

Chapter 10

ANIMALS*

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ARTICLE I. IN GENERAL

Sec. 10-1. 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:

Animal means any live or dead mammal, domesticated or wild vertebrate creature, warm or cold blooded, domesticated or wild.

Animal at large means not physically restrained to the premises of the owner or not under the direct control of the owner, handler or trainer (direct control shall mean securely confined by leash, chain or other device).

Animal control facility means any facility operated by the city or its authorized agents for the purpose of impounding, quarantining or caring of animals held under the authority of this chapter.

Animal control officer means a person designated and duly sworn by the city as a law enforcement officer who is designated to perform such duties under the laws of this city and/or this state and who shall pass a state department of health basic animal control officer course within eight months from date of employment.

Auction means a place or facility where animals are regularly bought, sold or traded except for those facilities otherwise defined in this chapter. The term "auction" does not apply to individual sales of animals by private owners.

Cat means any live or dead cat (*Felix catus*).

Circus means a commercial variety show featuring animal acts for public entertainment.

Current vaccination means vaccinated and satisfying the following criteria:

- (1) The animal must be at least three months of age at the time of vaccination.
- (2) At least 30 days have elapsed since the initial vaccination.
- (3) Not more than 12 months have elapsed since the current vaccination—most recent vaccination.

Dog means any live or dead dog (*Canis familiaris*).

Domestic animal means tame, domesticated, of or pertaining to the family or household.

Fowl means a bird of any kind; domestic cock or hen (*Gallus*).

Grooming shop means a commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

Kennel means any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs and cats, and/or a facility for keeping more than six units (animals) of the same species.

Livestock means domestic animals used or raised on a farm, especially those kept for profit.

Owner means a person keeping or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three consecutive days or more.

Performing animal exhibition means a spectacle, display, act or event other than circuses in which animals are used.

Pet means an animal kept for pleasure rather than utility.

Pet shop means a person, whether operated separately or in connection with another business enterprise, except for a licensed kennel, that buys, sells or boards any species of animals.

Public nuisance means an animal which:

- (1) Molests passerby or passing vehicles.
- (2) Attacks or attempts to attack other animals.
- (3) Trespasses.
- (4) Is repeatedly at large (stray).
- (5) Damages private or public property.
- (6) Barks, whines or howls in an excessive, continuous or untimely fashion.

Quarantine means strict confinement under restraint by a closed cage, isolation kennel, rabies chamber, padlock or in any other manner approved in a rule of board of animals specified.

Rabies means an acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite or saliva (hydrophobia).

Restraint means an animal secured by a leash or lead, and under the control of a responsible person, or within the real property limits of its owner, behind a fence, or being in/on a vehicle being driven or parked.

Riding school or *stable* means a place which has available for hire, boarding and/or riding instructions for any horse, pony, donkey, mule or burro.

Steel jaw type traps means spring-loaded snap type traps with jaws that close around an animal's legs, wings or body causing minor to major damage to the appendage in the trap. Only box-type live traps are legal within the city limits.

Stray means an animal free or running at large, with no physical restraint.

Unit means a combination of one to six domestic animals within the city limits.

Veterinary hospital means an establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

Vicious animal means an animal that constitutes or is a physical threat to human beings or other animals.

Wild animal means a live monkey (nonhuman primate), raccoon, opossum, skunk, armadillo, fox, poisonous snake, leopard, panther, tiger, lion, lynx or any other warm-blooded or cold-blooded animal which can normally be found in the wild state.

Wild state means living in its original, natural condition; not domesticated or tame, regardless of state or duration of captivity.

Zoological park means a facility other than pet shops or kennels displaying or exhibiting one or more species of nondomesticated animals operated by a person.

(Ord. of 2-10-2000, art. I)

Cross reference—Definitions generally, § 1-2.

Sec. 10-2. Number of domestic animals limited.

(a) It shall be a violation of this chapter for any person to possess, own or otherwise keep more than six animals in any residential area of the city except in cases of newly born or hatched litters or clutches under the age of three months, and further excepting large securely fenced areas so long as the area is not overstocked nor allowed to become a public nuisance.

(b) This section shall not apply to commercial kennels, veterinary establishments or animal hospitals operated by a licensed veterinarian, or pet shops or grooming shops located on property zoned for such purposes. Such establishments, however, must meet sanitation requirements and keep animals securely caged or penned.

(c) This section shall not apply to any person keeping or harboring animals in a cage, yard, lot, or other fenced or enclosed boundary the extreme perimeter of which will not be closer than 300 feet from any house, home, apartment, motel or domicile of any person, and is not a public nuisance.

(Ord. of 2-10-2000, art. II, § IV)

Sec. 10-3. Abattoirs, packing houses and stockyards.

The provisions of this chapter shall not be construed to prohibit any person engaged in operating any abattoir, packing house or stockyard from keeping livestock for a reasonable length of time awaiting their use in connection with the operation of such abattoir, packing house or stockyard which had been zoned for such use.

(Ord. of 2-10-2000, art. II, § V)

Sec. 10-4. Dangerous dogs.

The provisions of V.T.C.A., Health and Safety Code §§ 822.041—822.046 regarding dangerous dogs are adopted.

(Ord. of 2-10-2000, art. VI, § I(6))

Sec. 10-5. Penalty.

(a) Any person who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined as provided in section 1-13.

(b) Minimum fines levied per offense are as follows:

(1) Animal abandonment, per day	\$100.00
(2) No rabies vaccination	100.00
(3) Not registered/licensed	50.00
(4) No permit issued	50.00
(5) Allowed to run at large, stray	75.00
(6) More than six units per household	100.00
(7) Unconfined and/or nonmuzzled vicious animal	100.00
(8) Unconfined female dog or cat in heat	75.00
(9) Any violation of section 10-122 except subsections (b) and (d)	100.00

(Ord. of 2-10-2000, art. XII, § II)

Sec. 10-6. Fee schedule.

(a) *Standard fee.* A license shall be issued after payment of the standard fee of \$2.00. A replacement license shall be issued after payment of the standard fee of \$1.00.

(b) *Permit fees.* A permit shall be issued after payment of the following applicable fee:

(1) Kennel authorized to house less than ten dogs/cats	\$ 25.00
(2) Kennel authorized to house ten or more	50.00
(3) Kennel authorized to house 50 or more	75.00
(4) Pet shop	100.00
(5) Grooming shop	25.00
(6) Riding stable	75.00
(7) Zoological park	50.00
(8) Auction	125.00
(9) Performing animal exhibition and/or circus	50.00
(10) Transfer action (administrative)	10.00

(c) *Impoundment fees.* The following applicable impoundment fee must be paid for each animal captured:

(1) Dog or cat	\$ 25.00
(2) Fowl and other small animals	25.00
(3) Livestock	50.00
(4) Zoological and/or circus animals	100.00

(d) *Board fees.* The following applicable boarding fee must be paid for each animal confined by the animal control facility:

(1) Dog or cat, per day of confinement.....	\$ 5.00
(2) Fowl and other small animals, one-time charge.....	5.00
(3) Livestock animal, per day of confinement.....	25.00
(4) Zoological and/or circus animals, per day of confinement.....	300.00

(Ord. of 2-10-2000, ex. A)

Secs. 10-7—10-40. Reserved.

ARTICLE II. ADMINISTRATION*

Sec. 10-41. Animal control officer.

(a) There shall be appointed an animal control officer whose duty it will be to gather up and impound or quarantine any livestock, fowl, cats, dogs or other domestic and nondomestic animals found running at large (stray) within the city limits and to enforce all provisions of this chapter.

(b) The animal control officer is designated the local rabies control authority as defined in V.T.C.A., Health and Safety Code § 826.017.

(Ord. of 2-10-2000, art. II, § I)

Cross reference—Officers and employees, § 2-171 et seq.

State law reference—Designation of local rabies control authority, V.T.C.A., Health and Safety Code § 826.017.

Sec. 10-42. Reports.

It shall be the duty of the animal control officer to report in writing monthly the total number of animals impounded and/or quarantined, the total number of animals redeemed or sold to private parties, the total number of animals humanely disposed of under the provisions of this chapter, and the animal population as of the last work day of the month at the animal control facility.

(Ord. of 2-10-2000, art. II, § II)

Sec. 10-43. Fee deposits.

It shall be the duties of the animal control officer to pay or cause to be paid all moneys collected by him under the terms of this chapter to the city.

(Ord. of 2-10-2000, art. II, § III)

***Cross reference**—Administration, ch. 2.

Sec. 10-44. Enforcement.

The civil and criminal provisions of this chapter shall be enforced by those persons or agencies designated by municipal authority. It shall be a violation of this chapter to interfere with an animal control officer in the performance of his duties.

(Ord. of 2-10-2000, art. XII, § I)

Secs. 10-45—10-80. Reserved.

ARTICLE III. LICENSES AND PERMITS

Sec. 10-81. License required.

(a) Any person owning, keeping, harboring or having custody of any animal over three months of age within this city must obtain a license as provided in this article. This provision may not apply to the keeping of small caged birds, aquatic and amphibian animals or certain reptiles solely as pets, or livestock when in the environment of a farm located within an undeveloped residentially zoned section.

(b) Written application for license shall be made to the animal control officer, which shall include:

- (1) Name, address, phone number of applicant;
- (2) Name of animal;
- (3) Description of the animal;
- (4) A rabies certificate issued by a licensed veterinarian or anti-rabies clinic; and
- (5) The appropriate licensing fee.

License fees may not be required for guide dogs or governmental police dogs; however, other requirements under this article shall remain in force.

(c) The licensing period shall begin one year with the date of issuance.

(Ord. of 2-10-2000, art. III, § I)

Sec. 10-82. License acceptance and use.

(a) Upon acceptance of the license application and fee, the animal control officer or the city clerk shall issue a durable tag stamped with an identifying number and the year of issuance. Tags will be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.

(b) Dogs and cats must wear identification tags or collars at all times when off the premises of the owner. It shall be the duty of the owner of any animal to procure a duplicate tag from the animal control officer if the original tag is lost or destroyed. There will be a fee of 50 percent of the fee charged in section 10-6 for each replacement tag.

(c) No person may use any license for any animal other than the animal for which it was issued.

(d) The animal control officer shall maintain a record of the identifying numbers of all tags issued.

(Ord. of 2-10-2000, art. III, § II)

Sec. 10-83. Permits.

(a) No person shall operate a commercial animal establishment or kennel without first obtaining a permit in compliance with this section.

(b) Upon a showing by an applicant that he is willing and able to comply with the regulations of this chapter, a permit shall be issued upon payment of the applicable fee in section 10-6.

(c) The permit period shall begin with the fiscal year (July) and shall run for one year. Renewal applications for permits must be made 30 days prior to and up to 60 days after the start of the fiscal year. Applications for a permit to establish a new commercial animal establishment or kennel under the provisions of this article may be made at any time. The fee will be prorated per month left within the fiscal year.

(d) If there is a change in ownership of a commercial animal establishment or kennel, the new owner may have the permit transferred to his name upon payment of a transfer fee as listed in section 10-6.

(e) Every facility regulated by this chapter shall be considered a separate enterprise and requires an individual permit.

(f) Persons operating kennels for breeding of animals which handle less than ten animals may elect to license such animals individually.

(g) Any person who has a change in the category under which a permit was issued shall be subject to reclassification, and appropriate adjustment of the permit fee shall be made.

(h) No fee shall be required of any veterinary hospital, government-operated animal shelter, government-operated control facility, or government-operated zoological park.

(Ord. of 2-10-2000, art. III, § III)

Sec. 10-84. License and permit issuance and revocation.

(a) The city may revoke any permit or license if the person holding the permit or license refuses or fails to comply with this chapter or any law governing the protection and keeping of animals.

(b) Any person whose permit or license is revoked shall, within ten days thereafter, humanely dispose of all animals owned, kept or harbored by such person; and no part of the permit or license fee shall be refunded.

(c) Every facility will be inspected quarterly by the animal control officer to ensure proper procedures are being followed according to Rabies Control Act, V.T.C.A., Health and Safety Code § 826.001 et seq.

(d) Each kennel operated in the city shall comply with the standards for housing and sanitation existing on September 1, 1982, and adopted under V.T.C.A., Health and Safety Code ch. 826.

(e) It shall be a condition of the issuance of any permit or license that the city shall be permitted to inspect all animals and the premises where animals are kept any reasonable time of day and shall, if permission for such inspection is refused, revoke the permit or license of the refusing owner named on the permit or license.

(f) If the applicant has withheld or falsified any information on the application, the city shall refuse to issue a permit or license.

(g) No person who has been convicted of cruelty to animals shall be issued a permit or license to operate a commercial animal establishment.

(h) Any person having been denied a permit or license may not reapply for a period of 120 days.

(Ord. of 2-10-2000, art. III, § IV)

Secs. 10-85—10-120. Reserved.

ARTICLE IV. RESTRAINT AND ANIMAL CARE

Sec. 10-121. Restraints.

(a) All dogs and cats shall be kept under restraint and not allowed to run at large (stray).

(b) No owner shall fail to exercise proper care and control of his animal to prevent such animal from becoming a public nuisance.

(c) Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with a male animal except for planned breeding purpose.

(d) Every vicious animal, as determined by an animal control officer or police officer, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner as described in V.T.C.A., Health and Safety Code § 822.001 et seq.

(Ord. of 2-10-2000, art. IV, § I)

Sec. 10-122. Care.

(a) No owner shall fail to provide his animal with sufficient good and wholesome feed and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

(b) It shall be the duty of the owner or keeper of each and every dog or cat kept in the city to have such dog or cat vaccinated against rabies by a practicing veterinarian at least once every year (V.T.C.A., Health and Safety Code § 826.021). It shall further be the duty of each owner or keeper to obtain and keep a certificate from such veterinarian certifying that such animal has been vaccinated and produce that document for inspection by the animal control officer when requested. If the vaccination document cannot or will not be produced by the owner or keeper of such animal, the animal control officer shall issue a citation for failure to comply with this section.

(c) No person shall beat, cruelly treat, torment, overload, overwork or otherwise abuse an animal, or cause, instigate or permit a dog fight, cockfight, bullfight or other combat between animals or between animals and humans.

(d) No owner of an animal shall abandon such animal or, in case of impoundment by the animal control officer, allow the animal to remain in the animal control facility beyond a six-day maximum for the purpose of adopting at a lesser cost than the fine.

(e) Only a licensed veterinarian shall crop a dog's ears.

(f) Only a licensed veterinarian shall dock, clip or cut a dog's tail.

(g) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner; if the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency. Failure to do so shall be a violation of this chapter.

(h) It shall be unlawful for any person to attach or permit to be attached to any animal belonging to him or in his possession any cow bell or loud-sounding, noisy or disturbing implement or instrument within the limits of the city.

(i) No person shall expose any known poisonous substance, whether mixed with food or not, so that the substance shall be liable to be eaten by any animal; but it shall not be unlawful for a person to expose on his own property common rat poison mixed only with vegetable substances.

(j) The owner of every animal shall be responsible for the removal of any excretion deposited by his animal. Failure to do so shall be a violation of this chapter.

(k) It shall be unlawful for any person to use steel jaw traps within the city limits.
(Ord. of 2-10-2000, art. IV, § II)

Secs. 10-123—10-150. Reserved.

ARTICLE V. IMPOUNDMENT**Sec. 10-151. Duties of animal control officer.**

Animal control officers are empowered during the performance of their duties to:

- (1) Capture unrestrained, stray dogs, cats and/or nuisance animals. Impounded animals will be taken to the animal control facility and there confined in a humane manner.
- (2) Dogs and cats impounded shall be kept for a period of not less than three working days before being made available for adoption. The person adopting such animals shall, at his expense, comply with the requirements of V.T.C.A., Health and Safety Code ch. 828.
- (3) If by a license tag or other means the owner of an impounded dog or cat can be identified, the animal control officer shall immediately upon impoundment notify the owner by the quickest means available.
- (4) An owner reclaiming an impounded dog or cat shall pay an impoundment fee as listed in section 10-6.
- (5) An owner reclaiming an impounded dog or cat shall pay a boarding fee as listed in section 10-6.
- (6) Any dog or cat not reclaimed by its owner within three working days after notification shall become available for adoption in a suitable home or authorized place of impoundment or humanely euthanized under this chapter. If an owner is known, six working days are given to reclaim for a licensed animal.
- (7) In addition to impounding a dog or cat found at large (stray), the animal control officer must issue, to the known owner of such animal, a citation for violation of this chapter.
- (8) At the discretion of the animal control officer, when the owner of a dog or cat can be located immediately after capture; and in lieu of impoundment, the animal control officer may return the animal to its rightful owner and thereupon issue a citation for the violation of this chapter. In this case, the impoundment fee must be paid; however the boarding fee shall be waived.

(Ord. of 2-10-2000, art. V, § I)

Sec. 10-152. Ownership.

If after a thorough investigation the ownership of a dog or cat cannot be substantiated after its capture, it shall be impounded for a period of not less than three working days, and thereafter be considered as abandoned, whereupon it shall become available for adoption in a suitable home or humanely euthanized.

(Ord. of 2-10-2000, art. V, § II)

Secs. 10-153—10-180. Reserved.

ARTICLE VI. RABIES CONTROL***Sec. 10-181. Quarantine.**

The animal control officer and/or any law enforcement officer shall direct the owner of a suspected animal involved in a biting incident to have it quarantined for rabies by a licensed veterinarian within 24 hours of the incident and submit proof of quarantine to the animal control officer.

(Ord. of 2-10-2000, art. VI, § I(1))

Sec. 10-182. Impoundment of animals involved in biting accident.

Animals involved in a biting accident for which an owner cannot be readily identified and/or contacted expeditiously will be impounded. The animal control officer will ensure that the animal is quarantined within 24 hours by a licensed veterinarian with an approved rabies control facility. The animal will be isolated from other animals or possible victims. In the instance where no owner is determined, it will be under the judgment of the animal control officer if the animal may be euthanized and the head be sent in for rabies virus testing.

(Ord. of 2-10-2000, art. VI, § I(2))

Sec. 10-183. Impoundment of noninoculated animals.

The animal control officer shall cause all noninoculated animals involved in a biting incident to be impounded in a suitable facility for a period of ten days from the day of the bite at the owner's expense. The animal will be released back to the owner after the animal has been vaccinated against rabies by a licensed veterinarian. All costs are to be paid by the owner.

(Ord. of 2-10-2000, art. VI, § I(3))

Sec. 10-184. Confinement on owner's premises.

Currently vaccinated animals involved in a biting incident, upon the owner's request in writing, and the animal control officer's and/or veterinarian's approval, may be confined under positive control on the owner's premises isolated from other animals or possible victims only. Home quarantine as provided in V.T.C.A., Health and Safety Code § 826.001 et seq., shall be acceptable if:

- (1) Secure facilities are available;
- (2) The animal was vaccinated against rabies within the last 12 months; if an unvaccinated animal is not over four months of age, it may be allowed home quarantine;
- (3) The LRCA or a licensed veterinarian can observe the animal at least on the first and last days of the quarantine period; and
- (4) The animal was not a stray (roaming with no physical restraint) at the time of the bite.

(Ord. of 2-10-2000, art. VI, § I(4))

***Cross reference**—Environment, ch. 34.

State law reference—Rabies control, V.T.C.A., Health and Safety Code § 826.001 et seq.

Sec. 10-185. Final examination required for release.

A final examination by the veterinarian at the termination of the ten days' quarantined is required, and proof of the examination and release shall be furnished to the animal control officer.

(Ord. of 2-10-2000, art. VI, § I(5))

Sec. 10-186. Reports of exposure to rabies.

(a) Persons having knowledge of an animal bite, scratch, or other attack on an individual that a reasonable person could reasonably foresee as capable of transmitting rabies or of an animal that the person suspects is rabid, shall report the incident or animal to either the police department or the animal control officer of the city. This report shall include the name and address of any victim and of the owner of the animal, if known.

(b) The owner of an animal that is reported to be rabid or the owner knows or suspects to be rabid or to have attacked an individual shall submit the animal for quarantine to the animal control officer or a police officer of the city.

(c) If a quarantined animal is found to be rabid, the animal control officer or a police officer will cause the animal humanely euthanized. If an animal dies or is euthanized while in quarantine, the animal control officer will cause the head or brain of the animal removed and submit it to the nearest state department of health laboratory for testing.

(d) If a quarantined animal is found to be free from rabies, the animal control officer shall release it to the owner following the quarantine period.

(e) Immediately after acquiring knowledge that his animal has been bitten by a rabid animal, it shall be the duty of the owner or keeper to cause such animal to be given the antirabies treatment, and to impound such animal as per state department of health, ch. 169.30, Disposition of Animals Exposed to Rabies, for a period of 45 to 90 days in a place approved by the animal control officer or to euthanize such animal in a humane manner.

(f) V.T.C.A., Health and Safety Code §§ 826.021—826.025 is adopted.
(Ord. of 2-10-2000, art. VI, § II)

Secs. 10-187—10-220. Reserved.

ARTICLE VII. FOWL AND OTHER SMALL ANIMALS

Sec. 10-221. Stray.

It shall be unlawful for any person raising or keeping chickens, turkeys, geese, guineas, ducks, pigeons or other fowl to permit or allow such animal to run at large (stray) within the limits of the city.

(Ord. of 2-10-2000, art. VII, § I)

Sec. 10-222. Chicken coop or enclosure of fowl.

It shall be the duty of every person raising or keeping chickens, turkeys, ducks, geese, guineas, pigeons or other fowl to keep them in pens, coops or enclosures which shall be a distance of at least 50 feet from every building/structure used for sleeping, dining or living and shall be kept in a sanitary condition and shall also be kept in such a manner as will be reasonably calculated not to become offensive to neighbors or to the public.

(Ord. of 2-10-2000, art. VII, § II)

Sec. 10-223. Keeping rabbits, guinea pigs, white rats and similar animals.

It shall be the duty of every person raising or keeping rabbits, guinea pigs, white rats, white mice, hamsters and other small animals to keep such animals in pens, coops or enclosures and such pens, coops or enclosures shall be a distance of at least 50 feet from every building/structure used for sleeping, dining or living and shall be kept in a sanitary condition and shall be kept in such a manner as will be reasonably calculated not to become offensive to neighbors or to the public.

(Ord. of 2-10-2000, art. VII, § III)

Sec. 10-224. Not applicable to authorized veterinary hospitals.

This article shall not apply to authorized veterinary hospitals for the treatment of domestic animals.

(Ord. of 2-10-2000, art. VII, § IV)

Secs. 10-225—10-260. Reserved.**ARTICLE VIII. LIVESTOCK****Sec. 10-261. Stray.**

It shall be unlawful for the owner, keeper or person in charge of any horse, mule, jack, jenny, cow, cattle, hog, sheep or goat, or similar animal to allow or permit the animal to run at large (stray) within the limits of the city. Every such animal shall be kept in a stable, pen or other enclosure wherever located within the city for keeping of such animals which shall be a distance of at least 300 feet from every building or structure used for sleeping, dining and living and shall be kept in a sanitary condition and shall also be kept in such a manner as will be reasonably calculated not to be offensive to neighbors or to the public. For the purposes of this section, a horse, mule, jack, jenny, cow/bull, or four head of sheep, goats or pigs may be confined in an area of no less than 43,560 square feet (one acre).

(Ord. of 2-10-2000, art. VIII, § I)

Sec. 10-262. Impounding.

The animal control officer shall take up or cause to be taken up any animal regulated in this article found running at large within the limits of the city and shall impound any such animals in a suitable place provided for that purpose.

(Ord. of 2-10-2000, art. VIII, § II)

Sec. 10-263. Notice for sale.

The animal control officer shall, within three days after an animal regulated by this article has been impounded, post two notices, one at the municipal complex, and one on some other public place, giving full description of such animal so taken up and impounded and stating a day and place of sale of such animal, which date of sale shall not be less than ten calendar days from date of posting notice; and the animal shall be sold at a public auction to the highest bidder for cash.

(Ord. of 2-10-2000, art. VIII, § III)

Sec. 10-264. Reclaiming before sale.

The owner of any animal impounded under this article may reclaim the animal from the animal control facility at any time before sale by paying all fees, fines and expenses of taking up and keeping such animal.

(Ord. of 2-10-2000, art. VIII, § IV)

Sec. 10-265. Records.

The animal control officer shall keep a well-bound book in which he shall record a description of all animals impounded under this article, the date of impoundment, the date of sale, the amount realized from the sale, the fees and expenses due for impounding and keeping the animal, the name of owner if known, and the name of the purchaser.

(Ord. of 2-10-2000, art. VIII, § V)

Sec. 10-266. Redemption.

At any time within 14 calendar days from the date of sale, the owner of any animal impounded and sold under the provisions of this article shall have the right to redeem the animal by paying to the purchaser double the amount paid by the purchaser for such animal in addition to his reasonable expenses incurred in keeping the animal.

(Ord. of 2-10-2000, art. VIII, § VI)

Sec. 10-267. Staking and grazing.

It shall be unlawful for any person to stake any livestock for the purpose of grazing upon or within the reach of any public street, alley, sidewalk or park within the limits of the city.

(Ord. of 2-10-2000, art. VIII, § VII)

Sec. 10-268. Riding of animals.

It shall be unlawful for any person to ride an animal, drive an animal or animal-pulled vehicle within any developed residentially zoned area, or public street, alley, sidewalk or park within the city without special permission from the city administrator. An exception is a city-sponsored parade or special event as authorized by the city council.

(Ord. of 2-10-2000, art. VIII, § VIII)

Secs. 10-269—10-300. Reserved.**ARTICLE IX. WILD ANIMALS AND PERFORMING ANIMAL EXHIBITIONS****Sec. 10-301. Keeping of wild (nondomesticated) animals.**

(a) No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions, circuses, and veterinary hospitals.

(b) No person shall keep or permit to be kept any wild animals as a pet.

(c) The city may issue a temporary permit for the keeping, care and protection of any infant animal native to this area which has been deemed homeless.

(d) The animal control officer shall have the power to release or order the release of any infant wild animal kept under temporary permit which is deemed capable of survival.

(Ord. of 2-10-2000, art. IX, § I)

Sec. 10-302. Performing animal exhibitions.

(a) No performing animal exhibition or circus shall be permitted in which animals are induced or encouraged to perform through use of chemical, mechanical, electrical or manual devices in a manner which will cause or is likely to cause physical injury or suffering.

(b) All equipment used on a performing animal shall fit properly and be in good working condition.

(Ord. of 2-10-2000, art. IX, § II)

Secs. 10-303—10-330. Reserved.**ARTICLE X. ADOPTION****Sec. 10-331. Inoculation before adoption.**

(a) All dogs and cats adopted from the animal control facility shall be inoculated before adoption, with the following:

- (1) Dogs receive Galaxy VI sense (one dosage includes distemper-hepatitis, adeno virus 2, parain-fluena, leptospirosis and parvo virus); rabies vaccine according to age requirements; and any other serums directed by a veterinarian.

- (2) Cats receive feline three-way (one dosage includes rhinotracheitis, calici virus, and panlenkogsenia virus); rabies vaccine according to age requirements; and any other serums directed by a veterinarian.

(b) Such animals shall be released under the requirements of V.T.C.A., Health and Safety Code, ch. 828. The animal is to be spayed or neutered within 30 days after adoption.
(Ord. of 2-10-2000, art. X, § I)

Sec. 10-332. Examination by veterinarian.

All animals adopted from the animal control facility shall be examined by a veterinarian for health conditions prior to adoption.
(Ord. of 2-10-2000, art. X, § II)

Sec. 10-333. Medical treatment by veterinarian.

Animals other than dogs and cats may receive inoculations or other medical treatment as recommended by a veterinarian prior to adoption.
(Ord. of 2-10-2000, art. X, § III)

Sec. 10-334. Fees passed on.

All cost, debts and/or fees created by this article shall be passed on to the adopter and must be paid prior to receiving custody of the animal. License fee is required only during current license period; however, a proper tag will be issued in accordance with section 10-81 et seq.
(Ord. of 2-10-2000, art. X, § IV)

Sec. 10-335. Adoptions final.

All adoptions from the animal control facility are final.
(Ord. of 2-10-2000, art. X, § V)

Chapters 11—13

RESERVED