

CHAPTER 92: ANIMALS

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GENERAL PROVISIONS

§ 92.01 LIVESTOCK RUNNING AT LARGE.

It shall be unlawful for the owner or person in control of any animal of the cow kind, horse, mule, jack, jennet, hog, sheep or goat to allow or permit the same to run at large or be at large within the limits of the city.

(`97 Code, § 3-1) Penalty, see § 10.99

Statutory reference:

Authority to prohibit livestock running at large, see Tex. Loc. Gov't Code, § 215.026

§ 92.02 GENERAL RESTRICTIONS ON KEEPING LIVESTOCK.

(A) It shall be unlawful for any person to keep, harbor or raise more than one cow, one bull, one horse or more than one head of any other livestock within the corporate limits of the city.

(B) All livestock shall be kept in a suitable pen or enclosure situated not less than 300 feet from any inhabited dwelling. This distance requirement shall not apply to the dwelling of the owner who keeps the livestock.

(C) The provisions of this section shall not be construed to prohibit any person engaged in the operation of any packinghouse or other business institution from keeping more than one head of livestock for a temporary period of time, waiting their use in connection with the operation and maintenance of the packinghouse or other business institution.

(`97 Code, § 3-2) Penalty, see § 10.99

§ 92.03 MAINTENANCE OF PREMISES WHERE LIVESTOCK KEPT.

All pens and other enclosures wherein livestock are kept within the city shall be maintained and kept in such a manner as to protect the public health and safety and shall not be allowed to become unsanitary, offensive or disagreeable to persons residing in the vicinity thereof, nor shall they be so maintained or kept as to breed flies or any other insects or in any manner cause any injury to the public or any person residing in the city.

(`97 Code, § 3-3)

§ 92.04 FOWL RUNNING AT LARGE.

It shall be unlawful for any person owning or having the control of any chicken, duck, goose, turkey or other domestic fowl to permit the same to run at large on any street or sidewalk or on any other property, except his or her own, in the city.

(`97 Code, § 3-4) Penalty, see § 10.99

§ 92.05 NUMBER OF FOWL AND RABBITS RESTRICTED.

It shall be unlawful for any person to keep at any one location more than ten fowl and more than two rabbits. All fowl and rabbits shall be kept in a secure pen or enclosure that is at least 30 feet from any inhabited dwelling other than that of the owner.

(`97 Code, § 3-5) (Ord. 1993-H, passed 7-13-93) Penalty, see § 10.99

§ 92.06 DANGEROUS, WILD ANIMALS.

(A) It is unlawful for any person to own, possess, confine or care for a dangerous, wild animal within the corporate city limits.

(B) A dangerous, wild animal mean: a lion, a tiger, an ocelot, a cougar, a leopard, a cheetah, a jaguar, a bobcat, a lynx, a serval, a caracal, a hyena, a bear, a coyote, a jackal, a baboon, a chimpanzee, an orangutan, a gorilla, or any hybrid of an animal listed in this definition.

(C) Owner means any person who owns, harbors or has custody or control of a dangerous, wild animal.

(D) Person means an individual partnership, corporation, trust, estate, joint stock company, foundation, or association of individuals.

(Ord. 2002-B, passed 1-8-02)

REGULATIONS**§ 92.15 REGISTRATION FEE.**

It shall be unlawful for any owner or harbinger of any dog or cat to harbor or permit the dog or cat within the city without having an annual registration on file in the City Secretary's office upon the animal. The registration shall be due on June 1 of each year.

(`97 Code, § 3-21) (Am. Ord. 2000-E, passed 6-13-00) Penalty, see § 10.99

§ 92.16 LICENSE TAG.

Upon payment of the license tax on any dog or cat, it shall be the duty of the City Secretary to furnish the owner of the dog or cat a metal tag of distinctive design, on one side of which is stamped the words "tax paid" with the year for which the same is paid and the serial number of the tag. However, no such tag shall be issued for any dog or cat that has not been vaccinated against rabies in accordance with this chapter. If the tag is used for a dog, the tag shall, at all times, be securely attached to a collar around the neck of the dog or a harness around the neck and body of the dog upon which the tax has been paid. If the tag is used for a cat, the owner of the cat shall at the request of any police officer or Animal Control Warden present the tag for inspection.

(`97 Code, § 3-22) (Ord. 1979-L, passed 9-25-79)

§ 92.17 RABIES VACCINATION.

All dogs or cats kept or maintained in the city shall, once every 12 months, be immunized against rabies by a veterinarian licensed by the state to practice his or her profession and residing in the county. The veterinarian, upon administering antirabies vaccine, shall issue a certificate of the fact to the owner of the dog or cat, which certificate shall state the name of the owner, his or her address, a description of the dog or cat, the date, the number of the vaccination tag and the kind of vaccine used. He or she shall also furnish a tag with the words "vaccine administered" or words of like import, showing the date thereof. If the tag is issued for a dog, the tag shall at all times be securely attached to a collar around the neck of the dog or a harness around the neck and body of the dog. If the tag is used for a cat, the owner of the cat shall, at the request of any police officer or Animal Control Warden, present the tag for inspection.

(`97 Code, § 3-23) (Ord. 1979-L, passed 9-25-79)

Statutory reference:

Rabies control, see Tex. Health and Safety Code, §§ 826.001 et seq.

§ 92.18 REPORT OF RABIES.

It shall be the duty of the owner or harbinger of any dog or cat or of any veterinarian to report to the Chief of Police all cases of rabies with which he or she comes in contact, or to which his or her attention has been called. The report shall be made immediately upon diagnosis or suspicion of the case of rabies.

(`97 Code, § 3-24) (Ord. 1979-L, passed 9-25-79)

Statutory reference:

Report of rabies, see Tex. Health and Safety Code, § 826.041

§ 92.19 RUNNING AT LARGE.

It shall be unlawful for the owner or any person having the custody or control of any dog to permit the dog to run at large within the city. It shall be unlawful for the owner or any person having the custody or control of any cat that has not been immunized against rabies and licensed in accordance with the ordinances of the city to permit the cat to run at large within the city.

(`97 Code, § 3-25) (Ord. 1979-L, passed 9-25-79) Penalty, see § 10.99

§ 92.20 NUMBER OF DOGS AND CATS RESTRICTED.

(A) In this chapter, **DOG** shall mean any canine, regardless of age or sex, and **CAT** shall mean any feline, regardless of age or sex.

(B) It shall be unlawful for any person to keep or harbor more than four dogs, six months in age or older on any premises.

(C) It shall be unlawful for any person to keep or harbor more than four cats, six months in age or older on any premises.

(D) It shall be unlawful for any person to own or harbor more than four dogs or four cats, unless that person who owns or harbors more than four dogs and four cats obtains a special permit from the City Secretary.

(`97 Code, § 3-28) (Ord. 1993-H, passed 7-13-93; Am. Ord. 2000-E, passed 6-13-00) Penalty, see § 10.99

§ 92.21 PROHIBITION OF PUBLIC SLAUGHTER.

It shall be unlawful for any person to slaughter or cause to be slaughtered any animal within public view.

(Am. Ord. 2000-E, passed 6-13-00) Penalty, see § 10.99

§ 92.22 REGULATION OF VICIOUS DOGS.

It shall be unlawful for any person to own or harbor a dog that bites, hurts, attacks or causes injury to any human being or destroys another animal. When the event occurs, the animal shall be taken into custody in accordance with § 92.24. It shall be the dog owner or harborer's responsibility for all costs for his or her dog's behavior and a fine may be imposed on the owner or harborer of the animal not to exceed \$2,000 in accordance with § 10.99.

(Am. Ord. 2000-E, passed 6-13-00)

§ 92.23 CONTROL OF ANIMALS AND ANIMAL WASTE.

A person commits an offense if that person allows, causes or permits any of the following:

(A) Keeping an animal in such a manner as to endanger public health;

(B) Annoying neighbors by the accumulation of animal waste which causes foul or offensive odors which may be considered to be hazardous to any other animal or human being.

(Am. Ord. 2000-E, passed 6-13-00) Penalty, see § 10.99

§ 92.24 IMPOUNDMENT.

(A) It shall be the duty of the police officers of the city and of the Animal Control Warden to take up and impound any dog or cat found running at large within the city limits in violation of § 92.19. The owner of any impounded dog or cat shall have the right to redeem the dog or cat within 72 hours after the impounding of same by the payment of an impounding fee which is on file in the City Secretary's office, plus an amount per day for board in addition to the tax upon the animal, if same has not been paid previously, and the fine for the violation of this chapter, if any has been imposed. If the dog or cat is not redeemed within 72 hours, it shall be destroyed.

(B) If any dog or cat is impounded, it shall be immunized against rabies immediately upon being redeemed, as a condition to its redemption.

(C) The Chief of Police shall have authority, with the consent and under the direction of the City Council, to employ a person to be designated as the Animal Control Warden upon such terms as the City Council may from time to time direct, and it shall be the duty of the Animal Control Warden, under the direction of the police officers of the city, to take up and impound any dog or cat found running at large within the city limits in violation of § 92.19.

(`97 Code, § 3-26) (Ord. 1978-D, passed 5-23-78; Am. Ord. 1979-L, passed 9-25-79; Am. Ord. 1982-M, passed 2-9-82)