

ORDINANCE NO. 20

AN ORDINANCE REGULATING THE KEEPING OF DOGS WITHIN THE LIMITS OF THE CITY OF WALLIS, PROVIDING FOR A DOG CATCHER AND POUND MASTER; PROVIDING FOR LICENSING, VACCINATING, AND IMPOUNDING OF DOGS; PROVIDING FOR THE PENALTY; PROVIDING A SAVINGS CLAUSE.

Be It Ordained By The Board Of Aldermen Of The City Of Wallis, Texas:

ARTICLE 1

SECTION 1: DEFINITIONS.

AS USED IN THIS ORDINANCE, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS RESPECTIVELY ASCRIBED TO THEM:

At Large shall be intended to mean off the premises of the owner and not under the complete control of the owner, either by leash, cord, chain, or otherwise.

Owner shall be intended to mean any person owning, keeping, harboring, in charge of, or in control of a dog.

Vaccination shall be injection type of a vaccine approved by the state veterinarian and administered by a veterinarian licensed under state law.

SECTION 2: REGISTRATION AND LICENSING OF DOGS.

A. Required. No owner shall have a dog within the corporate limits of the city for which said dog there is no valid license and tag issued by the city.

B. Fee, Application. All such licenses shall be issued by the City Secretary upon payment of license fee in the amount of <sup>\$4.00 (10-1-91)</sup> Two-Dollars and (~~\$2.00~~); and, presentation of a properly completed application for license and certification from a licensed veterinarian showing that the said dog has been vaccinated for rabies within one year from the date application is made for such license; application for a license shall be upon printed forms furnished by the city for such purpose and shall require the name and address of the owner, the name, breed, color and sex of said dog.

C. Term. The license shall be valid for a period of one year dating from April 1, through March 31.

D. Tag. Upon compliance by the owner of a dog with the registration and licensing requirements of this section, said owner shall be issued a license certificate and metallic tag shall be changed every year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate.

SECTION 3: COLLAR AND TAGS.

A. Required. The owner of a dog shall provide and place on such dog a collar or harness to which the license tag and vaccine tag required by this article shall be affixed and said owner shall see that the collar and tags are at all times worn by said dog.

B. Duplicates. In case a dog's tag is lost or destroyed, a duplicate will be issued by the City Secretary upon presentation of the receipt showing the payment of the license fee for the current time, presentation of a certificate showing that the said dog was vaccinated within one year of the date thereof, and payment of fifty cents (\$.50) fee for such duplicate.

C. Transferability, refunds. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee because of the death of a dog and/or the owner leaving the city before expiration of the license period.

SECTION 4: RUNNING AT LARGE PROHIBITED.

A. No owner of any dog shall permit such dog to run at large within the city limits.

SECTION 5: ANNUAL VACCINATION.

It shall be unlawful for the owner of any dog to keep said dog within the corporate limits of the city without first having said dog vaccinated against rabies annually. Upon such vaccination, the owner shall be issued a certificate and metal vaccine tag by the veterinarian showing vaccination and the date thereof.

SECTION 6: IMPOUNDMENT.

Any dog found within the city in violation of any of the provisions of this article shall immediately be impounded and kept for a period of seventy-two (72) hours and then disposed of, provided, however, that the owner of any dog impounded under the terms of this section shall be allowed to take such dog from the place where impounded upon the following conditions:

A. Upon the payment of an impounding fee of ~~\$8.00~~<sup>\$10.00</sup> and additional ~~\$8.00~~<sup>(10-1-91) \$10.00</sup> for each day or fractional part thereof which said dog has been impounded.

B. If said dog is not wearing a collar with valid rabies and license tags attached, then the owner thereof must present a certificate showing said dog has been vaccinated within (12) months from that day or have said dog vaccinated prior to its release from impoundment and must further produce or secure a valid license tag for such dog.

C. Provide the dog with a collar or harness to which the license and rabies tags are attached.

SECTION 7: CONFINEMENT UPON SUSPICION OF RABIES, WHEN PERSON IS BITTEN

If any dog or other quadruped animal has bitten any person, the owner of said dog or other quadruped animal shall immediately, and in any event no later than twenty-four (24) hours after such biting, notify City Law Officer of such biting and have such dog or other quadruped animal impounded in the city dog pound or veterinarian hospital for a period of two (2) weeks.

No such dog or other animal so held for observation shall be released from impoundment without the authorization of a veterinarian.

Such impoundment shall be at the expense of the owner of dog or other quadruped animal except where, at the time of said biting, the said dog or other quadruped animal was wearing a collar or harness with valid license and rabies tags attached thereto and was lawfully restrained or on the owner's premises as required by this ordinance, in which event the expense of confinement shall be against person so bitten, unless such person is on the premises with the express or implied consent of the owner, such as in the case of delivery man, guests, confinement shall be at the dog owner's expense.

SECTION 8: DANGEROUS, VICIOUS, FIERCE, MISCHIEVOUS DOGS, FEMALE DOGS IN HEAT,

No dog of dangerous, vicious, fierce, mischievous dogs, female dogs in heat shall be allowed upon any street, avenue, highway, alley, sidewalk, parkway, park, or other public place within the city, whether such dog is under the control of the owner or any other person, either by leash, cord, chain or otherwise; any such dog so found upon any of the public places shall be taken up and impounded and shall not be released with all the terms and provisions of Section 2; provided however, that if any dangerous, vicious, fierce or mischievous dog so found cannot be taken up and impounded with reasonable safety for the person attempting the same, such dog may be slain by any policeman. Exception--trained police dog under the control of a law officer is exempt from above provision.

If any dog bites or attempts to bite any person while such dog or another animal while such dog is at large, then such dog shall be conclusively presumed to be a dangerous dog and a dog of dangerous propensities and tendencies.

If any dog attacks or attempts to attack any other dog or another animal while such dog is at large, then such dog shall be conclusively presumed to be a vicious dog and a dog having vicious propensities and tendencies.

If any dog at large chases or otherwise attempts to catch a person, then such dog shall be conclusively presumed to be a fierce dog and a dog having fierce propensities and tendencies.

SECTION 9: DOG CATCHER,

That on or before the 1st day of April of each year the City Council shall appoint a dog catcher and fix a salary therefore, which salary may include a reasonable allowance of the dog catcher, and City Council may appoint or provide compensation for an assistant to the dog catcher. The dog catcher and/or his assistant shall be under the supervision and control of the City Law Officer. It shall be the duty of the dog catcher and/or his assistant to take up and impound all dogs found running at large that do not have fastened around their necks and secured to collars the required tags, to keep and properly care for all dogs impounded, to kill all dogs that have not been redeemed and to perform such other duties as may be directed by City Law Officer under the terms of this ordinance.

That it shall be the duty of the dog catcher to report in writing to City Law Officer once each month the total number of dogs impounded, the total number of dogs redeemed or sold to private parties, and the total number of dogs killed under the provisions of this ordinance, which report shall be approved by City Law Officer and filed for approval of City Council.

SECTION 10: POUND FEES

That City Council shall charge a fee of <sup>\$10.00</sup> ~~(\$8.00)~~ eight dollars for each and every dog impounded and shall charge <sup>\$10.00</sup> ~~(\$8.00)~~ eight dollars for each day such dog shall remain in said pound. The Pound Master shall cause all dogs so impounded to be properly fed and cared for while in said pound and shall monthly render a bill for the expenses of feeding/housing said dogs to City Council for approval and payment.

ARTICLE II: GENERAL PROVISIONS

SECTION 1: DEFINING THE TERM PERSON.

That the term "person" as used herein shall be construed to include both singular and plural and shall mean and embrace any individual, corporation, association, partnership, or society, and their agents, servants, and employees.

SECTION 2: SAVINGS CLAUSE.

That if any section, part, or provision of this ordinance is declared unconstitutional or invalid, then, in that event, it is expressly provided, and it is the intention of the Board of Alderman in passing this ordinance, that all other parts of this ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 3: PENALTY

That any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding Two Hundred Dollars (\$200.00) & each and every day of such violation shall be deemed a separate and complete offense.

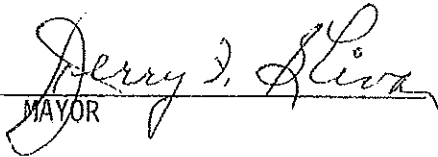
SECTION 4: Publishing.

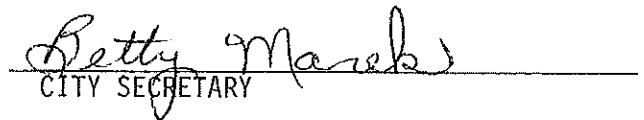
This ordinance shall be published in its entirety in the Wallis News Review, the official newspaper for the City of Wallis, three times prior to the effective date of this ordinance. The Effective Day Of This Ordinance Is April 1, 1975.

SECTION 5:

Passed, Approved and Adopted by the Board of Aldermen of the City of Wallis, Texas, this 13th day of January, 1975.

ATTEST:

  
MAYOR

  
CITY SECRETARY