

ORDINANCE NO. 2018-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 6, ANIMALS AND FOWL; PROVIDING AMENDMENTS TO SAME; PROVIDING A PENALTY, NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City wishes to update the Grapevine Code of Ordinances, Chapter 6, Animals and Fowls; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this Ordinance have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council deems the adoption of this ordinance to be in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That Chapter 6, Animals and Fowl, is hereby repealed in its entirety and shall be replaced to read as follows:

**CHAPTER 6 - ANIMALS AND FOWL**

**ARTICLE I. - IN GENERAL**

**Sec. 6-1. - Definitions.**

When used in this chapter, the following words and terms, unless the context indicates a different meaning, shall be interpreted as follows:

*Abandon:* Shall mean to abandon, dump, desert, strand, or leave any animal in the person's custody on/in public or private property without making reasonable arrangements for assumption of custody by another person; it shall also mean failing to properly redeem any animal impounded or quarantined by the City.

*Adoption:* The transfer of ownership from the City to a person or organization deemed suitable for the care, custody, and control of an animal.

*Animal:* Any living, nonhuman creature, including but not limited to any stray or feral cat or dog or wild living creature.

*Animal Services Manager:* The supervisor of Animal Services, or the supervisor's designee, who meets all the requirements of an Animal Services Officer.

*Animal Services Officer:* Enforcement officer for animal care and control within the City who meets all the requirements to be an animal control officer as defined and described in the Health and Safety Code, Chapter 829.

*Animal Services:* The City operated division for impounding and caring for animals held under the authority of this chapter.

*At large:* An owned animal not kept within an enclosure or fenced area or restrained by a leash of sufficient strength and length to control the actions of said animal.

*Cat:* Animal of the feline species, both male and female.

*Chief of Police:* The Chief of Police of the City of Grapevine.

*Circus:* For the purposes of this chapter, a commercial variety show featuring animal acts for public entertainment.

*City:* The City of Grapevine, Texas.

*Commercial animal establishment:* Any pet shop, animal auction, riding school or stable, zoological park, circus, recurring animal exhibition or commercial kennel.

*Commercial kennel:* Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling dogs and cats.

*Dangerous dog:* A dog that:

- (1) Commits unprovoked acts, in a place other than an enclosure in which the dog was being kept and which was reasonably certain to prevent the dog from leaving on its own, and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person; or
- (2) Makes an unprovoked attack on a person, domestic animal, or livestock that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and which was reasonably certain to prevent the dog from leaving on its own; or
- (3) Is suspected of being a dangerous dog, if the owner, keeper or harbinger of such dog fails or refuses to make such dog available for inspection by an Animal Services Officer.

Provided, however, the term dangerous dog shall not mean a dog accused of any behavior described in this definition that occurs as a result of a trespass upon the property of the owner or harbinger of the accused dog.

*Department:* The Grapevine Police Department.

*Dog:* Animal of the canine species, both male and female.

*Domestic animal:* Includes all species of animals commonly and universally accepted as being domesticated.

*Estray:* Any stray livestock.

*Fee Schedule:* A list of fees associated with the services provided by Animal Services. This includes, but is not limited to, adoption fees, owner reclaim fees, and quarantine fees.

*Fowl:* A bird of the order Galiformes, which can be used as food. This term includes but is not limited to the common domesticated chicken, duck, geese, turkey, quail, dove, and pheasant.

*Harbor:* The act of keeping and caring for an animal or of providing a premises to which the animal returns for food, shelter or care for a period of at least three days.

*Harborer:* One who harbors an animal.

*Known propensity:* Any animal with a natural inclination, tendency or disposition.

*Local Rabies Control Authority:* The Animal Services Manager is hereby designated as the local rabies control authority in accordance with requirements listed in the Texas Health and Safety Code. In the absence of the Animal Services Manager, the officer temporarily serving in that capacity shall assume the duties and responsibilities of the local rabies control authority.

*Livestock:* Any farm animal regarded as an asset, including cattle, horses, mules, asses, sheep, goats, llamas, alpacas, and exotic livestock as defined by Agriculture Code Sec. 142.001, as amended, including elk and elk hybrids, and hogs.

*Microchip:* A passive electronic device that is injected into an animal, subcutaneously, by means of a hypodermic type syringe device which contains a unique and original number that is read by an electronic scanning device for purposes of identification and recovery by the animal's owner or harbinger.

*Municipal court or court:* The Municipal Court of the City of Grapevine, Texas.

*Off-Leash Dog Park:* The confines of a fenced recreation area that is owned or operated by the City of Grapevine and designated as an area for off-leash canines.

*Owned:* Having ownership or custody or control of or harboring or keeping an animal.

*Owner:* Any person owning, keeping or having custody or control of, or who has right of property in, an animal.

*Pet animals:* Any animal kept for pleasure rather than utility and shall include dogs, cats, rabbits, rodents, birds, reptiles and any other species of animal which is sold or retained as household pets, but shall not include skunks, nonhuman primates, and any other species of wild, exotic or carnivorous animal that may be further restricted in this chapter.

*Pet shop:* Any establishment owned and operated by a person, corporation or association, whether operated separately or in connection with another business enterprise, except for a commercial kennel, that buys, sells, boards or grooms any species of animal.

*Stray animal:* Any unowned animal, for which there is no identifiable owner or harborer, which is found to be at large within the incorporated limits of the City.

*Unprovoked conduct:* Means conduct that is not:

- (1) In response to being tormented, abused, or assaulted by any other person or animal; or
- (2) In response to pain or injury; or
- (3) In protection of itself, its food, kennel, immediate territory, or nursing offspring.

*Wild animal:* Includes all species of animals which exist in a natural, unconfined state and are usually undomesticated.

*Zoological park:* Any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of non-domesticated animals, operated by a person, partnership, corporation or government agency.

## **Sec. 6-2. - Livestock and Fowl.**

(a) It shall be unlawful for any person to keep or harbor any livestock within the limits of the City in any pen, stable, shed or other enclosure at a distance of less than 50 feet from any residence, business, commercial establishment, office, school, hospital or nursing home. This 50-foot requirement does not apply to the livestock owner's residence, business, commercial establishment or office.

(b) It shall be unlawful for any person to keep or harbor any livestock within the limits of the City, where there is less than 20,000 square feet for each cattle and 10,000 square feet for all other types of livestock.

(c) It shall be unlawful for any person to allow livestock within 50 feet of any dwelling used for human habitation other than the owner's dwelling.

(d) It shall be unlawful for any person to keep or harbor any fowl within the City in any pen, shed, coop or enclosure, if any part of such enclosure or structure is within 50 feet of any residence, business or commercial establishment or office (other than the owner's), school, hospital or nursing home.

(e) It shall be unlawful for any owner of any animal to maintain yards, pens, kennels, stables, sheds, coops or other enclosures in which such animals are confined in such a manner as to emit odors offensive to any person's ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes or other noxious insects or rodents, or in any manner to endanger the public health, safety or welfare, or to create a public nuisance.

(f) Manure and droppings shall be removed from pens, kennels, stables, yards, coops and other enclosures regularly and handled or disposed of in such a manner as to keep the premises free of any nuisance.

(g) Mound storage of droppings of manure between such removals shall be permitted, only under such conditions as to protect against the breeding of flies, rodents and to prevent the migration of fly larvae (maggots) into the surrounding soil.

(h) The feeding of vegetables, meat scraps, or garbage to livestock shall be done only in impervious containers or on an impervious platform.

(i) Watering troughs or tanks shall be provided, which shall be equipped with adequate facilities for draining the overflow so as to prevent the breeding of flies, mosquitoes or other insects.

(j) No putrescible material shall be allowed to accumulate on the premises; all such material used to feed, which is unconsumed, shall be removed and disposed of by burial or other sanitary means.

(k) No changes in zoning or new construction on contiguous or adjacent property shall cause any uses or structures existing prior to the change in zoning or new construction to become illegal or nonconforming pursuant to section 6-2.

**Sec. 6-3. - Creation of Disturbance by Animal.**

It shall be unlawful for any person to knowingly harbor or keep on premises or elsewhere any animal of any kind that makes or creates an unreasonable disturbance

of the peace, regardless of type or manner, of the neighbor(s) or occupant(s) of adjacent premises or people living in the vicinity thereof or suffer or permit such animal to make or create unusual noises by howling, barking, bawling or otherwise.

**Sec. 6-4. - Wild Animals.**

(a) It shall be unlawful to keep or harbor any wild animal within the City, except at commercial animal establishments dealing in the sale or handling of such animals and having proper zoning for such commercial establishments and having proper facilities for the restraint and care of such animals.

(b) The Animal Services Manager or designee and the Chief of Police or designee may establish conditions under which it would be permissible to keep or harbor wild animals at locations other than those listed in section 6-4(a) for a period of time not to exceed one month.

**Sec. 6-5. - Animals at Large.**

It shall be unlawful for the owner or harbinger of any animal to permit the same to be at large in the City or to trespass upon the premises, public or private, of any other person. There shall be a presumption that any animal which is at large shall have done so by the permission of its owner or harbinger and shall be a punishable act.

Feral cats that have been sterilized and ear notched or otherwise permanently marked, and returned to locations within the City in order to reduce the population of feral cats through sterilization, shall not be considered at large or running at large.

**Sec. 6-6. - Impounding of Cats, Dogs.**

(a) The Animal Services Officer or any police officer may cause to be captured and impounded any animal, excluding livestock, at large and in violation of this chapter. This section shall be enforced relative to cats, only upon receipt of a complaint.

(b) The owner of any animal impounded under the terms of this chapter shall have the right to redeem same, unless otherwise provided, upon payment to the City for each dog or cat. The owner shall pay fees associated with redemption of said animal as set forth in the Animal Services Fee Schedule, including, but not limited to, impound fees, boarding fees, and veterinary or drug fees incurred during impoundment.

(c) All dogs and cats redeemed from the City, which are not already microchipped, may be microchipped at the expense of the owner prior to being released from impoundment. All dogs and cats redeemed from the City, which are not already currently vaccinated for rabies, will be vaccinated for rabies at the expense of the owner prior to being released from impoundment.

(d) All impounded animals shall be redeemed within 72 hours after their impoundment. All animals impounded for more than 72 hours will become property of the City and any prior ownership will be completely divested. Once the impounded animal becomes property of the City, such animal may be made eligible for adoption through Animal Services or other third party rescue organization or be humanely destroyed at the sole discretion of Animal Services.

(e) Notwithstanding the above provisions, the disposition of an animal impounded under Texas Health and Safety Code § 821.022 (Seizure of Cruelly Treated Animals) shall be governed by Health and Safety Code § 821.023 (Hearing; Order of Disposition or Return of Animal).

**Sec. 6-7. - Confinement During Estrus.**

Any unspayed female dog or cat in the state of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure, and said area of enclosure shall be so constructed that the animal may not escape the enclosure and that no other dog or cat may gain access to the confined animal, except when the owner desires access to the animal for breeding purposes. Owners or harborers who do not comply with this section shall be ordered to remove the animal in estrus to a commercial kennel or veterinary hospital. All expenses incurred as a result of this confinement shall be paid by the owner or harborer. Failure to comply with the removal order of the Animal Services Officer shall be a violation of this chapter and the dog or cat may then be impounded as prescribed in this chapter.

**Sec. 6-8. - Abandonment.**

No person shall abandon an animal within the City.

**Sec. 6-9. - Disposal of Dead Animals.**

It shall be unlawful for any dead animal to be disposed of within the City by a means other than properly depositing the animal at a landfill site or via a garbage collection or disposal service, provided the animal is placed in a non-transparent bag or box. The owner of a dead animal shall be responsible for disposing, or permitting a veterinarian to dispose, such animal.

**Sec. 6-10. - Enforcement; Penalty.**

(a) The Animal Services Manager of the City is hereby designated as the person responsible for the enforcement of all aspects of this chapter. The Animal Services Manager's duties shall include, but shall not be limited to, the enforcement of this chapter and aiding the Texas Board of Health in the enforcement of area quarantine, pursuant to V.T.C.A., Health and Safety Code § 826.001 et seq. (Rabies), as may be amended.

(b) Any Animal Services Officer of the City shall have the authority to issue citations for any violation of this chapter and any other power or duty stated within the terms of this chapter. If the person being cited is not present, the Animal Services Officer may send the citation to the alleged offender by registered or certified mail, return receipt requested, by depositing same in the U.S. mail, postage prepaid.

(c) A person who violates any provision of this chapter commits an offense, and upon conviction, shall be punished by fine not to exceed \$500.00. An offense under this chapter is a strict liability offense and the culpable mental state required by the Texas Penal Code is hereby specifically negated and clearly dispensed with.

(d) It shall be unlawful for any person to interfere with any Animal Services Officer in the performance of their duties.

(e) It shall be unlawful for any person to fail to comply with any lawful order of the Animal Services Officer of the City, duly acting under the authority of this chapter.

(f) Any Animal Services Officer's or any peace officer's authority includes, but is not limited to:

- (1) Humanely destroying an animal which poses an imminent danger to a person or property, or a real or apparent necessity exists for the destruction of an animal; or
- (2) Impounding any animal which is diseased or endangers the health of a person or another animal; or
- (3) Impounding any animal, found to be running at large or to be a stray within the City; or
- (4) Humanely destroying any animal which has been seriously injured, where such animal is too large to be removed from the scene of injury to the animal shelter; or
- (5) Humanely destroying any impounded, dangerous, or vicious animal, unless there is reason to believe that it has an owner, or unless otherwise provided for in this chapter; or
- (6) Pursuing animals running at large onto private property while enforcing the provisions of this chapter and entering onto private property and commercial animal establishments to enforce regulations covered in this chapter.

(g) All aspects of management and operation of Animal Services will be within and under the authority of the Chief of Police.

**Sec. 6-11. - False Statements.**

(a) It shall be unlawful for any person to make false statement(s) in any application, affidavit, or other document required by this chapter or any regulation prescribed herein.

(b) It shall be unlawful for any person to give false statement(s) in regard to the identity of any animal, which is found in violation of any ordinance, or to the identity of any owner of such animal as required by this chapter or any regulation prescribed herein.

**Sec. 6-12. - Livestock Riding or Driving on Public and Private Property.**

(a) It shall be unlawful for any person to allow livestock to be driven or ridden upon any public property; provided, however, horses may be ridden on the unimproved or unpaved portion of the right-of-way. The City, however, shall maintain the exclusive authority to enter into a contractual relationship with one or more entities, individuals or companies to provide horse-drawn carriage service within certain defined locations in the City and pursuant to the terms and conditions of said contract. The Chief of Police, or designee, may authorize horses and/or other livestock to be ridden or driven on the right-of-way under the authority of a parade permit and/or a special event.

(b) It shall be unlawful for any person to allow livestock to be driven or ridden on any private property, unless same be done on the property of the owner of the livestock or by written permission of the owner of the property.

**Sec. 6-13. - Animal Traps and Equipment.**

(a) It shall be unlawful for any person to remove, alter, damage or otherwise tamper with a trap or equipment placed by an Animal Services Officer or employee.

(b) A person may set humane traps used to capture dogs, cats, or other small animals on personally owned property or with the written consent of the property owner. Traps must be checked at least once every two hours or during the overnight period of no more than eight hours when set. It shall be unlawful to trap animals when inclement weather is occurring such as temperatures below 45 degrees Fahrenheit or above 85 degrees Fahrenheit, a heat index warning is issued, severe weather watches or warnings have been issued, during wet conditions (rain, sleet, snow), or when a combination of weather conditions are in effect or are pending that may result in unsafe conditions for the animal.

(c) Any person who sets a humane trap resulting in a trapped animal shall provide shelter and humane care for the animal, including food, water, and protection from environmental elements of heat, cold, and precipitation.

(d) A resident may acquire a humane animal trap through Animal Services for a fully refundable deposit as set forth in the Animal Services Fee Schedule. If the trap is not returned within the allotted time and in good working condition, the person will forfeit the deposit to the City and ownership of the trap will be transferred from the City to the resident.

(e) Trapped animals will be serviced in accordance with the Animal Services Fee Schedule.

(f) Animals subject to the statewide rabies quarantine (any live species of fox, skunk, coyote, or raccoon indigenous or naturalized to North America) may be transported by peace officers and individuals hired or contracted by local, state, or federal government agencies to deal with stray animals when such transport is part of their official duty (TAC Rule 169.34).

(g) Non-City owned traps that require an Animal Services Officer or a representative of the Department to remove and transport the trap, in order to safely remove the trapped animal, can be reclaimed at Animal Services during normal operating hours. Traps will be held for three business days for reclamation.

(h) It shall be unlawful for any person to set a trap, or permit such a trap to remain, that injures or kills an animal.

#### **Sec. 6-14. - Animal Care and Safety.**

(a) It shall be unlawful for any owner or harborer to fail to provide their animal(s) with sufficient good and wholesome food or water, shelter, shade, veterinary care to prevent and cure disease, infestation and injury, and with humane care and treatment.

(b) It shall be unlawful for any owner or harborer to fail to provide their animal(s) with constant and continuous access to adequate shelter. "Adequate shelter" shall mean a shelter that is structurally sound, moisture proof, and windproof, that is large enough to accommodate the animal, and to which the animal may seek refuge from moisture, wind, and weather.

(c) It shall be unlawful for any person to beat, cruelly treat, torment, mentally abuse, overload, overwork, or otherwise abuse an animal, or cause, instigate or permit any dog fight, cock fight, bull fight or other combat between animals or between animals and humans.

(d) It shall be unlawful for any person to abandon an animal within their custody.

(e) It shall be unlawful for any person to give away any live animal as a prize for, or as an inducement to, enter any contest, game or other competition or as an

inducement to enter a place of business; the provisions of this subsection shall not apply to auctions, raffles and games of chance in which consideration is made.

(f) It shall be unlawful for any person to sell, offer for sale, barter or give away any dyed, colored or otherwise artificially treated baby chicks, ducklings or other fowl, rabbits, hamsters or any other animal.

(g) It shall be unlawful for any person to leave an animal in an unattended standing or parked vehicle or enclosed space without providing the animal with adequate air ventilation and protection from environmental temperature variations, including heat and cold. An animal left under such conditions may be removed from the vehicle or enclosed space by, or at the direction of, an Animal Services Officer or a representative of the Department, using any reasonable means and force necessary, including the breaking of a window or lock. If professional services are required to remove the animal, the owner is responsible for the cost and/or reimbursement of costs. An Animal Services Officer or a representative of the Department, or one who acts at the direction of an Animal Services Officer or a representative of the Department relative to this section, who removes an animal from a vehicle or enclosed space in accordance with this subsection is not liable for any resulting property damage.

(h) A person commits an offense if they use a chain, rope, tether, leash, cable, or other device to attach a dog to a stationary object or trolley system. This does not prevent a person from walking a dog with a hand-held leash. It is a defense to prosecution that:

- (1) The dog is being tethered during a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity; or
- (2) The dog tethering is required to protect the safety or welfare of a person or the dog, and the dog's owner maintains direct physical control of the dog; or
- (3) A dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction; or
- (4) A dog restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the dog to be restrained; or
- (5) The dog tethering:
  - a. Occurs while the dog is within the owner's direct physical control; and
  - b. Prevents the dog from advancing to the edge of any public right-of-way
  - c. Does not occur between the hours of 10 p.m. and 6 a.m.
  - d. Does not occur within 500 feet of the premises of a school

- e. Does not occur in cases of extreme weather conditions, including when the actual or effective outdoor temperature is 32 degrees Fahrenheit or below, a heat advisory has been issued, or a hurricane, tornado, tropical storm watch or warning has been issued for the jurisdiction
- (i) The defenses under subsection (h) are only available if the following specifications are met:
- a. The chain, rope, tether, leash, cable, or other device is attached to a properly fitted collar (not including pinch-type, prong-type, choke-type) or harness worn by the dog;
  - b. The chain, rope, tether, leash, cable, or other device is not placed directly around the dog's neck;
  - c. The length of the chain, rope, tether, leash, cable, or other device is no less than the greater of 10 feet or 5 times the length of the dog from nose to tail base;
  - d. The chain, rope, tether, leash, cable, or other device, by design and placement, allows the dog a reasonable and unobstructed range of motion without entanglement; and
  - e. The dog has access to adequate shelter, as defined by this section, and clean and wholesome water.

**Sec. 6-15. - Duty to Report Injury or Death of Animals Hit by Vehicles.**

Every person who strikes an animal with a vehicle and injures or kills such animal shall notify Animal Services immediately after the occurrence, or as soon as reasonably possible, and shall give the time and place of the injury or death, a description of the animal and the name and address of the person making the report.

**Sec. 6-16. - Urinating or Defecating on Sidewalks, Public Parks, Alleys and Other Places Open to the Public or on Certain Private Property Prohibited.**

It shall be unlawful for the owner or harbinger of any animal to allow such animal to urinate or defecate upon sidewalks, public parks (excluding any off-leash dog park as defined by this chapter), alleys, other places open to the public, or on private property without permission of the owner thereof. In the event that the owner or harbinger of such animal is unable to prevent the deposit of defecation in violation of this section, it shall be the duty of such person to properly dispose of such waste material immediately or as soon as reasonably possible.

**Sec. 6-17. - Keeping of Diseased or Crippled Animals.**

It shall be unlawful for any person to keep or harbor any animal which is inflicted with any dangerous or communicable disease, or which is in a painfully crippled or diseased condition, that to keep said animal alive would be considered inhumane. All such animals shall be humanely destroyed by a licensed veterinarian or given/surrendered to Animal Services to be humanely destroyed. This section shall

not apply to veterinary hospitals or animals under active veterinarian care with due regard for public health and safety.

**Sec. 6-18. - Prisoners' Animals.**

(a) Any person who is taken into custody by the Department or other law enforcement agency and having in their possession an animal(s) shall be notified that the animal(s) will be impounded and transferred to Animal Services. Under certain conditions, and when time allows, an arrestee's animal(s) may be released to an authorized person, identified by the arrestee. The receiving person must approve to take receipt of the animal(s) and must be capable of properly caring for the animal(s).

(b) During confinement of arrestee, the animal(s) will be cared for by Animal Services. The animal(s) may be redeemed from impoundment within 24 hours from the time of arrest of the owner, at no charge to the owner. If the animal(s) has not been redeemed within the 24 hour period, the owner will be responsible for any incurred boarding fees after the conclusion of the initial 24 hour impoundment. After 72 hours, the animal(s) may become the property of the City and may become eligible for adoption, placed into another organization, or be humanely destroyed. The owner will be responsible for any veterinary fees incurred regardless of the length of stay.

(c) No one shall be able to redeem an animal taken possession of pursuant to this section, except the owner's duly authorized designee.

**Sec. 6-19. - Animal Shelter Advisory Committee.**

An advisory committee shall be appointed by City Council. Such committee shall meet at least three times per year and its duties shall ensure compliance with the requirements of the Texas Health and Safety Code § 823.005. Members shall hold office for staggered terms of two years, or until their successor is appointed; excepting the municipal employees who shall serve at the pleasure of the City. Members may be reappointed. All committee members, except the municipal employees, shall serve without compensation. The members representing the public shall be residents of the City and have resided within the City for 12 consecutive months preceding the appointment. The committee shall select a Chair Person in two year terms. The committee shall consist of six members and one City Council liaison. The following positions shall be filled:

- (a) One municipal official – Department representative supervising Animal Services
- (b) One municipal employee – Animal Services Manager whose duties include the daily supervision and operation of an animal shelter
- (c) Two representatives of the general public – Citizens of Grapevine
- (d) One representative – Animal Welfare Organization
- (e) One representative – Licensed Veterinarian

## **ARTICLE II. - DOGS AND CATS**

### **DIVISION 1. - GENERALLY**

#### **Sec. 6-20. - Numbers and Breeding; Permits.**

(a) It shall be unlawful for any person(s) to keep or harbor more than four dogs or cats that are four months of age or older, or any combination of both, at any one time and location (property used or zoned for residential purposes).

(b) Owners wishing to maintain more than the limit of dogs and cats, being four months of age or older, may make application with the Chief of Police or designee for permission to keep or harbor more than four dogs or cats, or any combination of both. The Chief of Police or designee may issue a permit for one year to the applicant, upon the following information being furnished and the listed conditions being satisfied:

- (1) The maximum number of cats or dogs to be kept or housed;
- (2) The reason or purpose for the keeping of animals;
- (3) That the dogs and/or cats are to be maintained in such a manner as to ensure each animal is treated humanely and receives proper care, shelter, food, and water in accordance with this chapter and that any cages, pens, or enclosed structures are appropriately sized for the animal, clean, and in safe working order;
- (4) That the dogs or cats are to be kept so as to not be a nuisance or detriment to any adjoining or adjacent dwellings or businesses;
- (5) The cages or pens are to be maintained in a sanitary condition so as not to create any hazards or nuisances to the general health and welfare of the community;
- (6) That the applicant allow the Animal Services Manager or designee to conduct up to four periodic inspections of the premises and the animals at an agreed upon date and time during the one year period; and
- (7) That the applicant has complied with all applicable provisions of this chapter.

(c) The Chief of Police or designee, upon being satisfied that the above information has been furnished and the conditions satisfied, may collect the annual permit fee as set forth in the Animal Services Fee Schedule and issue a permit for one year to the applicant. This permit may be revoked at any time, upon any of the conditions and requirements being violated or any part of this chapter as set forth herein. The permittee shall be allowed to renew the permit, upon submitting a renewal application and the renewal fee to the Chief of Police or designee. The renewal application shall contain the same information as is required for the initial application, and the renewal permit shall be valid for one year and subject to the same conditions and requirements.

- (d) It shall be unlawful for the owner or harbinger of any animal to permit or cause to be permitted the breeding of any such animal within the public view.
- (e) Owners wishing to breed their dog and/or cat more than two times per calendar year are required to acquire a permit.

**Cross reference**— Noisy animals prohibited, §§ 6-3, 12-7(4).

**Sec. 6-21. – RESERVED**

**Sec. 6-22. - Adoption of Dogs and Cats.**

The City shall comply with all sterilization laws as set forth in Chapter 828 of the Texas Health and Safety Code, as amended. A copy of the statute may be obtained from Animal Services.

(a) A person may adopt a dog and/or cat from Animal Services that has been spayed or neutered or will become spayed or neutered and classified as adoptable for the adoption fee as set forth in the Animal Services Fee Schedule. If the animal has not been spayed or neutered prior to adoption, the new owner must make arrangements to have the animal sterilized and vaccinated for rabies.

- (1) Animal Services may establish an adoption receipt and sterilization agreement for use in the adoption process and violation of any term of such agreement shall constitute a violation of this chapter.
- (2) Any person who fails to sterilize an animal, as set forth in the sterilization agreement, is guilty of a misdemeanor offense punishable by a fine.

(b) The Animal Services Manager or designee may refuse/deny the adoption of an animal for any valid reason, including but not limited to, a person to whom Animal Services has reason to believe:

- (1) Would not have the proper facilities to contain or care for the animal;
- (2) Wants the animal for the purpose of resale or for purposes other than pet ownership;
- (3) There are reasonable grounds to believe the animal would be subjected to abandonment or cruelty;
- (4) The person is under the age of 18; or
- (5) That the purpose of the adoption is to avoid, or assist in the avoidance of, the enforcement of any provision of this chapter.

(c) The Animal Services Manager or designee shall be the sole judge as to whether an animal is suitable to offer for adoption; however, a decision to offer a particular animal for adoption shall not constitute any warranty, expressed or implied, of the health, temperament, or age of the animal.

(d) The City and its agents, employees, and officers shall have no liability associated with the adoption or impoundment of any animal.

**Note** — See the editor's note to §§ 6-23—6-26.

**Secs. 6-23 – 6-26. - Reserved.**

**Editor's note** - Ord. No. 88-40, § 21, adopted June 7, 1988, repealed § 6-21, which pertained to exceptions and permits relative to number of dogs and cats allowed on premises and derived from Ord. No. 71-29, Pt. I, adopted Oct. 5, 1971; and repealed §§ 6-23—6-26, which pertained to regulations relative to required registration of dogs and derived from Ord. No. 57-13, Arts. 1-1, 1-2, 1-12, 1-14, adopted Aug. 6, 1957 and Ord. No. 81-65, § 1, adopted Oct. 6, 1981.

**Secs. 6-27 – 6-29. - Reserved.**

**DIVISION 2. - RABIES CONTROL<sup>[1]</sup>**

Footnotes:

--- (1) --- **State Law reference**— Rabies control by municipality, V.T.C.A., Health and Safety Code § 826.001 et seq.

**Sec. 6-30. - Vaccinations; Certificates, Tags.**

(a) The owner or harborer (excluding animal shelters) of each dog or cat shall have the animal vaccinated against rabies by 4 months of age. The animal must receive a booster within the 12-month interval following the initial vaccination or as state law dictates. Every dog or cat must be revaccinated against rabies at a minimum of at least once every three years with a rabies vaccine licensed by the United States Department of Agriculture. The vaccine must be administered according to label recommendations. Livestock (especially those that have frequent contact with humans) should be vaccinated against rabies. Nothing in this section prohibits a veterinarian and owner or harborer from selecting a more frequent rabies vaccination interval. Failure to have said animal vaccinated shall be an offense under this chapter and shall subject the owner or harborer to a fine. The fine for the second violation of failure to have an animal vaccinated shall be at least double the fine for the original offense.

(b) All such dogs or cats shall be vaccinated in accordance with Chapter 826 of the Texas Health and Safety Code.

(1) All dogs and cats, after initial vaccination, must receive a second booster rabies vaccination within 12 months of receiving the initial vaccination, regardless of:

- a. Type of vaccination used; or
- b. The age at which the animal was initially vaccinated.

- (2) If the animal has received at least two vaccinations and the last vaccination consisted of:
  - a. An annual rabies vaccine, the animal must receive a vaccination within 12 months.
  - b. A triennial vaccine, the animal must receive a vaccination within 36 months.
- (3) If the animal has received at least two vaccinations prior to this amendment and a triennial vaccine was used for the last vaccination, this amendment is retroactive (i.e., the animal's next vaccination will be due within 36 months from the date of its last vaccination).

Any person establishing residency within the City shall comply with this section within 10 business days of establishing residency. If an unvaccinated dog or cat inflicts a bite, scratch, or otherwise attacks any person within the City, a rabies vaccine shall not be administered to the dog or cat until after a 240 hour quarantine observation period, beginning with the date of a bite, scratch or attack.

(c) Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog or cat, as evidence thereof, a certificate of vaccination. The veterinarian shall retain a duplicate copy of the certificate, and one copy shall be filed with the owner. Such certificate shall contain the following information:

- (1) The name, address and telephone number of the owner of the vaccinated animal;
- (2) The date of the vaccination;
- (3) The type of rabies vaccine used;
- (4) The year and number of the rabies tag; and
- (5) The breed, age, color and sex of the vaccinated animal.

(d) Concurrently with the issuance and delivery of the certificate of vaccination, the owner or harbinger of the dog or cat shall cause to be attached to the collar or harness of the vaccinated animal a metal tag, serially numbered to correspond with the vaccination certificate number and bearing the year of issuance. It shall be an offense under this chapter for a person to own or harbor a dog or cat on which the rabies tag is not affixed to said animal when the pet is accessible to the public.

#### **Sec. 6-31. - Quarantine; Reporting Bites and Scratches or Suspected Rabies.**

(a) In the event a potential outbreak of rabies is suspected and the danger to the public safety from rabid animals is reasonably imminent, the Animal Services Manager is hereby authorized and it shall be their duty to issue a quarantine proclamation, ordering persons owning, keeping or harboring any animal to confine it as herein provided for such time as may be specified in such quarantine proclamation. Upon the publication of such proclamation by the Animal Services Manager, any person keeping or harboring any dog or cat or other animal shall follow the procedure as described in section 6-36 regarding control and confinement, except that such

animal, under the control of an adult person and on a physical restraint, may be unconfined only if the animal is effectively muzzled. All dogs, cats or other animals found at large during the time specified under the quarantine proclamation by the Animal Services Manager may be humanely destroyed by any law enforcement officer or Animal Services Officer, if said officer is unable, with reasonable effort, to capture such animal for impoundment.

(b) It is the duty of any person who has knowledge that an animal bite or scratch has occurred to report such fact, as soon as possible, but not later than 24 hours from the time of the incident to Animal Services or the Department. The person reporting the bite or scratch shall give the following information, if known: the name, age, sex and precise location of the bitten or scratched person or persons and such other information as may be required or needed (T.A.C. 169.27, H.S.C. 826.041).

(c) Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other domestic or wild animal shall immediately report such fact to Animal Services or the Department, stating precisely where such animal may be found. If a known or suspected rabid animal bites or scratches a domestic animal, such incident shall also be reported as required above.

(d) The owner of an animal that is reported to be rabid or to have exposed an individual or other animal, or that the owner knows or suspects to be rabid or to have exposed an individual or other animal, shall submit the animal for quarantine to Animal Services or the Department.

(e) Any animal suspected or known to have rabies or any animal that has been exposed to rabies, and any animal which has bitten or scratched a person will be quarantined only at the Animal Services or at a veterinary clinic. The Animal Services Manager or designee may allow home quarantine, provided the owner of the animal strictly complies with the following:

- (1) The animal must be inside an enclosed structure (i.e., house or garage) and must remain there for 240 hours;
- (2) The animal must be kept away from other animals and people, except those people in the immediate household;
- (3) The owner of the animal shall pay a home quarantine fee as set forth in the Animal Services Fee Schedule;
- (4) The animal may not be removed from the City while under quarantine; and
- (5) The owner or person making the request for home quarantine must allow the Animal Services Manager or designee the opportunity to inspect the animal and location as needed for compliance with these standards.

(f) It shall be unlawful for any person to remove from any place of confinement any dog or cat which has been quarantined, without the consent of the Animal Services Manager.

(g) The Animal Services Manager shall order the quarantine and evaluation of any animal suspected of having rabies. This evaluation shall be done by a licensed veterinarian, whether the animal is quarantined at home, at a veterinary clinic or Animal Services. If it is determined by a veterinarian that a quarantined animal shows the clinical signs of rabies, the Animal Services Manager or designee shall humanely destroy the animal. If an animal dies or is destroyed while in quarantine, the head or brain of the animal shall be removed and submitted to the nearest Texas Department of Health laboratory for testing.

(h) If, after the quarantine period, the Animal Services Manager determines that a quarantined animal does not show the clinical signs of rabies, the Animal Services Manager shall release, or authorize the release of, the animal following the quarantine period, if the animal has a current and valid rabies vaccination certificate or the animal is vaccinated against rabies by a licensed veterinarian at the owner's expense. All other requirements for release must be met before the animal can be released.

(i) The owner of the animal shall pay to the City the reasonable costs of the quarantine and disposition of the animal, and the City may bring suit to collect the costs. The Animal Services Manager will consider the animal abandoned if the owner or harbinger does not take possession of on or before the third day following the final day of quarantine. The Animal Services Manager may choose a disposition appropriate for the animal, including humane destruction.

**Sec. 6-32. - Reserved.**

**Editor's note**— Former § 6-32, which pertained to reporting of rabid dogs and derived from Ord. No. 57-13, Art. 1-8, adopted Aug. 6, 1957, though not amended by Ord. No. 88-40, adopted June 7, 1988, has been deleted at the discretion of the editor, treated as superseded by the provisions of § 6-31.

**DIVISION 3. - DANGEROUS DOGS**

**Sec. 6-33. - Identification of Dangerous Dogs; Seizure.**

(a) If a person reports a dangerous dog as defined by Section 6-1 to Animal Services, an Animal Services Officer may investigate such dog and any alleged incident. If, after receiving sworn statements of any witnesses or personally observing the dog, the Animal Services Officer may determine that the dog is a dangerous dog. Animal Services shall request a hearing for final determination before the Municipal Court within 24 business hours, excluding holidays, of the dog being deemed dangerous by an Animal Services Officer.

(b) If a dog is determined to be a dangerous dog under this section, Animal Services shall provide written notification of such determination, sent by certified mail, return receipt requested or by hand delivery, to the owner or harbinger of such a dog. The notice shall also contain a statement that the Municipal Court will make a final

determination at a hearing set by the court. The notice shall include a copy of this division.

(c) Animal Services has the authority to impound a dog that has been determined dangerous under this section until a hearing is held pursuant to Section 6-34. If the owner or harbor does not deliver the dog or refuses to relinquish the dog to Animal Services, the Municipal Court may order Animal Services to seize the dog upon issuance of a warrant authorizing the seizure.

**Sec. 6-34. – Hearing on Dangerous Dog Final Determination.**

(a) The Municipal Court, on receiving a request for a hearing pursuant to Section 6-33, shall set a time for a hearing to determine whether the dog is a dangerous dog. The hearing must be held not later than the 10th day after the date on which the dog was seized or delivered.

(b) The Municipal Court shall give written notice of the time and place of the hearing to the owner or harborer of the dog and to Animal Services.

(c) Any interested party, including the county or city attorney, is entitled to present evidence at the hearing.

(d) The Municipal Court shall make a determination, based on the preponderance of evidence presented, whether the dog is a dangerous dog as defined by this Chapter.

(e) If the owner or harborer of the dog does not appear at the hearing, the Municipal Court may proceed with evidentiary findings without the owner's or harbor's presence.

(f) If the Municipal Court determines that the dog is a not a dangerous dog, the Court shall order Animal Services to return the dog to the owner or harborer.

(g) If the Municipal Court determines that the dog is a dangerous dog, the Court shall order the owner or harborer to meet the requirements to recover the dangerous dog under Section 6-35(a).

(h) The Municipal Court shall give written notice of the Court's determination and order to the owner or harborer of the dog.

(i) The owner or harborer may appeal the decision of the Municipal Court in the manner described by Texas Health and Safety Code § 822.0424, as amended. During the pendency of such appeal, Animal Services will retain custody of the dangerous dog. The Municipal Court shall determine the estimated costs to house and care for the impounded dangerous dog during the appeal process and shall set the amount of bond for an appeal adequate to cover those estimated costs.

**Sec. 6-35. - Requirements for Owner of Dangerous Dogs.**

(a) After notice of a final determination under Section 6-34 that a dog is dangerous, the owner or harbinger of such dog may recover the dangerous dog from Animal Services only if the owner or harbinger provides the City with the following:

- (1) The name, address and telephone number of persons owning, keeping or harboring the dangerous dog;
- (2) Payment of an annual fee for each dangerous dog being kept;
- (3) Proof that each dangerous dog, which is four months of age or over, has been vaccinated against rabies by a licensed veterinarian and provide the name, address and phone number of veterinarian;
- (4) Three color identification photographs, at least three inches by three inches, of each dangerous dog, with one photograph showing the frontal view and the others showing side views of each dog;
- (5) Name and general description of each dangerous dog, which general description shall include name, sex, weight, color, breed, height and length, along with any other discernible features;
- (6) Proof of financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person. The insurance requirements contained herein shall be maintained at all times and shall not be cancelled by the owner or harbinger, until the owner or harbinger shall cease to own or harbor the dangerous dog;
- (7) Proof that signs required by subsection (d) have been posted;
- (8) Authorization to Animal Services or veterinarian to implant a microchip beneath the skin of the dangerous dog for positive identification of the dog. Animal Services is authorized to charge the owner or harbinger a fee, as reflected in the fee schedule;
- (9) The costs or fees assessed by Animal Services related to the seizure, acceptance, care, or impoundment of the dog; and
- (10) Compliance in wearing the dangerous dog collar and dangerous dog tag, to be worn at all times, as provided by Animal Services.

(b) The owner of a dangerous dog may, prior to a final determination that the dog is dangerous, comply with the provisions of this division.

(c) All dangerous dogs shall be vaccinated in accordance with section 6-30.

(d) Any person owning a dangerous dog within the City shall display signs of a permanent nature stating "BEWARE OF DANGEROUS DOG." Such signs shall be no less than eight inches by 12 inches in size, with lettering no less than two inches in height. Lettering shall be white on a red background and made of light-reflective material. Such signs shall be posted conspicuously at the front and rear of the premises and on the dangerous dog's enclosure.

(e) It shall be unlawful to transport or otherwise relocate a dangerous dog to another location for permanent domicile without first notifying the Chief of Police or designee.

(f) The owner or harbinger shall, within 30 days of the Municipal Court's determination, provide the required information under subsection (a) to recover a dangerous dog. If the owner or harbinger fails to provide such information, Animal Services shall seek a hearing pursuant to Section 6-38.

**Sec. 6-36. - Control and Confinement.**

(a) A dangerous dog shall at all times be restrained on a leash or kept in a secured enclosure.

(b) For the purposes of this section, "Secured enclosure" means a fenced area or structure that is:

- (1) Locked with a key or combination lock;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of a dog;
- (4) Capable of preventing the dog from putting its mouth outside of it;
- (5) Clearly marked as containing a dangerous dog;
- (6) Enclosed by a secure top and sides with a solid bottom or constructed in such a manner which would prevent the dog from tunneling under the secure enclosure or going over the top and escaping;
- (7) Protected from the elements adequately for the dog's humane care; and
- (8) Approved by the Animal Services Manager.

(c) An owner or harbinger of a dangerous dog shall not permit such dog to be outside the secured enclosure unless the dog is muzzled and restrained by a chain or leash, no longer than four (4) feet in length, and a capable person is in immediate physical control of the leash. Such dog shall not be leashed to any inanimate object such as a tree, post, building, or other object. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

(d) An owner or harbinger of a dangerous dog, regardless of whether the dog was determined dangerous from Section 6-33 (a) or Section 6-34 (d), shall not permit such dangerous dog to be within any of the confined play, recreation, training, or any areas of an off-leash dog park as previously defined, regardless of whether such dog is restrained on a leash or not.

(e) All enclosures erected to confine dangerous dogs must comply with all zoning and construction regulations of the City.

(f) Animal Services shall periodically inspect the location and premises of all dangerous dogs to ensure compliance with this chapter.

**Sec. 6-37. - Confinement Indoors.**

It shall be unlawful for any person to keep or harbor a dangerous dog on a porch, patio or in any part of a house or building that would allow the dog to exit such structure on its own volition. It shall be unlawful for any person to keep a dangerous dog in a house or building when the windows are open or when screened windows, screened doors, or other penetrable barriers are the only obstacles preventing the dangerous dog from exiting the structure and running at large.

**Sec. 6-38. - Hearing on Violations; Disposition of a Dangerous Dog.**

(a) Upon determination by an Animal Services Officer that an owner or harbinger has failed to keep a dangerous dog in compliance with this division or upon an owner's or harbinger's failure to provide the required information under Section 6-35(a) to recover a dangerous dog after the Municipal Court's determination, Animal Services shall request a hearing before the Municipal Court to determine the disposition of the dangerous dog.

(b) Animal Services is authorized to impound any dangerous dog that is not kept in compliance with this division until a hearing is held pursuant to this section. If the owner or harbor does not deliver the dangerous dog or refuses to relinquish the dangerous dog to Animal Services, the Municipal Court may order Animal Services to seize the dangerous dog after issuing a warrant authorizing the seizure.

(c) The Municipal Court, on receiving a request for a hearing under this section, shall set a time for a hearing to determine whether the owner or harbinger of a dangerous dog has complied with all the requirements of this division. The hearing must be held not later than the 10th day after the date on which the dangerous dog is seized or delivered.

(d) The Municipal Court shall give written notice of the time and place of the hearing to the owner or harbinger of the dangerous dog and to Animal Services.

(e) Any interested party, including the county or city attorney, is entitled to present evidence at the hearing.

(f) If the owner or harbinger of the dangerous dog does not appear at the hearing, the Municipal Court may proceed with evidentiary findings without the owner's or harbor's presence.

(g) The Municipal Court shall make a determination, based on the preponderance of evidence presented, whether the owner or harborer of the dangerous dog has complied with all the requirements of this division.

(h) If the Municipal Court finds that the owner or harborer has complied with all of the requirements of this division, the Municipal Court shall order Animal Services to return the dangerous dog to the owner or harborer.

(i) If the Municipal Court finds that the owner or harborer has failed to comply with the requirements of this division, the Municipal Court shall order one of the following:

- (1) The humane destruction of the dangerous dog on or after the 11th day after the date of the order;
- (2) The immediate removal of the dangerous dog from the City, provided that if such dog is found at any time to be within the City on or after the 11th day after the date of the order, the Court will order Animal Services to seize the dangerous dog after issuing a warrant authorizing the seizure, and order the humane destruction of such dangerous dog; or
- (3) The return of the dangerous dog to the owner or harborer upon full payment of the cost of seizure, impound, and care to Animal Services.

(j) The owner or harborer may appeal the decision of the Municipal Court in the manner described by Texas Health and Safety Code Section 822.0424, as amended. During the pendency of such appeal, the Court shall not order the destruction of the dangerous dog and Animal Services shall retain custody. The Court shall determine the estimated costs to house and care for the impounded dangerous dog during the appeal process and shall set the amount of bond for an appeal adequate to cover those estimated costs.

### **Sec. 6-39. – Registration and Reporting Requirements.**

(a) The owner or harborer of a dangerous dog shall annually register the dog by providing the following to Animal Services:

- (1) Proof of:
  - (A) Liability insurance or financial responsibility, as required by Health and Safety Code Section 822.042;
  - (B) Current rabies vaccination of the dangerous dog; and
  - (C) The secure enclosure in which the dangerous dog will be kept; and
- (2) An annual registration fee of \$50 as listed in the Animal Services Fee Schedule.

(b) Upon providing the information required by this section, Animal Services shall provide to the owner or harborer registering a dangerous dog a registration tag and a dangerous dog collar, as approved by the Animal Services Manager. The owner must place the dangerous dog collar and dangerous dog tag on the dangerous dog. The

dangerous dog must wear the dangerous dog tag and dangerous dog collar at all times.

(c) Any person owning or harboring a dangerous dog within the City shall, within five business days after the following incidents, make a written report of the incident(s) to the Animal Services Manager:

- (1) The death or removal from the City of any dangerous dog in the owner's or harborer's care;
- (2) The birth of offspring of any dangerous dog in the owner's or harborer's care;
- (3) The fact of a move and specific addresses involved when an owner or harborer of a dangerous dog moves from one location within the City to another location within the City.

(d) Any person owning or harboring a dangerous dog within the City shall immediately notify the Animal Services Manager or the Department of the escape from confinement of the dangerous dog. Such notification shall not be used for any purpose by the City as an admission of the person providing the notification in any prosecution brought against such person under this chapter.

(e) A person who fails to comply with this section is guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500).

**Sec. 6-40. - Impoundment; Redemption.**

(a) An Animal Services Officer is authorized to impound:

- (1) Any dangerous dog not kept in compliance with this division;
- (2) Any dog that is determined by the Animal Services Officer to be a dangerous dog;
- (3) Any dangerous dog not permanently removed from the City as required by section 6-38.

(b) The owner of an animal impounded pursuant to this section, 6-40, shall pay an impoundment fee, plus all other fees associated with or resultant from handling, managing, caring, and bringing the animal into compliance with this chapter.

(c) Animal Services shall make a reasonable effort to notify the owner or harborer of an animal that has been impounded. (Ord. No. 88-40, § 24, 6-7-88)

**Sec. 6-41. - Dangerous Dogs from Other Municipalities.**

(a) If a person moves a registered dangerous dog into the City, the owner or harborer of such dangerous dog shall notify Animal Services within 14 days. After presenting prior registration and verification of registration requirements as described in Health and Safety Code § 822.043 and verifying compliance with the provisions of this division and the payment of the appropriate fee, the dangerous dog shall be

registered with the City and a new dangerous dog tag and dangerous dog collar provided.

(b) An owner or harbinger of a dangerous dog relocated to the City must comply with the requirements of this division.

(c) A person who fails to comply with this section is guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500).

Section 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00) for each offense and a separate offense shall be deemed committed each day during or on which an offense occurs or continues.

Section 4. All ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

Section 5. If any section, subsection, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates undesirable conditions for the preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 6th day of November, 2018.

APPROVED:



William D. Tate  
Mayor

ATTEST:

  
Tara Brooks  
City Secretary



APPROVED AS TO FORM:



City Attorney