



CITY COUNCIL WORKSHOP CITY OF BAY CITY

Tuesday, December 9, 2025 at 5:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K. Nelson

Mayor Pro Tem: Jim Folse

Council Members: Benjamin Flores, Jim Folse, Bradley Westmoreland, Susan Reardon, Blayne Finlay

Vision Statement

We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.

AGENDA

THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:

ANNOUNCEMENT BY THE MAYOR THAT COUNCIL WILL RETIRE INTO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT (TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE).

CALL TO ORDER AND CERTIFICATION OF QUORUM

PUBLIC COMMENTS

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. **Presentation and discussions regarding the findings from the Animal Task Force online survey.** Communications Department and Animal Control Task Force
 - Community Input Results
 - Review Ordinance
 - Provide Timeline

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

ADJOURNMENT

AGENDA NOTICES:

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance

unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATION OF POSTING

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **December 3, 2025 before 5:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.



**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF BAY CITY, TEXAS**

Meeting Date:	12/9/2025	Date Submitted:	12/1/2025
Prepared By:	Samantha Denbow	Presented By <i>(if different)</i>	Ray Beltran
Department:	Communications & Marketing	Type of Agenda Item:	Department Report

ITEM TITLE: Community Survey Results on the Draft Animal Control Ordinance

AGENDA LANGUAGE:

PRESENTATION: Community Survey Results on the Draft Animal Control Ordinance.

EXECUTIVE SUMMARY/BACKGROUND

The draft Animal Control Ordinance was presented to City Council on August 26, 2025. As part of the public input phase, a Community Survey was conducted to gather feedback on core components of the ordinance, including registration and microchipping, nuisance and dangerous animal provisions, breeding restrictions, and enforcement expectations.

The presentation will summarize participation levels and major response trends to help guide refinement of the ordinance and support Council discussion. No action is requested at this time; this is an informational item.

STRATEGIC PLAN GOALS ADDRESSED:

	☒		☒		☒		☐		☐		☒
Safety & Community Appearance		Community & Civic Engagement		Infrastructure		Planning & Development		Culture & recreation		Operational Excellence	

FINANCIAL NOTES

- NA

RECOMMENDATION: No Action

ATTACHMENTS: Draft Animal Control Ordinance Survey Presentation

Revised February 13, 2025

Responses Overview Closed

Responses

140



Average Time

09:20



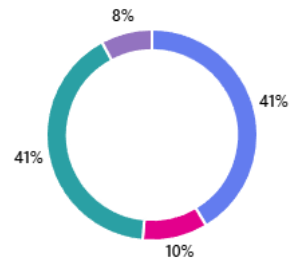
Duration

26 Days



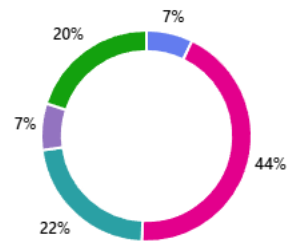
1. Do you currently own pets?

Yes, dogs	58
Yes, cats	14
Yes, both	57
No	11



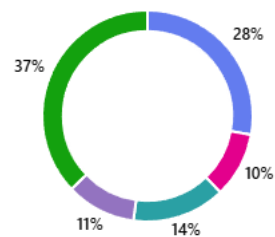
2. How many pets do you currently own?

0	10
1-2	61
3-4	31
5	10
More than 5	28



3. The ordinance proposes a maximum limit of **5 pets (dogs and/or cats, combined)** per household. Those who currently have more than 5 will be allowed to keep them if registered before January 1, 2026 (grandfathered in).
How strongly do you support or oppose this update?

Strongly support	39
Somewhat support	14
Neutral/No opinion	20
Somewhat oppose	15
Strongly oppose	52



4. What concerns, if any, do you have about this proposed pet limit?

91
Responses

Latest Responses

"If the pet are not bothering anyone. What does it matter. How is it the city s busi... "

"I am concerned this will force Citizens with lower income to give up some of their... "

"None"

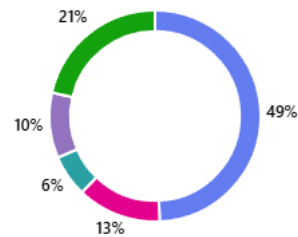
...

36 respondents (40%) answered pet for this question.

animals are controlled
people can care
care of their pets
people for animal
cats
city
pet
people's pets
pets are not
pet owners
animals
lot animals
care of my animals
Bay City
freedom to have pets
limit to how many pets
pet population
long as they are taken
number of pets

5. The ordinance requires **dogs and cats over 6 months old to be spayed/neutered unless the owner has a Breeding Animal Permit.**
How strongly do you support or oppose this update?

Strongly support	69
Somewhat support	18
Neutral/No opinion	9
Somewhat oppose	14
Strongly oppose	30



6. In your opinion, how important are the following goals of this requirement?

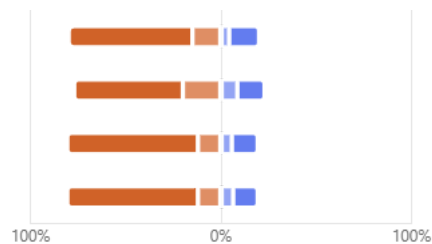
Very Important Somewhat Important Not Important Unsure/ Need more information

Reducing the number of stray or unwanted animals

Protecting public safety

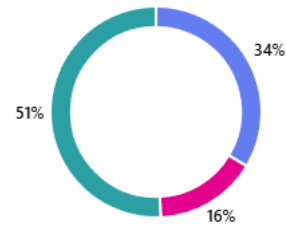
Reducing shelter overcrowding

Promoting responsible breeding practices



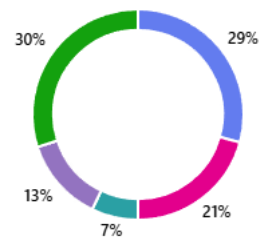
7. Do you feel the process for obtaining a Breeding Animal Permit is reasonable?

● Yes	47
● No	22
● Unsure/Need more information about the process	71



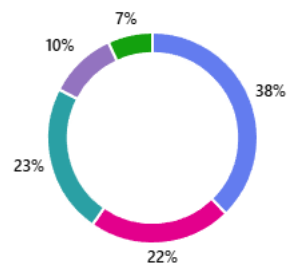
8. The ordinance requires **all dogs and cats over 6 months of age to be microchipped**.
How strongly do you support or oppose this update?

● Strongly support	41
● Somewhat support	29
● Neutral/No opinioin	10
● Somewhat oppose	18
● Strongly oppose	42



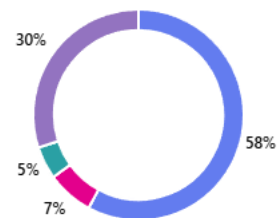
9. Do you believe microchipping pets helps with:(Select all that apply)

● Reuniting lost pets with owners	115
● Reducing shelter stays and overcrowding	67
● Preventing abandonment of pets	70
● Improving public safety	32
● None of the above	21



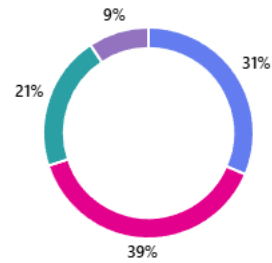
10. What concerns, if any, do you have about proposed mandatory spaying/neutering and microchipping of pets?

● Cost	81
● Access to veterinarian or pet support programs	10
● Usefulness	7
● Other	42



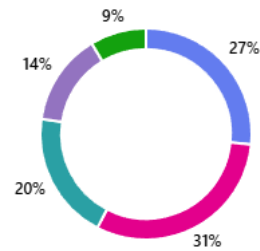
11. Do you feel these proposed changes are more about:

Improving public safety and animal welfare	44
Limiting personal choice and pet ownership	54
Both equally	29
Unsure/Need more information	13



12. How can the City best support residents in adjusting to these updates?(Check all that apply)

Offering low-cost microchipping events	96
Offering low-cost or free spay/neuter clinics	112
Providing clear information about the grandfather process for pet limits	71
Hosting Q&A sessions with Animal Control staff	51
Other	31



13. Do you have any additional comments, suggestions, questions, or concerns about the proposed ordinance updates?

72
Responses

Latest Responses

"Citizens feel over taxed now. People are considering leaving Bay City this could m..."
 "I think I said it all above in other answer. People should not be told how many ani..."
 "No"
 ...

24 respondents (33%) answered pets for this question.

pet problem feral animals people and animals animal Control FREE to have a pet
 stray animals spay/neuter cities pets animals citizens number of pets
 pet limit pet owners ordinance animal shelter
 pet population city animal city ordinance care for animals

14. If you would to receive updates, news, know about additional opportunities to give us your thoughts regarding the updating of the City's Animal Control Ordinance, please provide your email below.

38
Responses

Latest Responses



...

2 respondents (5%) answered people for this question.

socialist family units limit on animals rights away communist
boundaries citizens lot of people people main priority
economy everyday civil rights comes closer free country sure property
United government multiple

Exhibit A Redline

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apiary means a place where a bee colony is kept.

Bee means any stage of the common domestic honey bee, *Apis mellifera* species.

Cat means any live or dead animal of the *felis catus* species.

Colony means a hive and related equipment and appurtenances including bees, comb, honey, pollen, and brood.

Currently vaccinated means vaccinated and satisfying the criteria in V.T.C.A., Health and Safety Code § 826.001 et seq. and the rules of the state board of health.

Dangerous dog means a dog described in section 14-9.

Dog means any live or dead animal of the *canis familiaris* species.

Domestic animals means all species of animals commonly and universally accepted as being domesticated.

Flyaway barrier means a solid wall, fence, dense vegetation, or combination of these materials at least six feet high that extends at least ten feet beyond the hives on each end of a bee colony.

Harboring means the act of keeping and caring for an animal or of providing a premises to which the animal returns for food, shelter or care for a period of ten days or more; [or providing food in the same or generally same area so as to encourage stray animals to return to the area in expectation of food or shelter.](#)

Hive means a structure intended to house a bee colony.

Menacing fashion means the show by an animal of a disposition, determination or intent to attack or inflict injury or harm to a person.

Owner means any person, firm, corporation, organization or department possessing, harboring, keeping in or having in control or custody of an animal.

Pet animals means dogs, cats, rabbits, rodents, birds, reptiles, and any other species of animals which are sold or retained as household pets. The term "pet animals" does not include skunks, nonhuman primates and any other species of wild, exotic or carnivorous animal that may be further restricted in this chapter.

Running at large means not completely confined within a building, wall or fence of sufficient strength or construction to restrain the animal, or when such animal is neither on a leash nor held in the hands of the owner or keeper or under direct supervision of the owner when not within the limits of the owner's private property. An animal confined within an automobile or other vehicle of its owner shall not be deemed running at large.

Secure enclosure means a fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of the animal; and
- (4) In conformance with the requirements of an enclosure established by the animal control department.

Stray animal means any animal for which there is no identifiable owner or harborer.

Tract means a contiguous parcel of land under common ownership.

Vaccinate means to properly inject with a rabies vaccine licensed for use in that species by the United States Department of Agriculture and administered by a veterinarian licensed by the state.

Vicious animal means any animal described in section 14-8.

Wild animals' means all species of animals which commonly exist in a natural unconfined state and usually are not domesticated; this shall apply regardless of the state or duration of captivity.

Sec. 14-2. Records.

It shall be the duty of the animal control officer, chief of police or other enforcing agency to maintain such records as deemed necessary to the enforcement of all provisions of this chapter and have those records available for display to the city council or any interested citizen of the city as public records.

Sec. 14-3. Standing to complain.

Any person directly harmed or whose immediate relative is directly harmed, or any police officer of the city shall have standing to file a complaint under this chapter.

Sec. 14-4. Interference with enforcement.

It shall be unlawful for any person to interfere with, molest, hinder or prevent the animal control officer or his authorized representative in the discharge of their duties as prescribed in this chapter.

Sec. 14-5. Prohibited animals.

- (a) It shall be unlawful and a public nuisance for any person to place or keep upon any premises situated within the corporate limits of the city:
 - (1) Swine, except two or fewer domesticated pot belly pigs; or
 - (2) Any receptacle similar to a pigeon roost designed or used for roosting or collecting pigeons, unless the pigeons are completely penned.
- (b) It shall be unlawful and a public nuisance for any person to place or keep upon any premises situated within the corporate limits of the city any receptacle similar to a pigeon roost designed or used for roosting or collecting pigeons, unless the pigeons are completely penned.

Sec. 14-6. Nuisance.

It shall be unlawful for any person to harbor any dog, cat or other pet animal or domestic animal or wild animal which by any long continued noise, cry, odor or other activity shall disturb the peace, comfort, sensibilities and/or property of any reasonable person. Such disturbance is hereby declared to be a public nuisance.

Sec. 14-7. Running at large.

It shall be unlawful for any owner or harbinger of a dog, cat, domestic pet, horse, mule, cow, bull, steer, calf, sheep, goat, hog, fowl or other domestic or wild animal or livestock to allow the same to run at large on the streets, sidewalks, alleys, parks or other public places or upon another person's or business's private property.

Sec. 14-8. Vicious animal.

- (a) A vicious animal is:
 - (1) Any animal that, on one previous occasion without provocation, attacked or bitten any person or other animal;

- (2) Any animal which, when unprovoked, chases or approaches a person upon the streets, sidewalks or any public or private property in a menacing fashion or apparent attitude of attack such that the person reasonably believes that the animal will cause physical injury to that person;
 - (3) Any animal with a known propensity, tendency, or disposition to attack unprovoked, to cause injury or to otherwise threaten the safety of persons or otherwise domestic animals; or
 - (4) Any animal which a city-designated veterinarian has reason to believe has a dangerous disposition likely to be harmful to humans or other animals.
- (b) Any vicious animal found running at large may be destroyed by a peace officer or animal control officer in the interest of public safety.
 - (c) If a person reports an incident that would qualify the animal as a vicious animal described in subsection 14-8(a), an animal control officer shall investigate the incident. The animal may be seized if it is determined that it is, in fact, a vicious animal. If the reported animal is or has been impounded, the animal shall be held at the city's designated animal shelter during the pendency of an animal disposition hearing.
 - (d) The municipal court, after a notice and hearing, may order any owner or person having care, control, or custody of any vicious animal to take such animal permanently from the city, or the court may, upon making a finding that such animal is vicious or that it represents a clear and present danger or nuisance to the citizens or other animals in the community, order the humane destruction of the animal by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended. This animal must be removed immediately following receipt of such an order, even if an appeal is initiated.
 - (e) The owner of the animal shall be responsible for all impoundment and medical fees incurred during the impoundment period, including, but not limited to, daily impound fees, veterinarian costs and fees, or euthanasia fees as set in the city's Code of Ordinances.
 - (f) If the owner or person having care, custody, or control of a vicious animal fails to remove such animal as provided in subsection (d) of this section, such animal may be impounded and/or destroyed humanely by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended.
 - (g) The owner or person having care, custody, or control of a vicious animal must report the disposition and relocation of such animal to the chief of police in writing, within ten days after the expiration date for removal of such animal from the city. Each day thereafter such information is not provided shall constitute a separate offense.
 - (h) The chief of police or his deputy shall be authorized to obtain a search and seizure warrant if there is reason to believe that an animal ordered removed from the city for being vicious has not been so removed.

Sec. 14-9. Dangerous dog.

- (a) A dangerous dog means a dog that:
 - (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog is being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
 - (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.
- (b) Any dangerous dog found running at large may be destroyed in the interest of public safety by a peace officer or animal control officer.
- (c) On receipt of a written, sworn complaint by any person charging that a particular dog is dangerous, the animal control officer, or his or her designee, shall investigate the animal to determine whether the dog is, in fact, dangerous as described in subsection 14-9(a)

- (d) The owner of the dog shall deliver the dog to the animal control department for impoundment within five days of being served with notice that a sworn complaint has been filed and that the owner is required to deliver the dog to the animal control department.
- (e) The owner of the dog shall be served with notice in one or more of the following ways:
 - (1) Hand-delivery to the owner in person by a city employee;
 - (2) Delivery to the owner by courier-receipted delivery;
 - (3) Delivery to the owner's agent or attorney of record, as the case may be, either in person or by courier-receipted delivery;
 - (4) Hand-delivery to any adult person at the owner's last known address who agrees to accept notice and deliver it to the owner;
 - (5) By certified or registered mail, return receipt requested, postage prepaid, to the owner's last known address;
 - (6) By posting notice prominently on the door of the property of the owner's last known address; or
 - (7) By first-class mail through the United States Postal Service, provided that service is also attempted by one or more of the other methods in this subsection.
 - a. A certificate or affidavit of any person showing service of notice under this provisions of this section shall be prima facie evidence of the fact of service. Nothing herein shall preclude the owner from offering proof that the notice was not received.
 - b. It shall be an offense for an owner to refuse or fail to deliver a dog to the animal control department after being served with notice that a sworn complaint has been filed under this section. Each day an owner fails or refuses to deliver the dog shall constitute a separate offense.
 - c. If the owner fails to deliver the dog to the animal control department, the municipal court may issue a warrant authorizing the seizure of the dog.
 - d. If the dog is impounded with the animal control department, the dog shall remain in the custody of the animal control department until the animal control officer has completed his or her investigation.
- (f) Investigation of sworn complaint by the animal control officer.
 - (1) The animal control officer, or his or her designee, shall complete an investigation and determine whether the dog is to be declared a dangerous dog within ten days of the date of the sworn complaint or within ten days of the date the dog is delivered to or seized by the animal control department, whichever is later. Notwithstanding the foregoing, the animal control officer may make a determination if the owner does not deliver the dog to the animal control department.
 - (2) During the investigation, any interested person shall be given the opportunity to present evidence by sworn statement on the issue of whether the dog is to be declared dangerous.
 - (3) If the animal control officer finds that the dog is not dangerous, the dog shall be returned to the owner, provided that the dog is properly vaccinated against rabies in conformance with the Code of Ordinances and that all impoundment and medical fees have been paid.
 - (4) If the animal control officer declares the dog to be dangerous, the dog's owner shall:
 - a. Comply with the requirements for the keeping of a dangerous dog as provided in section 14-11. The dog shall remain impounded at the owner's expense until such compliance has been attained; or
 - b. Provide for the humane destruction of the dog by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended.

Sec. 14-10. Appeal of dangerous dog determination.

- (a) An owner of a dog that is declared to be a dangerous dog by the animal control officer may appeal that determination to the municipal court by filing a written notice with the court clerk within ten days of the date the determination is made.
- (b) The court shall set a cash bond to secure payment of the fees for impoundment and any other reasonable costs incurred in caring for the dog during impoundment. The owner shall post the cash bond within ten days of filing the written notice of appeal. Notwithstanding the foregoing requirement, the court may waive payment of the bond for good cause shown.
- (c) The municipal court shall hold a hearing within ten days of receiving written notice of the owner's appeal provided the owner has posted the cash bond set by the court, unless the court has waived the bond. If the owner has not posted the cash bond within ten days, and the court has not waived the requirement of bond, the appeal shall be dismissed, and the animal control officer's determination shall be final. Notwithstanding the foregoing, if the court has not held the hearing within ten days, the court shall hold the hearing as soon as practicable.
- (d) Any interested person may provide evidence at the hearing.
- (e) The dog shall continue to be impounded at the owner's expense during the pendency of the appeal, and, if the court finds the dog to be dangerous, until the requirements for the keeping of a dangerous dog are satisfied or provision has been made by the owner for the humane destruction of the dog.
- (f) If the court finds that the dog is not dangerous, the dog shall be returned to the owner, provided that the dog has been properly vaccinated against rabies in conformance with the Code of Ordinances and that all impoundment and medical fees have been paid.
- (g) If the municipal court finds the dog to be dangerous, the municipal courts shall order:
 - (1) The dog to be permanently removed from the city;
 - (2) The dog to be humanely destroyed by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended; or
 - (3) The dog to be allowed to remain in the city provided that the owner comply with the requirements for the keeping of dangerous dog as provided by section 14-11.
- (h) The owner of the dog shall be responsible for all fees incurred during the impoundment period, including, but not limited to, daily impound fees, veterinarian costs and fees, or euthanasia fees as set in the city's Code of Ordinances.
- (i) The city and an owner may appeal the decision of the municipal court to the county court in the same manner as state law provides for other appeals of similar cases from municipal court.

Sec. 14-11. Requirements for owners of dangerous dogs.

- (a) In addition to the requirements under state law applicable to the owner of a dangerous dog, the owner of a dangerous dog shall also comply with the following:
 - (1) Register the dangerous dog with the animal control department;
 - (2) Restrain the dangerous dog at all times on a leash in the immediate physical control of a person or in a secure enclosure, and post signs on all sides of the enclosure in one-inch letters warning of the presence of a dangerous dog;
 - (3) Further secure the dangerous dog with a muzzle in a manner that will not cause injury to the dog nor interfere with its vision or respiration, but shall prevent it from biting any person or dog when the dangerous dog is taken off the property of the owner for any reason;

- (4) Obtain and maintain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person or dog and provide proof of the required liability insurance coverage or financial responsibility to the animal control department;
 - (5) Provide the dangerous dog with a fluorescent yellow collar visible at 50 feet in normal day light so that the dog can be identified and affix the registration tags to the collar to be worn at all times;
 - (6) Spay or neuter the dangerous dog;
 - (7) Have the dangerous dog microchipped for its lifetime with a national registry, and present proof to the animal control officer. The cost of this service shall be at the owner's expense; and
 - (8) Comply with any other restriction or requirement of the animal control officer or the municipal court.
- (b) If the owner or person having care, custody or control of a dangerous dog fails to remove a dog ordered to be removed by the municipal court, such dog may be impounded and humanely destroyed by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended.
 - (c) The owner or person having care, custody or control of a dangerous dog must report the disposition and relocation of such dog to the chief of police in writing, within ten days after the expiration date for removal of such dog from the city. Each day thereafter such information is not provided shall constitute a separate offense.
 - (d) The chief of police or his deputy shall be authorized to obtain a search and seizure warrant if there is reason to believe that a dog ordered removed from the city for being dangerous has not been so removed.

Sec. 14-12. Bird sanctuary.

- (a) The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary.
- (b) ~~It shall be unlawful for any person to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nests or wild fowl nests; provided, however, The Migratory Bird Treaty Act (MBTA) prohibits the taking (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service. This shall include all indigenous wild avian species except common pigeons, European starlings and house sparrows. if~~ starlings or similar unprotected birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or a menace to health or property in the opinion of the chief of police, his designated agent or proper health authorities, such birds may be destroyed in such numbers and in such manner as is deemed advisable by ~~the city-designated veterinarian~~ permitted pest control agent under the supervision of the chief of police.
- (c) It shall also be a violation and separate offense under this chapter for anyone owning, harboring or having any pet animal under their care, custody or control to allow said pet to intentionally or by failing to secure and control said animal to: kill, attack, bite or injure any bird protected by the MBTA or any other wild animal protected by State or federal law.

Sec. 14-13. Keeping horses and similar animals.

~~All horses, mules, jacks, jennets, or similar animals shall be kept in a stable, shed, pen or other enclosure. Such stable, shed, pen or other shall be at least 100 feet from every adjoining lot and at least 50 feet from every building or structure used for sleeping, dining, or living. This section shall not apply to such animals trailered into the city on a temporary basis not to exceed eight hours, nor shall it apply to such animals entered in a special event (rodeo, circus, etc.) for the period during which such event is held.~~

- (a) All equine shall be provided shelter in the form of a shed, barn or covered stall which shall not be within 50 feet of any home or structure used for sleeping, dining or living. This shelter shall be a minimum of 100 square feet per equine (10'x10' or similar) and tall enough that the equine can comfortably raise their heads

without making contact with the roof. The perimeter fence around the property shall be a minimum of 4 strands of barbed wire or 4' tall welded or net style fencing erected according to industry standards for such enclosures and in such manner as to avoid escape or injury to subject equine and shall be maintained in good repair.

(b) No equine may be tied out on a lead rope, other rope, lariat or similar device.

(c) This section shall not apply to equine temporarily in the City for a period not to exceed 8 hours nor shall it apply to animals involved with special events such as horse shows, rodeos, parades or circuses for the period of time such event is held.

Sec. 14-14. Horses on streets.

It shall be lawful for a person to lead or ride a horse, mule, jack, jennet or similar animal upon the streets of the city, so long as such person obeys all traffic laws and lawfully removes all waste material created by such animal. However, it shall be unlawful for any person acting under the provisions of this section in a manner that would create a public safety risk. Nothing in this section shall be construed as to permit the use of and/or access to the private property of another.

Sec. 14-15. Beekeeping.

- (a) A person may not keep a colony that causes a threat to human or animal health, or interferes with normal use and enjoyment of public or private property.
- (b) A person shall keep a colony in a man-made hive that is maintained in sound and usable condition.
- (c) A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by a human, bird, or domestic pet.
- (d) A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building, or other beeproof enclosure.
- (e) A person who keeps a colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line. A person is not required to construct a flyway barrier if the apiary tract is adjoined by undeveloped property for a distance of at least 25 feet from the property line of the tract that is closest to location of the colony.
- (f) A person shall immediately replace the queen in a colony that exhibits aggressive characteristics, including stinging or attempting to sting without provocation, or a disposition towards swarming. A person required to replace a queen under this subsection shall select the replacement from bee stock bred for gentleness and non-swarming characteristics.
- (g) A person may not keep more than:
 - (1) Two colonies on a tract one-quarter-acre or smaller;
 - (2) Four colonies on a tract larger than one-quarter-acre but smaller than one-half-acre;
 - (3) Six colonies on a tract one-half-acre or more but smaller than one-acre;
 - (4) Eight colonies on a tract one-acre or more.
- (h) A person shall brand, paint, or otherwise clearly mark the apiary owner's name or telephone number on at least two hives placed at opposite ends of an apiary; or post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract. A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.
- (i) No person may remove a colony without possessing a bee removal permit issued by a person authorized to issue such a permit in accordance with state law.

- (j) The city may order relocation of a colony of bees not residing in a hive, a swarm of bees, or a colony residing in an abandoned standard or man-made hive if the relocation of the bees can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property. If the city determines that relocation of bees under is not possible then, without notice and a hearing, the health authority may order destruction of a colony of bees not residing in a hive, a swarm of bees, or a colony residing in an abandoned standard or man-made hive.

Sec. 14-16. Animals in heat.

Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding or under direct supervision of the owner.

Sec. 14-17. Animal waste removal.

- (a) An owner of a dog commits an offense if he knowingly permits, or by insufficient control allows, the dog to defecate in the city on private property or on property located in a public place.
- (b) An owner of a dog commits an offense if he:
 - (1) Knowingly permits the dog to enter or be present on private property or on property located in a public place; and
 - (2) Fails to have in his possession materials or implements that, either alone or in combination with each other, can be used to immediately and in a sanitary and lawful manner both remove and dispose of any excreta the dog may deposit on the property.
- (c) It is a defense to prosecution under subsection (a) that the owner of the dog immediately and in a sanitary and lawful manner removed and disposed of, or caused the removal and disposal of, all excreta deposited on the property by the dog.
- (d) It is a defense to prosecution under subsection (a) or (b) that:
 - (1) The property was owned, leased, or controlled by the owner of the dog;
 - (2) The owner or person in control of the property had given prior consent for the dog to defecate on the property; or
 - (3) The dog was a service dog being used in official law enforcement activities.
- (e) This section does not apply to a service dog that is specially trained to assist a person with a disability and that was in the custody or control of that disabled person at the time it defecated or was otherwise present on private property or on property located in a public place.

Sec. 14-18. Sale of animals.

- (a) A person commits an offense if he sells, trades, exchanges, barter, rents, leases, or gives away, or offers to sell, trade, exchange, barter, rent, lease, or give away, any animal on any roadside, public right-of-way, commercial parking lot, or at any flea market or festival.
- (b) A person commits an offense if he displays for a commercial purpose any animal on any roadside, public right-of-way, commercial parking lot, or at any garage sale, flea market, or festival.
- (c) It is a defense to prosecution under subsections (a) and (b) that the person is:
 - (1) Animal services;
 - (2) An animal adoption agency; or
 - (3) A non-profit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals.

Sec. 14-19. Feeding of stray animals prohibited.

- (a) A person commits an offense if he knowingly places or permits the placement of food on any public or private property so that it is accessible to a stray animal.
- (b) It is a defense to prosecution under this section that the food was placed for the sole purpose of apprehending an animal for surrender to an animal control officer or humane organization.

(C) Stray animals may be fed for purposes of trapping “only” if coordinated directly with Animal Control.

Sec. 14-20. Animal care; cruelty.

- (a) No owner shall fail to provide his animals with sufficient good and wholesome food and water, proper protection from the weather, veterinary care, shelter, shade, when needed to prevent suffering, and with humane care and treatment.
- (b) No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal, including a wild animal, or cause, instigate or permit any combat between animals and humans or another animal.
- (c) No owner of an animal shall abandon such animal.
- (d) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner; if the owner cannot be ascertained and located, such operator shall at once report the accident to the police department.
- (e) If an animal is found in an enclosed vehicle without adequate ventilation and is in distress, an animal control officer, police officer, or personnel of the fire department may use reasonable force to remove the animal from the vehicle and the owner of the animal shall be subject to fine. Neither the city nor any of its employees will be held responsible for any damage done to the vehicle during the attempt to remove the animal from the vehicle.
- (f) No owner of an animal shall place such animal on vacant or abandoned property. If an animal is found on vacant or abandoned property, the animal control officer may remove and impound the animal on a 72-hour hold.

Sec. 14-21. Tying and staking.

- (a) It shall be unlawful to tie or stake any animal unless:
 - (1) The tying or staking is accomplished by providing an overhead cable onto which is attached a lead or leash that allows the animal to be free to travel unrestricted between the extreme terminations of the overhead cable and the lead or leash is of sufficient length to allow the animal to move about laterally from the overhead cable without the possibility of strangulation but not so long to allow it to wrap around or become entangled on any obstacles that may restrict the movement of the animal; or
 - (2) The at-grade tying and staking systems include posts or rod stakes with 360-degree swivels to which the lead is attached and cable hoop and lead wherein the lead is free to slide 360 degrees around the cable hoop which is placed around a tree or fixed post and without the possibility of strangulation but not so long to allow it to wrap around or become entangled on any obstacles that may restrict the movement of the animal.
- (b) Within the range of travel of the lead or leash, the animal shall be provided ready access to water, food, shade, and shelter.

Section 14-22: Pet Limits

It shall be unlawful and a public nuisance to keep, harbor, possess, maintain or allow to be kept, harbored, possessed or maintained more than five (5) dogs or five (5) cats or a combination thereof, with the total number not exceeding five (5), over three (3) months old, upon or within any premises owned, occupied or under the control of such person within the city..

(a) Grandfather clause: Citizens currently having more than the 5 dog/cat limit may receive a one-time exemption, by providing information to be retained at the animal impound. The following is the required information for all pets to be excluded from this limit:

- _____ (1) Owner's name and address
- _____ (2) Pet's name
- _____ (3) Pet's description, color, gender, breed if known and approximate weight
- _____ (4) Pet's microchip number
- _____ (5) Copy of current rabies vaccination certificate
- _____ (6) Proof of spay/neuter

(b) Citizens wishing to invoke grandfather status on the 5 dog/cat limit are responsible for providing the required information to animal Impound staff before January 1st, 2026.

(c) Exempt from this section are active and operational veterinary clinics, grooming businesses, training or boarding facilities and incorporated animal welfare and rescue organizations at their primary address and place of business.

Section 14-23: Unaltered Dogs and Cats

If more than twice within a year, any cat or dog is found running at large the cat or dog will be required to be spayed or neutered. All outdoor cats must be spayed or neutered.

Section 14-24: Breeder Animal Permit

(a) All persons owning unaltered dog or cats over the age of six (6) months or who are selling, exchanging, or bartering animals pursuant are required to maintain a valid Breeding Animal Permit issued by the animal services manager.

For the purpose of this section, the term "animal" shall include only dogs and cats. Permits are valid for one year and must be renewed annually for the lifetime of the unaltered animal or until the owner shows proof that the animal has been altered. The annual breeders permit fee applied per unaltered animal is provided in Appendix B. A breeder's permit may not be issued if the applicant is found to be in violation of any city ordinance or state law or regulation governing the care, treatment or living conditions of dogs or cats including animal cruelty, abuse or neglect.

- (1) Reduced cost Breeding Permits are available for purebred pets, per year. To qualify for the reduced cost purebred pets permit, pets must be:
 - (a) microchipped
 - (b) registered with the AKC, CKC, CFA or similar purebred registries
 - (c) have received registration club champion status or be actively competing in performance or conformation classes.

The animal services manager or designee may inspect the premises before issuing a permit if he/she deems it advisable.

(b) It shall be unlawful for:

- (1) Any person to sell, exchange, or barter any animal to another person without a breeder's permit;

(2)Any person to sell, exchange, or barter any animal that is not vaccinated and registered as required by this chapter;

(3)Any person to fail to provide evidence of compliance with this section to a recipient of an animal at the time of the transfer of the animal;

(4)Any person to fail to provide his breeder's permit number to any person that purchases or adopts an animal.

(c)Animal services shall have the right, upon reasonable suspicion of a violation of city ordinance or state statute or regulation that regulates the care, treatment or living conditions of cats or dogs, to inspect the premises (indoor or outdoor) of an applicant or holder of a breeder's permit to ensure compliance with city ordinances and state statutes and regulations. Any holder of a breeder's permit found to be in violation of any city ordinance or state statute that regulates the care, treatment or living conditions of cats or dogs or that repeatedly drops unsold or unwanted animals at the shelter may have his permit suspended or revoked without prior notice by the animal services manager.

Section 14-25: Microchipping

(a) The owner of a dog or cat six months of age shall be microchipped or wear an ID tag (separate from a rabies tag) that includes the pet's name, owner name and owner phone number.

(b) A dog or cat without a microchip/ID tag shall not be released from the animal shelter until the owner signs an agreement which requires the owner to prove the animal has been microchipped or ID tagged.

Secs. 14-~~22~~26—14-40. Reserved.