

November 18, 2025

A regular meeting of the City Council was held at City Hall, 110 S Ash, on Tuesday, November 18, 2025, at 6:30 p.m., with Mayor Kerry Symons presiding. Mayor Symons gave the invocation and the Pledge of Allegiance was recited. Mayor Symons welcomed guests.

COUNCIL MEMBERS PRESENT: Mayor Kerry Symons, Councilmembers Greg Good, J Aston, Brad Kile, Brady Burdick, Brad Herring
COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Waters, Fowler, Blasingame, Knapp, Chief Gonzalez, Sam Gonzalez, Kenny Kile, Jim Kile, Jason Huddleston, Barry Barclay, Rachel Knapp, Mary Dudley, and Miguel Valenzuela

COUNCIL ITEMS: None

SUPPLEMENTAL ITEMS: Blasingame informed Council that the City received its Certificate of Achievement for Excellence in Financial Reporting. This marks the 35th year in a row that the City has been awarded the certificate. Waters commended the Sanitation Department and Fire Department for their efforts in extinguishing an early morning fire at the landfill. Knapp also expressed gratitude to the Street Department and Parks Department for the work that has been completed on the R.V. spots at Whigham Park and for their upcoming projects. Mayor Symons shared that he has received many positive remarks on Whigham Park and thanked all City Departments involved.

PUBLIC COMMENTS: None

CONSIDER APPROVING MINUTES OF THE PREVIOUS MEETING: COUNCILMAN J ASTON MADE A MOTION TO APPROVE THE MINUTES OF OCTOBER 21, 2025, SECONDED BY COUNCILMAN GREG GOOD. ALL VOTED AYE, MOTION CARRIED.

CONSIDER PAYING BILLS OF THE PREVIOUS MONTH: Blasingame informed Council that the final set of payables were sent on Tuesday, November 18, 2025. There were no construction estimates at this time.

CONSIDER AN ORDINANCE AMENDING CHAPTER 5, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYTON, TEXAS, PROVIDING FOR THE CREATION OF REGULATIONS CONCERNING THE KEEPING AND HARBORING OF BACKYARD CHICKENS: Waters presented Ordinance #032-25 and explained that it would amend Chapter 5, Article V, of the Code of Ordinances of the City of Perryton. Waters informed Council that the ordinance would create regulations concerning the keeping and harboring of backyard chickens. Jason Huddleston addressed Council in favor of amending Chapter 5, Article V, of the Code of Ordinances of the City of Perryton. After a brief discussion, Council set a permit fee of sixty dollars (\$60) and made the decision to wave fees for high school education purposes. **COUNCILMAN GREG GOOD MADE A MOTION TO ADOPT ORDINANCE #032-25, AMENDING CHAPTER 5, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYTON, TEXAS, PROVIDING FOR THE CREATION OF THE REGULATIONS CONCERNING THE KEEPING AND HARBORING OF BACKYARD CHICKENS WITH A PERMIT FEE OF \$60 AND WAIVING PERMIT FEES FOR HIGH SCHOOL EDUCATION PURPOSES, SECONDED BY COUNCILMAN BRADY BURDICK. ALL VOTED AYE, MOTION CARRIED.**

ORDINANCE #032-25

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF PERRYTON, TEXAS AMENDING CHAPTER 5, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYTON, TEXAS; PROVIDING FOR THE CREATION OF REGULATIONS CONCERNING THE KEEPING AND HARBORING OF BACKYARD CHICKENS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Perryton, Texas ("City") recognizes that there is a desire amongst its residents to keep and harbor backyard chickens; and

WHEREAS, the City acknowledges that thorough regulation and enforcement of keeping and harboring backyard chickens is necessary to prevent potential nuisances related to the harboring of such animals; and

WHEREAS, the City recognizes the necessity of establishing and regulating: the type of backyard chickens allowed, the related permitting process, the standards for keeping backyard chickens including construction standards for coops and exercise yards, public nuisances concerning backyard chickens, prohibiting the keeping of fowl, and the revocation process of related permits.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Perryton, Texas, as follows:

I.

Chapter 5, Article V, of the Code of Ordinances of the City of Perryton, Texas, concerning Backyard Chickens, is hereby amended to read as follows:

ARTICLE V. FOWL

DIVISION 1. BACKYARD CHICKENS

Sec. 5-96. Definitions.

Backyard chicken means a female chicken (hen) which is possessed or harbored for providing organic egg production in compliance with this Article.

Chicken coop means an enclosed structure which meets the construction standards set forth in Section 5-99 ("Construction standards for chicken coops and exercise yards").

Exercise yard means the enclosure attached to the chicken coop that provides exercise for the backyard chickens and prohibits the backyard chickens from escaping such enclosure, which meets the construction standards set forth in Section 5-99 ("Construction standards for chicken coops and exercise yards").

Prohibited fowl means roosters, chickens, turkeys, pheasants, quail, guineas, geese, ducks, pigeons, peacocks, emu, ostriches and other similar feathered animals regardless of age or sex which are kept on property within the City but which shall not include backyard chickens kept in accordance with this Article.

Sec. 5-97. Backyard Chickens Allowed; Permits.

(a) A person may harbor or possess no more than five (5) backyard chickens on residential property or, a school, or an educational facility within the City after first having obtained a permit from the City for such location and payment of a nonrefundable application fee set forth in the fee schedule.

(b) *Permit application.* A person who desires to harbor or possess backyard chickens on residential property within the City on which the person identifies as the person's primary residence shall:

(1) Submit an application for a permit to Animal Services on a form provided by the City accompanied by a site plan showing the proposed location of the chicken coop on the property, and a floor plan and side elevations for the chicken coop to be located on the property. The site plan shall also include all property lines, building lines, yard setbacks, right-of-way, easements and/or other structures located on the property;

(2) Pay a nonrefundable registration fee in the amount set forth in the fee schedule;

(3) If the applicant is a person other than the owner of the property on which the backyard chicken(s) will be kept, submit with the permit application written authorization from the property owner to keep backyard chickens on the property identified in the permit application, which authorization must bear the property owner's notarized signature;

(4) The premises for which an application is submitted shall be inspected upon initial application to determine a backyard is large enough for the construction of a chicken coop and exercise yard that will meet the standards set forth in this Article. Further, upon completion of the construction of the chicken coop, the structure shall be inspected again to ensure compliance with the requirements of this Article.

(c) Not more than one permit may be issued for an individual property, tract or residential lot.

(d) The permit is non-transferable and shall be valid for a period of 2-years. After the expiration of the 2-year period, a new permit must be applied for in order to keep backyard chickens.

(e) The permit shall not supersede, replace or control over any recorded deed restrictions, covenants or other restrictions applicable to such residential property.

(f) A student applying for a permit for backyard chickens associated with an official school program will not be assessed the permit fee. Students must present proof of participation to qualify for this benefit. All other requirements of this chapter apply.

Sec. 5-98. Standards for Keeping Backyard Chickens.

A person keeping backyard chickens on residential property, a school district, an educational facility or non-profit organization within the City shall comply with the following:

(a) Not more than five (5) backyard chickens may be kept on an individual property, tract or residential lot;

(b) Backyard chickens shall be kept within a secure chicken coop constructed with three (3) or more sides with a roof or other cover capable of allowing the chickens within the coop to remain dry and protected from the elements and which provides for direct access by an enclosed passage between the roosting area and exercise yard. Backyard chickens shall be kept within the chicken coop and exercise yard except when being removed to be transported off the property, or returned from a location off the property; provided, however, during day light hours, backyard chickens, under the direct supervision and control of a responsible person, may be allowed to roam in the rear yard outside of the chicken coop and exercise yard if the entire rear yard is secured by an enclosed perimeter fence not less than six (6) feet in height;

(c) No more than one (1) chicken coop and one (1) exercise yard shall be allowed on the property and must be located in the rear half of the lot; however, the use of a garage or indoor space may be used for extreme cold or brooding. The coop and exercise yard may not be located less than five (5) feet from any property line or any other structure and must not be placed within any building line, yard setback, right-of-way, and/or easement;

(d) The rear yard of the residence or location must be properly fenced and not less than six (6) feet in height prior to allowing a permit for a backyard chicken coop;

- (e) The height of the chicken coop shall not exceed the height of the existing fence enclosing the rear yard where the chicken coop is located, but in no case greater than eight (8) feet in height, excluding the height of any structure being used to house or maintain the chicken coop;
- (f) The chicken coop shall provide at least five (5) square feet of area per backyard chicken, but in no case, exceed a total of eighty (80) square feet of area;
- (g) The exercise yard shall be not less than fifteen (15) square feet in area per backyard chicken not exceed a total of one hundred and twenty (120) square feet in area;
- (h) Chicken coops and exercise yards must be maintained in a sanitary condition and the accumulation of backyard chicken waste on the property is prohibited;
- (i) Adequate food, shelter, water, and care shall be provided in a humane manner to the backyard chicken(s);
- (j) All hay, grain and feed shall be enclosed in such a manner that the same is not accessible to rats, flies, mosquitos or other rodents and insects;
- (k) The feeding of vegetables, meat scraps and garbage shall be done only in impervious containers on an impervious platform;
- (l) Watering troughs or tanks shall be provided by the permit owner, which shall be equipped with adequate facilities for draining the overflow so as to prevent the breeding of flies, mosquitos or other insects;
- (m) Nuisance odors or excessive noise shall not be allowed to travel beyond the property line and disturb neighbors of ordinary sensibilities;
- (n) Manure and droppings shall be removed from pens, yards, coops and other enclosures regularly and handled or disposed of in such a manner as to keep the premises free of any nuisance;
- (o) No backyard chicken or backyard chicken byproducts, including, but not limited to eggs, may be sold by, under the direction of, or with the consent of the permit holder;
- (p) Medical treatment from a Texas-licensed veterinarian must be timely obtained by the permit holder and provided to any backyard chicken(s) showing symptoms of illness or injury;
- (q) No processing of deceased backyard chickens shall occur in any area visible from the public right-of-way; and
- (r) Properly clip and maintain the wings of the backyard chickens so as to prevent the backyard chickens from flying over the backyard fence.

Sec. 5-99. Construction Standards for Chicken Coops and Exercise Yards.

- (a) *Chicken coops.* Chicken coops shall be constructed in accordance with the following requirements:
 - (1) The chicken coop must be constructed in a workmanship like manner of naturally decay-resistant wood, or wood that has been pressure treated to resist decay or galvanized steel or aluminum;
 - (2) The chicken coop may be located above the exercise yard; and
 - (3) The tallest part of the chicken coop shall not exceed the height of the existing fence enclosing the rear yard where the chicken coop is located, but in no case greater than eight (8) feet in height.
- (b) *Exercise yard construction.* Exercise yards shall be constructed in accordance with the following requirements:
 - (1) The exercise yard shall be constructed in a workmanship like manner of a frame of naturally decay resistant wood, wood that has been pressure treated to resist decay, galvanized steel or aluminum;
 - (2) The exercise yard frame shall be maintained in good and sound condition; and
 - (3) The exercise yard frame shall securely hold the wire enclosure on all edges of the enclosure.

Sec. 5-100. Keeping of Prohibited Fowl Unlawful.

It shall be unlawful for any person to keep, stable, board, possess, harbor or house any prohibited fowl on premises under the person's control within the city limits of the City of Perryton.

Sec. 5-101. Roosters and Crowing Backyard Chickens not Authorized.

- (a) A permit issued pursuant to this Article does not authorize the possession or keeping of a rooster on any property within the City. It is an offense for any person to keep, harbor or possess a rooster within the City. A person convicted of such offense shall be subject to a penalty of a fine in an amount not to exceed two hundred dollars (\$200.00).

(b) It shall be a defense to a violation of this Section if on the date of the offense, the permit holder did not reasonably know the sex of the fowl, and the rooster was sixty (60) days old or younger.

(c) A permit issued pursuant to this Article does not authorize the possession or keeping of a crowing backyard chicken on any property within the City. It is an offense for any person to knowingly and intentionally keep, harbor or possess a crowing backyard chicken within the City. A person convicted of such offense shall be subject to a penalty of fine in an amount not to exceed two hundred dollars (\$200.00). A crowing backyard chicken shall mean:

- (1) A backyard chicken which crows in a similar manner to a rooster; and
- (2) creates excessive noise which travels beyond the property line and disturbs neighbors of ordinary sensibilities; and
- (3) for which a noise violation complaint has been sustained in Municipal Court.

Sec. 5-102. Keeping Excess Backyard Chickens.

A person commits an offense if the person possesses or keeps more than five (5) backyard chickens on any property within the City. Each day that a person keeps or possesses more than five (5) backyard chickens on property within the City shall constitute a separate offense. A person convicted of an offense under this section shall be subject to a penalty or fine in an amount not to exceed one hundred dollars (\$100.00) for each backyard chicken in excess of five (5) that the person has possessed or kept on property within the City.

Sec. 5-103. Other Violations; Enforcement.

The Animal Services officer shall have the authority to issue citations for any violation(s) under this Article.

Sec. 5-104. Revocation of Permit.

(a) A permit issued by the City pursuant to this Article may be revoked upon a finding by the Code Enforcement Officer, Animal Control Officer, or other applicable City staff after written notice to the permit holder that the permit holder has violated any provision of this Article. The permit holder may appeal the revocation to the City Manager, or designee whose decision shall be final. The permit holder shall have until 5:00 p.m. of the fifth business day following receipt of the notice of revocation to appeal the permit revocation to the City Manager by submitting such appeal in writing to the City Manager (email shall constitute "writing" for the purposes of this Section). The appeal shall be heard by the City Manager within ten (10) business days following receipt of a timely notice of appeal at a hearing at which the Animal Control Officer and permit holder may submit oral and documentary evidence and testimony, and are provided an opportunity to ask questions of witnesses. No rules of evidence will apply to the conduct of such hearing. The City Manager, or designee, shall make a final determination to either repeal or uphold the permit revocation, which decision shall be final. If the permit holder fails to timely file an appeal of the permit revocation, or if the City Manager, or designee upholds the permit revocation following an appeal, the permit holder will have seventy-two (72) hours to remove the backyard chickens from the City following the date the notice of revocation is delivered to the permit holder or the date the City Manager, or designee denies the appeal of the permit revocation, whichever is later.

(b) A permit issued by the City pursuant to this Article shall be revoked upon a finding by Animal Control or other applicable City staff that the permit holder has been convicted of three (3) or more violations of the Code of Ordinances including this Article. A permit revoked pursuant to this subsection (b) is not appealable and such person (and such premises while owned or occupied by any such person) shall not be eligible for a permit for back yard chickens under this Article.

Sec. 5-106. Fee schedule

Application for permit for keeping backyard chickens shall be \$60.00, or as increased by the City Council.

Secs. 5-107—5-119. - Reserved.

II.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Perryton, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

III.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

IV.

This Ordinance shall become effective and be in full force and effect from and after sixty (60) days after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Perryton, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Perryton, Texas, on the 18th day of November, 2025.

/s/ Kerry Symons
Kerry Symons, Mayor

ATTEST:

/s/ Kim Fowler
Kim Fowler, City Secretary

CONSIDER RESCINDING RESOLUTION #028-25, AMENDING THE CITY FINANCIAL POLICY REGARDING THE MANAGEMENT OF ENTERPRISE FUNDS: Waters informed Council that Resolution #028-25 was passed on July 15, 2025 and explained that an amendment to the City Financial Policy is not necessary in order to implement franchise fees. **COUNCILMAN BRADY BURDICK MADE A MOTION TO RESCIND RESOLUTION #028-25, AMENDING THE CITY FINANCIAL POLICY REGARDING THE MANAGEMENT OF ENTERPRISE FUNDS, SECONDED BY COUNCILMAN J ASTON. ALL VOTED AYE, MOTION CARRIED.**

CONSIDER APPROVAL OF THE COMMUNITY DEVELOPMENT CORPORATION OF PERRYTON'S PURCHASE OF PROPERTY LOCATED AT 102 S. MAIN STREET: Waters informed Council that the Community Development Corporation approved the purchase of 102 S. Main and asked Council to consider the approval of purchase. **COUNCILMAN J ASTON MADE A MOTION TO APPROVE THE COMMUNITY DEVELOPMENT CORPORATION OF PERRYTON'S PURCHASE OF 102 S. MAIN STREET, SECONDED BY COUNCILMAN GREG GOOD. COUNCILMEN BRADY BURDICK, BRAD KILE, AND BRAD HERRING VOTED NAY. THE MOTION DID NOT PASS.**

CONSIDER A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PERRYTON, TEXAS AUTHORIZING THE CITY'S PARTICIPATION IN THE PANHANDLE REGION (TEXAS STATE PLANNING REGION 1) REGIONAL MUTUAL AID AGREEMENT AND DESIGNATING THE MAYOR TO SERVE AT THE CITY'S CHIEF REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THIS AGREEMENT: Waters asked Council to consider passing Resolution #030-25 and explained that the resolution would authorize the City to participate in the Panhandle Region Regional Mutual Aid Agreement and would designate the Mayor to serve as the City's representative. **COUNCILMAN BRAD HERRING MADE A MOTION TO PASS RESOLUTION #030-25, AUTHORIZING THE CITY'S PARTICIPATION IN THE PANHANDLE REGION (TEXAS STATE PLANNING REGION 1) REGIONAL MUTUAL AID AGREEMENT AND DESIGNATING THE MAYOR TO SERVE AS THE CITY'S CHIEF REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THIS AGREEMENT, SECONDED BY COUNCILMAN J ASTON. ALL VOTED AYE, MOTION CARRIED.**

RESOLUTION #030-25

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PERRYTON, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE PANHANDLE REGION (TEXAS STATE PLANNING REGION 1) REGIONAL MUTUAL AID AGREEMENT AND DESIGNATING THE MAYOR TO SERVE AS THE CITY'S CHIEF REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THIS AGREEMENT.

WHEREAS, the City of Perryton is vulnerable to disasters, both man-made and natural, which pose a threat to the welfare and safety of the City's residents and their property; and

WHEREAS, in the event of a large-scale disaster, City of Perryton could be faced with a situation that exceeds its capacity to effectively respond to the incident, thereby placing residents and their property at greater risk; and

WHEREAS, this same limitation impacts localities across the Texas Panhandle; and

WHEREAS, it would benefit the City of Perryton, as well as the other localities of the region, if during times of exigency, disaster assistance could be shared by and between those localities, as needed and available, to affect a higher, more appropriate level of response; and

WHEREAS, the Panhandle Region (Texas State Planning Region 1) Mutual Aid Agreement was developed to provide for the sharing of disaster assistance among the localities of the region, as needed and available, to afford all residents of the Panhandle a greater degree of protection; and

WHEREAS, the City of Perryton finds that it is in the best interest of its residents to participate in the Panhandle Region (Texas State Planning Region 1) Mutual Aid Agreement.

NOW THEREFORE, be it resolved by the City Council of the City of Perryton, Texas, that:

1. The City is hereby authorized to join itself as a party to the Panhandle Region (Texas State Planning Region 1) Mutual Aid Agreement.
2. The Mayor, as the City's Emergency Management Director is designated to serve as the City's Chief Representative in all matters pertaining to its participation in this Agreement.
3. The City agrees to abide by the terms of this Agreement, insomuch as it benefits the welfare and safety of our residents and their property.

CONSIDERED AND APPROVED THIS 18th DAY OF NOVEMBER, 2025.

/s/ Kerry Symons

Kerry Symons, Mayor

ATTEST:

/s/ Kim Fowler

Kim Fowler, City Secretary

EXECUTIVE SESSION – DELIBERATIONS REGARDING REAL PROPERTY (AUTH. TX GOV. CODE SEC. 551.072): Mayor Symons began the Executive Session to discuss Real Property at 7:26 p.m. The Executive Session was closed at 8:05 p.m. No action taken. Councilman Greg Good asked for the Community Development Corporation to re-present their purchase of 102 S. Main at the next scheduled council meeting.

REVIEW FINANCIAL REPORTS FOR THE PREVIOUS MONTH: Blasingame presented the financial reports for the month ending October 31, 2025.

MOTION TO ADJOURN: THERE BEING NO FURTHER BUSINESS, COUNCILMAN BRAD KILE MADE A MOTION TO ADJOURN AT 8:11 P.M., SECONDED BY COUNCILMAN GREG GOOD. ALL VOTED AYE, MOTION CARRIED.

/s/ Kerry Symons

Kerry Symons, Mayor

ATTEST:

/s/ Kim Fowler

Kim Fowler, City Secretary