

ORDINANCE NO. 241

AN ORDINANCE PROVIDING FOR THE LICENSING OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS; PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF SAID CITY; AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF DOGS; QUARANTINING OF EXPOSED ANIMALS; REGULATING OF VICIOUS DOGS; REQUIRING A VACCINATION IN ALL INSTANCES; SETTING A POUND FEE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING FOR A PENALTY AND DECLARING AN EMERGENCY.

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

SECTION I.

(1) License, Vaccination, and Registration Requirements:

All dogs kept, harbored, or maintained by their owners in the City of Mesquite, Texas shall be licensed, vaccinated and registered. Dogs must be vaccinated at the age of three months, revaccinated at twelve months, and annually thereafter. Dog licenses shall be issued by the City of Mesquite upon payment of a license fee of \$1.00 for each dog. Before a dog license will be issued, the owner of the dog must present a certificate from a legally licensed veterinarian showing the name and address of owner, description of the dog, the date of vaccination, the number of the rabies vaccination tag and the veterinarian shall have furnished the owner of such animal a metal tag, on one side of which is stamped the words "Rabies Vaccine Administered" or similar phrase, and the date of vaccination. Said tag at all times shall be securely attached to a collar around the neck of the animal vaccinated. The owner shall state at the time application is made for such license and upon forms furnished for such purpose, his name and address, and the name, breed, color, and sex of said dog. Said license shall be good for one calendar year from the date of the license issued by the City of Mesquite.

(2) Tag and Collar:

Upon the payment of the license fee the City of Mesquite shall issue to the owner a license and a metallic tag for each dog so licensed. The tag shall have stamped thereon the year for which it was issued. Every dog owner shall be required to provide each dog with a collar for the tag to be constantly worn. In case a dog tag is lost or destroyed, a duplicate will be issued by the City of Mesquite upon presentation of the receipt showing the payment of the license fee for the calendar year and the payment of a \$.50 fee for such duplicate. Dog tags shall not be transferable from one dog to another and no refund shall be made on any dog license fee because of the death of the dog or the owner leaving the City before the expiration of the license period.

SECTION II.

Any person who shall wilfully take from any dog a collar or tag shall be deemed guilty of a misdemeanor.

SECTION III. DOGS RUNNING AT LARGE PROHIBITED:

It shall be unlawful for the owner or harbinger of any dog to permit such dog to run at large upon the streets, alley or any public place within the City Limits of the City of Mesquite, unless such dog be at all times under control of said owner, a member of said owner's immediate family or said owner's servant or agent, by means of a leash or chain of sufficient strength and length to control the actions of said dog. At all other times said dog shall be confined to the premises of said owner by a substantial fence of sufficient strength and height to prevent said dog from escaping therefrom, inside of a building or secured on said premises by a leash consisting of a metal chain of sufficient strength to prevent said dog from escaping from said premises when the leash is stretched to full length.

SECTION IV. CONFINEMENT OF CERTAIN DOGS:

No dog of fierce, dangerous, or vicious propensities and no female dog in heat, whether licensed or not, shall be allowed upon any street, avenue, highway, alley, sidewalk, parkway, park or other public place in the City of Mesquite.

SECTION V. IMPOUNDMENT AND REDEMPTION:

It shall be the duty of the Public Health Officer, the Chief of Police, or any police or health officer to cause to be taken up or impounded all animals of the dog kind in violation of the terms of this ordinance. Any person owning any dog impounded under the terms of this ordinance shall be allowed to take such dog from the place where impounded upon the following conditions:

- (1) Upon the payment of an impound fee of the sum of \$1.00 for each day or fractional part of a day the said dog has been impounded, said fee to be paid to the City of Mesquite.
- (2) If the owner thereof does not have a certificate showing that said dog has been vaccinated within the calendar year, the aforesaid dog can be redeemed by the owner only after the said dog has been vaccinated by a licensed veterinarian and certification thereof furnished.
- (3) That the owner thereof must secure a license tag for such dog as provided herein.

If owner has not redeemed such impounded dog within three days from its capture and impoundment the dog may be given to a new owner or destroyed humanely.

SECTION VI. BARKING OF DOGS:

Any person who shall harbor or keep on his premises or in or about his premises, or premises under his control, any dog or animal of the dog kind, which, by loud or unusual barking or howling, shall cause the peace and quiet of the neighborhood or the occupants of adjacent premises to be disturbed, shall be guilty of a misdemeanor and, upon conviction, shall be fined not exceeding Two Hundred Dollars (\$200.00), and each and every twenty-four hours that said dog shall remain or be kept on any such premises shall constitute a separate offense.

SECTION VII. RABIES NOTICE:

If any dog or other animal has bitten any person, the owner of said dog or animal shall notify the Chief of Police or the Health Officer immediately, and such dog or animal shall be confined in the dog pound for a period of at least ten days, and the owner shall pay a fee of \$1.00 per day for the care of said dog or animal, or said dog or animal shall be confined at a veterinary hospital for the same period of time at the expense of the owner, or said dog or animal shall be securely confined by tying with a chain of good quality for a period of ten days in such a place that no person or animal may be bitten by it, and there held subject to inspection from time to time so as to be able to determine whether said animal is affected by rabies. No dog or animal held for observation shall be released from impoundment without the authorization of the Chief of Police. Any dog or animal suffering a bite from a rabid animal shall be quarantined in a veterinary establishment at the owners expense for a period of at least ninety days before being released, or said dog or animal shall be securely confined by the owner by tying with a chain of good quality for a period of at least ninety days in such a place that no person or animal may be bitten by it, and there held subject to inspection from time to time so as to be able to determine whether said animal is affected by rabies. No such dog or animal held for observation shall be released without the authorization of the Chief of Police.

SECTION VIII. MISDEMEANOR FOR VIOLATIONS OF PROVISIONS:

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than One Dollar (\$1.00) nor more than Two Hundred Dollars (\$200.00). Each and every violation of the provisions of this ordinance shall constitute a separate offense. Each and every day shall constitute a separate violation.

SECTION IX. CONFLICTS:

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION X. SAVING CLAUSE:

The provisions of this ordinance are severable and in the event any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged


Page 4
Ordinance No. 241

invalid or unconstitutional, such adjudication shall in no means affect any other sections, sub-sections, sentences, clauses or phrases of this ordinance, but all the rest hereof shall be in full force and effect just as though the section, sub-section, sentence, clause or phrase so declared are adjudged invalid or unconstitutional was not originally a part thereof.

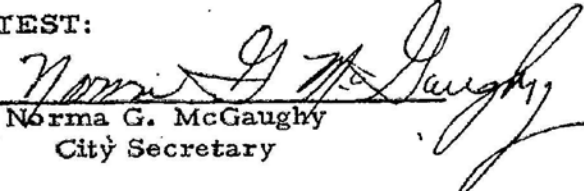
SECTION XI. DECLARING AN EMERGENCY:

The fact that there are now no sufficient or adequate regulations governing vicious and rabid dogs in the City of Mesquite and the regulations herein are needed for the protection of the health of the citizens of Mesquite creates an emergency and requires that this ordinance shall take effect from and after its passage, and it is so ordained.

PASSED AND APPROVED this 19th day of May, 1959.


James Fontenot
Mayor

ATTEST:


Norma G. McGaughy
City Secretary