

CHAPTER 2

ANIMAL CONTROL

ARTICLE 2.01 GENERAL PROVISIONS

Sec. 2.01.001 Applicability

This chapter shall apply to all vicious animals, dogs, cats, insects, reptiles and any other animals to be kept within the city limits. (Ordinance 1071, sec. 1, adopted 10/20/87)

Sec. 2.01.002 Definitions

Definitions of terms, as used in this chapter, are as follows:

Animal. Any and all types of animals, both domesticated and wild, male and female, singular and plural.

At large. Off the premises of the owner or the custodian of the animal and not under the physical restraint of the custodian or owner.

Cat. An animal of the domesticated feline species.

Dog. An animal of the domesticated canine species.

(Ordinance 1071, sec. 2, adopted 10/20/87)

Sec. 2.01.003 Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined in accordance with the general penalty in section 1.01.009 of this code. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ordinance 1071, sec. 11, adopted 10/20/87)

Sec. 2.01.004 Expenses

The owner and/or custodian of any animal requiring a veterinarian, or impounding, licensing, destruction, or disposition services as the result of any violation of any provision of this chapter shall be responsible for all such expenses. (Ordinance 1071, sec. 10, adopted 10/20/87)

Sec. 2.01.005 Humane treatment

- (a) Restraint. If any animal is restrained by a chain, leash or similar restraint, it shall be designed and placed to prevent choking or strangulation. Such chain or restraint shall not be less than ten (10) feet in length, and either on a swivel designed to prevent the animal from choking itself or else on a chain run.
- (b) Cropping dog's ears or tail. No person shall crop a dog's ears or tail, except a veterinarian.
- (c) Removal of animal. Any animal observed by police or an animal control officer to be in immediate danger may be removed from such situation by the quickest and most reasonable means available.
- (d) Live animals given as prizes, rewards or incentives. No person shall offer any live animal as a prize or reward in connection with any raffle, protest, demonstration, promotion as incentive to participate in any game, promotion or otherwise.
- (e) Raising or killing dog or cat for food or the skin or fur. No person shall raise or kill a dog or cat for food or for the skin or fur.
- (f) Mutilation. No person shall mutilate any animal whether dead or alive.

(Ordinance 2165, sec. 1, adopted 4/15/97)

(g) Impoundment of animal. Any animal found involved in a violation of any portion of this section may be impounded by any animal control officer or police after obtaining a warrant and following the procedures in V.T.C.A., Health and Safety Code, section 821.022, whether on public or private property, and held in a humane manner. Upon conviction of this charge by municipal court or other court of law, all animals so confiscated shall become the property of the city, and the owner of the animal(s) shall pay to or reimburse the city all court costs as provided in V.T.C.A., Health and Safety Code, section 821.023. (Ordinance 2165, sec. 1, adopted 4/15/97; Ordinance adopting Code)

State law reference—Disposition of cruelly treated animals, V.T.C.A., Health and Safety Code, sec. 821.021 et seq.

ARTICLE 2.02 DOGS AND CATS

Division 1. Generally

Sec. 2.02.001 Running at large

No dogs or cats shall run at large within the city limits. Any dog or cat running at large shall be impounded if the same is not on a leash. A dog shall not be left unattended on a chain if same is not on the premises of the owner. Any such animal found in violation of the city's "leash law" is subject to impoundment by the city. An animal may be impounded if found running at large or without a license as required by this article. Alternatively, a citation may be issued to the pet owner requiring a fine to be paid in lieu of impoundment. (Ordinance 1071, sec. 4, adopted 10/20/87)

State law reference—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety Code, sec. 386.033.

Sec. 2.02.002 Limitation on number

It shall be unlawful for any person or persons residing in a single household to keep more than three (3) dogs, three (3) cats, or any combination thereof within the city limits unless such be a litter of pups or kittens. In such case, the litter must be disposed of within three (3) months of birth. In the event any person desires to own more than three (3) dogs and/or cats, such person shall secure the prior written permission of the animal control officer and the health inspector. This section does not apply to pet shops or kennels which have been duly licensed by the city pursuant to ordinance, nor does this limitation apply to areas zoned A-O. (Ordinance 1071, sec. 5, adopted 10/20/87)

Sec. 2.02.003 Registration

Each dog or cat kept within the city limits which is over four (4) months of age shall have a license for each said cat or dog. The requirements for such license are as provided in section 2.02.004. Upon the issuing of each dog and/or cat license, a tag bearing the tag number, year, and/or license number shall be issued and placed on the collar of each licensed dog or cat. Failure to register a dog or cat with the city shall be a violation of this chapter. (Ordinance 1071, sec. 6, adopted 10/20/87)

State law reference—Registration of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.031 et seq.

Sec. 2.02.004 Issuance of licenses

A dog and cat license shall be issued upon the following requirements:

- (1) The owner shall fill out such form or forms listing information about the animal such as sex, weight, color, pet owner's address and other information such as may be required by the city.
- (2) Presentation of proof of rabies vaccination by a licensed veterinarian within seven (7) days of the application for the license shall be presented.
- (3) A nominal fee as set forth in the fee schedule in appendix A to this code shall be paid to the city for the issuance of the license and tags, such fees being used to defray any expenses in the inspection and issuance of same.

(Ordinance 1071, sec. 8, adopted 10/20/87)

Sec. 2.02.005 Bites to persons

If a dog or cat bites any person within the city limits, the owner of said dog or cat shall immediately notify the animal control officer who, at his or her election, shall order the dog held

on the owner's premises or shall have it impounded for a period of ten (10) days at the city pound. The dog or cat shall be examined immediately after it has bitten anyone and, at the end of ten (10) days, if the animal is determined by a veterinarian to be free of rabies, it shall be released to its owner after payment of any charges assessed for such impoundment. If the dog or cat dies within the ten-day period, its remains shall be sent to the department of state health services for examination. (Ordinance adopting Code)

State law references—Rabies reports and quarantine, V.T.C.A., Health and Safety Code, sec. 826.041 et seq.; quarantine of animals, V.T.C.A., Health and Safety Code, sec. 826.042.

Secs. 2.02.006–2.02.030 **Reserved**

Division 2. Dangerous Dogs^{1*}

Sec. 2.02.031 **Definitions**

The following definitions shall apply in the interpretation and enforcement of this division:

Dangerous dog. A dog that:

- (1) Makes an unprovoked attack on a person or another dog that causes bodily injury and that occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own, and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Dog. A domesticated animal that is a member of the canine family.

Owner. A person who owns or has custody or control of the dog.

Secure enclosure. A fenced area that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of a dog;
- (4) Clearly marked as containing a dangerous dog; and
- (5) In conformance with the requirements for enclosures established by the city.

Unprovoked. With respect to an attack or attempt to attack by a dog, the dog was not hit, kicked,

or struck by a person with any object or part of the attacked person's body nor was any part of the dog's body pulled, pinched, or squeezed or in any other manner provoked by the person attacked.

Sec. 2.02.032 Requirements for owner

(a) Not later than the 30th day after a person learns that he or she is the owner of a dangerous dog, the person shall:

- (1) Register the dangerous dog with animal control;
- (2) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;
- (3) Muzzle the dog when it is outside the secure enclosure;
- (4) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the city's animal control officer; and
- (5) Have the dangerous dog spayed or neutered.

(b) If a person reports an incident described by section 2.02.031 regarding the definition of a "dangerous dog," the animal control officer may investigate the incident. If, after receiving the sworn statements of any witnesses, the animal control officer determines the dog is a dangerous dog, he or she shall notify the owner of that fact.

(c) An owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control officer to the municipal court. An owner may appeal the decision of the municipal court in the same manner as for other civil cases.

(d) The owner of a dangerous dog who does not comply with subsection (a) shall deliver the dog to the animal control officer not later than the 30th day after the owner learns that the dog is a dangerous dog.

(e) If, on the application of any person, a justice court, county court, or municipal court finds, after notice and hearing as provided herein, that the owner has failed to comply with subsection (a) or (d), the court shall order the animal control officer to seize the dog and shall issue a warrant authorizing the seizure. The animal control officer shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.

(f) The owner shall pay any cost or fee assessed by the municipality related to the seizure, acceptance, impoundment, or destruction of the dog.

(g) The court shall order the animal control officer to humanely destroy the dog if the owner has not complied with subsection (a) before the 11th day after the date on which the dog is seized or delivered to the animal control officer. The court shall order the animal control officer to return the dog to the owner if the owner complies with subsection (a) before the 11th day after the date on which the dog is seized or delivered to the animal control officer.

(h) The court may order the humane destruction of a dog if the owner of the dog has not been located before the 15th day after the seizure and impoundment of the dog.

(i) For purposes of this division, a person learns that the person is an owner of a dangerous dog when:

- (1) The owner knows of an attack described in section 2.02.031 regarding the definition of a “dangerous dog”;
- (2) The owner receives notice that a justice court, county court, or municipal court has found that the dog is a dangerous dog after a hearing on the matter; or
- (3) The owner is informed by the animal control officer that the dog is a dangerous dog.

Sec. 2.02.033 Registration

(a) Animal control shall annually register a dangerous dog if the owner:

- (1) Presents proof of liability insurance or financial responsibility, as required by section 2.02.032(a)(4), proof of current rabies vaccination, proof of sterilization of the dangerous dog; and has a secure enclosure in which the dangerous dog will be kept that is inspected and approved by the animal control officer; and
- (2) Pays an annual registration fee as provided in the fee schedule in appendix A to this code.

(b) The animal control officer shall provide to the owner registering a dangerous dog a registration tag. The owner must place the tag on the dog’s collar. The collar must be of a distinctive color and design that identifies the dog as a dangerous dog.

(c) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the animal control officer for the area in which the new address is located. On presentation by the current owner of the dangerous dog’s prior registration tag and payment of a fee as provided in the fee schedule in appendix A to this code, the animal control officer shall issue a new registration tag to be placed on the dangerous dog’s collar.

(d) An owner of a registered dangerous dog shall notify the city’s animal control officer of any attacks the dangerous dog makes on any person or animal.

Sec. 2.02.034 Attack by dog

- (a) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.
- (b) An offense under this section is a class C misdemeanor, unless the attack causes serious bodily injury or death, in which event the offense is a class A misdemeanor.
- (c) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by the animal control officer or a licensed veterinarian.
- (d) In addition to criminal prosecution, a person who commits an offense under this division is liable for civil penalty not to exceed \$10,000.00. The city attorney may file suit in a court of competent jurisdiction to collect the penalty. The city shall retain penalties collected under this division.

Sec. 2.02.035 Violations

- (a) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with section 2.02.032.
- (b) An offense under this section is a misdemeanor, and any person who violates any provision of this division shall, upon conviction, be fined in accordance with section 1.01.009 of this code.
- (c) An offense under this section is a class B misdemeanor if it is shown on the trial of the offense that the defendant has previously been convicted under this division.

Sec. 2.02.036 Defense

- (a) It is a defense to prosecution under section 2.02.034 or 2.02.035 that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position.
- (b) It is a defense to prosecution under section 2.02.034 or 2.02.035 that the person is an employee of the institutional division of the state department of criminal justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes.
- (c) It is a defense to prosecution under section 2.02.034 or 2.02.035 that the person is a dog trainer or an employee of a guard dog company under chapter 1702, Texas Occupations Code.

(Ordinance adopting Code)

Sec. 2.03.001 Adoption of state rules

For the purpose of controlling and eradicating rabies, the state board of health rules, Texas Administrative Code title 25, health services, part 1, department of state health services, chapter 169, zoonosis control, subchapter A, rabies control and eradication, as may be amended or revised, copies of which are on file with the office of the city secretary, are hereby adopted and made a part of the Code of Ordinances as if fully set out herein, and the provisions thereof shall govern all matters covered therein within the city, except those provisions which may be in conflict with other provisions of the Code of Ordinances or state law with certain enumerated exceptions and/or deletions as provided in this article.

Sec. 2.03.002 Definitions

The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

Animal. Any mammal, domesticated or wild.

Board. State board of health.

Board rules. Texas Administrative Code title 25, health services, part 1, department of state health services, chapter 169, zoonosis control, subchapter A, rabies control and eradication, including any future amendments or revisions. The board rules are adopted as part of this article.

Cat. Felis catus.

Custodian. A person or agency which feeds, shelters, harbors, has possession or control, or has the responsibility to control an animal.

Department. The department of state health services (TDSHS).

Dog. Canis familiaris.

Licensed veterinarian. A veterinarian licensed to practice veterinary medicine in one or more of the 50 states.

Livestock. An animal raised for human consumption or an equine animal.

Owner. Any person, corporation, or other entity, which has a legal or possessory interest in an animal.

Person. An individual, owner, custodian, association, corporation, partnership, other legal entity, government, or governmental subdivision or agency.

Quarantine. Strict confinement of an animal specified in board rules.

Rabies. An acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite.

Stray. Roaming with no physical restraint beyond the premises of an animal's owner or custodian.

Sec. 2.03.003 General powers and duties

(a) The city may enter into contracts or agreements with public or private entities to carry out this article. The contracts or agreements may provide for payment by the city for materials, equipment, and services.

(b) The city may seek, receive, and spend funds received through appropriations, grants, or donations from public or private sources for the rabies control program established by this article.

Sec. 2.03.004 Minimum standards

(a) This article and rules adopted by the state board of health under chapter 826 of the Texas Health and Safety Code are the minimum standards for rabies control.

(b) This article supersedes any order or rules adopted by the county so that multiple enforcement will not occur.

Sec. 2.03.005 Designation of local rabies control authority

(a) The city commission designates the chief of police to act as the local rabies control authority for the purposes of this chapter.

(b) Among other duties, the local rabies control authority shall enforce:

- (1) Chapter 826 of the Texas Health and Safety Code and the board rules that comprise the minimum standards for rabies control;
- (2) The ordinances or rules of the city that the local rabies control authority serves; and
- (3) The rules adopted by the board under the area rabies quarantine provisions of section 826.045 of the Texas Health and Safety Code.

State law reference—Appointment of rabies control authority by municipality, V.T.C.A., Health and Safety Code, sec. 826.017.

Sec. 2.03.006 Vaccination of dogs and cats required

(a) The owner or custodian of a dog or cat shall have the animal vaccinated for rabies by the time the animal is four months of age and at regular intervals thereafter as prescribed by board

rule. A person commits an offense if the person is the owner or custodian of a dog or cat and fails or refuses to have such each dog or cat owned by the person vaccinated against rabies as prescribed by board rule.

(b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the animal's owner or custodian a vaccination certificate in a form that meets the minimum standards set by board rule.

(c) Information that is contained in a rabies vaccination certificate that identifies or tends to identify the owner or an address, telephone number, or other personally identifying information of the owner of the vaccinated animal is confidential and not subject to disclosure under chapter 552, public information, Government Code.

(d) The information may be disclosed only to a governmental entity for purposes related to the protection of public health and safety. A governmental entity that receives the information, including a county or municipality that registers dogs and cats, must maintain the confidentiality of the information, may not disclose the information under chapter 552, public information, Government Code, and may not use the information for a purpose that does not directly relate to the protection of public health and safety.

(e) Rabies vaccine for animals may be administered only by or under the direct supervision of a veterinarian.

(f) A veterinarian may not administer or directly supervise the administration of rabies vaccine in this state unless the person is:

- (1) Licensed by the state board of veterinary medical examiners to practice veterinary medicine; or
- (2) Practicing veterinary medicine on an installation of the armed forces or national guard.

(g) A person may not sell or distribute rabies vaccine for animals to any person except a licensed veterinarian or to a person working in a veterinary clinic who accepts the vaccine on behalf of the veterinarian.

(h) This section does not prohibit a pharmacy licensed by the state board of pharmacy from supplying rabies vaccine for animals to a licensed veterinarian.

(i) This section does not prohibit a veterinarian licensed by the state board of veterinary medical examiners from selling or dispensing rabies vaccine to an individual with whom the veterinarian has a veterinarian-client-patient relationship as described by chapter 801, veterinarians, Occupations Code, for the sole purpose of allowing that individual to administer the rabies vaccine to that individual's own livestock.

State law reference—Rabies vaccinations, V.T.C.A., Health and Safety Code, sec. 826.051 et seq.

Sec. 2.03.007 Rabies tag

- (a) Concurrent with the issuance and delivery of the official rabies vaccination certificate referred to in section 2.03.006, the custodian or owner of the dog shall cause to be attached to the collar or harness of the vaccinated dog a metal tag, serially numbered to correspond with the official rabies vaccination certificate number, and bearing the year of issuance, the name of the issuing veterinarian and his address.
- (b) The owner or custodian of a dog or cat upon request of the local rabies control authority or his designee must provide the official rabies vaccination certificate for review.
- (c) In the event of loss or destruction of the original tag provided for in subsection (a), the owner or the custodian shall obtain a duplicate tag. Such tag shall indicate it is a duplicate tag.

Sec. 2.03.008 Reports of rabies

- (a) A person who knows of an animal bite or scratch to an individual that the person could reasonably foresee as capable of transmitting rabies, or who knows of an animal that the person suspects is rabid, either of which may occur inside the city limits, shall report immediately the incident or animal to the local rabies control authority or his designee.
- (b) The report must include:
 - (1) The name and address of the victim and of the animal's owner, if known; and
 - (2) Any other information that may help in locating the victim or animal.
- (c) The local rabies control authority shall investigate a report filed under this section using the standard reporting forms prescribed by the department of state health services.

State law reference—Reports of rabies, V.T.C.A., Health and Safety Code, sec. 826.041.

Sec. 2.03.009 Quarantine of animals

- (a) The local rabies control authority shall require quarantine or a veterinarian shall quarantine or test in accordance with board rules any animal that the local rabies control authority or veterinarian has probable cause to believe is rabid, may have been exposed to rabies, or may have exposed a person to rabies.
- (b) An owner or custodian shall submit to the local rabies control authority an animal for quarantine that:
 - (1) Is reported to be rabid or to have exposed an individual to rabies; or
 - (2) The owner or custodian knows or suspects is rabid or has exposed an individual to rabies.

(c) The local rabies control authority will determine the quarantine method and facility following rules by the board.

(d) If the animal becomes ill during the observation period, the local rabies control authority must be notified by the person having possession of the animal.

State law reference—Quarantine of animals, V.T.C.A., Health and Safety Code, sec. 826.042.

Sec. 2.03.010 Release or disposition of quarantined animal

(a) If a veterinarian determines that a quarantined animal does not show the clinical signs of rabies, the veterinarian or local rabies control authority shall release the animal to its owner when the quarantine period ends if:

- (1) The owner has an unexpired rabies vaccination certificate for the animal and a rabies tag; or
- (2) The animal is vaccinated against rabies by a licensed veterinarian at the owner's expense, and a vaccination certificate and rabies tag is issued to the owner.

(b) If a veterinarian determines that a quarantined animal shows the clinical signs of rabies, the veterinarian or local rabies control authority shall humanely destroy the animal. If an animal dies or is destroyed while in quarantine, the veterinarian or local rabies control authority shall remove the head or brain of the animal and submit it to the nearest department laboratory for testing.

(c) The owner of an animal that is quarantined under this article shall pay to the veterinarian or local rabies control authority the reasonable costs of the quarantine and disposition of the animal. The veterinarian or local rabies control authority may bring suit to collect those costs.

(d) The veterinarian or local rabies control authority may keep, grant, or destroy an animal if the owner or custodian does not take possession of the animal before the fourth day following the final day of the quarantine period.

Sec. 2.03.011 Exemption from quarantine requirement for police service animals

(a) In this section, "handler or rider" and "police service animal" have the meanings assigned by section 38.151, Penal Code.

(b) A police service animal is exempt from the quarantine requirement of this article if the animal bites a person while the animal is under routine veterinary care or while the animal is being used for law enforcement, corrections, prison or jail security, or investigative purposes. If after biting the person the animal exhibits any abnormal behavior, the law enforcement agency and the animal's handler or rider shall make the animal available within a reasonable time for quarantine or testing by the local rabies control authority.

Sec. 2.03.012 Minimum standards for quarantine and impoundment facilities

(a) An animal required to be quarantined shall be quarantined in accordance with board rules regarding the types of facilities that may be used to quarantine animals and the minimum standards for quarantine/impoundment facilities including the care of the animal while in quarantine.

(b) In accordance with board rules, a local rabies control authority may contract with one or more public or private entities to provide and operate a department of state health services approved quarantine facility.

State law reference—Quarantine and impoundment facilities generally, V.T.C.A., Health and Safety Code, sec. 826.051 et seq.

Sec. 2.03.013 Penalties

(a) A person commits an offense if the person violates or attempts to violate any portion or provision contained in this article.

(b) Any person adjudged guilty of an offense under this section shall be guilty of a misdemeanor punishable by a fine in accordance with the general penalty in section 1.01.009 of this code. Each day that a violation continues shall constitute a separate offense.

Sec. 2.03.014 Culpability

If the definition of an offense under this article does not prescribe a culpable mental state, then a culpable mental state is not required and the offense is one of strict liability.

(Ordinance adopting Code)

ARTICLE 2.04 IMPOUNDMENTⁱⁱⁱ*

Sec. 2.04.001 Scope

Any animal may be impounded for any violation of this article. Disposition of the animal shall be as provided in this article. (Ordinance 1071, sec. 7, adopted 10/20/87)

Sec. 2.04.002 Leash law and license violation

If a dog or cat is picked up for violation of section 2.02.001 or section 2.02.003, it will be held by the city for three (3) days. During this period, efforts will be made to identify and advise the owner of such animal to claim same and resolve any associated charges and/or fees. If, after the three-day period, the owner cannot be located, attempts will be made to locate the animal with the humane society in the local area. If these attempts are successful, the animal will be transported to such accepting shelter. If the attempts are unsuccessful, the animal will be destroyed. (Ordinance 1071, sec. 7(a), adopted 10/20/87)

Sec. 2.04.003 Vicious animals

(a) The city animal control office or police shall impound any animal which meets the definition of “vicious animal” as defined in this section based on the following:

- (1) Upon the complaint of two (2) or more citizens that an animal is vicious, the animal control officer or police shall investigate said animal and make a determination of viciousness of the animal.
- (2) If an animal has bitten, mauled or attacked a human or other animal without provocation, the animal shall be deemed vicious without the necessity of citizen complaints.

(b) The vicious animal shall be kept for a period of ten (10) days in which the owner or keeper of the vicious animal must make arrangements to remove the animal out of the city limits and pay any applicable fines. In the event that no person claims the animal, the city shall destroy the same. If the owner is subsequently identified, he/she will be required to pay all fees and/or charges for the above-described services.

(c) The provisions of this section shall not apply to “dangerous dogs” as regulated by section 2.02.031 et seq. of this chapter.

(Ordinance 1071, sec. 7(b), adopted 10/20/87)

Sec. 2.04.004 Effect of payment of fees and charges

Paying the fees and/or charges in this article does not negate fines which can be assessed by the city for violation of the provisions of this article. If such fees, fines and/or charges are not paid, the city may file charges against the owner for nonpayment in municipal court. (Ordinance 1071, sec. 7, adopted 10/20/87)

ARTICLE 2.05 BEEKEEPING

Sec. 2.05.001 Restrictions

It shall be unlawful to keep bees in any area of the city except in those areas where the beehives will be located at least one hundred feet (100') from the nearest dwelling other than the dwelling of the owner of the bees. It shall further be unlawful to keep bees, regardless of the above limitation, in such numbers that they congregate in excessive numbers on property, other than that of the owner of the bees, in such a way as to interfere with the peaceful occupancy of such other property. (Ordinance adopting Code)

^{i*} State law reference—Authority of city to regulate the keeping of dangerous dogs, V.T.C.A., Health and Safety Code, sec. 822.041 et seq.

^{ii*} State law reference—Authority of municipalities to establish rabies control programs, V.T.C.A., Health and Safety Code, sec. 826.015.

^{iii*} State law reference—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety

Code, sec. 386.033.