chickens, turkeys, geese, or other domestic fowl, to allow same to be at large within the city.
- It shall be unlawful for any person to maintain and keep an ostrich or emu within the city.
- Due to their potential to create a nuisance when allowed in large numbers because of noise, bodily waste odor or other unsanitary condition, it shall be unlawful for anyone to keep, board or harbor more than ten chickens, geese, ducks, or turkeys or similar fowl within the city limits. The total number of rabbits maintained on a residential property is restricted to ten.
- Roosters are to be kept in a well-ventilated box during nighttime hours (8:00 PM – 6:00 AM) so that the rooster cannot raise his head to minimize the noise. Exotic birds are to be kept indoors and/or in a covered cage during nighttime hours to minimize the noise. If the amount of animal noise cannot be reduced, the animal must be removed from the property.

PROXIMITY OF POULTRY ENCLOSURES TO DWELLINGS

- Any person raising or keeping chickens, turkeys, ducks, geese, guineas or other fowl shall keep them in a pen, coop or enclosure meeting the requirements of Animal Enclosures.
- Any enclosure that houses poultry or other domesticated fowl must be at least one hundred (100) feet from any building intended for human occupancy, except the dwelling occupied by the owner of the fowl. All fowl or poultry must be provided with adequate food and a continuous source of clean, wholesome water. If any building/dwelling intended for human occupancy is constructed within the required distance and the property owner files a written complaint with the city, then the pen, coop, or enclosures and poultry/fowl must be moved to meet the 100' distance or removed from property if setback is not available.

- Pens, cages, coops, lofts or enclosures wherein animals, fowl or birds are kept are allowed only in a rear yard and shall not be located in a front or side yard.

KEEPING OF PIGEONS OR SIMILAR BIRDS

- It shall be unlawful for any person to keep or harbor on any lot or tract more than 10 pigeons or other birds.
- Any person owning, raising or keeping pigeons or other birds shall keep them in a pen, coop, loft or enclosure meeting the requirements of Animal Enclosures, provided that pigeons bearing a leg band issued by a recognized association of pigeon fanciers may be released for exercise, performance or competition.
- When more than two such pigeons or birds are kept, the pens, coops, lofts or enclosures wherein they are kept shall be at least fifty (50) feet distant from nearby homes or offices, excluding the home or office of the owner or keeper.

ANIMAL CARE.

- All animals must be treated, captured, caged or otherwise dealt with in a humane manner. It is unlawful for any person to fail, refuse, or neglect to provide any animal in his charge or custody, as owner or otherwise, with shade, care or shelter, clean/fresh food and drink in a spill-proof receptacle of appropriate size.
- A shelter shall be shaded during hot weather months. Any animal habitually kept outside shall be provided with a structurally sound enclosure, consisting of a minimum of a three-sided enclosure, with a waterproof roof, large enough or appropriate for the species maintained.
- No owner or responsible person shall fail to provide his animal with veterinary or humane care and treatment when needed to prevent suffering.
- No person shall keep any animals within any structure in the city without thoroughly cleaning the area and maintaining such structure that no offensive odors are emitted therefrom.
- Any officer finding an animal kept, carried, or left in violation of this section is authorized to take emergency measures at the expense of the animal owner to remove or prevent further cruelty or suffering to the animal.

INSPECTION.

- The city official or animal authority has the right to inspect the premises, including fowl, at any time during normal business hours. Unless suspended or revoked, the permit shall remain in effect for one calendar year from the date of issuance. Application for renewal of permit may be made from one month prior to one month after the permit expiration date, but the effective date of the permit shall be to coincide with the expiring permit date

PERMITS

- No permit shall be issued if the applicant has withheld or falsified information on the application or failed to comply with any section of the city Animal Ordinance.
- No permit shall be issued if the applicant has been convicted three or more times for violating any section or combination of sections of the city Animal Ordinance, or been convicted of inhumane or cruel treatment to animals.
- If a permit is denied, reapplication cannot be made for at least 60 days.

SUSPENSION OF PERMIT

- The City Official may upon official notice suspend a permit for the following reasons:
 - o Animals are being deprived of necessary food, care or shelter.
 - o Animals are being cruelly confined or treated.
 - o Unsanitary conditions exist to such an extent that these conditions create a possible medium for the transmission of disease to the animals kept there or to human beings.
 - o There is noncompliance with any section of the city Animal Ordinance.
- The city official or animal control authority has the right to take photographs and gather evidence on the premises to document any of the reasons for suspension.
- After suspension, no animal shall be accepted or placed on the property more than five days after the suspension, unless the suspension has been lifted and the permit reinstated prior to that time.
- Lifting Of Suspension And Reinstatement Of Permit. If all violations and unsatisfactory conditions have been corrected within 15 days, the City, after re-inspection, may reinstate the suspended permit issued pursuant to this Ordinance. A re-inspection shall be made as soon as practical, and not longer than five working days after receiving a written request for such inspection by the person to whom the permit was issued.

REVOCAION AND REINSTATEMENT OF PERMIT.

- Revocation Of Permit. After 15 days from suspension of a permit issued pursuant to this Ordinance, if no written request for re-inspection has been received or if satisfactory corrections have not been made, the City shall give official notice that in five days the permit shall be revoked.
- Reinstatement Of Permit After Revocation. The property owner or any other owner at the same location who has had a permit issued pursuant to this Ordinance revoked may apply for a new permit for at least one year from the date of revocation. No permit shall be issued if the person has been convicted of abuse to animals. If the acceptable application and satisfactory assurance is given that previous violations will not recur and there will be compliance with all sections of this Ordinance, a new permit may be issued.

I certify that I have read and examined this application and the information furnished is true and correct and that I am the owner of the subject property. All provisions of laws and ordinances governing this permit will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law, ordinance, or regulation. The issuance of a permit neither exempts nor modifies any covenants, deed restrictions, city ordinances and or state or federal laws, whether herein specified or not. Any deviations from this application must have the prior written approval of the City Official. The City Official or city council may, in writing, suspend or revoke a permit whenever it is determined that the permit was issued in error, or on the basis of incorrect information supplied, or when it is determined that the animal enclosure is in violation of any ordinance, regulation, or provision of City Ordinances.

I further agree to allow premise inspection by the Animal Control Authority or city employees for adequate space and for the housing and care of the animals. It shall be unlawful for any person to interfere with, molest hinder, or prevent the city employee or animal control officer from the official discharge of the duties

I/we, the owner of this property and undersigned do hereby certify that the information and statements given on this application are to the best of their knowledge, true and correct. I hereby certify that I have read, examined and agree to the terms of the Permit.

Property Owner's Signature (REQUIRED FOR APPROVAL) _____ Date _____

NO FEE

CITY USE ONLY.	
PERMIT: APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>	DATE PERMIT EXPIRES _____
_____ City Official	_____ DATE: