

Chapter 3

ANIMALS*

Art. I. In General, §§ 3-1–3-30

Art. II. Dogs, §§ 3-31–3-41

***Cross reference**—Collection of dead animals, § 15-36.

State law references—Animals, V.T.C.A., Health and Safety Code § 821.001 et seq.; Local Public Health Reorganization Act, V.T.C.A., Health and Safety Code § 121.001 et seq.; Rabies Control Act of 1981, V.T.C.A., Health and Safety Code § 826.001 et seq.; livestock, V.T.C.A., Agriculture Code § 141.001 et seq.; permitting a head of cattle or a domestic turkey to run at large in certain counties, V.T.C.A., Agriculture Code § 143.082; cruelty to animals, V.T.C.A., Penal Code § 42.11; dog fighting, V.T.C.A., Penal Code § 42.111; keeping vicious dog, V.T.C.A., Penal Code § 42.12; certain tax exemptions for charitable organizations, V.T.C.A., Tax Code § 11.18.



ARTICLE I. IN GENERAL**Sec. 3-1. Hogs prohibited in city.**

(a) It shall be unlawful for any person to keep hogs within the city.

(b) Any person violating the provision of this section shall, upon conviction, be punished in accordance with section 1-14.

(Ord. of 8-1-39, §§ 1, 2)

Sec. 3-2. Animals running at large prohibited.

It shall be unlawful for any person to permit any horse, mare, mule, jack, jennett, hog, cow, steer, sheep, goat, chicken, dog or any other domestic animal of any kind to run at large within the city and whosoever shall turn out or knowingly permit any horse, mare, mule, jack, jennett, hog, cow, steer, sheep, goat, chicken, dog or any other domestic animal to run at large within the city shall be punished, upon conviction, in accordance with section 1-14.

(Ord. of 11-30-25, § 1; Ord. of 8-1-39, § 1)

Sec. 3-3. Staking, hobbling, etc., prohibited.

Whoever shall stake, tie or hobble or cause to be staked, tied, or hobbled in any manner within any street or alley within the city any of the animals mentioned in section 3-2, in such a manner as to permit the animals to get upon any sidewalk or alley within the city shall be punished in accordance with section 1-14.

(Ord. of 11-30-25, § 2)

Sec. 3-4. Bringing sick or crippled animals into city prohibited.

It shall be unlawful for any person to bring any horse, mare, mule, jack, jennett, hog, cow, steer, sheep, goat, dog or other domestic animal into the city for any purpose and turn them loose to run at large or be disposed of by the city when such animals prove to be worthless, sick, crippled, or of insufficient value to pay impounding fees.

(Ord. of 11-30-25, § 3)

Sec. 3-5. Bringing animals into city for sale or trade permitted.

Nothing in this chapter shall be so construed as to prevent any person from bringing or driving any animals into the city for legitimate sale or trade or for personal use, provided they remove the stock or do not permit them to run at large in violation of this chapter.

(Ord. of 11-30-25, § 3)

Sec. 3-6. Sale of animals on streets prohibited.

It shall be unlawful for any person to use any street or alley of the city as a place in which to display, demonstrate, barter, or sell any animals or other livestock. Any person guilty of violation of this section, shall, upon conviction, be punished in accordance with section 1-14. (Ord. of 11-30-25, § 4)

Sec. 3-7. Breeding of certain animals prohibited.

It shall be unlawful for any person to stable or keep a horse, jack, bull, goat, or boar or other animal of like character for breeding purposes within the city. It shall also be unlawful for any person to stable or keep any animal in such manner that the animal, by kicking, neighing, braying or in any other manner creates such noises as shall disturb those living in the vicinity. Any person guilty of violating any of the provisions of this section shall be punished in accordance with section 1-14. (Ord. of 11-30-25, § 5)

Sec. 3-8. Driving stock, etc., on sidewalks.

It shall be unlawful for any person to drive any cattle, horses, mules, sheep, hogs, or stock of any kind into or through the city or over the streets and highways of the city, or to ride or drive any animal into or over the yard of any private residence or upon any sidewalk in the city. Providing, however, that nothing in this section shall be so construed as to prevent the riding or driving of any animal mentioned in this section where such animal is driven, ridden or lead by means of a rope, halter or other physical means of controlling the animal. Any person guilty of violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction, be punished in accordance with section 1-14. (Ord. of 11-30-25, § 6)

Sec. 3-9. Public pound authorized.

It shall be the duty of whoever may be designated as the stock policeman of the city to establish a public pound in the city, at the place designated by the mayor or other authorized person, where all animals found running at large in violation of the provisions of section 3-2 shall be received and taken care of. (Ord. of 11-30-25, § 7)

Sec. 3-10. Sale of impounded animals; fee.

It shall be the duty of the law enforcement officer to cause all horses, mares, mules, hogs, jacks, jennetts, sheep, goats, or cattle and stock of every kind found running at large within the city in violation of section 3-2 to be gathered and impounded in the public pound, and the stock policeman shall sell the same at public auction for cash, first giving five days' notice of the time, place and terms of sale by posting the notice at three different places in the city or publication in some newspaper published in the city, describing the animals as near as possible, to be sold. One of the notices shall be posted at the courthouse door of the county. A fee

shall be allowed for each animal impounded and all fees collected shall belong to the policeman or other person authorized to act as stock policeman. In addition to the pound fee, the stock policeman is hereby authorized to collect a daily maintenance fee for each head for keeping and feeding horses, mares, mules, jacks, cows, hogs, goats and sheep. No feeding or keeping charge shall be collected until the expiration of the first day.

(Ord. of 11-30-25, § 7)

Sec. 3-11. Redemption of animals by owner.

The owner of any cattle, stock or other animals impounded as provided in section 3-10 may redeem the animal at any time before the sale by making satisfactory proof of ownership and by paying the law enforcement officer all costs of the impounding and feeding in addition to the costs incurred in advertising the sale up to the time of proof of ownership.

(Ord. of 11-30-25, § 8)

Sec. 3-12. Proceeds of sale of impounded animals.

On the date and at the place specified in the notice provided for in section 3-10, unless such animal has been reclaimed by the owner thereof, the person authorized, shall sell such animal to the highest bidder for cash in hand and out of the proceeds of the sale shall first satisfy the expense of impounding, keeping and feeding the animal and advertising and making a sale, and the balance of the proceeds of the sale shall be paid to the city treasurer to be credited by him to the current account of the city.

(Ord. of 11-30-25, § 9)

Sec. 3-13. Records of sales to be kept.

The person authorized to make such sales shall keep a book in which he shall record the description of any animal that may be sold under the provisions of section 3-12, the time of such sale, the name of the purchaser and the price for which the animals were sold, which book shall be kept open to the inspection of the public. The person authorized to make such sale shall also make a written report, under oath to the mayor of the sale, and the mayor shall report all such sales to the city council.

(Ord. of 11-30-25, § 10)

Sec. 3-14. Owner may receive proceeds of sale.

The owner of any animal sold under the provisions of section 3-12 may, at any time within six months from the date of the sale, appear before the mayor and, upon making satisfactory proof to the mayor that he was the owner of the animal at the time of the sale, the mayor shall, and it becomes his duty, to draw a warrant upon the current fund of the city in favor of the owner for the amount for which the animal sold, less the impounding fee, feeding and keeping charges and expenses of making the sale.

(Ord. of 11-30-25, § 11)

Sec. 3-15. Destruction of sick or maimed animals.

If any horse, mare, mule, jack, jennett, hog, cow, sheep, goat, dog or other domestic animal found running at large in the city shall be so wounded, maimed, injured, sick or of such condition that they will not sell for sufficient sum to cover expense incident to impounding, keeping and sale, it shall become the duty of the appropriate authority to kill or destroy such animals in such a manner as, in his judgment, shall be the least painful, and cause the carcass of the animal and dispose of it and shall make out a statement of the expense incurred in the disposition of such animal and present same to the owner of the animal and the owner shall be required to reimburse the appropriate authority for the actual expense of the impounding, keeping and feeding, killing and disposing of the animal. Any person who shall fail or refuse to reimburse the appropriate authority for the sum actually incurred under the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction, be punished in accordance with section 1-14.

(Ord. of 11-30-25, § 12)

Sec. 3-16. Report of animals killed required.

When the appropriate authority shall kill any animal it shall be his duty to file at once with the mayor a report in writing, of such killing, and the report shall show a description of the animal killed and the name of the owner thereof if known; the injury or cause which made the killing necessary, how same was inflicted, and by whom if known; and the names of at least two reliable witnesses who are conversant with the facts of the case and of the killing.

(Ord. of 11-30-25, § 13)

Sec. 3-17. Game chickens prohibited.

It shall be unlawful for any person to harbor, keep or bring any game chicken into the city limits.

(Ord. No. 03-01-91, § 1, 8-9-91)

Secs. 3-18—3-30. Reserved.

ARTICLE II. DOGS

Sec. 3-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any living creature, domestic or wild.

Animal shelter means any premises designated by the city administrative authority for the purpose of impounding and caring for animals held under authority of this article.

Humane officer means any person designated by the administrative authority of the city who shall have the police powers in the enforcement of this article.

Owner means any person, partnership or corporation owning, keeping or harboring animals.

Restraint means an animal which is on the premises of its owner or is accompanied by a responsible person and under that person's control.

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 3-32. Dangerous dogs.

It shall be unlawful to permit any dangerous or vicious dog to run at large in the city. Exhibitions or parades of animals which are *ferae naturae* in the eyes of the law may be conducted only upon securing a permit from the mayor.

Sec. 3-33. Diseased animals.

No domestic animal afflicted with a contagious disease shall be allowed to run at large, or be exposed in any public place whereby the health of man or beast may be affected; nor shall such animal be shipped or removed from the premises of the owner except under the supervision of the health officer of the city.

Sec. 3-34. Restraint required.

No dog shall be permitted to run at large in the city. All dogs shall be kept under restraint either by a leash or by being kept in an enclosure. It shall be the duty of the owner of every dog to keep such dog safely and securely restrained.

Sec. 3-35. Impoundment generally.

Unrestrained dogs or dogs at large may be taken by police or the humane officer and impounded in an animal shelter, and there confined in a humane manner. Impounded dogs shall be kept for not less than three days unless reclaimed by their owners. If by a tag or other means the owner can be identified, the humane officer shall immediately upon impoundment notify the owner by telephone or mail of the impoundment of the animal. Dogs not claimed by their owners within three days shall be humanely disposed of by the director of the animal shelter or any other person or agency designated or empowered to do so by the humane officer.

Sec. 3-36. Returning dog to owner if known.

Notwithstanding the provisions of section 3-35, if a dog is found at large and its owner can be identified and located, such dog need not be impounded but may, instead, be taken to the owner. In such case, the humane officer shall notify the city administrative authority of the violation of this article and may proceed against the owner for violation of this article.

Sec. 3-37. Redemption of impounded dogs.

The owner of any dog impounded hereunder may redeem such dog by paying all the costs, charges and penalties assessed, if any, that have accrued up to the time of making the redemption, and when such costs, charges and penalties are paid to the humane officer or animal shelter, it shall be his duty and he shall release the dog from the pound and deliver him to the

owner thereof. For the purposes of delivering a redeemed dog, it shall be necessary for the owner to accept delivery of his dog at the location of the animal shelter.

Sec. 3-38. Nuisances.

It shall be unlawful for any owner to fail to exercise proper care and control of his dogs to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds, or trespassing upon private property in such a manner as to damage property shall be deemed a nuisance.

Cross reference—Nuisances, ch. 10.

Sec. 3-39. Dog bites.

Whenever any dog bites a person, the owner of the dog or the person who has been bitten, shall immediately notify the local law enforcement officers or the humane officer, who shall order the dog held on the owner's premises or shall have it impounded for a period of two weeks. The dog shall be examined immediately after it has bitten anyone and again at the end of the two-week period. If at the end of the two weeks a veterinarian is convinced that the dog is then free from rabies the dog shall be released from quarantine or from the pound as the case may be. If the dog dies in the meanwhile its head shall be sent to the state department of health for examination for rabies. All costs and fees incurred during the quarantine period shall be paid by the owner of the dog impounded.

Sec. 3-40. Powers of humane officer.

The humane officer shall have police powers in the enforcement of this article and no person shall interfere with, hinder, molest or abuse any humane officer in the exercise of such powers.

Sec. 3-41. Penalty.

Any person violating any provision of this article shall be punished in accordance with section 1-14.