

ORDINANCE NUMBER 06-14

AN ORDINANCE OF THE CITY OF LINDEN, TEXAS ESTABLISHING THE PARAMETERS FOR CONTROL OF ANIMALS WITHIN THE CITY LIMITS AND PROVIDING A PENALTY FOR VIOLATIONS NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00).

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

That Ordinance Number 1-95, City of Linden, dated 6 February, 1995 is hereby amended.

SECTION 1. VACCINATION AND REGISTRATION REQUIRED. It shall be unlawful for any person within the city limits of Linden to own, keep, possess, or allow to remain upon the premises under his or her control any dog/cat, without having had the dog(s)/cat(s) vaccinated against rabies by a licensed veterinarian. Proof of vaccination shall be a properly executed vaccination certificate signed by licensed veterinarian. Such certificate must be displayed freely upon the request of the City Police Officer. Owners must insure that all dogs/cats in their control and display a rabies vaccination tag which bears evidence of current vaccination against rabies.

SECTION 2. DOGS AT LARGE PROHIBITED. It shall be unlawful for any person to permit and dog/cat owned, possessed, kept or harbored by him or her to be at large on the streets, alleys, or public places, or on private premises not under the control of the owner within the city limits of Linden. Any dog/cat found on the streets, alleys or public places or on private premises not under the control of the owner by the means of an adequate leash shall be considered to be at large and its owner in violation of this section.

SECTION 3. VICIOUS OR DANGEROUS DOGS/CATS. Dogs/cats which have been reported to have bitten a person, another animal or has threatened a person are considered to be vicious and or dangerous. Upon notification, the owners of such dogs/cats are required to confine the dog(s)/cat(s) within a building or secure enclosure and not allow the animal outside that confinement without an adequately strong and effective muzzle. Further, upon official notification by the City Police Officer, the owner must, within sixty (60) days, secure and maintain liability insurance in the amount of at least One Hundred Thousand Dollars (\$100,000.00) against any possible incident involving the dog(s)/cat(s).

SECTION 4. DOGS/CATS CONSTITUTING IMMINENT PERIL. Any dog/cat that is or appears to be rabid or is placing a person or another animal in imminent peril, may be destroyed immediately by a City Police Officer. If the animal is destroyed, every effort will be made to prevent damage to its head and brain. The head of any animal destroyed by virtue of this provision as it pertains to rabies shall be properly preserved for examination by an approved laboratory to determine if, in fact, the animal was rabid.

All fees/charges associated with said examination is the responsibility of the animal's owner.

SECTION 5. DOGS/CATS CONSTITUTING A NUISANCE. Certain conditions shall be considered as a public nuisance and shall be unlawful. Following are conditions that shall be viewed as a public nuisance by the City of Linden.

- a. Prolonged and continuous barking or meowing by a dog/cat which becomes disturbing to a person of ordinary sensibility.
- b. Confinement of an animal whereby the accumulation of wastes causes foul and offensive odors to nearby neighbors. Also waste accumulations which are considered a hazard to other animals or human beings.
- c. An animal which is continually on the premises of another causing disruption or depositing wasters of any kind.
- d. An empty animal pens, stables or enclosures in which an animal may be kept or confined shall not be permitted to become offensive to a person of ordinary sensibilities through previous use.
- e. Any dog/cat which chases after a motorized vehicle, bicycle or pedestrian on any public thoroughfare.

SECTION 6. REPORTING POSSIBLE RABIES EXPOSURE.

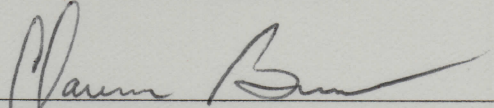
Any person observing an animal bite or scratch to another animal or person or an animal suspected of rabies due to its behavior shall report the incident or sighting to the City Police Officer. Resulting report shall include the location of the incident, name and address of the animal's owner, if known, name and address of victim if known and a description of the animal. The City Police Officer will investigate all such reports.

SECTION 7. QUARANTINE OF ANIMALS. The owner of any animal known or suspected to be rabid shall submit the animal for quarantine as directed by the City Police Officer. Animals known or suspected and whose owner cannot be located may be impounded for quarantined in an approved animal facility of the direction of the City Police Officer. Such quarantine shall be for at least ten (10) days. Quarantine of an animal may be effected at any of the following locations, subject to the approval of the City Police Officer: (a) veterinary facility, (b) on the premises of the owner. All expenses incurred by the quarantine shall be the responsibility of the owner.

SECTION 8. ANIMAL WELL BEING. Any animal kept or maintained within the city limits of Linden shall be cared for in a humane and considerate manner. The City Police Officer will investigate all incidents of possible animal abuse. Any person in possession of an animal shall maintain yards, pens, and/or enclosures in a manner as to prevent offensive odors, flies, mosquitoes, or other noxious insects which might endanger the public's health or safety.

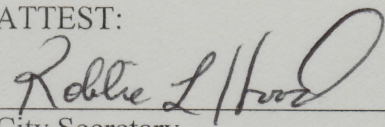
SECTION 9. FINES. Any violation of this ordinance may result in a fine not to exceed Five Hundred Dollars (\$500.00). Each succeeding day of violation shall constitute a separate offense. All fines shall be collected through the Municipal Court.

PASSED AND APPROVED THIS 12th DAY OF May, 2014.



Mayor

ATTEST:



City Secretary