

ORDINANCE # 69-2005

AN ORDINANCE AMENDING CHAPTER 6, ANIMALS AND FOWL, ARTICLE II, PETS, SECTION 6-30, NUMBER KEPT RESTRICTED, AND CHAPTER 6, ANIMALS AND FOWL, ARTICLE III, IMPOUNDMENT, SECTION 6-94 OF THE ABILENE CITY CODE, BY DELETING AND AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

WHEREAS, the City of Abilene, deems it necessary to amend Chapter 6 of the Abilene Municipal Code; now therefore,

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

- PART 1:** That Chapter 6, Animals and Fowl, Article II, Pets, Sec. 6-30, "Number kept restricted", of the City of Abilene Municipal Code, be amended as set forth in EXHIBIT A, attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** Chapter 6, Animals and Fowl, Article III, Impoundment, Sec. 6-94, of the City of Abilene Municipal Code, be amended as set forth in EXHIBIT B, attached hereto and made a part of this Ordinance for all purposes.
- PART 3:** That if any provision or section of this Ordinance is held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining Ordinance provisions or sections, which shall remain in full force and effect.
- PART 4:** That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 25th day of October, 2005.

A notice of the time and place said ordinance was given a public hearing and consideration for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene. The same being more than 24 hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on its second and final hearing. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 15th day of December, 2005.

ATTEST:



City Secretary



Mayor

APPROVED:



City Attorney

EXHIBIT A

ORDINANCE NO. #69-2005

CHAPTER 6, ANIMALS AND FOWL, ARTICLE II, PETS, SECTION 6-30, "Number kept restricted", of the City of Abilene, Texas, is hereby amended as follows:

DELETE THE FOLLOWING:

Sec. 6-30 Number kept restricted.

No person shall harbor or keep more than four (4) dogs or four (4) cats or any combination of cats and dogs when the total exceeds four (4) animals over the age of ten (10) weeks except in an animal pound, clinic, hospital or kennel as provided by the zoning ordinance of the city.

REPLACE WITH:

Sec. 6-30. Reserved.

EXHIBIT B

ORDINANCE NO. #69-2005

CHAPTER 6, ANIMALS AND FOWL, ARTICLE III, IMPOUNDMENT, SECTION 6-94, "Redemption of unvaccinated animal", of the City of Abilene, Texas, is hereby amended as follows:

DELETE:

Sec. 6-94. Redemption of unvaccinated animal.

The owner of any animal over the age of four (4) months which has not been vaccinated as required by this chapter, upon satisfactory proof of ownership, shall pay to the animal control department the sum of ten dollars (\$10.00) for rabies vaccination and city tag. Upon payment of the fee a receipt for the shots shall be given to the owner to be honored by the veterinarian designated by the owner. The owner of the animal shall have seventy-two (72) hours to take the animal and receipt to the veterinarian for vaccination. After the expiration of seventy-two (72) hours from the date of issuance of the receipt if the animal is not vaccinated by the designated veterinarian the ten-dollar fee shall be forfeited to the city. Each month all veterinarians shall turn in all receipts that they have received and the city shall reimburse them for the full value of each receipt.

REPLACE WITH:

Sec. 6-94. Redemption of unvaccinated animal.

The owner of any animal over the age of four (4) months, which has not been vaccinated as required by this chapter, upon satisfactory proof of ownership, shall pay to the City of Abilene Animal Services applicable fees to cover the cost of rabies vaccination and city tag for the animal before the animal can be redeemed. Upon payment of the fee, a receipt for the shots shall be given to the owner to be honored by the veterinarian designated by the owner. The owner of the animal shall have seventy-two (72) hours from the time the receipt is issued to take the animal and receipt to the veterinarian for vaccination. Failure to vaccinate within the stated time period will result in forfeiture of the rabies vaccination and city tag fees to the city. Each month all veterinarians shall turn in all receipts that they have received and the city shall reimburse them for the full value of each receipt.