

EXCERPT FROM

# RGC CODE BOOK

## **Chapter 4**

### **Animals and Fowl**

Ordinance No. 1995-10 Rabies Control

Ordinance No. 2006-4 Registration of  
Dogs/Cats

Ordinance No. 2010-4 Vicious Animals

**CHAPTER 4:           ANIMALS AND FOWL**

Section 4-101	Rabies Control
Section 4-102	Impoundment of Animals
Section 4-103	Confinement of Animals Suspected of Having Rabies, etc.
Section 4-104	Disposal of Rabid Animals
Section 4-105	Animal Fighting
Section 4-106	Confinement During Rabies Emergency
Section 4-107	Unvaccinated Dogs or Cats

**Article 1: Rabies Control;**

**Section 4-101**

(a) The health authority and the city administrator are hereby granted the authority and it shall be their duty to cause functions of this chapter to be carried out. In carrying out the duties covered in this chapter, the health authority or city administrator may utilize as many personnel as is necessary, including but not limited to any members of the city health department, animal control division or police department, all of whom are designated as representatives of the health authority or city administrator and shall possess the authority granted in this chapter. Whenever the term "health authority" or "city administrator" are used in this chapter, such terms shall also refer to and include the designated representatives of authorizing such officers.

(b) It shall be unlawful for any person to refuse permission to or refuse to permit city employee's to go upon any premises during reasonable times when the city is engaged in the enforcement of this chapter. The health authority is hereby authorized to apply for an administrative search warrant from the municipal court judge of the city, which judge is authorized to grant such warrant upon reasonable grounds in order to enforce the provisions of this chapter.

**Section 4-102 Impoundment of Animals**

It shall be the duty of the health authority to seize and deliver to the humane society's regional animal shelter any and all animals, including dogs, or cats, found in violation of the provisions of this Article. The owner of any animal impounded under the provisions of this Article may claim such animal after paying an applicable fee and otherwise following the rules and regulations of the County Animal Pound.

**Section 4-103 Confinement of Animals Suspected Of Having Rabies, etc.**

(a) Any person who knows of an animal bite or scratch to an individual that the person could reasonably foresee as being capable of transmitting rabies, or who knows of an animal that the person suspects as rabid, shall report the incident or animal to the health authority. The report to be given under this section shall contain the name and address of the victim and of the animal's owner if known, and other information that may help in locating the victim or animal. In addition, upon written complaint of any person that any kind of animal has bitten any person or other animal, the owner of such animal, if known, shall be notified by the health authority, by the most expedient means available, which notification shall be documented in writing, to properly confine such animal for a period of not less than ten days from the date of such attack. The term "properly confine" shall be construed to include:

- (1) Confinement in an animal hospital under the supervision of a licensed veterinarian, who shall notify the health director by telephone the same day such animal is received and further notify the health authority by telephone immediately upon the development of any systems suspicious of rabies; or
- (2) Confinement in a humane society or county animal shelter, under the direct supervision of a licensed veterinarian, who shall notify the health authority by telephone the same day such animal is received and further notify the health director by telephone immediately upon the development of any symptoms suspicious of rabies.

(b) In no event shall any animal which is the subject of this section be allowed to remain at the owner's home unless a written evaluation by a licensed veterinarian, establishing the animal's safety, is acquired by the owner and submitted to the health authority.

#### **Section 4-104 Disposal of Rabid Animals**

Any animal dying of, or killed while suffering from rabies, or suspected of suffering from rabies, shall be held for such disposition of the body, and under such conditions, as the health authority may prescribe.

#### **Section 4-105 Animal Fighting**

No person shall possess, harbor or maintain care or custody of any animal for fighting contests, nor shall any person train, torment, badger, bait or use any animal for the reason of causing or encouraging the animal to attack human beings or domestic animals.

#### **Section 4-106 Confinement During Rabies Emergency**

The health authority, whenever he may detect danger from hydrophobia, shall request that the Mayor issue a proclamation requiring all dogs to be properly confined or securely muzzled, and it shall be unlawful for the owner of any dog to fail to comply with such proclamation. Such proclamation shall be published and broadcast for public dissemination.

#### **Section 4-107 Unvaccinated Dogs or Cats**

(a) Any dog or cat which is unvaccinated for the disease of rabies and is located in the corporate limits of the City, is hereby declared as being a nuisance. The health authority is hereby authorized to impound any dog or cat found within such area, where such dog or cat is running at large or is kept unrestricted upon the premises of any person.

Such animal shall be kept impounded until the owner thereof shall furnish proof of vaccination or shall cause the animal to be vaccinated. If the owner thereof does not claim such animal or otherwise prove vaccination or provide for such vaccination, then the animal shall be humanely disposed of in accordance with the procedures of the health authority.

(b) It shall be unlawful for any person to own, keep or harbor any unvaccinated dog or cat within the City limits.

ORDINANCE NO. 1995- 10

An Ordinance Adopting and Enacting A Code Of Ordinance for the City of Rio Grande City, Texas providing for the Repeal of Certain Ordinances Not Included Therein; Providing Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective.

Be it Ordained by the Board of Aldermen of the City of Rio Grande City, Texas:

- Section 1:** The Code entitled "Code of Ordinances, City of Rio Grande City, Texas" dated June 1, 1995 and printed by the City of Rio Grande City, and on file with the City Secretary's Office consisting of Chapters 1 through 16 each inclusive, is adopted.
- Section 2:** All ordinances of a general and permanent nature enacted on or before June 1, 1995, and not included in the Code or recognized and continued in force by reference therein, are not repealed unless specifically provided herein. The following Ordinances are specifically repealed: Ordinance 94-3, 94-4, 94-5, 94-6, 94-7, 94-13, 94-16, 94-18, 1995-1, 1995-1A, 1995-2, 1995-3, 1995-8
- Section 3:** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.
- Section 4:** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof, governing fire, safety, zoning or public health and sanitation, including the dumping of refuse, the violation of any such provision of this Code or any such ordinance shall be punished by a fine not exceeding \$2,000.00 dollars and the violation of any other provision of this Code, or of any other ordinance, shall be punished by a fine of not exceeding \$500.00; provided, however, that no penalty shall be greater or less than a penalty provided for the same or similar offense under the laws of the state, and it is further provided that anywhere in this Code wherein a fine of less than \$500.00 is set for a violation of any particular ordinance or section thereof, notwithstanding the designation of such fine of less than \$500.00, the maximum fine shall be \$500.00 for any violation other than a violation relating to fire, safety, zoning or public

health and sanitation, including the dumping of refuse, in which case, for such violations, the fine shall be \$2,000.00 regardless of the designation of a fine as set out in any particular ordinance or section of the Code of Ordinances. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**Section 5** Additions or amendments to the Code when passed in the form as to indicate the intention of the Board of Aldermen to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**Section 6** Ordinances adopted after June 1, 1995 that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

**Section 7** This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Aldermen, signature by the Mayor and the publication in the official newspaper, according to Section 53.002, Local Government Code of the City of Rio Grande City.

Considered, Passed and Approved this 1<sup>st</sup> day of June, 1995 at a regular meeting of the Board of Aldermen of the City of Rio Grande City, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

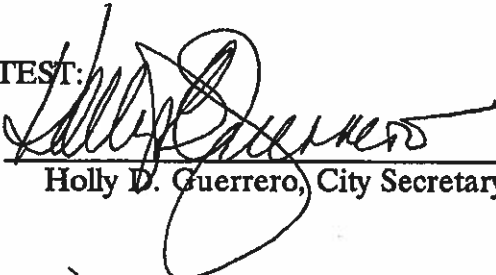
Signed this 1<sup>st</sup> day of June, 1995

City of Rio Grande City

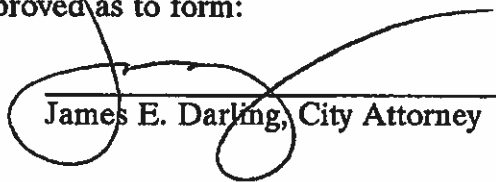
By:   
Basilio Villarreal, Mayor

ATTEST:

By:

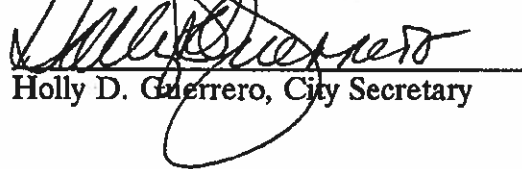
  
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Holly D. Guerrero, City Secretary

Approved as to form:

  
\_\_\_\_\_  
James E. Darling, City Attorney

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the Board of Aldermen of the City of Rio Grande City, Texas, held on the 17 day of June, 1995.

  
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Holly D. Guerrero, City Secretary