

ORDINANCE NO. 234

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, MAKING IT UNLAWFUL FOR ANY PERSON RAISING OR KEEPING ANY ANIMAL OR FOWL TO FAIL TO PREVENT ANY SUCH ANIMAL OR FOWL TO RUN AT LARGE WITHIN THE CITY OR GO UPON THE PREMISES OF ANOTHER; AUTHORIZING THE IMPOUNDING OF ANY SUCH ANIMAL OR FOWL; ESTABLISHING A POUND; PROVIDING FOR THE SALE OF SUCH ANIMALS OR FOWL AND THE DISPOSITION OF PROCEEDS OF SUCH SALE; PROVIDING FOR THE DESTRUCTION OF SUCH ANIMALS OR FOWL; ESTABLISHING POUND FEES; PROVIDING FOR REDEMPTION OF SUCH ANIMALS OR FOWL: PROVIDING FOR PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. Animals - Sanitary Condition of Pens. It shall be unlawful for any person to maintain any pen, enclosure, yard or area for any animal in an unsanitary, offensive or disagreeable manner.

SECTION 2. It shall be unlawful and a nuisance for any person raising or keeping any animal or fowl to fail to prevent any such animal or fowl to run at large within the City, or to fail to prevent any such animal or fowl from going upon the premises of another; provided, however, that this section shall not apply to dogs, which animals are regulated by other ordinances of the City.

SECTION 3. The Animal Control Officer or other persons designated by the City Administrator, or Governing Body shall pick up and impound any animal or fowl running at large in the City.

SECTION 4. The City Council shall select and establish a place within the City for impounding of any animals or fowl found running at large.

SECTION 5. The owner of any such animal or fowl so impounded shall

have three days excluding Sunday in which to redeem such animal or fowl by paying a redemption fee of Ten Dollars (\$10.00) plus any expense for maintenance incurred during such period.

SECTION 6. At any time after the expiration of the period of time for redemption for impounded animals or fowl shall have expired, the Animal Control Officer or any other person designated by the City Administrator or Governing Body may without further notice and without advertising in any manner, sell at private or public auction, for cash any animal or fowl not redeemed or reclaimed. All animals or fowl impounded and not redeemed, reclaimed or sold after the period of time for redemption has expired shall forthwith be destroyed in a humane manner. Such animals or fowl may be destroyed without regard to the afore mentioned time periods in humane cases.

SECTION 7. The Animal Control Officer or such other persons designated by the City Administrator or Governing Body shall keep a book giving description of all animals or fowl impounded by him, the date of impounding, the date of sale, the amount realized for such animal and the name and address of the purchaser.

SECTION 8. If any of the animals or fowl named in this Ordinance are found upon the premises of anyone, the owner or occupant of such premises shall have the right to confine such animal or fowl until he can notify the Animal Control Officer to come and impound such animal provided that the same is done in a reasonable time. When so notified, it shall be the duty of such Officers at once to cause such animal or fowl to be impounded.

SECTION 9. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction in Corporation Court, shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

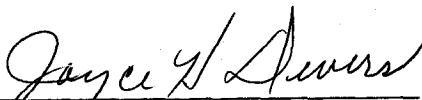
SECTION 10. The fact that there are no Ordinances of the City regulating and prohibiting animals and fowl other than dogs from running at large, from going upon the premises of other persons creates an urgency and an emergency, and in the preservation of the public health safety and welfare requires that this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

DULY PASSED by the City Council of the City of Addison, Texas, on the 25 day of November, 1975.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY