

CHAPTER 90: ANIMALS

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.

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 from leaving the premises of the owner.

Typical Farm Animals and Fowls. Hogs, 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.

Typical farm animals will not be permitted within the City.

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

Cross reference(s)—Penalty, see § 90.99

§ 90.03 EXOTIC ANIMALS, FOWL AND REPTILES.

Exotic 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(s)—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 of the dog. Any such person or persons so disturbed must file a sworn, written complaint with the appropriate authorities to initiate prosecution under this section. The owner or handler of the dog shall be deemed responsible for training or hiring someone to train the dog to be reasonably quiet. 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(s)—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.

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

Cross reference(s)—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.

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

GEESE

§ 90.16 FEEDING GEESE 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(s)—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(s)—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(s)—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 of this chapter shall not exceed \$500.00. Each day any violation of §§ 90.01 through 90.06 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.
- (F) Any person convicted of violating any provision of §§ 90.20 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)