

ORDINANCE 90-01

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TURKEY, TEXAS:

Article 1: Dogs, . Cats. and Other Animals

Sec. 2-1- Definitions:

As used in this article, the following terms mean:

(1). OWNER; Any person, group of persons, or corporations owning, keeping or harboring a dog, cat or cats or dogs.

(2). KENNEL: Any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling or boarding dogs or cats.

(3). AT LARGE: Any dog or cat shall be deemed to be at large if it is off the property of its owner and not under control of a competent person.

(4). RESTRAINT: A dog or cat is under restraint within the meaning of this article if it is controlled by a leash, at "heel" beside a competent person and obedient to that person's commands, on or within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper.

(5). SPAYED FEMALE: Any bitch which has been operated upon to prevent conception.

(6). ANIMAL SHELTER: Any premises designated by action of the City for the purpose of impounding and caring for animals found running at large in violation of this article.

(7). ANIMAL CONTROL COMMITTEE: The provisions of this article shall be enforced by the Animal Control Committee. The Animal Control Committee shall consist of the Hall County Law Enforcement, The City council members, and Animal Control Officer of the City of Turkey, Texas.

(8). ENFORCEMENT OFFICER: The Hall County Law Enforcement and the Animal Control Officer directs shall conduct the enforcement of this article.

(9). EXPOSED TO RABIES: A Dog or cat or person has been exposed to rabies within the meaning of this article if it has been bitten by or been exposed to, any animal known to be have been infected with rabies.

(10). DOG: Canis familiarus.

(11). CAT: Felis catus.

(12); STRAY: Any dog or cat moving free without any physical

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restraint beyond the premises of its owner and/or keeper.

Sec. 2-2- Restraint....

A. The owner shall keep his dog or cat under restraint at all times and shall not permit such dog or cat to be at large, off the premises or property of the owner, unless under the control of a competent person.

B. Each stray dog or cat within the boundaries of the city limits of the City of Turkey, Texas is hereby declared to be a public nuisance.

Sec. 2-3 Impoundment.

A. Each unrestrained dog or cat found running at large off the premises of the owner and/or keeper shall be taken up by the agents of the Animal Control Committee, and impounded in the shelter designated by said committee, and there confined in a humane manner for a period of not less than three days, and may thereafter be disposed of in a humane manner if not claimed by their owners in the manner prescribed herein. Dogs and cats not claimed by their owner in such manner before the expiration of three days, shall become the property of the Animal Control Committee of the City of Turkey, Texas, and be disposed of at the discretion of said authority, except as hereinafter provided in the cases of certain dogs and cats.

B. When stray dogs or cats are found running at large, and their ownership is known to the agents of the Animal Control Committee, such dogs or cats need not be impounded, but the agent, at his or her discretion, cite the owners of such dogs or cats to pay a fine of violation of this article.

C. Immediately upon the impounding of dogs, cats, or other animals, the agents of the Animal Control Committee shall make reasonable effort to notify the owners of such dogs, cats or other animals so impounded, and to inform such owners of the conditions whereby they may regain custody of such animals.

D. Animals other than dogs and cats shall be impounded when found running at large within the city limits and disposed of in accordance with the law..

Sec.2-4. Redemption of impounded animals.

A. The owner shall be entitled to resume possession of any impounded dog or cat and the payment of impoundment fees set forth herein

B. Any other animal impounded under the provisions of this article may be reclaimed by the owner upon the payment of impoundment fees set forth herein.

C. Any animal impounded under the provisions of this article and not reclaimed by its owner within three days, may be humanely destroyed by the Animal Control Committee.

Sec.2-5- Impoundment Fees.

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Any animal impounded hereunder may be reclaimed as herein provided upon the payment by the owner to the Animal Control Committee of the sum of \$5.00 for each animal. Such fee to double with each impounding event concerning said animal. Impoundment fees set forth herein shall be collected for the City of Turkey, Texas and such additional sums as herein provided for keeping animals, shall be collected by the Animal Control Committee and retained by it to help defray the costs of keeping such animals beyond the period set forth herein.

Sec. 2-6 Confinement of certain dogs and other animals.

A. The owner shall confine within a building or secure enclosure, every fierce, dangerous, or vicious dog, and not take such dog out of such building or secure enclosure unless such dog is securely muzzled.

B. Every female dog or cat in heat shall be kept confined in a building or secure enclosure, or in premises overseen by a veterinarian or boarding kennel, in such manner that such female dog or cat cannot come in contact with another animal, except for breeding purposes.

C. No wild animals may be kept within the city limits, except under such conditions as shall be fixed by the Animal Control Committee; provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos, educational institutions, and parks under the control of the City of Turkey, Texas, in accordance with such regulations as shall be established by the Animal Control Committee..

D. Any animal described in the foregoing subsections of Section 2-6 of this article, found at large, shall be impounded by the Animal Control Committee, and may not be redeemed by owners unless such redemption is authorized by any court having jurisdiction.

E. Any dog, cat or other animal, impounded for being a public nuisance may not be redeemed unless such redemption is authorized by any court having jurisdiction.

F. When in the judgment of the Animal Control Committee or its agent, an animal should be destroyed for humane reasons, such animal may not be redeemed.

Sec. 2-7-Rabies Control.

A. The City Council of the City of Turkey, Texas hereby adopts in its entirety Article 4477 6a, Vernon's Texas Civil Statutes, styled "Rabies Control Act of 1981", as amended and repeated below as follows:

**Rabies Control Act of 1981  
Article 4477-6a, Vernon's Texas Civil Statutes**

**SUBCHAPTER A. GENERAL PROVISIONS**

**Section 1.01**

**Short title**

This Act is known and may be cited as the "Rabies Control Act of 1981."

**Section 1.02**

**Purpose of Act**

The purpose of this Act is to establish a minimum statewide program to control and eradicate rabies in the State of Texas. This program shall be administered by the Texas Board of Health with the cooperation of the governing bodies of the counties and incorporated municipalities within the state.

**Section 1.03**

**Definitions**

In this Act the following terms have the meanings indicated.

- (1) "Animal" means a warm-blooded animal.
- (2) "Board" means the Texas Board of Health.
- (3) "Cat" means felis catus.
- (4) "Commissioner" means the Commissioner of Health.
- (5) "Department" means the Texas Department of Health.
- (6) "Dog" means canis familiaris.
- (7) "Epizootic" means the occurrence in a given geographic area or population of cases of a disease clearly in excess of the expected frequency.
- (8) "Person" means an individual, corporation, government or governmental subdivision, or agency, business trust, estate, trust, partnership, association, or any other legal entity.
- (9) "Quarantine" means strict confinement under restraint by closed cage or paddock or in any other manner approved in a rule of the board of animals specified in an order of the board or its designee on the private premises of the owner or at a facility approved by the board or its designee.
- (10) "Rabies" means an acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite.
- (11) "Stray" means any animal running free with no physical restraint beyond the premises of owner and/or keeper.
- (12) "Licensed veterinarian" means a veterinarian licensed to practice veterinary medicine in one or more of the 50 states.

**SUBCHAPTER B. GENERAL POWERS AND DUTIES OF THE BOARD;  
GENERAL POWERS AND DUTIES OF MUNICIPAL AND  
COUNTY GOVERNMENTS**

**Section 2.01**

**General powers and duties of the board**

- (a) The board or its designee shall administer the control program established by this Act.
- (b) The board or its designee may enter into contracts and/or agreements with other entities, governmental or private, to carry out the provisions of this Act. The contracts and/or agreements may provide for payment by the state for materials, equipment, and services.
- (c) The board or its designee may seek, receive, and expend any funds received through appropriations, grants, donations, or contributions from public or private sources for the purpose of the control program established by this Act subject to any limitations or conditions prescribed by the legislature.
- (d) The board or its designee may impose an area quarantine to prevent or contain a rabies epizootic in accordance with procedures established in Section 3.09 of this Act.
- (e) The board or its designee may compile, analyze, publish, and distribute information relating to the control of rabies for the education of physicians, veterinarians, public health personnel, and the general public.
- (f) The board shall adopt the rules necessary for the effective administration of the provisions of this Act.

## Section 2.02

### General powers and duties of municipal and county governments

- (a) The governing body of an incorporated municipality or the commissioners court of a county may adopt the provisions of this Act and the standards established by the board; or
- (b) As provided in Section 3.01 of this Act the governing body of an incorporated municipality or the commissioners court of a county may adopt ordinances and/or rules which establish local control programs and set local standards which are compatible with and equal to or more stringent than the program established by this Act and the rules adopted by the board, including but not limited to ordinances and rules which require the registration and/or restraint of each dog or cat found within the respective jurisdictions.
- (c) The governing body of each incorporated municipality and the commissioners court of each county shall designate an officer to act as a local health authority for the purposes of this Act as provided in Section 3.02 of this Act.
- (d) The governing body of each incorporated municipality and the commissioners court of each county may enter into contracts and/or agreements with other entities, governmental and private, to carry out the activities required of them or permitted by them under the provisions of this Act.

## SUBCHAPTER C. IMPLEMENTATIONS OF RABIES CONTROL

### Section 3.01

#### Development and application of control provisions and standards

Except as specifically provided for in Section 3.09 of this Act:

- (a) The provisions of this Act and/or the rules adopted by the board under the authority of this Act are the minimum standards for rabies control in this state.
- (b) The provisions of this Act and/or the rules adopted by the board do not prohibit the adoption by the commissioners court of a county of ordinances and/or rules establishing requirements for rabies control in the county which are compatible with and equal to or more stringent than the provisions of this Act and the rules adopted by the board. Such county ordinances and/or rules shall supersede the provisions of this Act and the rules of the board within the county of their adoption so that dual enforcement will not occur.
- (c) The provisions of this Act, the rules adopted by the board, and the ordinances and/or rules adopted by the commissioners court of a county do not prohibit the adoption by the governing body of an incorporated municipality located within the county of ordinances and/or rules which are compatible with and equal to or more stringent than the ordinances and rules adopted by the county and the provisions of this Act and the rules adopted by the board. Such municipal ordinances and/or rules shall supersede those of the county and the provisions of this Act and the rules of the board within the corporate limits of the municipality so that multiple enforcement will not occur.

### Section 3.02

#### Designation of local health authorities

The commissioners court of each county and the governing body of each city or town shall designate one officer to act as the local health authority for the purposes of this Act. The officer designated may be the county health officer, municipal health officer, animal control officer, peace officer, or any entity that the commissioners court or governing body considers appropriate, except as restricted by rule of the board. The duties of the local health authority shall include but are not limited to the enforcement of:

- (1) the provisions of this Act and the rules of the board which comprise the minimum standards for rabies control;
- (2) the ordinances and/or rules of the local jurisdiction (municipality or county) in which he serves; or
- (3) the rules adopted by the board under the area quarantine provisions of Section 3.09 of this Act.

### **Section 3.03**

#### **Reports of exposure to rabies**

- (a) A person having knowledge of an animal bite or scratch to an individual that the person could reasonably foresee as capable of transmitting rabies or of an animal that the person suspects is rabid shall report the incident or animal to a local health authority of the county or the city or town in which the person lives, in which the animal is located, or in which the exposure occurs. The report shall include the name and address of any victim and of the owner of the animal, if known, and any other data which may aid in the locating of the victim or the animal.
- (b) The owner of an animal that is reported to be rabid or to have exposed an individual or that the owner knows or suspects to be rabid or to have exposed an individual shall submit the animal for quarantine to the local health authority of the county or the city or town in which the exposure occurred.
- (c) The local health authority shall investigate all reports filed under this section.

### **Section 3.04**

#### **Quarantine of animals**

- (a) The local health authority shall quarantine or test in accordance with rules adopted by the board any animal that the local authority has probable cause to believe may have exposed a person to rabies.
- (b) The board shall adopt rules governing the testing of quarantined animals, the procedure for and method of quarantine, and the types of facilities that may be used for quarantine.
- (c) In accordance with the rules of the board, a local health authority may contract with one or more public or private entities for the purpose of providing and operating a quarantine facility.
- (d) If it is determined by a veterinarian that a quarantined animal shows the clinical signs of the disease of rabies, the local health authority shall humanely destroy the animal. If an animal dies or is destroyed while in quarantine, the local health authority shall remove the head or brain of the animal and submit it to the nearest Texas Department of Health laboratory for testing.
- (e) If a veterinarian determines that a quarantined animal does not show the clinical signs of a rabies, the local health authority shall release it to the owner following the quarantine period if:
  - (1) the owner has an unexpired rabies vaccination certificate for the animal; or
  - (2) the animal is vaccinated against rabies by a licensed veterinarian at the owner's expense.
- (f) The owner of an animal that is quarantined under this Act shall pay to the local health authority the reasonable costs of the quarantine and disposition of the animal, and the local health authority may bring suit to collect those costs. The local health authority may sell and retain the proceeds or keep, grant, or destroy an animal that the owner or custodian does not take possession of on or before the third day following the final day of the quarantine.

### **Section 3.05**

#### **Vaccination of dogs and cats required**

- (a) Except as otherwise provided by rule of the board, the owner of each dog or cat shall have the dog or cat vaccinated against rabies by the time the dog or cat is four months of age and at regular intervals thereafter as prescribed by rule of the board.
- (b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the owner of the animal a vaccination certificate in a form which meets the minimum standards approved by the board.
- (c) No county, city, or town may register or license an animal that has not been vaccinated in accordance with this section.

### Section 3.06

#### Use and sale of rabies vaccine for animals restricted

- (a) To prevent improper vaccination of animals against and the accidental exposure of humans to rabies, rabies vaccine for animals shall be administered only by or under the direct supervision of a veterinarian. A veterinarian may not administer or directly supervise the administration of rabies vaccine in this state unless the person is licensed under Texas law to practice veterinary medicine or unless the person is practicing veterinary medicine on an installation of the armed forces or National Guard.
- (b) No person may sell or distribute rabies vaccine for animals to any person except a licensed veterinarian or to a person working in a veterinary clinic who accepts the vaccine on behalf of the veterinarian.
- (c) This Act does not prohibit a pharmacy licensed by the Texas State Board of Pharmacy from supplying rabies vaccine for animals to a licensed veterinarian.

### Section 3.07

#### Registration of dogs and cats by municipal and county governments

Fees for Registration.

- (a) Subject to the limitation contained in Subsection (b) of this section, the governing body of an incorporated municipality and the commissioners court of a county may enact ordinances and/or adopt rules to require the registration of each dog and cat within the respective jurisdiction of the municipality or the county.
- (b) No dog or cat shall be subject to dual registration and the priority of registration enforcement shall be governed by the provisions of Section 3.01 of this Act.
- (c) The enforcement agency may collect a fee set by ordinance for the registration of each dog and/or cat and such fees shall be retained by the enforcement agency to be used only to help defray the expense of the administration of the provisions of this Act or the ordinances and/or rules of the enforcement agency within the area of its jurisdiction.

### Section 3.08

#### Restraint of dogs and cats of municipal and county governments:

##### Impoundment charges: Disposition of stray animals

- (a) Subject to the limitation contained in Subsection (b) of this section, the governing body of an incorporated municipality and the commissioners court of a county may enact ordinances and adopt rules including but not limited to ordinances and rules to require that within the respective jurisdiction of the municipality or the county
  - (1) each dog or cat be restrained by its owner;
  - (2) each stray dog or cat be declared a public nuisance;
  - (3) each unrestrained dog or cat be detained or impounded by the local health authority or that officer's designee;
  - (4) that each stray dog or cat be impounded for a period to be set by ordinance or rule;
  - (5) that a humane disposition be made of each unclaimed stray dog or cat upon the expiration of the required impoundment period.
- (b) No jurisdiction shall be subject to dual restraint ordinances and rules, and in the extent of dual provisions the priority of enforcement shall be governed by the provision of Section 3.01 of this Act.
- (c) The enforcing agency may adopt an ordinance setting charges for the impoundment and board provided to any dog or cat during the retention period to be paid by the owner before release of the animal. Such charges shall be deposited in the treasury of the enforcing agency and shall be used only to help defray the expense of the administration of this Act or the ordinances and rules of the enforcement agency within the area of jurisdiction.
- (d) The board shall adopt rules establishing the minimum acceptable standards for impoundment facilities and for the care of impounded animals.

### **Section 3.09**

#### **Declaration of area quarantine**

- (a) If rabies is known to exist within an area, the board or its designee may declare an area rabies quarantine.
- (b) Upon the declaration that a quarantine exists, the board shall:
  - (1) define the borders of the area quarantined;
  - (2) adopt permanent or emergency rules in accordance with the applicable provisions of the Administrative Procedure and Texas Register Act, as amended (Article 6252-13a, Vernon's Texas Civil Statutes). These rules may include but are not limited to rules setting forth conditions for the restraint of carnivorous animals and the transporting of carnivorous animals into and out of the quarantine area.
- (c) The area quarantine shall remain in effect for 180 days following the last case of rabies diagnosed in a dog or cat, or other animal species responsible for declaration of the area quarantine, unless removed prior to that date by declaration by the board or its designee.
- (d) When the board employs the area quarantine procedures, the rules adopted by the board shall supersede all other applicable ordinances and/or rules applying to the quarantine area until the quarantine is removed by declaration of the board or its designee or until such time as the rules expire or are revoked by the board.

### **Section 3.10**

#### **Provision of vaccines and sera by department**

Depending upon resources available, the department is authorized to provide vaccines and hyper-immune sera for the use and benefit of persons exposed, or suspected of exposure, to rabies, in accordance with policies or procedures established by the board. The department shall have the right to be reimbursed for actual costs incurred in the providing of such vaccines and sera by or on behalf of the persons receiving same, in accordance with rules, regulations, and eligibility standards established by the board. Upon the written request of the department, such claim for reimbursement may be collected by suit or other proceedings in the name of the State of Texas by the county or district attorney, or the attorney general, in the county of the residence of the recipient, against the recipient or the parent, guardian, or other person or persons legally responsible for the support of the recipient, or against responsible third-parties.

## **SUBCHAPTER D. PROCEDURAL REQUIREMENTS**

### **Section 4.01**

#### **Inspections**

Employees of the department, upon the presentation of appropriate credentials to the local health authority or his designee, may make a reasonable inspection at a reasonable hour of any quarantine facility or impoundment facility to determine if such facilities comply with the minimum standards for such facilities adopted by the board.

### **Section 4.02**

#### **Hearings**

A person aggrieved by an action of the department in amending, limiting, suspending, or revoking any approval required by this Act may request a hearing before the department. Any hearing held under this section shall be conducted in accordance with the Administrative Procedure and Texas Register Act, as amended (Article 6252-13a, Vernon's Texas Civil Statutes), and the department's formal hearing rules.

### **Section 4.03**

#### **State compliance procedures**

At the request of the commissioner, the attorney general may bring an action in the name of the State of Texas to enjoin the operation of any quarantine or impoundment facility which fails to meet the minimum standards established by this Act and the rules of the board adopted under the authority of this Act. Upon the court's issuing of an order to the facility to cease operation, the local health authority shall remove all animals housed therein to a shelter approved by the department. The expense of relocation shall be borne by the county or incorporated municipality within whose jurisdiction the deficient facility lies. Any suit filed under this subsection shall be filed in a district court of the county in which the facility is located.

## **SUBCHAPTER E. PENALTIES**

### **Section 5.01**

#### **Violation of animal quarantine requirement**

- (a) A person commits an offense if he fails or refuses to quarantine or present for quarantine or testing any animal which:
- (1) is required to be placed in quarantine or presented for testing under the provisions of Section 3.04 of this Act and the rules adopted by the department under the authority of this Act;
  - (2) is required to be placed in quarantine under the ordinances and/or rules of county which is exercising the authority granted in Sections 2.02 and 3.01 of this Act and within whose jurisdiction the act occurs; or
  - (3) is required to be placed in quarantine under the ordinances and/or rules of an incorporated municipality which is exercising the authority granted in Sections 2.02 and 3.01 of this Act and within whose jurisdiction the act occurs.

### **Section 5.02**

#### **Violation of area quarantine**

- (a) A person commits an offense if he violates or attempts to violate a rule of the board which governs an area quarantine adopted under the authority of Section 3.09 of this Act.
- (b) An offense under this subsection is a Class C misdemeanor.

### **Section 5.03**

#### **Violation of dog and cat registration requirements**

- (a) A person commits an offense if he fails or refuses to register or present for registration any dog or cat of which he is the owner and such animal
- (1) is required to be registered under the ordinances and/or rules of a county which is exercising the authority granted in Sections 2.02, 3.01, and 3.07 of this Act and within whose jurisdiction the act occurs; or
  - (2) is required to be registered under the ordinances and/or rules of an incorporated municipality which is exercising the authority granted in Section 2.02, 3.01, and 3.07 of this Act and within whose jurisdiction the act occurs.
- (b) An offense under this subsection is a Class C misdemeanor.

### **Section 5.04**

#### **Violation of dog and cat restraint requirements**

- (a) A person commits an offense if he fails or refuses to restrain any dog or cat of which he is the owner and such animal
- (1) is required to be registered under the ordinances and/or rules of a county which is exercising the authority granted in Sections 2.02, 3.01, and 3.08 of this Act and within whose jurisdiction the act occurs; or
  - (2) is required to be registered under the ordinances and/or rules of an incorporated municipality which is exercising the authority granted in Sections 2.02, 3.01, and 3.08 of this Act and within whose jurisdiction the act occurs.
- (b) An offense under this subsection is a Class C misdemeanor.

### **Section 5.05**

#### **Violation of requirement to vaccinate dog or cat**

- (a) A person commits an offense if he fails or refuses to have each dog or cat of which he is the owner vaccinated against rabies and such animal
- (1) is required to be vaccinated under the provisions of Section 3.05 of this Act and the rules adopted by the board under the authority of this Act;
  - (2) is required to be vaccinated under the ordinances and/or rules of a county which is exercising the authority granted in Sections 2.02 and 3.01 of this Act and within whose jurisdiction the act occurs, or
  - (3) is required to be vaccinated under the ordinances and/or rules of an incorporated municipality which is exercising the authority granted in Sections 2.02 and 3.01 of this Act and within whose jurisdiction the act occurs.
- (b) An offense under this subsection is a Class C misdemeanor.

**Section 5.06**

**Violation of jurisdictional standards governing the operation of a quarantine or impoundment facility**

- (a) A person commits an offense if he operates a facility for quarantining or impounding animals and the facility
- (1) fails to meet the standards for approval established by the rules adopted by the board;
  - (2) fails to meet the standards for approval established under the ordinances and/or rules of a county which is exercising the authority granted in Sections 2.02 and 3.01 of this Act; or
  - (3) fails to meet the standards for approval established under the ordinances and/or rules of an incorporated municipality exercising the authority granted in Sections 2.02 and 3.01 of this Act.
- (b) An offense under this subsection is a Class C misdemeanor.

**Section 5.07**

**Violation of the restrictions upon the use and sale of rabies vaccine**

- (a) A person commits an offense:
- (1) if he administers or attempts to administer rabies vaccine in a manner not authorized by Section 3.06 of this Act;
  - (2) if he dispenses or attempts to dispense rabies vaccine in a manner not authorized by Section 3.01 of this Act; or
  - (3) if he sells or distributes rabies vaccine for animals in violation of Section 3.06(b) of this Act.
- (b) An offense under this section is a Class C misdemeanor.

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### Sec.2-8. Fowl not to run at large.

It is unlawful for any person who owns, harbors, or keeps chickens or fowl of any other kind to permit such fowl to be at large within the City of Turkey, Texas

### Sec.2-9. To Be impounded.

Any fowl running at large within the City shall be impounded as other animals are impounded, and may be reclaimed and disposed of as other animals are reclaimed and disposed of, in accordance with Article 1 of this chapter. The impoundment fee shall be \$5.00 for each fowl impounded.

### Sec. 2-10. Hogs not to be kept within City.

It shall be unlawful for any person, firm or corporation to keep or cause to be kept any hog or hogs within the city limits of the City of Turkey, Texas.

### Sec. 2-11. Venomous Reptiles not to be kept within City.

It shall be unlawful for any person, firm or corporation to keep or cause to be kept any venomous reptiles within the limits of the City of Turkey, Texas. Venomous reptiles shall be defined for the purpose of this ordinance as those reptiles having a venom producing gland and able to inflict a poisoned wound, and include but not limited to rattle snakes, cottonmouth, moccasins, coral snakes, cobra, gila monsters.

### Sec. 2-12. Enclosure in which animals are kept.

#### Definitions:

A. The term animals as used herein is defined to include all cattle, horses, asses, mules, sheep, goats, other livestock, rabbits, dogs and cats.

B. The term fowl as used herein is defined to include all chickens, ducks, turkeys, guinea, geese, pheasants and bantams.

C. The term enclosure as used herein is defined to include all sheds, barns, pens, coups, yards, brooders, and all other places in which animals and /or fowls kept.

### Sec.2-13. To be kept clean.

It shall be unlawful for any person, firm or corporation to fail to keep clean and sanitary any enclosure wherein animals or fowl are kept. Said enclosure must be cleaned out once each week; and all droppings, manure and waste of every kind must be removed from the enclosures once each week.

### Sec.2-14. Penalty.

Any persons, firm or corporation violating the provisions of any of the above articles and subsections shall, upon conviction of such violations, be guilty of a Class C misdemeanor. Each day of such violation shall constitute a separate offense.

### Sec. 2-15. Supercedes.

This animal control ordinance supercedes, Original Ordinance number 79-07.

PASSED AND APPROVED THIS THE 12 DAY OF APRIL, 1990 A.D.

Hubert Price-Mayor

