

**ORDINANCE 201 2-O-06D**  
**ANIMAL SERVICES ORDINANCE**

**Sec. 6.02.001 Vaccination required**

Every owner of a dog or cat over four (4) months of age shall have such animal vaccinated against rabies, in compliance with applicable state law. Any person establishing residence within the city shall demonstrate compliance with this requirement within ten (10) days of establishing residency. If an unvaccinated dog inflicts a bite, scratches, or otherwise attacks any person within the city limits, a rabies vaccine shall not be administered to the dog until that animal is released from quarantine.

**Sec. 6.02.002 Certificate of vaccination**

Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog or cat, as evidence thereof, a certificate of vaccination. The veterinarian shall retain a duplicate copy of the certificate and one copy shall be provided to the owner. The vaccination certificates shall contain all information required by state law, including but not limited to the following information:

- (1) The name, address and telephone number of the owner of the vaccinated dog or cat;
- (2) The date of vaccination;
- (3) The type of rabies vaccine used;
- (4) The year and number of the rabies tag provided to the owner; and
- (5) The breed, age, color and sex of vaccinated dog or cat.

**Sec. 6.02.003 Rabies tag**

Concurrent with the issuance and delivery of the certificate of vaccination, the owner of the vaccinated dog and/or cat shall cause to be attached to the collar or harness of the vaccinated animal a metal tag, serially numbered to correspond with the vaccination certificate number and bearing the year of issuance of the certificate of vaccination.

**Sec. 6.02.004 Registration tag and collar**

Upon payment of the annual registration fee, where applicable, the city shall issue to the owner a registration certificate and metal tag having stamped the number corresponding with the number of the certificate. Such tag shall at all times be securely attached to a collar or harness around the neck of the registered animal. In case a tag is lost, a duplicate will be issued by the city police department, or its designee, upon presentation of the receipt showing the payment of the registration fee. Tags shall not be transferable from one animal to another, and no refunds shall be made. In lieu of wearing a registration tag and collar, the owner of an animal may satisfy such requirement if the animal is identifiable through a surgically implanted microchip.

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**Sec. 6.02.006    Revocation of registration**

(a) The director of animal services or his/her designee may revoke any cat or dog registration, after an informal hearing held by the director or his designee, for any one or more of the following reasons:

(1) Impoundment of a cat or dog by the city two (2) or more times during any twelve (12) month period;

(2) Two (2) or more convictions of a person for any violation of this chapter, when such convictions relate to the cat or dog that is being considered for revocation of its registration;

(3) Any combination or subsections (a)(1) and (a)(2) of this section, totaling three (3) incidents or more, over any period of time.

(b) Upon revoking the registration of any cat or dog, the animal services department shall notify the owner of the cat or dog of such action in writing. Written notification shall be deemed made when a certified letter, return receipt requested, addressed to the last known mailing address of the cat's or dog's owner, is deposited in the U.S. mail.

(c) Upon the expiration of ten (10) calendar days after written notification of revocation is deposited in the U.S. mail, as provided above, the cat or dog that has had its registration revoked shall no longer be kept, maintained or harbored within the city's corporate limits, and each 24-hour period that an animal with a revoked registration remains in the city shall constitute a separate violation of this article.

(d) Upon revocation of a registration, an owner of the animal with the revoked registration shall notify the animal services department of the location to which the animal is being removed outside of the municipal limits.

(e) An animal owner may appeal the decision of the director of animal services to revoke a registration of a dog or cat as a result of the informal hearing held by the director or his designee, by writing and requesting that the decision be appealed to and reviewed by the city manager or his designee. The city manager's decision may be appealed by the owner to the municipal court of the City of Marble Falls within 15 days of the city manager's decision. The municipal court shall consider the relevant issues *de novo*.

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**Sec. 6.02.007 Enforcement**

- (a) While primary enforcement duties rest with animal control officers, the provisions of this chapter may be enforced by peace officers, code enforcement officers and such other persons as are designated by the city.
- (b) It shall be unlawful for any person to interfere with, obstruct, resist or oppose any person authorized to enforce the provisions of this chapter.
- (c) In the enforcement of this chapter, any person authorized to enforce the provisions of this chapter shall have the authority to tranquilize, trap or shoot any animal to protect themselves, to protect a third person or to protect another animal from attack or threat of imminent injury or to prevent such animal from enduring further pain or suffering as a result of disease or injury.
- (d) Any person authorized to enforce the provisions of this chapter shall have the right to pursue and apprehend an at-large dog, cat, livestock or other animal considered a nuisance onto private property without first requesting permission from the owner of the property before entering the property or without obtaining a search warrant.
- (e) Any peace officer or animal control officer is empowered to demand the exhibition by the owner of an animal's current vaccination information and/or the registration for such animal, in accordance with the provisions of this article.
- (f) The owner of each animal located within the city is required to produce the registration and current vaccination information for each animal in his ownership, possession or control, upon demand by an animal control officer or peace officer. Failure to do so will result in enforcement of this code, as set forth herein.
- (g) It is further provided that any agent of the animal control officer, based upon a warrant, or after gaining lawful permission, may enter upon the premises where any animal is kept or harbored in a reportedly cruel or inhumane manner and demand to examine such animal, and to take possession of such animal, when in his opinion, it requires humane treatment, and humanely destroy such animal upon the recommendation of a veterinarian. The seizure and/or subsequent destruction of the animal shall be done only by obtaining lawful permission, or by obtaining a warrant for such purposes.

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**Sec. 6.02.008 Annual Registration and fees**

(a) Registration tag required. No person shall own, keep or harbor a dog and/or cat over the age of four (4) months within the city, unless a registration has been obtained for the dog and/or cat owned.

(b) Administration of registration and registration tag. The city will furnish registration(s) as provided for herein. Registration(s) shall be available at the following locations:

(1) The city police department; and

(c) Application. Written application(s) for dog and/or cat registration(s) shall be made upon a printed application form provided by the city and shall state the name and address of the owner of the dog(s) and/or cat(s), and the name, breed, color, age and sex of each dog and/or cat being registered. Applications may be obtained at the locations provided for above in subsection (b) of this section.

(d) Conditions for registration. Dog and/or cat registration tag(s) shall be issued upon payment of a registration fee and upon presentation of a rabies certificate issued by a licensed veterinarian showing that such vaccination was given in compliance with state law.

(e) Registration fee and terms of registration.

(1) If the owner presents documentation prepared and signed by a veterinarian licensed by the state which demonstrates that the dog and/or cat to be registered has been altered, the annual fee for such registration shall be set by the city council, and is as shown in the animal registration fee schedule maintained by the city secretary and as set forth in section A6.02.008 of the fee schedule in Appendix A to this code;

(2) Owners of an unaltered dog(s) and/or cat(s) shall be required to file an application for a new registration for the dog(s) and/or cat(s), each year. The annual fee for such registration shall be as set by the city council, and is as shown in the animal registration fee schedule maintained by the city secretary and as set forth in section A6.02.008 of the fee schedule in Appendix A to this code;

(3) No registration fees shall be due or paid for any dog and/or cat that is owned by a citizen 65 years of age or over, if such animal is altered. The annual fee for unaltered animals owned by citizens 65 years of age or over shall be set by the city council, and is as shown in the animal registration fee schedule maintained by the city secretary and as set forth in section A6.02.008 of the fee schedule in Appendix A to this code.

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**Sec. 6.02.009 Nonresident owners**

Registration requirements set out herein do not apply to nonresidents in transit within the corporate city limits possessing, keeping or harboring domestic dogs or cats, provided such animals shall not be kept or harbored within the city limits longer than thirty (30) consecutive days, and that the animals are kept under restraint as provided herein.

**Sec. A6.02.008 Registration fees**

Altered dog / cat: \$10.00

- (a) 65 years and over: \$0.00

Unaltered dog / cat: \$20.00 per animal, per year.

- (a) 65 years and over: \$20.00

Service Animals: \$0.00