

**CITY OF BEEVILLE  
ORDINANCE NO. 2081**

AN ORDINANCE OF THE CITY OF BEEVILLE REPEALING ORDINANCE NO. 1998 AND HERETO PROVIDING FOR A REVISED ANIMAL CONTROL ORDINANCE DEFINING TERMS, SETTING ANIMAL CONTROL OFFICERS' DUTIES, SETTING FEES FOR IMPOUNDING OF ANIMALS, ANIMAL LICENSE FEES AND REQUIREMENTS, DESCRIBING VACCINATION REQUIREMENTS, PROVIDING FOR SALE OF ANIMALS, PROHIBITING ANIMALS RUNNING AT LARGE, LIMITING THE NUMBER OF ANIMALS TO BE KEPT WITHIN THE CITY LIMITS, LIMITING THE DISTANCE ANIMALS MAY BE KEPT FROM STRUCTURES, SETTING ANIMAL PERMIT APPLICATION PROCEDURES, PROVIDING FOR CLEANLINESS OF ANIMAL PREMISES, PROVIDING A PENALTY FOR VIOLATION OF THE ORDINANCE AND PROVIDING FOR A SEVERABILITY CLAUSE.

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

ANIMAL CONTROL

- SECTION I: GENERAL
- SECTION II: ANIMAL
- SECTION III: DOGS AND CATS
- SECTION IV: OTHER ANIMALS
- SECTION V: WILD OR VICIOUS ANIMALS  
AND REPTILES
- SECTION VI: MISCELLANEOUS RULES

## SECTION I: GENERAL

## A. DEFINITIONS

1. Dogs – any male or female canine.
2. Owner – any person or legal entity owning, harboring, or caring for an animal.
3. At large – not physically restrained to the premises of the owner or not under the direct control of the owner, handler, or trainer (direct control shall mean securely confined by leash, chain, or other device not more than six (6) feet in length held by a person capable of controlling the animal.)
4. Dog kennel – any building, structure or enclosure, wherein more than three (3) canine animals over the age of three (3) months of age are confined. This definition excludes animal hospitals.
5. Cat kennel – any place in which more than three (3) feline animals over three (3) months of age are confined. This definition excludes animal hospitals.
6. Animal – any vertebrate animal other than human beings.
7. Vicious animals – any animal with the propensity, tendency, or disposition to attack human or domestic animals unprovoked. Any animal that has attacked or attempted to attack humans or domestic animals except when the victim is unlawfully on the premises of the owner.
8. Animal nuisance – the public nuisance created by an animal or animals within the City limits that affect the quality of life or persons of normal nervous sensibilities, including but not limited to:

- a. Excessive noise produced by barking, whining, digging, or any other noise activity.
  - b. Destruction of public or private property belonging to any person other than the owner.
  - c. Any foul or noxious odor produced by the offending animal or animals.
  - d. Allowing the animals to urinate or defecate on any public or private property other than that of the owner unless such waste is removed and properly disposed by the custodian of the animal.
9. Restraint or Restrained – any physical means of controlling an animal, to include but not limited to cage, fence, leash (or chain) or automobile (in the cab or tied).
  10. Provocation – any purposeful act that causes an animal to bite, scratch or otherwise attack in protection of self, owner, or owners property.
  11. Wild Animal – an undomesticated animal with the propensity, tendency, or disposition for unprovoked attacks on humans or domestic animals.
  12. Street Line – the nearest edge of any sidewalk, or if there is none, then the nearest edge of any curb, or if there is none, then the nearest edge of the improved portion of the public right-of-way.
  13. Household – Those who dwell in the same residence and compose a family.
  14. Hybrid Animal – Any offspring of two (2) animals of different species
  15. Working Day – Any Day of the week excluding weekends and City of Beeville observed holidays.

## SECTION II: ANIMAL CONTROL OFFICERS AND DUTIES

- A. Officers. The positions of the Chief Animal Control Officers and Deputy Animal Control Officers are hereby established.
- B. Department. The Animal Control Department shall function as a department of the City of Beeville subject to guidelines and procedures adopted by the City Council for its operations.
- C. Compensation. The Chief Animal Control Officer and Deputy Animal Control Officer shall receive such compensation as shall be established by the City's annual fiscal budget. The Deputy Animal Control Officer is hereby authorized and directed to perform, in conjunction with and under the supervision of the Chief Animal Control Officer, the powers and duties herein bestowed upon and required to be performed by said Chief Animal Control Officer.
- D. Police Powers. The Animal Control Officer shall be vested with the necessary police powers for the exclusive purpose of enforcing the provisions of this Ordinance, and it shall be his duty to issue citations for violations of any of the provisions of this ordinance. Both shall enforce all of the laws of the city, County, and State relating to the care, treatment and impounding of animals and to the prevention of cruelty to animals. This exercise of said police powers shall be under the direct supervision of the Chief of Police or designated representative.
- E. Powers to Collect Fees. The Animal Control Officer shall be vested with the powers to collect fees established by this Section, Subsection "M" and enforce the provisions of this Ordinance as described herein. All sums so collected shall be paid over to the Finance Department promptly as directed.

- F. Duties. It is hereby made the duty of the Animal Control Officer to enforce any other sections of this ordinance whether as a duty or not.
- G. Interference with Duty. No person shall rescue or attempt to rescue any animal mentioned herein from the possession of any Animal Control officer nor interfere with the Chief Animal Control Officer, or his deputies, in the performance of their official duties.
- H. Entering the Premises. The Animal Control Officer, or any Police Officer of the City of Beeville is authorized to enter upon any premises upon which any animal is kept, for the purposes of taking up, seizing or impounding any animal found running at large, or staked, herded or grazing thereon, contrary to provisions of this ordinance for the purpose of ascertaining whether such animal is duly vaccinated for the control of rabies as provided in this ordinance, or for the purpose of inspecting the premises to ascertain whether any law of the City or State relating to the care, treatment or impounding of animals or the prevention of cruelty to animals is being violated, provided there is probable cause to believe there is a violation.
- I. Animal Control Shelter. There shall be provided by the City of Beeville a suitable building or enclosure to keep and safely hold all animals herein enumerated which are subject to be impounded, which shall be known and designated as the “Animal Control Shelter”.
- J. Impounding. It shall be the duty of the Animal Control Officer or any Peace Officer to take up, impound, or safely keep any animal found to be in violation of this ordinance.
1. Animal Control Officers or other law enforcement officers shall have the power to impound animals which create an animal nuisance for the purpose of abating the nuisance as follows:
    - a. On public property in all cases.

- b. On private property, if:
    - 1) The consent of the property owner or resident is obtained;
    - 2) The Officer reasonably believes there is immediate or imminent danger or peril to the public if the animal in question is not impounded;
    - 3) If the animal or animals are found to be in violation of Section II-H;
    - 4) Authorized by appropriate Courts of Law, or
    - 5) If property is vacant of buildings and residents to serve as a custodian for the animal.
2. Animal Control Officers or other Law Enforcement Officer shall have the power to impound unrestrained animals for the purpose of abating the nuisance as follows:
- a. On public property in all cases;
  - b. On private property with the consent of the property owner or resident.
  - c. On private property when in pursuit of an animal, which he believes, is subject to impoundment under the provisions of this ordinance.
  - d. When authorized by an appropriate Court of Law.
  - e. On private property if property is vacant of buildings and residents to serve as a custodian for the animal.

K. Care of Animal. It shall be the duty of the Animal Control Officer to provide impounded animals with adequate food, water, and shelter for the period of their impoundment.

L. Reclaiming. The Animal Control Officer shall make every attempt within reason to notify the owner of an animal, at his last known residence, immediately after impounding either by mail, telephone, or personal contact. The owner of an impounded animal may reclaim said

animal at any time prior to final disposition of said animal upon payment of all charges incurred by said impoundment.

M. Fees: The Animal Control officer shall charge, and collect the following fees for services and impounding animals.

1. Dogs and Cats - \$15.00 for impounding plus \$5.00 per day Board.
2. Rabies Vaccination: (Vaccination or proof of current vaccination is required prior to release of any dog or cat.)  
  
Charge based on veterinarian's fee plus \$5.00 for transportation of animal.
3. Livestock - \$75.00 for impounding plus \$15.00 per day Board.
4. Other Fees:
  - a) Euthizations  
  
Dogs and Cats - \$10.00
  - b) Trap Use Deposit – There shall be paid to the City of Beeville a refundable \$15.00 deposit for each trap issued by the Animal Control Officer which shall be refundable upon their return in like conditions as when issued.
5. Payment of any applicable fees is due in advance of the animal's release to owner or claimant.

N. Accounting for Sums Collected. The Animal Control Officer shall pay over to the Finance Director all sums collected by him pursuant to the terms of this ordinance, promptly as directed.

- O. Revenue Allocation. All sums received by the City of Beeville pursuant to the terms of this ordinance shall be deposited into the City's General Fund.
- P. Destruction of Impounded Animals Unfit for Use by Age, Crippled, Diseased, or wild. It shall be the duty of the Animal Control Officers to order the destruction of any animal lawfully taken into custody, which in the opinion of the Animal Control Officer is, by reason of old age, unfit for use, or which is infected with a dangerous or communicable disease, or which is in an incurably crippled condition, or which is adjudged by a report of a licensed veterinarian to be afflicted with any painful, incurable disease. A reasonable attempt shall be made to notify the owner (if known) prior to taking action, however the humane destruction of a sick or injured animal may necessitate immediate action.
- Q. Disposition of Vicious Animals.
1. The Chief of Police, or his designee, may order the seizure and humane euthanasiation of any vicious animal found within the corporate limits of the City of Beeville.
  2. The Chief of Police, or his designee may order that a vicious animal be:
    - a. Permanently removed from the corporate limits of the City of Beeville, or
    - b. Transferred permanently to an appropriate animal care facility, or
    - c. Euthanized in the event that an animal is found in violation of any order described in a or b above.

### SECTION III: DOGS AND CATS

- A. Tags Must Be Shown. No person shall fail or refuse to show the Animal Control Officer or any Police Officer of said City, the rabies vaccination tag for any duly vaccinated dog or

cat kept or remaining within any home or upon any enclosed premises under his immediate control. Said vaccination tag shall be attached to a neck collar and be worn by the animal at all times. If a tag is lost it shall be the responsibility of the owner to replace the tag as soon as possible in order to return to compliance of this Section.

- B. Removal of Vaccination Tags. No unauthorized person shall remove from any dog or cat any collar, harness, or other device to which is attached a vaccination tag for the current year, or to remove such tag therefrom.
- C. Counterfeiting Tags. No person shall imitate or counterfeit the tags in this ordinance provided for, or shall use any imitation or counterfeit of such tag.
- D. Dogs Running At Large Prohibited. No person owning, harboring, or caring for a dog shall allow said animal to be off the premises of its owner unless securely confined by a strong leash not to exceed six (6) feet in length continuously held by a person capable of controlling the dog or confined to an automobile.
- E. Impounding. It shall be the duty of the Animal Control officer and of any Police Officer of said City, to take up all dogs found in violation hereof. When such dog is taken up by a Police Officer, it shall be delivered by him to the Animal Control Officer. All such dogs shall be impounded in the City's Animal Control Shelter.
- F. Rabies Vaccination Required. Every person owning or harboring a dog or cat in the City of Beeville shall cause such dog or cat to be vaccinated for rabies with an approved rabies vaccine:
  - 1. Immediately upon its procurement if it is over four (4) months old and has not been so vaccinated within a period of one (1) year prior to the procurement of said animal, or;

2. As soon as possible after the dog or cat has attained the age of three (3) months, provided, however, that such vaccination has been accomplished by the time it attains the age of four (4) months.
- G. Annual Vaccination Required. Every person owning or harboring in the City of Beeville a dog or cat which has been vaccinated with an approved vaccine shall cause the dog or cat to be revaccinated within a period not to exceed one (1) year.
- H. Rabies Certificate. Every person keeping, harboring or having in the City of Beeville any dog or cat required by this ordinance to be vaccinated shall at all times while such dog or cat is thus kept, harbored or had, have in his possession a certificate issued by a person licensed by the State of Texas or any other state or nation to practice veterinary medicine, which certificate shall specify that such dog or cat has been vaccinated in accordance with provisions of this ordinance. At the time a dog or cat is vaccinated, a vaccination tag shall be stamped with the date of vaccination and the type of vaccine used.
- I. Rabies Vaccination Evidence. At the time a dog or cat is vaccinated, a vaccination tag shall be stamped with the date of vaccination and the type of vaccine used. It is the pet owner's responsibility to keep in his/her possession the certificate issued to them at the time of the animal's vaccination and to produce said certificate if requested by the Animal Control Officer or Police Officer.
- J. Rabies Precautions. Officers or persons capturing dogs or cats suspected of having rabies under the provisions of Section III of this ordinance shall separately confine such dog or cat, shall report the capture to a licensed veterinarian, and shall submit said animal to the examination of a veterinarian. It shall be the duty of the veterinarian to ascertain whether or not the dog or cat is infected with rabies. Such dog or cat shall not be killed, but shall be

kept in confinement until further observation of such dog or cat claimed by its owner is not necessary for the determination of the presence or the absence of rabies. Stray or unclaimed animals shall be processed as allowed by State health regulations incurring the least expense upon the residents of the City.

- J. Unlawful for Any Person to Fail to Notify the City's Police Department or Animal Control Officer Regarding Rabid Dog. It shall be unlawful for any person having knowledge of the whereabouts of an animal known to have or suspected of having rabies or has shown symptoms of rabies to fail, refuse or neglect to allow the City's Police Department or Animal Control officer, to make an inspection or examination that such animal has or does not have rabies. The City's Police Department or Animal Control Officer shall likewise be notified of any person bitten by an animal of a species subject to rabies, whether or not the animal is suspected of having rabies.
- L. Ten (10) Day Quarantine.
1. Whenever it is shown that any dog, cat, or other animal without proof of current rabies vaccination has bitten any person, no person owning or harboring said animal, upon order of the Animal Control Officer or any Police Officer, shall fail, refuse, neglect to take or cause to be promptly taken, such animal to a veterinarian to be held in quarantine for a period of ten (10) days. Such animal may not be released from quarantine without the authorization of the veterinarian in charge. The total cost of the confinement for a (10) day period shall be born by the owner.
  2. The owner of a duly vaccinated animal that has bitten or scratched a person, causing skin abrasion, will assume personal responsibility for the quarantine of said animal for the (10) days only under the following circumstances:

- a. The facilities must be sufficiently secure so as to prevent the escape of said animal to prevent contact of said animal with any person other than the immediate family of the owner.
  - b. The facilities are inspected and approved by the Animal Control Officer.
  - c. The animal is examined by a licensed veterinarian at least on the first day of quarantine period and the last day of the quarantine period.
  - d. If the animal shall become ill or dies suddenly the Animal Control Officer shall be notified immediately and shall conduct an on-site visual inspection of the animal.
  - e. Release from quarantine may be accomplished only by written authorization by the inspecting veterinarian.
3. If an animal is believed to have rabies or has been bitten by an animal suspected of having rabies, such animal shall, upon order of the Animal Control Officer either be quarantined by a licensed veterinarian for the appropriate period of time or humanely euthanized. If human exposure to such an animal has occurred, the head of such animal shall be removed and submitted to the State Department of Health Lab for rabies diagnosis.
  4. The violation of the observation confinement of the biting animal as provided in Subsection 2 shall be just cause for seizure and confinement of the animal at a licensed veterinary facility.
  5. No wild animals will be placed in quarantine. All wild animals involved in biting incidents will be humanely euthanized in such a manner that the brain is not mutilated. The brain shall be submitted to a Texas Department of Health Lab for rabies diagnosis.

6. The total cost of the confinement period shall be born by the owner or the animal with the following exception:

If it can be proved that such a bite or scratch was caused by a provocation, the person responsible for said provocation shall bear the expense of any quarantine, provided however, that the animal in question was not in violation of any provision of this Ordinance at the time of the attack.

- M. Knowledge of Bite; Duty of Report. If any animal within the Corporate Limits of the City of Beeville shall bite or scratch any person or so injure any person so as to cause a skin abrasion, and such facts be known to the owner of such animal, such owner shall immediately give his name and address together with the animal's license tag number to the person bitten or injured, provided, however that the person so bitten or injured is over eighteen (18) years of age. If the person bitten or injured is under the age of eighteen (18) years then such required information shall be given to a parent or guardian. In addition thereto, the owner of such animal shall immediately thereafter, and in no event later than twenty-four (24) hours thereafter, notify the Police Department or Animal Control Officer giving his name, animal's vaccination tag number, the name of the victim, and any other information that the Police Department or Animal Control Officer may require.
- N. Application for Returning Impounded Animal. Subject to the other provisions of this ordinance, any person may make application to the Animal Control Officer for the return of any dog, cat, or other animal, and upon presentation of proof satisfactory to said Animal Control Officer that such person is the owner or is rightfully entitled to the possession of such animal, may recover the same upon payment of any required fee including a fee for rabies vaccination if such is not current. If an animal so impounded is not current for

rabies vaccination, the Animal Control Officer shall take said animal to a licensed veterinarian for rabies vaccination prior to release to its owner.

O. Period of Impounding and Final Disposition.

The City encourages and supports development of “pet adoption” programs by organizations within the community, and will cooperatively work with such organizations to encourage responsible pet adoption.

1. Dogs and Cats – three (3) working days.
2. Dogs and cats shall be kept for two (2) working days following the minimum period of impoundment for possible sale to the public, or transfer to a pet adoption program.

P. Maximum Number of Animals.

1. No household shall keep or harbor more than four (4) dogs or four (4) cats or a combination of dogs and cats not to exceed eight (8) in the corporate limits of the City of Beeville except temporarily while any of the dogs or cats hereto allowed are nursing a litter of puppies or kittens until said litter attains the age of three (3) months at which time the household must return to compliance of this Section. The provisions of animal nuisance, as hereto defined, shall apply during this exemption.
2. No boarding kennel shall be allowed within the City except exempted animal hospitals.

#### SECTION IV: OTHER ANIMALS

- A. Animals Not Allowed Within the City. It is hereby declared to be a nuisance and no person shall keep or maintain at their residence any of the following animals within the City of Beeville.

1. Horse, colt, jack or mule;
  2. Goats or sheep;
  3. Cattle including ox, steer, bull, cow or calf;
  4. Pigs or hogs; and,
  5. Bees, or hive of bees.
  6. Monkeys.
- B. Maximum Number of Fowls and Rabbits. It is hereby declared to be a nuisance and no person shall keep or maintain at their residence a cumulative total exceeding ten (10) chickens, geese, ducks, turkeys, pheasants, doves, pigeons, squabs, roosters, similar fowl, or rabbits within the City of Beeville. An adult rooster (crowing age) may be substituted for one of the ten (10) fowl allowed as per Subsection “C” following.
- C. Fowls and Rabbits Not to Run at Large. It is hereby declared to be a nuisance and no person shall allow fowls or rabbits to run or fly at large or go upon the premises of any other person, or upon a public way in the City of Beeville. Said animals shall be kept in a confined area no closer than thirty (30) feet to the nearest street line, or twenty (20) feet to the nearest property line.
- D. Nothing in this Ordinance shall prohibit the display or sale of any rabbit or fowl by any dealer, hatchery, or store engaged in the business of selling the same to be raised for food purposes whenever such dealer, hatchery, or store has proper facilities for the display and care of such animals or fowl and is in compliance with City Zoning Regulations.
- E. Advertisement, Sale, and Redemption Fee for Impounded Livestock.  
After giving five (5) days notice in the newspaper, the Animal Control Officer may sell at public stockyards any impounded animal covered by ordinance. Redemption by the owner

or his agent is possible any time prior to sale by paying \$75.00 impounding fee plus \$15.00 per day board. In the case of redemption, all advertising fees shall be paid by the owner. All moneys so received by virtue of sale of such animals shall be turned over to the City's Finance Director for deposit into the City's General Fund.

- F. Disposition of Animals. Any animal covered under this section not sold or redeemed may be disposed of by the Animal Control Officer or Police Chief in whatever manner is in the best interest of the City.

#### SECTION V: WILD ANIMALS

- A. Certain Animals Prohibited. It is hereby declared to be a nuisance and no person or business shall keep or maintain in the City of Beeville any wild or vicious animal or reptile of any nature whatsoever, including hybrid animals.
- B. Carnivals or Circuses. Nothing in this ordinance shall be construed to apply to the temporary display of wild or vicious animals or reptiles in carnivals, zoos, museums, exhibitions, or circuses provided that prior City Council approval has been obtained for such a display and inspected by the Animal Control Officer and that such animals or reptiles are so restricted so as to pose no threat to the public safety and provided further that such animals so displayed will be well cared for, free from disease and kept in sanitary conditions.
- C. Exception for Transportation of Animals through City. The requirements of this ordinance shall not be applicable to persons transporting wild or vicious animals through the City providing that the transporter has taken adequate safeguards to protect the public and does not park the transporting vehicle within the City Limits of the City of Beeville.

## SECTION VI: MISCELLANEOUS RULES

- A. Carcass of Animal. It is hereby declared to be a nuisance and no person shall cause, suffer or permit the carcass of any animal to remain upon any lot, premises or place owned, controlled or occupied by him or it for a period of more than twenty-four (24) hours.
- B. Manure Bins and Removal of Manure. Every person owning or occupying premises where manure from any pigeon, fowl, rabbit or other animal accumulates shall provide for the removal of such manure daily, boxes, bins or receptacles of a design and construction acceptable to the Animal Control Officer shall be provided by the owner or occupant of such premises, and such boxes, bins or receptacles shall be used only for the purpose of containing the accumulation of manure, which shall be placed therein or removed therefrom, and in no instance shall manure be so placed in such boxes or receptacles in such a manner as to prevent the tight closing of the lid; provided, however, that nothing contained herein shall apply to manure which is spread as fertilizer over or around cultivated plants, vines, vegetables, lawns, bushes or trees, or to manure kept by any nursery for commercial fertilizer purposes, unless such manure creates a nuisance either from fly breeding or excessive obnoxious odors. Said boxes, bins or receptacles shall be constructed of brick, stone, concrete, metal or wood lined with metal or other sound material, and shall be proof against access to the contents thereof by flies. The contents of said boxes, bins, or receptacles shall be removed once a week.
- C. Animal Control officer may Order Premises and Manure Bins Cleaned and Disinfected. No person who is ordered by the Animal Control Officer to clean or disinfect any stables, bar, corral, stall, pen, coop, building, or place in which any fowl, bird or other animal kept, or who is ordered by such officer to clean or disinfect any box, bin or receptacle used for

the accumulation of manure shall fail, neglect to clean or disinfect such stable, bar, corral, stall, pen, coop, building place, box, bin, or receptacle.

- D. Animals Prohibited in Certain Areas. No person shall allow any animal into an area where food is prepared for commercial purposes with the exception of dogs aiding the seeing or hearing impaired.
- E. Fee a Debt. The amount of any fee imposed by this ordinance shall be defined a debt to the City and any person keeping any animal without having complied with the provisions of this ordinance shall be liable to an action in the name of the City in any court of competent jurisdiction for the amount of the fees or penalties imposed and required by this ordinance to be paid for the privilege of keeping such animal and it shall be the duty of the Animal Control Officer to cause a civil complaint to be filed against any person violating any of the provisions of this ordinance, and the City Chief of Police shall cause an action to be brought against any person failing to pay penalty required by the provisions of this ordinance for the recovery of the same.
- F. Keeping Diseased Animals Prohibited: Exception: No person except a licensed veterinarian shall keep any animal which is known or believed by him to be infected with any dangerous or communicable disease, or which is afflicted with any painful disease believed by him to be incurable, without written permission to do so from an Animal Control Officer of the City.
- G. Rabies. Whenever it is suspected that any animal shall have contracted rabies, or shall have been bitten by another animal having, or suspected of having rabies, the Animal Control Officer, or Police Officers will be immediately notified and Section III, Paragraph J, of this ordinance shall apply.

- H. Penalties. A person who shall be found guilty of violating this ordinance may be assessed a fine of not more than One Thousand (\$1,000.00) Dollars. Each day the violation occurs may be deemed a separate offense. Repeat offenses may be punished by no less than Two Hundred (\$200.00) Dollars nor more than One Thousand (\$1,000.00) Dollars.
- I. Applicability of Ordinance. Whenever any reference is made to any portion of this ordinance such reference applies to all amendments and additions thereto now or hereafter made. The present tense includes the past and future tense and the future, the present. Whenever a power is granted to, or a duty imposed upon, the Animal Control Officer and other public officers, the power may be exercised or the duty may be performed by a deputy of the officers or by a person authorized, pursuant to law, by the officer, unless this ordinance expressly provides otherwise.
- J. Unlawful to Rescue Animals. It shall be unlawful to rescue or turn loose any animal impounded by the City by whatever method.
- K. Reclamation and Prosecution. The owner of any animal impounded remains subject to prosecution for violation of this ordinance regardless of whether or not such animal is reclaimed. Such owner shall remain liable for all fees incurred by said animal regardless of whether or not the animal is reclaimed.
- L. Chemicals/Traps Prohibited. The use of cyanic pallet traps or any other kind of trap containing a substance noxious to man is prohibited within the City Limits, unless deemed necessary by the Texas Department of Health for the control of communicable disease.
- M. Inhumane Traps Prohibited. No person shall set up or allow to be set up on his property within the City Limits any kind of trap that tears, cuts, or in any way mutilates the prey. This will not apply to traps used to catch common rodents, i.e., rats, mice, gophers, and

ground squirrels. Such traps may be used on the order of the Animal Control Officer for the control of communicable diseases.

N. Tin Traps Prohibited. Tin traps are not to be allowed in the City Limits unless ordered by the Animal Control officer.

O. Severability Clause. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications 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 AND APPROVED THIS THE 22<sup>ND</sup> DAY OF AUGUST, A.D., 2006.

CITY OF BEEVILLE

\_\_\_\_\_  
Kenneth Chesshir, Mayor

ATTEST:

\_\_\_\_\_  
Tomas P. Saenz, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Frank W. Warner, City Attorney

PUBLISHED AS REQUIRED BY CHARTER ON 08/26/2006.