

CHAPTER 90: - ANIMALS

FINAL
REVISED
TEXT

GENERAL PROVISIONS

- **§ 90.01 - DEFINITIONS.**

~~Exotic Animals, Fowls And Reptiles. Animals, fowls and reptiles normally not considered household pets, to include lions, tigers, jaguars, javelinas, bobcats, coyotes, wolves, llamas, pea fowl, falcons, alligators, and geese.~~

Exotic or Wild Animals: means and includes any mammal, amphibian, reptile, or fowl, which is of a species that is wild by nature and of a species, which, due to size, vicious nature, or other characteristic, is or may be dangerous to human beings. Such animals shall include, but not be limited to, lions, tigers, leopards, panthers, lynx, wolves, coyotes, deer, raccoons, ratites (ostriches, rheas, cassowaries, and emus), skunks (whether deodorized or not), monkeys whose average weight as an adult exceeds 20 pounds, foxes, javelinas, llamas, elephants, rhinoceroses, alligators, crocodiles, falcons, pea fowl, and all forms of poisonous reptiles; any species of animal which is considered endangered by international, federal, or state regulations. The term "wild or exotic animal," as used in this chapter, shall not include birds, ferrets, gerbils, hamsters, guinea pigs, mice, small lizards or turtles, or rabbits that are maintained as personal or household pets.

Handler. Any person(s) with whom an animal has been placed by the owner of such animal for the purpose of that person(s) having control of such animal on behalf of the owner.

Owner. Any person, persons, firms, corporations, or associations keeping, having custody, or harboring an animal, fowl, or reptile.

Running at Large. Not under the direct physical control of the owner or handler by leash, cord, ~~chain~~ or similar direct physical control and not being ~~kept physically restrained~~ prevented from leaving the premises of the owner.

Typical Farm Animals and Fowls. Equine, hHogs, cattle, horses, jacks, jennets, sheep, goats, chickens, geese, ducks, turkeys or like animals and fowls.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

- **§ 90.02 - TYPICAL FARM ANIMALS AND FOWL.**

Typical farm animals and fowl will not be permitted within the City.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

Cross reference— Penalty, see [§ 90.99](#)

- **§ 90.03 - EXOTIC OR WILD ANIMALS. ~~, FOWL AND REPTILES.~~**

Exotic or Wild animals, ~~fowl and reptiles~~ will not be permitted within the City.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

Cross reference— Penalty, see [§ 90.99](#)

- **§ 90.04 - UNREASONABLY LOUD BARKING OR HOWLING BY DOGS.**

It shall be unlawful for a dog to make unreasonable loud barking or howling noise. For purposes of this section, *unreasonable loud barking or howling noise* is defined as barking or howling of such a degree of loudness and duration that it is ~~then and there~~ disturbing to a person or persons in the vicinity ~~or~~ *earshot* of the dog.

- (A) Any such person or persons so disturbed must file a ~~sworn~~, written complaint with the *City of Woodcreek appropriate authorities to initiate prosecution under this section.*
- (B) The owner or handler of the dog shall be deemed responsible for training or hiring someone to train the dog to be reasonably quiet.
- (C) Barking dogs are not allowed outside an enclosed residential area between the hours of 11:00 p.m. and 5:00 a.m.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

Cross reference— Penalty, see [§ 90.99](#)

- **§ 90.05 - DOGS UNDER DIRECT PHYSICAL CONTROL OF OWNER, HANDLER.**

(A) Every dog shall be kept under the direct physical control of an owner or handler or shall be physically restrained from leaving the premises of the owner or handler of such dog.

~~(B) It shall be unlawful for any owner or handler of a dog(s) to allow the dog(s) to defecate on any portion of the Quicksand Golf Course, recreation areas, green belts, street right-of-ways, esplanades, and privately owned lots upon which a dwelling exists unless all feces are immediately removed and discarded in a sanitary manner. This restriction applies to both a dog(s) running at large or a dog(s) under direct physical control of owner or handler.~~

(B) The owner/handler is responsible for removing any feces due to defecation of their dog from public or private property and discard it in a sanitary manner. This applies to dogs in areas including, but not limited to the golf course, recreation areas, green belts, street rights-of-way and privately owned property.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

Cross reference— Penalty, see [§ 90.99](#)

- **§ 90.06 - COMPLAINTS.**

Any complaint alleging violation of any portion of this subchapter must ~~be a sworn, written complaint filed with the appropriate authorities to initiate prosecution under this section.~~ follow the procedures outlined in the *APPLICATION FOR CITY OF WOODCREEK CITIZEN COMPLAINT FORM*, on file with the City.

Complaints to be filed pertaining to [§ 90.04](#) must follow the procedures outlined in the *BARKING DOG NOISE COMPLAINT FORM*, on file with the City.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

- **§ 90.07 – FEEDING OF WILD OR EXOTIC ANIMALS**

It shall be unlawful for any person to intentionally or knowingly feed any wild or exotic animals within the City limits. *Intentionally or knowingly feeding* shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of such wild animals in the City; physically handing any food product to a wild animal; intentionally or knowingly leaving food attractive to wild animals in an area where they commonly feed; and any other activity wherein a food commonly eaten by such wild animal is placed or left with the intent to feed them.

This paragraph does not apply to hummingbird feeders, wild bird feeders, or squirrel feeders that are suspended off the ground.

GEESE

- ~~**§ 90.16 – FEEDING GESE PROHIBITED.**~~

~~It shall be unlawful for any person to intentionally or knowingly feed any wild Egyptian goose or any other member of the geese family, within the City limits. *Intentionally or knowingly feeding* shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of geese in the City; physically handing any food product to a goose; intentionally or knowingly leaving food attractive to geese in an area where geese commonly feed; and any other activity wherein a food commonly eaten by geese is placed or left with the intent to feed geese.~~

~~{Ord. 19-260, 6-12-2019}~~

~~**Cross reference** — Penalty, see § 90.99.~~

DEER

- ~~**§ 90.20 – FEEDING DEER PROHIBITED.**~~

~~It shall be unlawful for any person to intentionally or knowingly feed any whitetail deer, or any other member of the deer family, within the City limits. *Intentionally or knowingly feeding* shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of deer in the City; physically handing any food product to a deer; intentionally or knowingly leaving deer food in an area where deer commonly feed; and any other activity wherein a food commonly eaten by deer is placed or left with the intent to feed deer.~~

~~{Ord. 01-72B, 4-10-2002; Ord. 19-260, 6-12-2019}~~

~~**Cross reference** — Penalty, see § 90.99.~~

- **§ 90.21 - INTERFERENCE WITH DEER TRAPPING PROHIBITED.**

It shall be unlawful for any person to intentionally or knowingly interfere with the City authorized deer trapping efforts. *Intentional or knowing interference* shall consist of, but not be limited to, tampering with any trapping equipment or nets, deterring deer from a trapping area physically or with the use of

noise, removing deer feed left by City personnel or other authorized persons to attract deer to a trapping area or permitting dogs to enter the trapping area.

(Ord. 01-72B, 4-10-2002; Ord. [19-260](#), 6-12-2019)

Cross reference— Penalty, see [§ 90.99](#)

- **§ 90.22 - ENFORCEMENT.**

The Mayor, City Staff, and Law Enforcement, both regular and reserve officers, are empowered to enforce this subchapter.

(Ord. 01-72B, 4-10-2002; Ord. [19-260](#), 6-12-2019)

- **§ 90.99 - PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to [§ 10.99](#) of this Code of Ordinances.

(B) The penalty for any violation of §§ [90.01](#) through ~~90.06~~ [90.05](#) of this chapter shall not exceed \$500.00. Each day any violation of §§ [90.01](#) through ~~90.06~~ [90.05](#) of this chapter shall continue shall constitute a separate offense.

(C) The fine for the first conviction or violation of [§ 90.04](#) of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

(D) The fine for the first conviction or violation of [§ 90.05](#) of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

~~(E) The fine for the first conviction or violation of [§ 90.06](#) of this chapter shall not exceed \$500.00 or the maximum amount permissible under state law.~~

(E) Any person convicted of violating any provision of §§ ~~90.20~~ [90.21](#) through ~~90.22~~ of this chapter shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed \$500.00 per occurrence.

(Ord. 85-19C, 4-10-1996; Ord. 01-72B, 4-10-2002; Ord. [19-260](#), 6-12-2019)