

City of Aubrey, Texas

Ordinance No. 370-06

Possession and Vaccinations of Dogs

AN ORDINANCE OF THE CITY OF AUBREY, TEXAS, RELATED TO THE OWNERSHIP RESPONSIBILITIES, REQUIREMENTS FOR POSSESSION AND VACCINATIONS OF DOGS WITHIN THE CORPORATE LIMITS OF AUBREY, TEXAS, PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF \$2,000 FOR EACH OFFENSE, AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE.

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

Any person or persons owning or possessing dogs within the corporate limits of the City of Aubrey must strictly abide by the following regulations:

SECTION I. OWNER'S RESPONSIBILITY

A. The owner or possessor of a dog or dogs shall be responsible and liable for any and all actions taken by said animal.

B. No dog shall cause a nuisance within the City of Aubrey.

C. The owner or possessor of dogs shall be responsible for any behavior of the dog that is deemed a nuisance under the provisions of this part.

D. An animal is considered a nuisance if it causes excessive noise by barking or otherwise, causes injuries or death to person or other animals, causes property damage, or otherwise or causes a foul or offensive odor. This description of dog-related nuisances is nonexclusive, and is intended to expand on, and not limit, the definition of nuisance under state law.

E. Additionally, owners or possessors are responsible for any other act which is a violation of this ordinance which shall constitute a nuisance.

SECTION II. REQUIREMENTS FOR POSSESSION

A. No more than four (4) dogs are permitted per household or premises.

B. No more than two (2) dogs are permitted outside the household or premises building at any given time.

C. Dogs shall be confined in a fenced area in a manner as to prevent escape of the dog.

D. All dogs will be fenced at all times.

E. Leashes are required on dogs in park areas, school grounds, or public buildings or places.

SECTION III. VACCINATION

No person shall own, possess, keep, or harbor any dog over the age of three (3) months within the City of Aubrey without having:

- a. an annual vaccination for rabies for all dogs by a licensed veterinarian;
- b. a tag issued by said veterinarian placed on the dog so that said tag is visible, and it shall be the duty of the owner or possessor to tag the dog; and
- c. a tag placed on the dog identifying the owner or possessor by name, address and phone number so that said tag is visible, and it shall be the duty of the owner or possessor to tag the dog.

SECTION IV. NOTICE, CITATION, IMPOUNDMENT

A. Whenever an owner has been given notice, citation, or impoundment of dog the following procedures will be adhered to:

- | | |
|-------------------------|----------------------------------|
| 1 st Offense | Verbal or written notice |
| 2 nd Offense | Citation issued – up to \$200.00 |
| 3 rd Offense | Impoundment and/or citation |

Whenever a dog has been impounded and the owner thereof is known or can be ascertained from registration tag, the City of Aubrey Animal Control will advise the owner of the conditions upon which the dog may be released.

SECTION V. REDEMPTION OF IMPOUNDED DOGS

A. Impounded dog may be released to the owner or possessor upon the payment of all relevant fees and fines as set forth below:

- 1. First infraction —\$75.00
- 2. Second offense within a two-year period—\$150.00
- 3. Each subsequent infraction within a two-year period—\$ 225.00

SECTION VI. PENALTIES

Any person who violates any provisions of the above sections or who shall hinder or interfere with any officer or agent for the City of Aubrey in the performance of any duty provided, upon conviction in any court with subject-matter jurisdiction, will be deemed guilty of a misdemeanor and may be fined up to \$2,000.

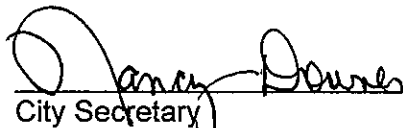
SECTION VII. REPEALER.

Any and all ordinances in conflict herewith are hereby repealed.

PASSED by the City Council of the City of Aubrey, Texas by the following vote on this the 20 day of March, 2006.


AYE	<u>5</u>
NAY	<u>0</u>
ABSTENTION	<u>0</u>

ATTEST:



City Secretary

APPROVED:



Mayor