

**ORDINANCE NO. 2014-2**

**AN ORDINANCE OF THE TOWN OF ANNETTA NORTH, TEXAS, ADOPTING REGULATIONS RELATING TO ANIMAL CONTROL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Annetta North, Texas is a Type A general law municipality located in Parker County, and created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, in order to protect the health, safety, and welfare of the citizens of the Town of Annetta North, the Town Council finds that certain regulations relating to animal control should be adopted, as provided below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANNETTA NORTH, TEXAS, THAT:**

**ANIMAL CONTROL**

**SECTION 1.**

It shall be unlawful for an owner or person who maintains the care, custody or control of a dog to fail to maintain "reasonable control of the dog" at all times. A person fails to maintain "reasonable control of the dog" *if*:

A. The dog makes an unprovoked *attack* on a person or animal that causes bodily injury and the unprovoked attack occurs in a place other than an enclosure in which the dog was being kept; *or*

B. The dog commits unprovoked *acts* in a place other than an enclosure in which the dog was being kept and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to a person or animal.

**SECTION 2.**

A person commits an offense if the person keeps a dog that excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other noises or utterances causing unreasonable annoyance, disturbance or discomfort to any person or persons other than its owners, or that substantially interferes with the rights of citizens, other than their owners, to the enjoyment of life or

property, or that is repeatedly at large or stray.

### **SECTION 3.**

This ordinance shall be cumulative of all provisions of ordinances of the Town of Annetta North, Texas, as amended, except when the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

### **SECTION 4.**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this ordinance, since the same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

### **SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

### **SECTION 6.**

The Town Secretary of the Town of Annetta North is hereby directed to publish this ordinance or its caption and penalty in the official Town newspaper as required by Section 52.011 of the Texas Local Government Code.

### **SECTION 7.**

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

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MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

EFFECTIVE: \_\_\_\_\_