

CITY OF OLD RIVER-WINFREE, TEXAS

ORDINANCE NO. 97-004

AN ORDINANCE PROVIDING FOR RABIES CONTROL; REPORTING OF ANIMAL BITES; LICENSING OF DOGS AND CATS; STRAY ANIMALS RUNNING AT LARGE; IMPOUNDMENT OF ANIMALS; AND DESCRIBING PENALTIES FOR VIOLATING SUCH PROVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF OLD RIVER-WINFREE, TEXAS:

SECTION ONE: Definitions. When used in this ordinance, the following words and terms, unless the context indicates a different meaning, shall be interpreted as follows:

1.1 OWNER: Any person who has right of property in an animal or who harbors an animal or allows an animal to remain about his premises.

1.2 HARBORING: The act of keeping and caring for an animal or of providing a premise to which the animal returns for food, shelter or care.

1.3 DOG: A domestic canine of either sex, including one neutered or sterilized.

1.4 CAT: A domestic feline of either sex, including one neutered or sterilized.

1.5 STRAY ANIMAL: Any animal for which there is not identifiable owner or harborer.

1.6 RABIES VACCINATION: Shall mean the vaccinating of a dog, cat or other domestic animal with an anti-rabies vaccine approved by the Texas Department of Health and administered by a veterinarian licensed by the State of Texas.

1.7 RUNNING AT LARGE: Whenever an animal is not under actual physical restraint by means of a pen, fence, or other structure or a leash, chain, rope or other lead.

SECTION TWO: Rabies Control

2.1 VACCINATIONS: Every owner of a dog or cat three months of age or older shall have such animal vaccinated against rabies. All dogs or cats vaccinated at three months of age or older shall be re-vaccinated at one year of age and annually thereafter. Any person moving into Old River-Winfree, shall comply with this ordinance within thirty (30) days after having moved into the City. If the dog or cat has inflicted a bite on any person or another animal within the last ten days, the owner of said dog or cat shall report such fact to the veterinarian, and no rabies vaccine shall be administered until after the ten day observations period.

2.2 CERTIFICATE OF VACCINATION: Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog or cat as evidence thereof, a certificate upon a form furnished by the veterinarian. The veterinarian shall retain a duplicate copy. Such certificate shall contain the following information:

- (a) The name, address and telephone number of the owner of the vaccinated dog or cat.
- (b) The date of vaccination.
- (c) The type of rabies vaccine used.
- (d) The year and number of the rabies tag.
- (e) The breed, age, color and sex of the vaccinated dog or cat.

2.3 RABIES TAGS: Concurrent with the issuance and delivery of the certificate or vaccination referred to in Section 2.2, the 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 vaccination certificate number and bearing the year of issuance. Such tag shall be worn by the dog at all times.

2.4 DUPLICATE TAGS: In the event of loss or destruction of the original tag provided in Section 2.3, the owner of the dog shall obtain a duplicate tag.

2.5 PROOF: It shall be unlawful for any person who owns or harbors a vaccinated dog or cat to fail or refuse to exhibit his copy of the certificate of vaccination upon demand to any person charged with the enforcement of this ordinance.

2.6 HARBORING UNVACCINATED ANIMALS: It shall be unlawful for any person to harbor any dog or cat which has not been vaccinated against rabies, as provided herein, or which cannot be identified as having a current vaccination certificate.

2.7 STRAYS RUNNING AT LARGE: The owner of any stray dog or animal running at large is subject to a citation being issued by the City or its duly authorized officer requiring the owner cited for a violation under this section to appear and answer at a date determined by the City Court.

SECTION THREE: Reporting Bites from Animals Susceptible to Rabies; Related Procedures

3.1 **DUTY TO REPORT:** Any persons having knowledge that an animal has bitten a human shall immediately report the incident to the animal control officer, or to the Department of Health.

3.2 **EXCLUSIONS:** Human Bites from rodents, rabbits, birds and reptiles are excluded from the reporting requirements of this section.

3.3 **SUSPECTED RABIES:** Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other domestic animal shall immediately report the incident to the animal control officer or to the Department of Health, stating precisely where such animal may be found. If a known or suspected rabid animal bites or attacks a domestic animal, such incident shall also be reported as required above.

3.4 **CONFINEMENT OF DOGS AND CATS:** Any dog or cat which has bitten a person shall be observed for a period of ten (10) days from the date of the bite. The procedure and place of observation shall be designated by the investigating officer or responsible agency. Confinement shall be by impoundment in an animal shelter, or at any veterinary hospital of the owner's choice. Such confinement shall be at the expense of the owner. Stray dogs or cats whose owners cannot be located shall be confined in an animal shelter. The owner of any dog or cat that has been reported to have inflicted a bite on any person shall on demand produce said dog or cat for impoundment, as prescribed in this section. Refusal to produce said dog or cat constitutes a violation of this section, and each day of such refusal shall constitute a separate and individual violation.

3.5 **REMOVAL OF DOGS AND CATS FROM CONFINEMENT:** It shall be unlawful for any person to remove from any place of confinement any dog or cat which has been confined as authorized, without the consent of the impounding agency.

SECTION FOUR: Safety Provisions

4.1 **INTERFERENCE WITH THE CITY OF OLD RIVER-WINFREE OR ITS' AUTHORIZED REPRESENTATIVES.** It shall be unlawful for any person to interfere with, molest, hinder, or prevent the City or its authorized representatives in the discharge of their duties as herein prescribed, or to violate any of the provisions of this ordinance.

4.2 **PENALTY FOR VIOLATION:** Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed FIVE HUNDRED DOLLARS

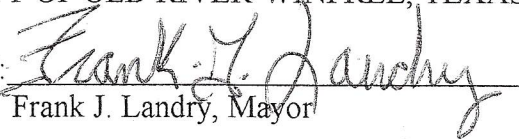
(\$500.00).

4.3 SEVERANCE CLAUSE: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the City Council of the City of Old River-Winfree, Chambers County, Texas, on this the 11th day of August, A.D. 1997.

CITY OF OLD RIVER-WINFREE, TEXAS

BY:


Frank J. Landry, Mayor

ATTEST:



CHRIS WECKWERTH,
CITY SECRETARY