

Section 1: That Section 3-9 of Chapter 3 of The Code of The City of Abilene, Texas, 1957, as amended, be, and is hereby, further amended so as to hereafter

read as follows:

"Sec. 3-9. ANIMALS BITING PEOPLE; AFFIDAVITS; CONFINEMENT AND OBSERVATION; COSTS.

"(1) Should any person make an affidavit before the City Health Officer, City Dog Warden, any Police officer or other authorized representative of the City of Abilene that any animal has bitten any person within the corporate limits of the City of Abilene, the animal so identified shall be immediately taken into custody by the City Dog Warden or other authorized representative of the City of Abilene and taken to a licensed veterinarian, who shall confine said animal and keep it under observation for a period of not less than ten (10) days.

"(2) If such animal is found to be sick, and if it appears to said veterinarian and/or the City Health Officer that the animal is or might be rabid, the City Health Officer shall dispose of the animal, send his head by the most expeditions means practicable to the State Department of Public Health for a rabies determination, and take all other steps necessary to insure the health and safety of the citizens of the City of Abilene, including confinement of any and all other animals which may have been exposed to the sick animal. The expenses incident to such confinement and disposition shall be borne by the owner, if any. In addition, the said owner, if any, shall pay to the City of Abilene Taylor County Health Department a fee of Five Dollars (\$5.00) to defray the expenses incurred in securing said rabies determination.

"(3) Should such animal die or be killed after confinement but before the end of the ten (10) day observation period, and should it appear to the said veterinarian and/or the City Health Officer that the animal might have been rabid, the City Health Officer shall take the same action as that set forth in paragraph (2) above. The expenses incident to such action shall be defrayed as set forth in paragraph (2) above.

"(4) Should such animal die or be killed before the confinement, the remains of said animal shall be surrendered to the City Health Officer or his authorized representative for examination. Should any person so request, and/or should the City Health Officer deem it necessary, the said City Health Officer shall send the head of such animal by the most expeditious means practicable to the State Department of Public Health for a rabies determination. Expenses incident to such rabies determination shall, when said determination is secured at the request of one other than the City Health Officer or his representative, be defrayed in advance by the person desiring these services; otherwise, the said expenses shall be defrayed as set forth in paragraph (2) above.

"(5) If the said animal is found to be healthy at the end of the above-mentioned ten (10) day period of confinement and observation, the veterinarian concerned shall certify this fact in writing to the City Health Officer. The animal shall be released when the owner, if any, defrays the expenses incident to confinement and observation. Should the owner refuse to pay said expenses, or if no person or organization claims said animal, the animal shall be turned over to the City Dog Warden, who shall keep and dispose of said animal in accordance with the procedure set forth in Section 3-6, regarding the impounding of dogs at large.

"(6) In the carrying out of any and all provisions of this ordinance, neither the City of Abilene nor its employees and/or representatives shall incur any liability whatsoever either to the owners of animals involved or any one else. "

Section 2: 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 Two Hundred Dollars (\$200.00). Each such violation which shall continue or be permitted to continue shall be deemed a separate offense.

Section 3: That any chapter, section and/or subsection which is in conflict with the provisions of this ordinance be, and the same are hereby, repealed.

Section 4: That if any provision of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED ON FIRST READING this 19th day of July, A. D. 1962.

The Board of Commissioners hereby finds that an emergency exists requiring suspension of the rule provided in Section 32 of the City Charter requiring ordinances to be read and passed at two separate meetings of the Board of Commissioners; said rule is hereby suspended and said ordinance is passed twice at one and the same meeting of the Board of Commissioners.

PASSED ON SECOND AND FINAL READING this 19th day of July, A. D. 1962.

ATTEST:

MAYOR

CITY SECRETARY

APPROVED AS TO FORM:

JOHN W. DAVIDSON
Corporation Counsel