

REVISING AND AMENDING ORDINANCE #171 PASSED BY THE CITY COUNCIL ON NOVEMBER 6, 1975, PROVIDING FOR THE CONTROL OF ANIMALS IN THE CITY OF BRONTE, TEXAS; PROVIDING FOR CARE AND TREATMENT OF ANIMALS IN THE CITY OF BRONTE, TEXAS: PROHIBITING INHUMANE TREATMENT OF ANIMALS; PROHIBITING CUSTODY OF WILD AND DANGEROUS ANIMALS; PROVIDING FOR IMPOUNDMENT OF ANIMALS; DECLARING CERTAIN ANIMAL-RELATED NUISANCE; LIMITING THE NUMBER OF CATS AND DOGS PER RESIDENCE; PROHIBITING &/OR CONTROLLING OF LIVESTOCK; PROVIDING FOR RABIES CONTROL; PROVIDING FOR ADOPTION OF ANIMALS; AND SETTING FEES, PENALTIES AND FINES.

WHEREAS the City Council of the City of Bronte, Texas, finds that the care and treatment of animals within the corporate city limits of the City of Bronte, Texas, constitutes inhumane treatment to animals and creates a nuisance and a health hazard to its citizens; and

That minimum standards for care and treatment of animals within the corporate city limits of Bronte, Texas, are necessary to protect the public; and

That the current Ordinance #171 does not adequately protect the public health, safety, welfare, and privacy of its citizens.

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

SECTION 1: DEFINITIONS

As used in this Ordinance the following terms shall be construed to have the following meanings:

Animals. Animals is any live, vertebrate creature, domestic or wild.

Animals Control Officer: Any person designated by the City of Bronte or the Coke County Sheriff's Office

At Large. At large is any animal not restrained.

Domestic Animal. Domestic animal is those which are naturally tame and gentle or which, by long association with man, have become thoroughly domesticated and are now reduced to such a state of subjected to his will that they no longer possess the disposition or inclination to escape. This definition specifically includes household pets, such as dogs and cats.

Estray. Estray means any stray horse, stallion, mare, gelding, filly, colt, mule, ninny, jack, jennet, hog, sheep, goat, or head of any species of cattle.

Guard Dog. Guard dog shall mean any dog trained or used to protect persons, premises, or property by attacking or threatening to attack any person found within the area patrolled by the dog.

Home Quarantine: An enclosed and secure area where animals may be cared for but where no other animals or human may access the confines area.

Kennel. Kennel is any place where four (4) or more dogs, cats or any combination there, over the age of four (4) months, are raised, trained, boarded, harbored, or kept.

Livestock. Livestock shall include any horse, donkey, stallions, mare, gelding, filly, colt, mule, ninny, jack, jennet, hog, sheep, goat, or head of any species of cattle.

Local Health Authority. Any person, Animal Control Officer, or local authority designated by the City Council, Sheriff's Department, or Municipal Judge.

Another Animal. Other animal is a goose, chicken, duck, rabbit, guinea, pigeon, bird, fowl, or any other animal of domestic barnyard variety not listed as a wild animal, domestic animal, or stray.

Owner. Owner is any person who owns, keeps, harbors, controls (physically or orally), feeds, shelters, or aids any animals, or any person who is the owner's agent left in charge of an animal.

Quarantine. Isolation and close observation of animals to prevent transmission of certain diseases.

Restrain. Any animal shall be deemed to be restrained when it is:

- (1) Confined on the premises of the owner within a fenced enclosure, capable of confining the animal; or
- (2) Under the control of a person by a leash; or
- (3) Within a vehicle being driven or parked; or
- (4) At heel and obedient to oral command.

Wild Animals. Wild animals are those living in a state of nature and not ordinarily tame or domesticated.

SECTION 2: NUISANCE ANIMALS

(a) It shall be unlawful for any person to own or maintain an animal in such a manner as to constitute a public nuisance. The following acts shall constitute a public nuisance:

- (1) Failure to restrain an animal.
- (2) Property damage caused by an animal.
- (3) Maintain an animal in an unsanitary environment.
- (4) Permit an animal to bark, whine, howl, crow, cackle, or make any other noise which causes annoyance or interference with another's reasonable use and enjoyment of his premises.
- (5) Herding of animals along or upon any public right-of-way, except by officers, agents, or employees of the federal, state, or local government or agency thereof, if such herding is done in the performance of official duties.

(b) It shall be unlawful for any person to keep swine within the limits of the city, except for the keeping of swine under direct supervision by and upon the premises of public and private schools, fairs, or livestock shows for a period not to exceed seven (7) days.

(c) All "Other Animals" authorized to be kept shall be confined to the premises of the owner or custodian of such "Other Animals," and it shall be unlawful for any person to allow such "Other Animals," to run or fly at large, or go upon the premises of another person. No "Other Animals" shall be kept within a front yard.

(d) It shall be unlawful for the owner or custodian of any dead animal which is not intended as food for human consumption, to permit or allow such dead animal to remain, upon any premises.

(e) It shall be unlawful to keep any livestock within the city limits unless such livestock is kept in private or commercial premises.

SECTION 3: INTERFERENCE WITH ANIMAL CONTROL OFFICER

It shall be unlawful to interfere with or hinder the animal control officer, or his designee thereof, in the performance of his official duty.

SECTION 4: RECORDS

It shall be the duty of the Coke County Sheriff's Department, or City Officers, or their designee to keep or cause to be kept, accurate and detailed records of:

(1) Impounding and Disposition. Impoundment and disposition of all animals coming into his custody. Such records shall be kept for a period of at least three (3) years and shall give the description of all animals impounded, date of impounding, date of sale, or other disposition, the amount of money received from the sale, and the name and address of the purchaser.

(2) Bite Cases. All known animal bite cases shall be recorded by the Coke County Sheriff's Department or the City of Bronte.

(3) Monies Received. Records regarding monies received under the provision of this chapter shall be open to inspection at reasonable times by persons responsible for similar records of the city and shall be audited by the city auditor annually in the same manner as other city records are audited.

SECTION 5: GENERAL

(a) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall immediately report such injury or death to the animal's owner. In the event the owner is unavailable or unknown, then such report shall be made to the City of Bronte or the Coke County Sheriff's Department.

(1) Water and food shall be free of contamination and receptacles shall be clean and sanitary.

(2) Water shall always be available, and containers shall be filled as needed.

(3) Adequate supplies of food shall be provided to all animals.

(b) Brutal, inhumane treatment of any animal is prohibited. This includes, but is not limited to: hitting, slapping, kicking, dragging (with roped, wires, or hands), trying too close together, or to trees, or to vehicles to prevent lying down or reaching water, or trying with tight collars or ropes or wires, or tying an animal's feet together.

(c) All shelters must be constructed in such a manner as to protect the animals from any form of overheating, cold or inclement weather, must provide adequate ventilation, and must enable the animals to remain dry and clean.

(d) Excretion shall be promptly removed from all shelters as often as necessary to prevent contamination of the inhabitants and to reduce disease, hazards, and odors.

(e) It shall be unlawful for any person to maintain or feed a dog or cat on any property not owned by them without the written consent and agreement of the property owner. Any person maintaining or feeding a dog or cat on property not owned by them must assume all liabilities as to City Ordinances. The property owner must also agree to be responsible and assume all liabilities as to the City Ordinances.

(f) It is unlawful for an owner or keeper to restrain a dog by means of a tether. A tether is defined as a chain, rope, cable, lease, or other similar device used to attach an animal to a stationary object or trolley system. The only time a dog may be tethered is if the owner is physically present outside with the dog, or it's being restrained for veterinary treatment, grooming, training or law enforcement activity.

Dogs are still required to be on a leash when not confined to the property by a fence.

(g) Dogs confined outdoors must be in a fenced yard or other pen or structure that can prevent the dogs escape; has at least 150 square feet of space per adult dog; and provides the dog access to the inside of a building, dog house or other type of shelter.

SECTION 6: VACCINATION

No person shall own, keep or harbor a dog or cat over the age of four (4) months within the city limits unless the dog or cat has been vaccinated with an anti-rabies vaccine by a licensed veterinarian. All such animals shall be

vaccinated at one (1) year intervals from the initial date on which such animal was vaccinated or required to be vaccinated.

SECTION 7: VACCINATION TAG

(a) Upon compliance with the provision of section 6, there shall be issued to the owner a numbered metallic vaccination tag stamped with the number and the year issued, which shall be securely fastened on such vaccinated dog or cat. Said tag shall be issued by the veterinarian administering the required vaccine.

(b) It shall be unlawful for any person to make use of a stolen, counterfeit or forged rabies vaccination certificate, vaccination tag, or other type license as may be required by this Ordinance.

(c) It shall be unlawful for any person to use any rabies tag for any dog or cat other than the dog or cat for which such tag was originally issued.

SECTION 8: GUARD DOGS

Guard dogs shall always be securely enclosed within the area patrolled or under the continuous control of a trained handler. It shall be unlawful for any person to place or maintain guard dogs in any area for the protection of person or property unless the following provisions are met:

(1) The dogs shall be confined to an enclosed area adequate to ensure they will not escape; or

(2) The dogs shall always be under the absolute control of a handler when not securely enclosed; and

(3) The owner or other persons in control of premises upon which a guard dog is kept, shall post a warning signal at each entrance to such premises with lettering clearly visible from fifty (50) feet. In the case of the non-residential of fifty (50) feet. In the case of the contain a telephone number where some person responsible for controlling such guard dog can be reached twenty-four (24) hours a day; and

(4) Prior to the placing of a guard dog on any non-residential or multi-family premises, the persons responsible for the placing shall inform the City of Bronte in writing of their intention to place said dog or dogs, the number of dogs to be placed, the location where said dog or dogs will be guarding the area.

(5) For the purpose of this section, the term "non-residential" or "multi-family premises" shall mean the placing of guard irrespective of ownership of the property of dog.

SECTION 9: KEEPING OR HARBORING

It shall be unlawful to keep, harbor, or maintain within the city limits the following:

(1) Bats, skunks, poisonous reptiles, and foxes.

(2) Any wild animal whose normal mature weight exceeds forty (40) pounds.

(3) Livestock, except as hereinafter provided.

(4) This section shall not apply to or prohibit the following:

(A) A publicly or privately-owned zoo maintained by a non-profit organization or governmental entity.

(B) Publicly or privately maintained circus, traveling show, or rodeo which does not remain in Bronte longer than fifteen (15) consecutive days.

(C) Any person desiring to keep livestock within the city limits shall make an application to the City Council for a permit, which shall expire on December 31st following issuance, but may be renewed annually in the same manner as provided in this article. The application shall be in writing forward to the City of Bronte, Box 370, Bronte, Texas 76933, containing the following information:

- (i) Applicant's name, address, and phone number; and
- (ii) A legal description and general location of the premises for which permit is desired; and
- (iii) The minimum and maximum number of livestock desired to be kept at said location; and
- (iv) An itemized listing of residences, businesses, or other buildings within 200 feet of any part of the premises for which permit is desired.

The application shall be directed to the city of Bronte for investigation of the premises concerned and the findings shall be reported to the City Council. The City Council shall consider the application, retaining the right to approve or reject the applicant's request for a livestock permit. In addition, the City Council shall retain the right to revoke any livestock permit if it finds that non-compliance with state health regulations.

SECTION 10: IMPOUNDMENT, SALE OR DISPOSITION OF ESTRAYS

- (a) The Coke County Sheriff's Department, City Officers, or their designee may take up and impound any estrays found within the city limits in violation of this article.
- (b) The Coke County Sheriff's Department, City Officers, or their designee may sell any estray impounded under the provisions of this article at a public auction after having advertised twice in the local newspaper during the 15 days after the date of impoundment with a general description of the estray shall be posted in the Coke County Courthouse.
- (c) Final disposition of the estray shall follow this article.

SECTION 11: IMPOUNDMENT OF WILD OR OTHER ANIMALS

Any peace officer or any City Officer or their designee may take up and impound any animal found within the city limits in violation of section 10 of this article.

SECTION 12: SALE OF IMPOUNDED WILD AND OTHER ANIMALS; NOTICE OF SALE; DISPOSITION OF PROCEEDS

The sheriff's Department or City of Bronte may sell any animal impounded under the provisions of this article at a public auction, after having held such animal for at least five (5) days and after having published notice of such sale together with a general description of the animal or animals to be sold. Such notice shall appear one (1) time at least five (5) days prior to the date of the sale and shall state that such animals or animals will be sold to defray cost if not reclaimed prior to such date. The proceeds of any such sale shall be used to defray sale expenses and expenses of taking up and keeping of such animals. The balance, if any, shall be paid to the owner of the animal, if known, and if such owner is unknown, such balance shall be paid into the City of Bronte's General Fund. Within six (6) months after such sale, an owner may, upon proof of such ownership satisfactory to the City of Bronte, be entitled to receive the amount paid into the City of Bronte's General Fund on account of such sale.

SECTION 13: DISPOSITION OF (UNCLAIMED) IMPOUNDMENT WILD AND OTHER ANIMALS

Any impoundment animal which is not reclaimed, or found to be infected with rabies, seriously injured or determined by the Sheriff's Department, City of Bronte, or Ordinance Enforcement Officer to be unsaleable, shall forthwith be destroyed.

SECTION 14: REDEMPTION OF IMPOUNDED WILD AND OTHER ANIMALS SOLD

The owner of any animal impounded and sold under the provisions of this article may redeem it by paying to the purchaser the amount paid by the purchaser for such animal plus reasonable expenses for keeping it; provided that the owner redeems the animal within thirty (30) days after the date of sale; otherwise, the animal becomes the absolute property of the purchaser.

SECTION 15: CONFINEMENT OF ANIMAL BY OWNER OF PRIVATE PREMISES

If any animal is found upon the premises of any person, the owner or occupant of the premises shall have the right to confine such animal temporarily pending its release to the Sheriff's Department, City of Bronte, or their designee, or to the true owner of such animal.

SECTION 16: IMPOUNDING

The Coke County Sheriff's Department, City of Bronte, or City Officers are authorized to take up all animals found not to be restrained and impound such animals. All such animals shall be confined in a humane manner.

SECTION 17: NOTICE OF VIOLATION

Where the ownership of an animal, found not to be restrained is known, a notice of such violation may be issued by the Sheriff's City of Bronte, or their designee to such owner. Upon issuance of any such notice, the Coke County Sheriff's Department, City of Bronte, or their designee shall file a complaint with the Municipal Court and request that the Violator be summoned to appear in Municipal Court and answer such charges.

SECTION 18: NOTICE TO OWNER OF TAGGED ANIMALS

Upon impounding animals found with current vaccination or other identifying tags, the Coke County Sheriff's Department, City of Bronte, or their designee shall make reasonable effort to notify the owners of such animals so impounded, and of the conditions whereby they may regain possession of such animals.

SECTION 19: REDEMPTION REQUIREMENT

(a) Payment of Impounded Fees. Any animal impounded under the provisions of this article may be reclaimed by the owner upon the payment of all impoundment fees.

(b) Unvaccinated Animals. Any animal over the age of four (4) months which does not have a current rabies vaccination tag attached will be deemed a stray or wild and may not be redeemed, transferred, or adopted until it has been vaccinated as required in this article.

SECTION 20: DISPOSITION OF UNCLAIMED OR UNREDEEMED ANIMALS

(a) after the requirements of notice as set forth in Section 18 and 19 and the expiration of three (3) days, any impounded animals that is unclaimed or unredeemed shall become the property of the City of Bronte which shall have the following powers:

(1) Authority to Ownership. The Coke County Sheriff's Department, the City of Bronte, or their designee may transfer ownership of any impounded animal that is unclaimed or unredeemed. In the event of such transfer of ownership, the person or agency to whom ownership is transferred shall pay such animal's food and care while in the animal shelter and shall comply with the applicable vaccination requirements.

(2) Transfer of Ownership. The Coke County Sheriff's Department, the City of Bronte, or their designee may transfer ownership of any impounded animal that is unclaimed or unredeemed.

(b) Donated, Sick, Weaned, or Injured Animals.

(1) The Coke County Sheriff's Department, the City of Bronte, or their designee may destroy any animal by a humane method if the animal is unwearied, so sick or injured that its cure is considered by the Coke County Sheriff's Department, City of Bronte, or their designee to be impracticable, or if death is imminent; and in any of such events, such destruction may be done immediately without notice of any waiting period.

(2) In the case of donated animals, immediate destruction of the animal is permitted.

(c) Stray or Wild Animals

(1) Stray or Wild animals as defined in Section 19 will immediately become the City of Bronte's property and shall be humanely disposed of.

SECTION 21: REPORT OF BITE CASES BY PHYSICAL; GENERAL PUBLIC

(a) It shall be the duty of every physician or other practitioner to report to the Coke County Sheriff's Department the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

(b) It shall be the duty of every person owning or having possession of an animal which had bitten a person to report the same to the Coke County Sheriff's Department and at the discretion of the Coke County Sheriff's Department and at the discretion of that office confine it in an enclosure, or to securely hold the animal in a closed, padlocked cage for observation and examined by the Coke County Sheriff's Department. No person having the custody or possession of such animal shall fail, refused, or neglect to allow the local authorities to inspect or examination of such animal for the purpose of determining whether such animal has rabies.

SECTION 22: QUARANTINE REGULATION PATHOLOGICAL EXAMINATION

(a) Animal Which Bites: Observation Period. Every animal which bites a person, or which is suspected of having bitten a person shall be promptly reported to the Sheriff's Department or City of Bronte and shall thereupon be securely quarantined for a period of ten (10) days.

(b) Quarantine Places. Quarantining shall be at the following:

(1) State approved rabies quarantine facility in which case the owner of the animal suspended of having rabies, shall pay the usual impoundment fees.

(2) A licensed veterinary hospital, upon the owner's request and at his expense.

(3) Home quarantine is subject to the approval of the Coke County Sheriff's Department or City of Bronte and the following requirements:

(A) The owner of the animal is a resident of the city and has proper confinement facilities at his residence in Bronte; and

(B) The owner of the suspect animal agrees that he will have the animal inspected by a licensed veterinarian immediately following the ten (10) day period and agrees to furnish the Sheriff's Department or City of Bronte with a certificate of health showing the animal to be free of rabies; and

(C) The animal was not in violation of any laws or ordinances at the time of the possible exposure; and

- (D) The animal is currently vaccinated; and
 - (E) The animal can be observed daily by the local authority
- (4) An animal can be observed daily by the local authority.

(c) Surrender by Owner: Expense. Upon demand made by the Sheriff's Department, City of Bronte, or their designee it shall be unlawful for the owner to fail to surrender any animal which has bitten a person or another animal, or which suspected of having been exposed to rabies, for quarantine, the expense of which shall be borne by the owner.

(d) Release to Owner. The quarantined animal may be reclaimed by the owner when it is adjudged free of rabies, upon payment of impoundment fees and upon compliance with the vaccination requirement of this article.

(e) Pathological Examination: Local Authority Notified. When an animal under quarantine is diagnosed by a licensed veterinarian as being rabid or suspected of being rabid or dies while under observation, the local authorities shall immediately send head of such animal to the State Health Department for pathological examination. The Coke County Sheriff's Department shall notify the proper public health official of reports of human contacts and the diagnosis made of the suspected animal from the pathological examination.

(f) Animals Bitten by Rabid Animals. Any unvaccinated animal bitten by another animal suspected of being or known to be rabid shall be immediately destroyed, or shall be surrendered to the Coke County Sheriff's Department or home quarantine for a period of six (6) months quarantine, and shall be vaccinated immediately, plus revaccinated at animal suspected of being or known to be rabid shall be immediately vaccinated and surrendered to the Coke County Sheriff's Department for a period of ninety (90) days quarantine. In the event the biting animal is found not to be rabid, the bitten animal shall be released. Said animal shall be quarantined at the owner's expense and said expense shall be paid in advance of each month of quarantine or the animal shall become the property of the City of Bronte and shall be forth with disposed of; provided, however, that the Coke County Sheriff's Department, City of Bronte, or their designee may permit the quarantine of the bitten animal for the required period in a licensed veterinary facility at the owner's option and expense.

SECTION 23: CITY WIDE QUARANTINE

(a) Condition Warranting: Period. A city-wide quarantine may be invoked for a period of thirty (30) days by the City Council upon the recommendation of the Coke County Sheriff's Department, City of Bronte, or their designee after the Bronte City Council has been notified by the State Health Department of a positive diagnosis of rabies of an animal or after an investigation it has determined there exists an immediate threat of rabies.

(b) Extending Time. In the event there are additional positive cases of rabies occurring during the thirty (30) day period of the city-wide quarantine, such period of quarantine may be extended for an additional reasonable period.

(c) Animals in Public. It shall be unlawful for any person to take or permit any animal to be at large or in any other public place during the period of quarantine.

SECTION 24: KILLING, REMOVING FROM CITY, AND DISPOSAL OF CARCASS

It shall be unlawful for any person to kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies or any animal which has bitten a person or is suspected to have bitten a person, except as herein provided, nor to remove same from the City limits without written permission from the Sheriff's Department or City of Bronte.

(1) Exposed to Rabies. The carcass of any dead animal suspected of having been exposed to rabies shall, upon demand, be surrendered to the local authorities.

(2) Determined rabid. The local authorities shall direct the disposition of any animal found to be infected with rabies.

(3) Surrender After Demand. It shall be unlawful for any person to fail or refuse to surrender any animal for quarantine, destruction, or disposal as required herein when demand is made therefore by the local authorities.

SECTION 25: DANGEROUS DOGS

Dangerous dogs, as defines in V.T.C.A., Health and safety code, section 822.401, shall be regulated in accordance with the provisions of V.T.C.A, Health and safety Code, Chapter 822, Subchapter D.

ORDINANCE NO. 13-01; AMENDING ORDINANCE NO. 365

WHEREAS, the existing Animal Ordinance No. 365 does not regulate with specificity, veterinary hospitals, pet shops, kennels, circuses, and animal shelters and the City Council deems it to be in the public interest to do so;

NOW, THEREFORE, BE IT ORDAINED by the adding the following new section 26(d):

SECTION 26: LIMITING CLAUSE FOR ANIMALS HEAD IN CONFINEMENT

(a) The keeping of an unlimited number of dogs and cats in the City for a considerable period of the time detracts from and, in many instances, is detrimental to the healthful and comfortable life for which such areas were created. The keeping of an unlimited number of dogs and cats is, therefore, declared to be a public nuisance.

(b) It shall be unlawful for any person or persons to keep more than four dogs &/or cats per residence within the City, with the exception that a litter of pups or a litter of kittens, or a portion of a litter may be kept for a period of time not exceeding five months from birth.

(c) The provision of this section limiting the number of dogs and cats shall not apply to the following:

- (1) Veterinary hospitals;
- (2) Pet Shops;
- (3) Kennels;
- (4) Circuses; and
- (5) Animal Shelters.

(d)	i.	A permit shall be in the form approved by the City Council.
	ii.	Each permitted location shall: <ul style="list-style-type: none">(1) maintain a clean and sanitary yard;(2) have adequate housing for each animal;(3) have fencing to adequately contain the animals;(4) vaccinations for each animal with documentation from a certified veterinarian;(5) have not received any complaints for nuisance violation or violation of the City of Bronte Animal Ordinance(6) have not received any complaints through the County Sheriff's Department;(7) maintain not more than one (1) litter of animals at a time and not breed multiple animals at the same time;(8) provide a petition signed by surrounding inhabitants within a three hundred (300) ft. radius of the proposed location granting their consent to the operation of said business.

	iii. If a permit is denied, the applicant has 10 days from notice of denial to appeal the decision to the Municipal Judge. A permit is nontransferable.
	iv. A permit will be revoked for the following reasons: (1) Failure to comply with this ordinance; (2) Failing an animal inspection; (3) Conviction of noise disturbance or nuisance; (4) Providing false information; (5) Conviction of animal cruelty.
26(d)	Passed and approved this 10th of January 2013. EFFECTIVE DATE: JANUARY 25, 2013

A permit for a person wishing to shelter animals exceeding the allowed number must be applied for. The application must state qualification, reason for applying, description of facility or facilities in which to shelter animals, and a letter of verification agreeing to maintain the facility or facilities in accordance with this Ordinance and to allow an inspection of the facilities at any time deemed necessary by the Sheriff's Department, City of Bronte, or their designee. Such permit(s) must be approved by a majority vote of the City of Bronte's City Council.

SECTION 27: FEE'S, PENALTIES, AND FINES

(1) Any person found guilty of violating any provisions of this Ordinance shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense. A separate offense shall be held to have been committed each day that such violation shall occur or continue as may be determined by the Municipal Judge or appropriate authority.

(2) The following fee schedule is hereby adopted and approved by the City Council of the City of Bronte:

(a) Impoundment fee-unrestrained dog or cat without vaccination tag or license attached:

1st Offense: \$35.00 initial fee + \$7.00 per day thereafter
2nd Offense: \$50.00 initial fee + \$7.00 per day thereafter

(b) Impoundment fee- unrestrained dog or cat displaying evidence of vaccination or registration:

1st Offense: \$25.00 initial fee + \$7.00 per day thereafter
2nd Offense: \$40.00 initial fee + \$7.00 per day thereafter

(c) Impoundment fee-livestock:

Each Occurrence- \$75.00 initial fee + \$25.00 per day

(d) Disposal of Dead Animals:

Each Occurrence- Small (50lbs. or less)- \$35.00
Large (51lbs. and over)- \$100.00

ORDINANCE #14-13; AMENDING ORDINANCE #365;

REVISING AND AMENDING ORDINANCE #365 PASSED BY THE CITY COUNCIL ON FEBRUARY 12, 2004, PROVIDING FOR THE CONTROL OF ANIMALS WITHIN THE CITY OF BRONTE, TEXAS BY REVISING SECTION 28 AND ADDING SECTIONS 29-31 BY ESTABLISHING A ONE TIME ANIMAL REGISTRATION AND PERMIT REQUIREMENT WITHIN THE CITY OF BRONTE.

WHEREAS the City Council of the City of Bronte, Texas, finds that to limit the number of stray or missing animals, every owner of a dog or cat kept within the city which is over 6 months of age is required to register the animal with the City of Bronte.

SECTION 28: ANIMAL REGISTRATION

a. An owner of any dog or cat must obtain a registration for such animal, over 6 months of age, within sixty (60) days after the dog or cat is acquired. New residents shall have sixty (60) days to register any dog or cat. Failure to register within the proper time period will result in a late fee, which shall be 50% of the license tax registration fee.

In an effort to reduce the number of unwanted dogs and cats and as an incentive to owners of dogs and cats to have their animals sterilized, registration of all nonexempt dogs and cats shall require payment of a license tax registration fee, which shall be assessed based upon whether or not the animal is fertile.

Therefore, there is hereby imposed a license tax registration fee (hereinafter referred to as "registration fee") on the privilege of keeping all nonexempt dogs and cats within the City of Bronte as outlined below. There is hereby imposed an additional registration fee in the amount of one hundred dollars (\$100.00) per dog on the privilege of keeping a dog within the city limits that has been declared to be a "dangerous dog" outlined in Section 25.

License Tax Registration Fees				
Dogs / Cats	Dogs	Cats	Duplicate Tag	Late Fee
Unfertile (Sterilized)	\$ 5.00	\$ 5.00	\$ 5.00	\$ 2.50
Fertile (Unsterilized)	25.00	25.00	5.00	12.50
Dangerous Dogs	100.00	N/A	5.00	50.00

b. The City of Bronte shall maintain records of the dog and cat registration numbers and the person to whom the registration tag is issued.

c. It shall be unlawful for any person to use for any dog or cat a registration tag issued for a dog or cat other than the animal for which the registration tag was issued.

d. It shall be unlawful for any owner of any dog or cat to fail to provide any dog or cat with a current registration tag as provided in this section. Such failure shall constitute a violation of this section and a Class C misdemeanor as provided by the Health and Safety Code Chapter 826.032. No registration or permit will be issued unless written proof of current rabies vaccination is shown at the time of application for registration.

e. It shall be unlawful for any owner of a dog to fail to provide said animal with a collar or harness to which a current registration tag issued under this section is securely attached. The collar or harness, with attached registration tag, must be worn by the animal at all times, except while the animal is participating in bona fide animal shows, obedience trials, tracking tests, field trials, training events or training schools, or other events sanctioned and supervised by a recognized organization, or except while the animal is involved in lawful hunting activities, provided that the animal's owner or keeper has the tag in his or her actual possession at these times.

f. It shall not be required for any owner of a cat to provide said animal with a collar or harness to which the registration tag issued under this section is attached, however, it shall be unlawful for any owner of a cat to fail to have in his or her actual possession a current registration tag for said animal.

SECTION 29: APPLICATION FOR REGISTRATION AND RENEWAL

a. Initial application for registration may be made at the City of Bronte, or by mail and shall include the name and address of applicant, description of animal, proof of rabies vaccination, proof of sterilization, if appropriate, and proof of animal's registration in exempting events (for show animals) or a valid hunting license (for hunting dogs), if applicable, and the appropriate fee. Upon receipt of the application for registration and all required supporting documentation, the City of Bronte will issue a durable tag stamped with a registration number.

b. Registrations issued under this section shall be valid throughout the life of the animal.

c. If a registration tag is lost or stolen, a duplicate tag may be obtained by completing an application for duplicate tag and paying the appropriate fee.

SECTION 30: REGISTRATION PAYMENT EXEMPTIONS

a. Owners of the following dogs and cats must complete an application for registration, but are exempt from paying the registration fee:

1. Handicap assistance dog provided the dog is sterilized.
2. An animal, which is a working member of a law enforcement or public safety agency, regardless whether the animal is fertile or unfertile.
3. Any animal in the care and custody of a not-for-profit 501(c)3 animal welfare organization that requires sterilization before adoption.

b. An owner of a fertile dog or fertile cat which participates in at least three (3) nationally recognized conformation shows or professionally organized events during the previous twelve-month period shall be exempt from paying the twenty-five (\$25.00) dollars registration fee for the show animal. The registration fee for such an exempt owner shall be five (\$5.00) dollars for each such dog or cat. In order to qualify for said exemption, the owner must furnish the City of Bronte with proof of the animal's registration in the exempting events.

c. An owner of fertile hunting dogs shall be exempt from paying the twenty-five (\$25.00) dollars registration fee for each hunting dog. The registration fee for such an exempt owner shall be five (\$5.00) dollars for each such dog. In order to qualify for said exemption, the owner must furnish the City of Bronte with a valid hunting license.

d. An owner of a fertile dog or cat, who provides the county with a written statement from a licensed veterinarian which states that, due to the animal's health, the animal cannot be sterilized, shall be exempt from paying the twenty-five (\$25.00) dollars registration fee for that animal. The registration fee for such an animal shall be five (\$5.00) dollars.

e. A certificate from a veterinarian, or if such is unavailable, a statement from the owner under oath, must be presented certifying that the dog or cat for which a registration application is made is either a spayed female or a neutered male.


SECTION 31: SAVING CLAUSE

If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

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IT IS FURTHER ORDAINED that said amendment shall take effect on October 1, 2015.

Passed by the City Council on August 13, 2015.



Gerald Sandusky, Mayor

ATTEST:



Crystal L. Blevins, City Secretary