

ORDINANCE NO. 59

AN ORDINANCE OF THE CITY OF
WALLIS, TEXAS, REGULATING ANIMALS
WITHIN THE CITY OF WALLIS, TEXAS

WHEREAS, THE CITY COUNCIL OF WALLIS, TEXAS, finds that it is in the best interest of the Citizens of Wallis, Texas, that animals in the city be hereafter regulated in accordance with the following provisions.

BE IT THEREFOR ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALLIS, TEXAS:

Section 1. Cruelty.) No person shall cruelly treat any animal in the city in any way; any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this section.

Section 2. Dangerous animals.) It shall be unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the city; exhibitions or parades of animals which are ferae naturae in the eyes of the law may be conducted only upon securing a permit from the chief of police.

Section 3. Noises.) It shall be unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night.

Section 4. Strays.) It shall be unlawful to permit any cattle, horse, swine, sheep, goats or poultry to run at large in the city; any such animal running at large in any public place in the city shall be impounded in the same manner provided in Ordinance # 20. It shall further be unlawful to picket or tie any such animal in any of the streets of the city for the purpose of grazing or feeding.

Section 5. Killing dangerous animals.) The officers of the police department are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property.

Section 6. Diseased animals.) No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the chief of police or the animal health officer.

It is hereby made the duty of the animal health officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of

the contagion or infection, except in cases where the state veterinarian is empowered to act.

Section 7. Housing.) No person shall cause or allow any stable or place where any animal is or may be kept to become unclean, or unwholesome, and it shall be unlawful to keep any live swine, pigs or goats in the city.

Section 8. Nuisance.) It shall be unlawful for any owner to fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds, or trespassing upon private property, shall be deemed a nuisance.

It shall be unlawful for any owner to fail to provide animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. It shall be unlawful for any owner to beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse any animal.

Section 9. Inclusion.) Only for the purposes of the ordinance and assessing of fines and enforcement hereof, any person who regularly maintains, cares for and feeds any animal covered herein shall be deemed to be the owner of such animal and shall be responsible therefore.

Section 10. Exclusions.) This act specifically exempts from its provisions minors participating in F.F.A. and School Club Animal Projects within the City of Wallis, Texas.

Section 11. Penalty.) Any person, firm or corporation violating any provision of this ordinance shall be fined not less than \$5 nor more than \$200 and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues and/or as per each animal involved.

PASSED AND APPROVED this the 10th day of June, 1980.


CITY OF WALLIS

ATTEST:

BY:

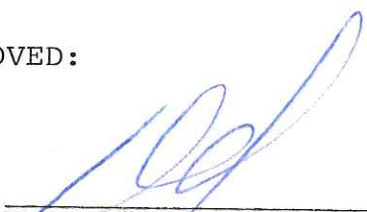

CHARLES DUSEK, Mayor

BY:


BETTY MAREK, City Clerk

APPROVED:

BY:


V. O. "BUTCH" CARDEN, JR.
City Attorney

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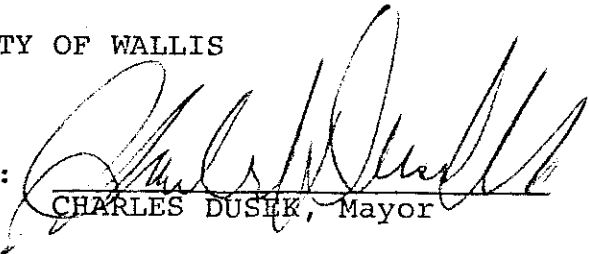
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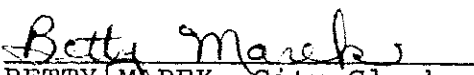
CITY OF WALLIS

ATTEST:

BY:

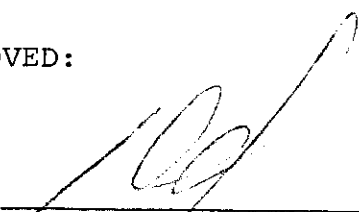

CHARLES DUSEK, Mayor

BY:


BETTY MAREK, City Clerk

APPROVED:

BY:


V. O. "BUTCH" CARDEN, JR.
City Attorney

FILE NO. 843070

(AMENDED) ORDINANCE NO. 59A

WHEREAS, THE CITY OF WALLIS, TEXAS, enacted Ordinance No. 59 on the 10th day of June, 1980, regulating animals within the City limits of Wallis, Texas, and;

WHEREAS, the City Council has determined that said Ordinance No. 59 should, in the interest of the public, be amended in certain respects as herein setout;

NOW THEREFORE, BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF WALLIS, TEXAS, that Ordinance No. 59 is hereby amended as follows by adding the following numbered Sections and paragraphs to said Ordinance:

Section 12. Except in a dangerous and/or emergency situation wherein the City Health Officer and/or a duly authorized peace officer shall act to protect the public health or safety, all other violations of this ordinance to be enforced hereunder shall be commenced by the filing of a written complaint stating fully and clearly the description of the subject animal violating the ordinance, the purported owner of such animal, address of the owner, location of th animal and specific acts or conditions being the basis of the complaint, and the times and dates of such violations. The complainant must reside or work within a reasonable vicinity of the location of the offending animal in order to have proper standing to file such complaint.

Section 13. After filing of a proper complaint, and the proper investigation by the police department has been made to determine the validity of such complaint, a copy of same shall be served upon the owner of the animal by personal service by a duly authorized City police officer or same may be served by the police department by certified mail. The owner of such animal shall have ten (10) days from actual service to correct, abate, cease, desist and prevent any future violations complained of, and if such violations continues after said ten (10) day warning period, the police department shall proceed to issue a citation and seek to impose such penalties as setout in Section 11 herein.

This Ordinance shall be effective from and after passage.

THE STATE OF TEXAS :
COUNTY OF AUSTIN :

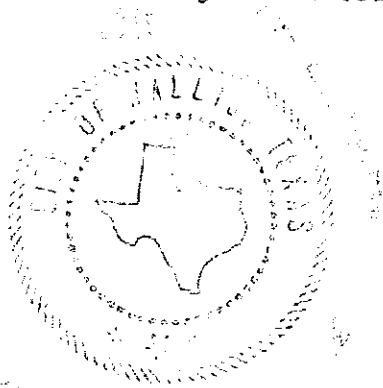
OFFICIAL RECORD
VOL 492 PAGE 136

CERTIFICATION OF
ORDINANCE BY CITY SECRETARY

No. 59A

I, BETTY MAREK, duly authorized and appointed City Secretary of the City of Wallis do hereby certify by my hand and seal of office that the foregoing ordinance as setout above is a true and correct copy of an ordinance that was duly introduced, approved and passed on the 8th day of May, 1984, in a regular meeting by unanimous vote of all the members of the City Council who were present, being a quorum thereof.

And further this officer was directed by said City Council to enter said ordinance on the books of said City and to attach thereto for recording in the County Clerk's office of Austin County, Texas.



Betty Marek
BETTY MAREK, CITY SECRETARY

City of Wallis
Austin County, Texas

FILED FOR RECORD
AT 4:15 O'CLOCK P. M.

JUN 1 1984

DOROTHY HIMLY
CLERK COUNTY COURT, AUSTIN CO., TX
By Jamie Willingham Deputy
JAMIE WILLINGHAM

STATE OF TEXAS COUNTY OF AUSTIN
I hereby certify that this instrument was filed on
the date and time stamped hereon by me and was duly
recorded in the volume and page of the named records
of Austin County, Texas as stamped hereon by me on



JUN 12 1984

DOROTHY HIMLY
County Clerk, Austin, County, Texas

By Deborah Stewart Deputy
DEBORAH STEWART

If for any reason any section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance be given full force and effect for its purpose.

Passed by an affirmative vote of all members of the City Council, this 8th day of May, 1984.

ATTEST:

BY:

Betty Marek
BETTY MAREK,
City Clerk

APPROVED:

BY:

Charles Dusek, Jr.
MAYOR CHARLES DUSEK, JR.,
CITY OF WALLIS, TEXAS

APPROVED AS TO FORM:

BY:

V. O. "BUTCH" CARDEN, JR.
Attorney for City