

ORDINANCE NO. 233

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, REQUIRING ALL DOGS MORE THAN SIX (6) WEEKS OF AGE TO BE VACCINATED; MAKING IT ILLEGAL TO PERMIT ANY DOG, WHETHER VACCINATED OR NOT, TO RUN AT LARGE WITHIN THE LIMITS OF THE CITY; MAKING IT ILLEGAL TO PERMIT A DOG TO ENTER A PLACE OR ESTABLISHMENT WHERE FOOD IS SOLD OR SERVED; PROHIBITING NOISES AND DISTURBANCES BY DOGS; AUTHORIZING INFECTED DOGS TO BE DESTROYED; AUTHORIZING THE ANIMAL CONTROL OFFICER OR OTHER EMPLOYEE OF THE CITY TO IMPOUND DOGS RUNNING AT LARGE AND PRESCRIBING THE PROCEDURE FOR REDEEMING SUCH DOGS, OR AUTHORIZING THE DISPOSING OF DOGS NOT REDEEMED; PROVIDING A PENALTY FOR VIOLATION OF THE ORDINANCE BY FINE OF NOT LESS THAN TEN (\$10.00) DOLLARS NOR MORE THAN TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. Definition of Words and Terms.

The term "dog" or "dogs" as used herein shall include both male and female and every type or species of dog more than six weeks of age.

The term "at large" or "a dog running at large" shall be applied to all dogs off of and outside of the premises of the owner and not under the immediate control of the owner by use of a collar and leash, and shall apply to all dogs on the premises of the owner which are not kept secured by a chain attached to the dog in a manner sufficient to prevent the dog from running at large.

"Leash" shall mean a strong cord or chain attached to a strong collar fully capable of restraining the dog on which it is used and which is being held by the owner.

"Control" shall include owning, possessing, keeping, maintaining or harboring a dog.

SECTION 2. License and Vaccination.

No owner shall keep or harbor any dog within the City Limits unless such dog is licensed as herein provided. A dog is considered licensed in the City of Addison when it has been currently vaccinated by a veterinarian located in Dallas County and the owner has a rabies vaccination certificate and a tag for the dog.

Any owner of any dog more than six months of age and which shall at any time be kept within the limits of the City of Addison shall have such dog immunized with an anti-rabies vaccine annually by a duly licensed and practicing veterinarian using an active anti-rabies vaccine and shall procure from such veterinarian a certificate, stating the date of the vaccination, name and address of the owner and the approximate age, name, sex and breed of the dog; and it shall hereafter be unlawful for any owner to own, possess, harbor, or keep any dog more than six months of age within the limits of the City of Addison after the expiration of twelve months from the date such dog was last vaccinated in the manner herein provided.

SECTION 3. Dogs not to run at large.

No owner of any dog shall allow said dog to run at large or be outside of or off the owner's premises whether vaccinated or not unless said dog shall be on a leash as defined herein. All dogs on the owner's premises shall be securely kept behind an adequate fence or shall be kept on a chain adequate to restrain said dog from leaving the owner's premises in violation of the terms of this ordinance.

SECTION 4. Entering Places Where Food is Sold or Served.

No owner or other person having control of a dog shall allow it to enter or be in any place of any kind or character where food is sold or served for human consumption. This section shall not apply to guide dogs used by blind persons.

SECTION 5. Collar and Tags.

Every owner shall be required to provide each dog with a collar or harness which said dog must wear at all times and to which shall be securely attached the tag issued for said dog by a veterinarian, whose place of business is in Dallas County, licensed to practice veterinary medicine in the State of Texas, showing that the dog has been, within the current calendar year, vaccinated against rabies. The provisions of this section shall not apply to dogs six months of age or less.

SECTION 6. Noises and Disturbances by Dogs.

No owner shall keep or possess in the City any barking or howling dog which disturbs the peace or comfort of other citizens within the City.

SECTION 7. Infected Dogs.

All dogs having fits or displaying symptoms of rabies shall be immediately impounded for a period of at least two weeks. In the event that the animal cannot be safely impounded, the animal may be destroyed and the head of the animal preserved for analysis.

SECTION 8. Impounding and Redemption of Dogs.

It shall be the duty of the Animal Control Officer or other employee of the City to apprehend and impound or cause to be impounded any dog found loose or at large or otherwise acting in any manner prohibited by this ordinance. The owner of any dog so impounded shall have three (3) days (excluding Sunday) in which to redeem such dog by paying a redemption fee of Ten (\$10.00) Dollars plus any expense for maintenance incurred during such period. If said dog shall not be redeemed within this specified time, the Animal Control Officer or other authorized officer shall dispose of such dog in any manner appearing to him to be expeditious and proper, but when expedient and without additional expense to the City, he shall give said dogs to persons, schools, or other organizations desiring to take them for humane or scientific purposes.

SECTION 9. Vicious Dogs.

If any dog within the City of Addison shall bite, scratch or otherwise attack any person, and the person attacked was not at the time trespassing upon the property of the owner or person having control of such dog, or if it cannot be proved beyond a reasonable doubt that the person so attacked was provoking or teasing such dog, the Corporation Court of the City of Addison shall have the authority to order and hold a hearing, and if such Court shall determine at such hearing that such dog is vicious or dangerous to persons or other animals, the Court may order that such dog be kept muzzled, or that such dog be kept within a sufficient enclosure or moved to a location outside the corporate limits of the City of Addison, or that such dog be delivered to the Animal Control Officer and destroyed. The Animal Control Officer is hereby authorized to impound in the city animal shelter any dog which is accused of being vicious, pending the results of a Court hearing.

SECTION 10. Dogs - Number Allowed.

It shall be unlawful to keep or harbor more than four (4) dogs three (3) months of age or older on any premises used or zoned for residential purposes. The owners of dogs shall have three (3) months from the date of the passage of this ordinance in which to comply with these provisions, provided, however, that bona fide raisers and breeders of dogs strictly for a hobby may make application with the City Administrator or his duly delegated employee for permission to keep or harbor more than four (4) dogs of three (3) months of age or older. The City Administrator, or his duly designated employee, shall issue a permit for one (1) year to the applicant upon the following information being furnished and the listed conditions being satisfied:

- A. The maximum number of dogs to be kept of housed.
- B. The purpose for the keeping or harboring of the dogs.
- C. That the dogs are to be housed in cages or pens inside a residence or completely enclosed structure.

- D. That the dogs are kept or harbored so as to not be a nuisance or detriment to any adjoining or adjacent neighbors.
- E. That the dogs shall not bark or howl or create noises that cause the peace and quiet of the neighborhood or the adjacent premises to be disturbed.
- F. The cages or pens are to be maintained in a sanitary condition so as not to create any hazards to the general health and welfare of the community.

The City Administrator, or his duly delegated employee, upon being satisfied that the above information has been furnished and the conditions satisfied, shall issue a permit for one (1) year to the applicant. This permit may be revoked at any time upon any of the conditions and requirements being violated.

#### SECTION 11. Penalty

Any owner or other person violating any provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than Ten (\$10.00) Dollars nor more than Two Hundred (\$200.00) Dollars, and each and every day such violation continues shall constitute a separate offense.

#### SECTION 12.

Should any section, paragraph or portion of this ordinance be held to be invalid and unenforceable, the remainder of said ordinance shall remain in full force and effect and shall be enforceable the same as if said invalid portion had not been included therein.

SECTION 13. Repeal of Previous Ordinances

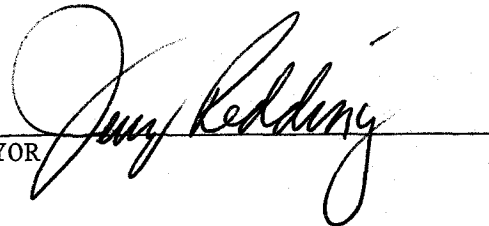
All ordinances of the city, especially ordinance #175 and ordinance # 52, in conflict with the provisions of this ordinance are hereby repealed and all other ordinances of the city not in conflict with provisions of this ordinance shall remain in full force and effect.

SECTION. 14. Emergency Clause

The fact that dogs running at large within the limits of the City of Addison creates a dangerous condition, and the fact that all dogs within the limits of the City of Addison are not immunized against rabies presents an emergency in the protection of the public health, safety and welfare of the City and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED ON THE 25 DAY OF November, 1975.

MAYOR



ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
ATTORNEY