

ORDINANCE NO. 229

**SECTION 1. ESTABLISHMENT OF ANIMAL CONTROL WARDEN OR
ANIMAL CONTROL OFFICER CITY COUNCIL REF. 2 HUMANE SOCIETY-
SECTION 2-38 TULIA CODE.**

SECTION 2. DEFINITIONS- WHEN USED IN THIS ORDINANCE THE FOLLOWING WORDS AND TERMS SHALL BE INTERPRETED AS FOLLOWS:

2-1 RUNNING AT LARGE- SHALL PERTAIN TO AN ANIMAL OFF THE PREMISES OF THE OWNER AND NOT UNDER THE PHYSICAL, VISIBLE OR AUDIBLE CONTROL OF THE OWNER OR HISS AUTHORIZED REPRESENTATIVE. AN ANIMAL INTRUDING UPON THE PROPERTY OF ANOTHER PERSON OTHER THAN THE OWNER, SHALL BE TERMED "RUNNING AT LARGE". AN ANIMAL WITHIN AN AUTOMOBILE OR OTHER VEHICLE OF IT'S OWNER SHALL NOT BE DEEMED "RUNNING AT LARGE".

2-2 OWNER- ANY PERSON WHO HAS THE RIGHT OF PROPERTY IN AN ANIMAL OR WHO HARBORS AN ANIMAL OR ALLOWS AN ANIMAL TO REMAIN ABOUT HIS PREMISES FOR A PERIOD OF SEVEN (7) DAYS.

2-3 HARBORING- THE ACT OF KEEPING AND CARING FOR AN ANIMAL OR PROVIDING A PREMISES TO WHICH THE ANIMAL RETURNS FOR FOOD, SHELTER OR CARE.

2-4 VICIOUS ANIMAL- ANY ANIMAL THAT COMMITS AN UNPROVOKED ATTACK UPON A PERSON OR CONSTITUTES PHYSICAL THREAT TO HUMAN BEINGS OR OTHER ANIMALS.

2-5 PUBLIC NUISANCE- ANY ANIMAL WHICH:

1. MOLESTS PASSERBY OR PASSING VEHICLE
 2. ATTACKS OTHER ANIMALS
 3. TRESPASSES ON SCHOOL GROUNDS
 4. IS REPEATEDLY AT LARGE
 5. DAMAGES PRIVATE OR PUBLIC PROPERTY
 6. BARKS, WHINES OR HOWLS IN AN EXCESSIVE CONTINUOUS OR

UNTIMELY FASHION

2-6 STRAY ANIMALS-ANY ANIMAL FOR WHICH THERE IS NO IDENTIFICATION OF OWNER OR HARBORER.

2-7 RABIES VACCINATION- SHALL MEAN THE VACCINATION OF AN ANIMAL WITH AN ANTI-RABIES VACCINE APPROVED BY TEXAS DEPARTMENT OF HEALTH AND ADMINISTERED BY A VETERINARIAN LICENSED BY THE STATE OF TEXAS.

SECTION 3. VACCINATIONS- EVERY OWNER OF AN ANIMAL SHALL
HAVE SUCH ANIMAL VACCINATED AGAINST RABIES, THREE MONTHS OF AGE

**OR OLDER. ALL ANIMALS VACCINATED AT THREE MONTHS OF AGE OR
OLDER SHALL BE RE-VACCINATED AT ONE YEAR OF AGE AND ANNUALLY
THEREAFTER.**

ANY PERSON MOVING INTO KRESS, TEXAS FROM A LOCATION OUTSIDE OF KRESS, TEXAS SHALL COMPLY WITH THESE REGULATIONS WITHIN FIFTEEN (15) DAYS AFTER MOVING INTO KRESS, TEXAS.

3-2 CERTIFICATE OF VACCINATION- UPON VACCINATION, THE VETERINARIAN SHALL EXECUTE AND FURNISH TO THE OWNER OF THE ANIMAL OR EVIDENCE THEREOF A CERTIFICATE UPON A FORM FURNISHED BY THE VETERINARIAN.

3-3 RABIES TAGS- CONCURRENT WITH THE ISSUANCE AND DELIVERY OF THE CERTIFICATE OR VACCINATION REFERRED TO IN SECTION 3-3, THE OWNER OF THE ANIMAL SHALL CAUSE TO BE ATTACHED TO THE COLLAR OR HARNESS OF THE VACCINATED ANIMAL A METAL TAG, SERIALLY NUMBERED TO CORRESPOND WITH VACCINATION CERTIFICATION NUMBER. SUCH TAG SHALL BE WORN BY THE ANIMAL AT ALL TIMES.

3-4 DUPLICATE TAGS- IN EVENT OF LOSS OR DESTRUCTION OF THE ORIGINAL TAG PROVIDED IN SECTION 3-3, THE OWNER OF THE ANIMAL SHALL OBTAIN A DUPLICATE TAG.

3-5 PROOF- IT SHALL BE UNLAWFUL FOR ANY PERSON WHO OWNS OR HARBORS A VACCINATED ANIMAL TO FAIL OR REFUSE TO EXHIBIT HIS COPY OF THE CERTIFICATE OR VACCINATION UPON DEMAND TO ANY PERSON CHARGED WITH THE ENFORCEMENT OF THESE REGULATIONS.

3-6 HARBORING UNVACCINATED ANIMALS- IT SHALL BE UNLAWFUL FOR ANY PERSON TO HARBOR ANY ANIMAL WHICH HAS NOT BEEN VACCINATED AGAINST RABIES, AS PROVIDED HEREIN, OR WHICH CANNOT BE IDENTIFIED AS HAVING A CURRENT VACCINATION CERTIFICATE.

SECTION 4. REPORTING BITES AND REGULATED PROCEDURES

4-1 ANY PERSON RECEIVING AN ANIMAL BITE SHALL REPORT SUCH INCIDENCE TO THE PROPER AUTHORITY OR ANIMAL CONTROL OFFICER. IN ADDITION THAT ANIMAL SHALL BE IMPOUNDED AND OBSERVED BY A LICENSED VETERINARIAN UNDER THE RULES COMMONLY AND UNIVERSALLY ACCEPTED AS BEING SUITABLE.

SECTION 5. LICENSING OF ANIMALS

5-1 LICENSE REQUIRED- ANY OWNER OF AN ANIMAL THREE MONTHS OF AGE OR OLDER SHALL PROCURE A LICENSE. LICENSES FEE SHALL BE PAID ANNUALLY COVERING A PERIOD FROM _____ THROUGH _____. OWNER SHALL RECEIVE A CITY LICENSE UPON PRESENTATION OF A VALID VACCINATION CERTIFICATE OF NOT MORE THAN 90 DAYS OLD AND PAYMENT OF A LICENSING FEE OF THREE (\$3.00)

dollars.

5-2 IT SHALL BE UNLAWFUL FOR ANY PERSON TO MAINTAIN OR KEEP AN ANIMAL THREE MONTHS OF AGE OR OLDER WITHOUT A COLLAR OR HARNESS ATTACHED FIRMLY TO THE ANIMAL. IN ADDITION THE COLLAR OR HARNESS SHALL DISPLAY A VALID VACCINATION TAG AND CITY LICENSE TAG.

6-1 IT SHALL BE UNLAWFUL FOR ANY ANIMAL TO BE OFF THE OWNERS PREMISES AND NOT UNDER THE PHYSICAL, VISIBLE OR AUDIBLE CONTROL OF THE OWNER OF HIS AUTHORIZED REPRESENTATIVE. SUCH ANIMALS SHALL BE IMPOUNDED.

6-2 IT SHALL BE UNLAWFUL FOR ANY OWNER OF ANY FEMALE ANIMAL TO ALLOW SAID ANIMAL TO RUN AT LARGE WHILE IN SEASON (STAGE OF ESTRUS), REGARDLESS OF ANY PROVISIONS CONTAINED IN THIS REGULATION.

SECTION 7. IMPOUNDED ANIMALS

7-1 IMPOUNDMENTS- ANIMALS OWNED OR HARBORED IN VIOLATION OF THIS REGULATION SHALL BE TAKEN INTO CUSTODY BY AN ANIMAL WARDEN OR OTHER DESIGNATED OFFICIAL AND IMPOUNDED AT AN APPROPRIATE ANIMAL CLINIC FOR NOT LESS THAN 5 DAYS. SUCH ANIMALS SHALL BE DISPOSED OF AFTER 5 DAYS WAITING PERIOD IN ACCORDANCE WITH PROCEDURES OF SAID ANIMAL CLINIC.

7-2 REDEMPTION OF ANIMAL- THE OWNER SHALL BE ABLE TO REDEEM ANY ANIMAL AT ANY TIME PRIOR TO THE DISPOSAL OF THE ANIMAL IN ACCORDANCE WITH MARKHAM ANIMAL CLINIC AND UPON PAYMENT OF A HANDLING FEE OF FIVE (\$5.00) TO THE CITY OF KRESS, TEXAS, TO DOUBLE EACH IMPOUNDING EVENT OF THE SAME ANIMAL, PLUS THE COST OF BOARDING ANIMAL AT SAID CLINIC.

7-3 AT SUCH TIME OF REDEMPTION OF ANIMAL, UNLESS CURRENTLY COMPLIED WITH, OWNER SHALL LICENSE AND VACCINATE THE ANIMAL IN ACCORDANCE WITH THIS ORDINANCE.

PASSED AND APPROVED this 4th day of December, 1978.