

ORDINANCE NO. 216

AN ORDINANCE OF THE CITY OF  
WALLIS, TEXAS, REGULATING ANIMALS  
WITHIN THE CITY OF WALLIS, TEXAS AND  
REPEALING PREVIOUS ORDINANCES;  
ORDINANCE NOS. 20, 20A, 20B, 59, 59A, 165, 165A, 165B;  
PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000; AND  
MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

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. 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:

Abandoned. Animals left unattended for an unspecified amount of time that:

- (1) exceeds 24 hours, or
- (2) creates a threat to the animal's health.

Adoption. The purchase of an animal from the city, approved animal rescue, or approved animal shelter.

Animal. Includes any living creature, vertebrate, or invertebrate, domestic or wild, except humans.

Animal control officer/police officer. The person or persons designated by the City Council to represent and act for the city to enforce this ordinance in the impoundment of animals, controlling of stray animals and as otherwise required in this ordinance.

Approved animal rescue. A facility devoted to the purposes of retrieving, rescuing, and permanently placing stray or abandoned animals in homes that provides sufficient facilities to shelter more than four (4) animals at one time, that is in compliance with all state requirements, and that has received a permit from the animal control officer.

Approved animal shelter. A public or private facility that keeps or legally impounds stray, homeless, abandoned or unwanted animals that complies with state regulations for animal shelters, whether located inside or outside the city, and has been designated as an animal shelter that may be used by the city.

Assistance animal. An animal that is specially trained or equipped to help a person with a disability and that:

- (1) Is used by a person with a disability who has satisfactorily completed a specific course of training in the use of the animal; and
- (2) Has been trained by an organization generally recognized by agencies involved in the rehabilitation of persons with disabilities as reputable and competent to provide animals with training of this type.

At Large. An animal not physically confined within the boundaries of the owner's property, either by fencing that the animal cannot penetrate with any part of its body, go over or under, or by leash, tether or chain 6 feet or longer of sufficient strength to hold the animal, and prevent the trespass of any part of its body onto public or private property, walkways, or easements.

Cat. Domestic or feral feline of any age, male or female.

City. The City of Wallis, Texas, including all land and/or building within the city limits.

Dangerous animal. An animal that:

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

Doq. Domestic or feral canine of any age, male or female.

Ferret. A domestic member of the Mustela Putorius Furo family of any age, male or female.

Fowl. Chickens, turkeys, pheasant, quail, geese, ducks, or similar feathered animals regardless of age, sex or breed.

Impound. To place an animal in a city-approved shelter or the taking custody of the animal for transportation to a city-approved shelter.

Livestock. Domestic equine, bovine, and caprine, regardless of age, sex or breed.

Owner. Any person who has legal or equitable title to any animal, registered or unregistered, or who feeds, shelters or keeps any animal in his/her possession for a period greater than three (3) days without contacting the animal control officer/police officer, or who allows any animal to remain on or about his/her premises without notifying animal control officer/police officer.

Parkway. The portion of a public street other than the roadway or sidewalk.

Police Officer/animal control officer. The person or persons designated by the city council to represent and act for the city to enforce this ordinance.

Possession. Actual care, custody, control or management of a certain animal for any amount of time.

**Premises.** A parcel of land (one or more continuous lots) and the structures situated on that parcel, owned, leased or controlled by one or more persons.

**Primary Carrier.** A container constructed of materials to prevent the animal from escaping that is:

- (1) large enough for the animal to sit, stand, or lie in a normal manner, and turn about freely,
- (2) at least 16-percent ventilation from two composing walls,
- (3) 90-percent ventilation from one opening and closing door for entering and exiting of the animal, and
- (4) and secured to the mode of conveyance so as to prevent accidental dislodge or carrier ejection from the conveyance.

**Prohibited Animal.** An animal that falls into one or more of the following categories shall be a prohibited animal:

(1) **Class reptilia.** Family helodermatidae (venomous lizards); family viperidae (rattlesnakes, copperhead snakes, cottonmouth snakes, other pit vipers and true vipers); family colubridae-dispholidus typus (boomslang), hydroynastes gigas (water cobra), boiga (mangrove snake), and thelotornis (African twig snake) only; order phidia, family boidae (racers, boas, water snakes, and pythons); and order crocodilia (crocodiles, alligators, caimans, and gavials);

(2) **Class aves.** Order falconiforms (such as hawks, eagles, vultures); subdivision ratiae (such as ostriches, rheas, cassowaries, and emus); and order strigiforms (such as owls);

(3) **Class mammalia.** Order carnivore, family felidae (such as ocelots, margays, tiger, jaguars, leopards, and cougars), except commonly accepted domesticated cats; family canidae (such as wolves, dingos, coyotes, jackals, and hybrids), except domesticated dogs; family mustelidae (such as weasels, skunks, black-footed ferrets, martins, mink, and badgers) except domesticated ferrets; family procyonidae(raccoon); family ursidae(such as bears); order marsupialia (such as kangaroos and common opossums); order edentate (such as sloths, anteaters, and armadillos); order proboscidea ( elephants); order primate ( such as monkeys, chimpanzees, and gorillas); order rodentia (such as porcupines and beavers); and order ungulate (such as antelope, deer, and camels);

(4) **Swine.** Swine, such as hogs and pigs; and

(5) **Animals not listed.** The animal control officer may declare any species of animal not listed in this subsection as “prohibited” if the confinement of the animal within the city can be shown to constitute a threat to public health and safety.

**Quarantine.** To detain or isolate on account of suspected contagion by either a licensed veterinarian or the animal control officer in accordance with the requirements of the Rabies Control Act.

**Rabbit.** Any domestic lagomorphs of Leporidae regardless of age, sex or breed.

**Rabies vaccination.** A proper inoculation by a licensed veterinarian with a rabies vaccine. The owner of a dog, cat, or ferret shall have the animal vaccinated by four (4) months of age and one year after the initial vaccine. The animal must be vaccinated every year or every three (3) years thereafter, dependent on the vaccine administered and the recommendation of a veterinarian for medical purposes. Dogs shall also be required to be vaccinated for the Parvovirus. Cats shall also be required to be vaccinated for feline distemper. All vaccination are to be performed by a licensed veterinarian annually. This section does not provide a lower standard than required by state law. Any additional vaccinations required by state law must be administered in accordance with that law in order to comply with this ordinance.

**Shelter.** To provide each animal with adequate protection and/or structure from the cold and heat, direct rays of the sun, direct effects of wind, rain or snow and be a structure comprised of three (3) solid walls, a roof, and a

floor, requiring clean, dry bedding material when temperature is 35 degrees F or lower. The structure shall provide sufficient room to allow each animal to sit, stand, lie in a normal manner and turn about freely. The structure must be maintained in a manner as not to create a public nuisance, i.e., odors, vermin, or similar unsanitary conditions.

Stray. Any animal:

- (1) not physically restrained to or contained on the property of the owner,
- (2) not physically controlled by means of a leash six (6) feet or less in length while off the property of the owner, or
- (3) with no visible tag or collar to show ownership.

Temporary basis. A period of four months or less.

Vaccination. An injection of any vaccine approved by the state and administered or supervised by a licensed veterinarian or other person authorized by state law to provide vaccinations.

## **Section 2. Enforcement by animal control officer/police officers; filing of complaints**

(a) Enforcement. For the purposes of the Rabies Control Act of 1981 (Tex. Health & Safety Code, Chapter. 826), the animal control officer of the city is designated as the local health authority, and shall have the duties and powers set forth in the Act. The animal control officer/police officer or agent of the city designated to perform animal control duties shall have the right of ingress and egress on unsecured private property for the purpose of apprehending an animal observed in violation of any provision/section of this ordinance, or in pursuit of said animal. The animal control officer/police officer shall have the authority to issue citations or obtain warrants for any violation of this ordinance.

(b) Filing complaints of violations and penalties therefor, inspection of premises and penalties thereof. Any person believing any provision of this ordinance to have been violated may file a written or verbal complaint with the animal control officer/police officer. Upon receipt of a complaint, the animal control officer/police officer may inspect any premises where animals are suspected of being kept or maintained, at any reasonable hour of the day, in the presence and with the consent of the owner. If the owner is not present, the animal control/police officer will issue a notice requesting inspection of the premises within 24 hours.

## **Section 3. Fees**

All fees assessed shall be established by resolution of the city council.

## **Section 4. Public nuisances**

(a) Animals creating disturbances. No person shall willingly or knowingly keep or harbor on his premises or elsewhere any animal of any kind that makes or creates an unreasonable disturbance of the residents or the occupants within three hundred (300) feet of the owner's property perimeter, or permit such animal to make or create disturbing noises by, barking, whining, howling, crowing, bawling or otherwise. A person shall be deemed to have willfully and knowingly violated terms of this subsection if such person shall have failed or refused to correct such disturbance and prevent its recurrence.

(b) Animals emitting odors. It shall be unlawful for any person to maintain any animal in such a manner that residents within three hundred (300) feet of the owner's property perimeter are subject to noxious odors, flies, fly larvae, vermin, or other potentially hazardous nuisances. All persons keeping animals shall keep their premises clean and free from noxious odors as well as flies, mosquitoes, and other insects.

(c) Animals running at large. It shall be unlawful for any person owning, possessing, or keeping an animal within the city to allow such animal to run at large.

(d) Unhealthful premises; abatement. It shall be unlawful to keep animals on premises that are unsanitary or that are otherwise in violation of any health ordinance of the city or laws of the state. The animal control officer may, by written notice to the owner or occupier of premises found to be in violation of this provision, require abatement of conditions constituting the violation, and a separate offense shall be deemed committed upon each day during or on which a violation occurs.

(e) Animal defecation in public places. It shall be unlawful for the owner or person in control of any animal to permit, cause to permit, suffer or allow such animal to defecate upon the sidewalk, parkway, or upon the floor of any common hall in any entranceway, stairway or wall immediately abutting on a public office building or any area open to or used in common by the public.

(f) Feeding strays prohibited. It shall be unlawful for any person to place food intended as food for a cat or dog on any public property or any private property that he or she does not own, lease or have a right to use or possess. This restriction shall not apply to any animal/poison officer using the food as bait or enticement to assist in the capture of stray animals.

(g) Dead animals. It shall be the responsibility of the owner to dispose of all dead animals within twenty-four (24) hours post-death. Animal control officer/poison officer shall have the authority to pick up any dead animal found on public property and dispose of it. A citizen may be assisted with same for an owned animal if requested for a pickup fee. After 24 hours, the city may enter private property and remove any uninterred carcass which the property owner has failed to dispose of and the owner shall pay a pickup fee or be cited for uninterred carcass.

(h) Keeping more animals than allowed. It shall be unlawful to keep more than the allowed number of animals at a residence located within the city as limited by this ordinance. The keeping of more animals than allowed is deemed a public nuisance due to the effects of odors, noise, animal welfare, and public health concerns. The animal control officer may, by written notice to the owner or occupier of premises found to be in violation of this provision, require abatement of conditions constituting the violation within a specified time limit, and a separate offense shall be deemed committed upon each day during or on which a violation occurs.

## **Section 5. Care of animals; exhibition; prohibited locations**

### **(a) Abandonment of animal.**

(1) It shall be unlawful for any person to abandon any animal within the city.

(2) It shall be unlawful for an owner to neglect to reclaim their animal from the city, approved animal shelter or approved animal rescue within five (5) business days of notification that the animal has been impounded. An impounded animal that remains unclaimed for five (5) business days shall be deemed abandoned by the owner and the city may then sell, transfer ownership, or euthanize the animal.

(b) Confinement of animals. All animals inside the incorporated limits of the city shall be provided with shelter, water, food, veterinarian care, and sanitary conditions. It shall be unlawful for any person to confine or allow to be confined any animal under such conditions or for such a period of time as may endanger the health or well-being of the animal due to heat, lack of food or water or any other circumstances which may cause suffering, disability or death of the animal. This includes parked vehicles.

(c) Poisoning of animals prohibited. No person shall place any poisonous substance or substance which has in any manner been treated with any poisonous substance in a place accessible to animals with intent to kill or harm such animal.

(d) Animals in public Places.

(1) Any animal in a public place must either be on a leash of six (6) feet or less in length or inside a primary carrier and must be attended at all times.

(2) Animals participating in an organized event or competition (i.e., field trials, shows, tracking may be exempted by permit issued by the city.

(3) It shall be a defense to prosecution under this subsection that a dog(s) is contained within an area within a city park which is designated as an "unleashed dog park."

(e) Animals in vehicles. Animals in vehicles shall be confined or tethered in a manner that prevents endangerment of the animal, person, or property.

(f) Intentional exhibition of animals. No person shall intentionally exhibit any animal for mating purposes.

(h) Reports to police It shall be the responsibility of a person operating a motor vehicle to notify the police department or animal control if any animal is injured or killed by such vehicle.

(i) Animals prohibited in establishments selling food. It shall be unlawful for any person to allow any animal, other than an assistance animal, to enter or remain inside my establishment in the city where food is served or sold.

(j) Removal of excrement. The owner of every animal shall be responsible for the immediate removal of any excrement deposited by his/her animal on public walks, recreation areas, or private property. Further every animal owner must have on his/her person the tools for the removal of excreta if his/her animal is observed defecating while being walked or exercised.

(k) Adequate fencing required. Evidence that an animal has escaped from a fence, enclosure or leash on two or more occasions shall be sufficient proof that such fence, enclosure or leash is inadequate for the purpose of confining such animal and necessary changes may be ordered by the animal control/police officer by written notice. Such notice shall state the requested changes and an adequate time period for completing the changes. Failure to complete the changes within the stated time shall constitute an offense under this ordinance and a separate offense shall be deemed committed upon each day during or on which a violation occurs.

## Section 6. Dangerous animals

(a) Notice of dangerous animal. A person is deemed to have notice that they are the owner of a dangerous animal when:

- (1) notified in writing by the animal control officer/ police officer;
- (2) the owner knows of an attack as described in the definition of “dangerous animal” in this ordinance; or
- (3) the owner receives notice that a justice court, county court, or municipal court has found that the animal is dangerous.

(c) If the animal control/police officer determines that an animal is a dangerous animal, the animal control/police officer shall take all steps required or permitted under chapter 822 of the Texas Health and Safety code and shall immediately impound the animal if the animal has caused death or serious bodily injury.

(d) The owner of the animal declared to be a dangerous animal shall have the rights of appeal granted in Chapter 822 of the Texas Health and Safety Code. Failure to request a hearing in the allotted period shall constitute a final determination that the animal is a dangerous animal.

(e) Upon a determination that an animal is a dangerous animal, the presiding judge may order:

(1) The animal be humanely euthanized; or

(2) Allow the animal to be reclaimed under the following conditions:

(A) Caging for the animal within minimum dimensions of ten (10) feet by twenty (20) feet by six (6) feet with an impermeable floor and chain-link top.

(B) The enclosure shall be clearly marked “Dangerous Animal” on all sides.

(C) The animal shall be walked on a leash of six (6) feet or less in length.

(D) The animal is always in the specified enclosure, on a leash, in the residence of the owner.

(E) The owner obtain a \$100,000 home owners insurance policy for coverage specific to the bodily Damage or property damage the dog may cause.

(F) Make the animal, enclosure, and insurance policy available for inspection at any time by animal control/police officer.

(G) Notify the city upon the animal’s change of address or death.

## Section 7. Sale of animals

(a) It shall be unlawful for any person to sell or display for sale any animal on any parkway, public parking lot, sidewalk, roadside, city park or easement.

(b) Any person who is acting as an officer, employee, or volunteer for an approved animal rescue or approved animal shelter is exempt from this section, and may be subject to inspections during reasonable hours by the animal control officer/police officer.

(c) This section shall not apply to an agent of a business that has a certificate of occupancy from the city authorizing the occupancy of the premises for the purposes of operating a business of selling pets.

(d) The selling of prohibited animals shall be unlawful in any location.

## **Section 8. Impoundment; Euthanization; Citation**

(a) Authority to euthanize, impound or transfer ownership of animals. The animal control officer/police officer shall take into custody any animal found at large in the city, and shall impound the animal in a place designated for purpose of impoundment by the city. Such impounded animal shall be held for a period of five (5) days, after which, if the animal has not been claimed by the owner, the animal shall be deemed abandoned by the owner, become the property of the city, and the city may then sell, transfer ownership, or euthanize the animal. In addition to other authority granted to the animal control officer or any peace officer, such officer shall have the authority to do the following:

(1) Euthanize and/or destroy an animal which poses an imminent danger to a person, property or other animal and real or apparent necessity exists for the destruction of the animal;

(2) Euthanize an impounded animal if it is reasonably certain the animal will not recover, the animal is in evident pain, or the animal demonstrates symptoms of a communicable disease;

(3) Euthanize an animal upon the request of the owner and assess a fee as set forth in the fee schedule as established by resolution of the city council;

(4) Impound an animal, which endangers the health and welfare of itself, another animal, or person; and

(5) Euthanize an animal that is determined to be feral or wild.

(b) Unclaimed animals. Any impounded animal not claimed within five (5) business days shall be considered abandoned by any previous owner, becomes the property of the city, and is subject to sell, transfer of ownership, or being euthanized.

(c) Notice of violation/citation. In addition to, or in lieu of impounding an animal found in violation of any provisional section of this ordinance, an animal control/police officer may issue a notice of violation or citation to the owner of such animal for violations of this ordinance.

(d) Confinement by private citizens. Private citizens may confine animals found on their property provided that they notify the animal control officer/police officer of their action. In confining such animal, a citizen may not use force likely to hurt or kill the animal. Confined animals may be released to the city free of charge provided the animal is released within three (3) days of confinement. After three (3) days, a pickup fee set by city council will be assessed.



## Section 9. Rabies Control

### License, vaccination, and registration

(a) Rabies vaccination required. All animals for which rabies vaccinations are required by state law, shall be currently vaccinated for rabies, and annually thereafter.

(b) Rabies vaccination certificate required; display of rabies vaccination. A rabies vaccination certificate shall reflect the name of the owner the owner's address, a description of the animal, the date of the rabies vaccination, the number of the rabies vaccination tag, the kind of rabies vaccination used, vaccination serial number and any other information required by the animal control officer or the state department of health services. A licensed veterinarian shall furnish the owner a metal tag, which displays enough information to reasonably trace the tag to all rabies vaccination information and owner information; this tag shall be securely attached to the collar or harness of the animal at all times. False information on a rabies vaccination certificate shall be deemed a separate offense.

(c) Registration and vaccination tags not transferable. The registration and rabies vaccination tags issued shall apply only to the animal for which such tags are issued, and shall not be transferable.

(d) Counterfeit registration; tags. It shall be unlawful to counterfeit and/or misrepresent animal registration or rabies vaccination tags.

(1) All dogs kept, harbored, or maintained by their owners in the city must be vaccinated against rabies and parvovirus at four (4) months, and annually thereafter.

(2) All cats kept, harbored, or maintained by their owners in the city must be vaccinated against rabies and feline distemper at four (4) month, and annually thereafter.

(3) Rabies certificate must be available to the animal control officer/ police officer as proof of compliance with this ordinance.

### Reporting of possible rabies cases, animal bites or scratches to a human, or suspected rabid animal required; confinement of animals

(a) Report of rabies required. It shall be the duty of the owner of an animal and of a veterinarian to report to the animal control or police officer all cases of possible rabies, animal bite or scratches to a human, or suspected rabies of which any of such persons have knowledge. Such report shall be made immediately upon discovery to the animal control/police officer, and shall include the location of the suspected animal and address of the owner and victim.

(b) Confinement Any animal that has bitten or scratched a human, having rabies, or symptoms thereof or suspected by an animal control/police officer of having rabies, or which has been exposed to rabies, shall be immediately released by its owner to the city for confinement and quarantined at the approved animal shelter, in a veterinary hospital approved by the city, or in any other state-approved quarantine facility in the city (for a period of no less than ten days from the date of the exposure). The owner shall be responsible for all expenses, payable prior to the release of the animal to the owner.

## **Procedure when animal has bitten person; quarantine fees**

(a) Procedure When any animal has bitten, scratched, mauled or otherwise attacked a person to the extent the skin tissue is penetrated or torn, that person or anyone having knowledge of such incident shall immediately notify the city of the incident. It shall be the responsibility of the owner of the animal to have the animal confined in the city animal control or at a veterinary hospital approved by the city for a period of not less than ten days from the date of the exposure at the expense of the owner, and such animal shall, during such period of confinement, be subject to inspection by an animal control officer or by a licensed veterinarian at any time. If after the ten-day period the animal is found to be in satisfactory health, the animal shall be released to its owner or keeper upon payment of all associated fees. If the animal is not claimed within three (3) days, the animal control officer may provide for the disposal of the animal.

(b) Exception to procedure If the animal in question has a valid and current rabies vaccination, it is the only animal in the household, and was not in violation of any provisional section of this ordinance at the time of exposure, the owner may be given the authority to quarantine the animal within his own home subject to inspection by an animal control/police officer at any time during the quarantine period. If the animal control officer/police officer determines noncompliance has occurred, approval for in-home quarantine shall be revoked and the animal shall be removed from the home and isolated at the city shelter/approved veterinary clinic.

(c) Quarantine fee. The owner is responsible for all associated fees, and any owner not wishing to claim a quarantined animal shall pay all associated costs plus the current release of ownership and euthanasia fees.

## **Section 10. Domestic Pets**

### **Limitation on number of dogs and cats**

(a) Animal limitations. It shall be unlawful for any person to keep or harbor more than four (4) domestic pets over the age of four (4) months, in any residence. A person shall be permitted to keep only one litter, dogs or cats birthed by the same mother and less than four (4) months of age, per residence.

(b) Exemption. Any person who is an officer, employee, or volunteer for an approved animal rescue or approved animal shelter is exempt from the animal limitations in subsection (a).

(c) Licensed Veterinary Clinics. All licensed veterinary clinics/hospitals are exempt from this section within the city limits.

### **Tying/tethering animals**

It shall unlawful to tie, tether, leash, or chain an animal to a stationary object for a period of time or in a location for more than eight (8) consecutive hours in a twenty-four hour period, or so as to create an unhealthy situation for the animal or potentially dangerous situation for a pedestrian or passerby as determined by the animal control/police officer. It shall be unlawful to restrain an animal with a collar that is pinch type, prong type, choke type, or does not fit properly.

## **Guard dogs**

Every person having care, control or custody of any dog, which has received guard dog training must register such dog with the animal control officer and notify the police department in writing. The owner of such dog must post signs identifying the dog as a trained guard dog on the owner's premises, and such signage must remain visible from any direction, readable, and in place at all times, until such dog is permanently removed from the premises.

## **Section 11. Livestock, Fowl, and Rabbits**

### **Keeping**

(a) It shall be unlawful for any person to keep livestock, fowl or rabbits on premises under their control without providing adequate fences, cages, or barriers that will prevent such livestock or fowl from escaping and from damaging shrubbery or other property situated on adjacent property.

(b) It shall be unlawful to keep fowl or rabbits in an enclosure where there is less than ten (10) square feet per bird or rabbit so kept.

(c) It shall be unlawful to keep, possess or maintain within the territorial limits of the city any number or combination of livestock in a density that exceeds three (3) AU per one-half ( $\frac{1}{2}$ ) acre of land.

(d) Livestock are hereby assigned density values as follows:

- (1) One cow, calf, steer, or bull = 5 Animal Units (AU).
- (2) A total of sixteen (16) chickens, geese, or ducks, in any combination = 1 AU.
- (3) One horse, mule, donkey or other animal of the equine family = 3 AU.
- (4) One goat = 2 AU.
- (5) One lamb = 2 AU.

(e) Feed and water troughs maintained for livestock shall be free from projections by which livestock could be injured.

### **Prohibited in certain places**

It shall be unlawful for any person to ride or allow any type of livestock upon any public school grounds, public parks, public property or city-owned property, except those designated riding or exhibiting areas for animals or when provided with a city permit for such activity. On streets, horses shall be ridden as close as possible to the curb and in no event shall horses be allowed on sidewalks downtown. It shall be unlawful for anyone to ride, or allow any type of livestock upon the property of another within the city except with expressed consent of the owner or person in charge of such property is obtained prior thereto.

**Section 12. Penalty**

Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance regarding public health shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

**Section 13. Severability**

In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional: and the City Council of the City of Wallis, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 14. Effective date**

This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Section 52.011 of the Texas Local Government Code.

**Section 15. Repeal**

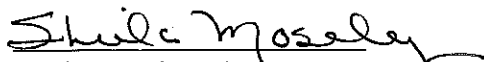
This ordinance expressly repeals and replaces Ordinance Nos. 20, 20A, 20B 59, 59A, 165, 165A and 165B but is otherwise intended to be cumulative and shall not repeal any previous ordinance except to the extent that any provision of such ordinance is inconsistent and cannot be reconciled with any provision contained herein.

PASSED AND APPROVED this 17<sup>th</sup> day of May, 2017

APPROVED:

  
Steve Bockel, Mayor

ATTEST:

  
Sheila Moseley, City Secretary