

**ORDINANCE NO. 2020-0921-04**

**AN ORDINANCE OF THE CITY OF TROUP, TEXAS DECLARING OFFENSIVE ODORS TO BE A NUISANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Troup, Texas is a Type-A General Law municipality organized and existing pursuant to the laws of the State of Texas; and

**WHEREAS**, as a Type-A General Law municipality, the City of Troup, Texas has the statutory authority to pass ordinances that promote the health, safety and general welfare of its citizenry; and

**WHEREAS**, the City Council for the City of Troup, Texas finds that certain offensive odors emanating from properties located inside the Troup city limits may unreasonably disturb the health, safety and general welfare of its citizenry; and

**WHEREAS**, the City Council for the City of Troup, Texas finds it necessary to adopt this Ordinance to regulate offensive odors emanating from properties located inside the Troup city limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF TROUP, TEXAS AS FOLLOWS:**

**I.  
OFFENSIVE ODORS PROHIBITED**

- A. Any unreasonably noxious, unpleasant or strong odor which interferes with the use and enjoyment of one's property and causes distress, discomfort or injury to an individual and extends beyond the boundaries of the property from which the offensive odor originates is hereby declared to be a nuisance and, by the passing of this Ordinance, is prohibited.
- B. Individuals and/or entities owning property within the city limits of the City of Troup, Texas shall take all reasonable steps to ensure that no such offensive odors emanate from their respective property(ies).
- C. Any and all animals which are kept or harbored on property located within the city limits of Troup, Texas, and the grounds upon which they are harbored, shall at all times be kept clean and free from noxious and/or unpleasant odors. Any and all pens, coops or other structures which house or enclose an animal shall be kept at a distance from a neighboring property so as to reduce the likelihood of offensive odors extending beyond the boundary of said property.

**II.  
SEVERABILITY**

Should any phrase, section, sentence or paragraph of this Ordinance be deemed illegal or unconstitutional by a court or tribunal having jurisdiction, such finding shall not affect the remaining phrases, sections, sentences or paragraphs of this Ordinance.

**III.  
PENALTY**

Any person and/or entity that violates the regulations found within this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$500.00. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

**IV.  
EFFECTIVE DATE**

This Ordinance shall become effective upon its passage and approval by the City Council for the City of Troup, Texas and its publication as required by law.

**PASSED AND APPROVED** by the City Council for the City of Troup, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**APPROVED BY:**

\_\_\_\_\_  
Joe Carlyle, Mayor

**ATTEST:**

\_\_\_\_\_  
Buffie Deason, City Secretary