

ORDINANCE NUMBER 18-06  
(Animal Ordinance)

AN ORDINANCE OF THE CITY OF NEVADA, TEXAS,  
REPEALING AND REPLACING THE CITY OF NEVADA  
ANIMAL ORDINANCE NO. 18-06; PROVIDING  
RULES AND REGULATIONS FOR OWNING,  
HARBORING, CONFINING, IMPOUNDING,  
VACCINATING, AND OTHER PROVISIONS RELATED TO  
ANIMALS; PROVIDING FOR SAVINGS CLAUSE;  
PROVIDING FOR A SEVERABILITY CLAUSE;  
PROVIDING FOR A REPEALING CLAUSE; PROVIDING A  
PENALTY OF A FINE NOT TO EXCEED THE SUM OF  
\$2000.00 FOR EACH OFFENSE; PROVIDING FOR AN  
EFFECTIVE DATE; AND PROVIDING FOR THE  
PUBLICATION OF THE CAPTION HEREOF.

**WHEREAS**, the City Council of the City of Nevada recognizes that failure to properly control animals in the city of Nevada is a growing problem; and

**WHEREAS**, the City Council of the City of Nevada recognizes that establishing clear rules for animals in the City will improve the quality of life for the animals and our citizens; and

**WHEREAS**, the City Council of the City of Nevada recognizes that previous animal control ordinances have become outdated; and

**WHEREAS**, the City Council of the City of Nevada believes it is in the best interest of the citizens of the City, to enact new regulations relating to the control of animals within the City of Nevada; and

**WHEREAS**, the City Council has given the requisite notices and otherwise and have held public hearing(s) and afforded a full and fair hearing to all residents generally, and the City Council has concluded that Ordinance No. 18-06 otherwise known as the Animal Ordinance should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, TEXAS, THAT:

**SECTION 1.1      RECITALS INCORPORATED**

The City Council of the City of Nevada finds that the above foregoing recitals are true and correct and are hereby incorporated for all purposes as official findings of the City Council of the City of Nevada.

**SECTION 1.2.    RIGHT TO KEEP ANIMALS:**

It shall be unlawful for any person to keep, own, maintain, use or have in his possession or on premises under his control within the City of Nevada, Texas, any livestock, fowl, pet, or other animal, except in compliance with the provisions of this ordinance.

## **SECTION 2. DEFINITIONS—4H and School programs**

- 4-H -NATIONAL COUNCIL - the 4-H council is the national, private sector non-profit partner of 4-H and the cooperative Extension System. Council is governed by its own Board of Trustees, made up of youth, representatives from 4-H/Extension/land-grant universities, corporate executives and other private citizens.
- 2.1. ANIMAL CONTROL OFFICER - Shall mean any person designated by the Mayor to enforce the provisions of this ordinance.
- 2.2. LARGE LIVESTOCK - shall mean horses or any member of the domesticated horse family including, but not limited to, mules, donkeys, and ponies; and all types and varieties of cattle. Any unlisted domesticated animal over one hundred fifty (150) pounds shall be considered large livestock.
- 2.3. SMALL LIVESTOCK - shall mean all types of domesticated swine, sheep, and goats.- and other animals weighing less than 150 pounds.
- 2.4. AT LARGE - Off the premises of the owner and not under the control of the owner or another person authorized by the owner to care for the animal.
- 2.5. CISD- Community Independent School District.
- 2.6. COMMERCIAL STABLE - Shall mean a facility where a fee is charged to House, Pasture or Rent Horses or other Livestock.
- 2.7. DOG - Shall mean any member of the Canis Familiaris species.
- 2.8. DOMESTIC ANIMALS - Shall mean all species of animals commonly accepted as being domesticated.
- 2.9. FFA -The National FFA Organization, governed by a Board of Directors and a Board of Student Officers, charters state associations; provides direction, programmatic materials and support; and hosts the National FFA Convention.
- 2.10. OWNER - Shall mean any person, firm or corporation having title to any animal; or a person who has, harbors, or keeps or causes or permits an animal to remain on or about his premises
- 2.11. PET ANIMAL - Shall include Dogs, Cats, Rabbits, Rodents, Birds, Reptiles and any other species of animal that are sold or retained as a household pet, but shall not include skunks, non-human primates and any other species of wild, exotic, or

carnivorous animal that may be further restricted in this law.

- 2.12. **PROOF OF PARTICIPATION** - A student must present a student project permit signed from the local 4-H Chapter leader or the FFA leader. And be a member in good standing.
- 2.13. **PROPERTY LAYOUT** - A drawing of the overall lay out of the land including all buildings and enclosures on the premises.
- 2.14. **STUDENT** - A youth that is currently attending Public or Private School. Between the grades of Kindergarten and 12th Grade.
- 2.15. **STUDENT LIVESTOCK PROJECT PERMIT** - A permit required to house Student animal projects inside The City of Nevada.

**SECTION 3. RESERVED**

**SECTION 4. DEFINITIONS:—**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- 4.2. **ADULT:** An animal over the age of six months.
- 4.3. **ANIMAL:** Any living creature including but not limited to dogs, cats, cows, horses, birds, fish, mammals, reptiles, insects, fowl and livestock, but specifically excluding human beings.
- 4.4. **ANIMAL CONTROL OFFICER:** Any person(s) designated by the City Council, through written agreement or otherwise, to enforce the provisions of this ordinance and who is authorized to receive reports of animal bites, investigate bite reports, administer euthanasia, ensure quarantine of suspect rabid animals, and otherwise carry out provisions of the ordinances of the City and the laws of the State of Texas that relate to animals, including, without limitations, rabies control and eradication.
- 4.5. **AT LARGE or RUNNING AT LARGE:** An animal that is not confined to the premises of its owner by a building, wall or fence of sufficient strength or construction to restrain said animal is "At-Large". Except when such animal is on the premises of its owner or, when held in the hands of the owner or keeper, or held by means of a leash or chain of proper strength and length to control the actions of the animal, or while such animal is confined in a vehicle or cage, said animal shall not be deemed "RUNNING AT LARGE".
- 4.6. **ASSISTANCE ANIMAL OR THERAPY ANIMAL:** An animal that is specially trained or equipped to help a human being with a disability when:

- 4.6.1. The person with the disability has satisfactorily completed a specific course of training in the use of the animal; and
- 4.6.2. Where the animal has been trained by an organization generally recognized by agencies involved in the rehabilitation of persons with disabilities as reputable and competent to provide animals with training of this type.
- 4.7. CAT: Any domesticated member of the feline family.
- 4.8. CISD: Community Independent School District
- 4.9. COW: Any bovine animal including but not limited to cows, bulls, steers, yearlings, and calves, regardless of age, breed or sex.
- 4.10. COMMERCIAL KENNEL: Any lot, building, structure, enclosure or premises where six (6) or more dogs or cats six (6) months of age or over are kept or maintained for direct or indirect sale or exchange; or where commercial boarding, breeding, grooming or training ~~or sale~~ is conducted.
- 4.11. DANGEROUS DOG: The provisions of TX Health and Safety Code chapter 822, Subchapter D, as amended, entitled Dangerous Dogs, is adopted by the City and incorporated within this ordinance. The provisions of Subchapter D include the following:
  - 4.11.1. "Dangerous dog" means a dog that:
    - 4.11.1.1. makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
    - 4.11.1.2. 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.
  - 4.11.2. "Secure enclosure" means a fenced area or structure that is:
    - 4.11.2.1. locked;
    - 4.11.2.2. capable of preventing the entry of the general public, including children;
    - 4.11.2.3. capable of preventing the escape or release of a dog;

4.11.2.4. clearly marked as containing a dangerous dog; and

4.11.2.5. in conformance with the requirements for enclosures established by the local animal control authority.

4.11.3. "Owner" means a person who owns or has custody or control of the dog.

4.12. DANGEROUS WILD ANIMAL: The City adopts Title 10 "HEALTH & SAFETY OF ANIMALS" Chapter 822 "REGULATION OF ANIMALS", Subchapter E "Dangerous Wild Animals" of the Texas Health and Safety Code. Dangerous Wild Animals shall be considered Vicious Animals. "Dangerous wild animal" include but are not limited to:

- 4.12.1. lion;
- 4.12.2. tiger;
- 4.12.3. ocelot;
- 4.12.4. cougar;
- 4.12.5. leopard;
- 4.12.6. cheetah;
- 4.12.7. jaguar;
- 4.12.8. bobcat;
- 4.12.9. lynx;
- 4.12.10. serval;
- 4.12.11. caracal;
- 4.12.12. hyena;
- 4.12.13. bear;
- 4.12.14. coyote;
- 4.12.15. jackal;
- 4.12.16. baboon;
- 4.12.17. chimpanzee;
- 4.12.18. orangutan;
- 4.12.19. gorilla; or
- 4.12.20. Any hybrid of an animal listed in this subdivision.

4.13. DOG: Any domesticated member of the canine family.

4.14. DOMESTICATED ANIMAL: An animal that has been tamed by generations of breeding, to live in close association with human beings as a pet, work animal or food source.

4.15. EUTHANIZE: The humane destruction of an animal accomplished by a method that produces rapid unconsciousness and subsequent death without evidence of pain or distress, or a method that utilizes anesthesia produced by an agent that causes painless loss of consciousness and subsequent death.

4.17. FOWL: Any species of feathered animals which are normally kept or used on, a farm, a ranch, or similar setting for agricultural purposes. The following and similar

species shall be considered to be fowl chickens, game hens, guineas, peafowl, turkeys, pheasant, quail, geese, ducks, swans or other similar feathered animals regardless of age, breed or sex.

- 4.18. GOAT: Any caprine animal regardless of age, breed or sex.
- 4.19. HARBORING: The act of keeping and caring for animals or of providing a premise to which the animal returns for food, shelter or care for a period of at least ten (10) days.
- 4.20. HORSE: Any member of the equine family including but not limited to horses, mules, ponies and donkeys regardless of age, breed or sex.
- 4.21. IMPOUNDMENT: The seizing, taking, collecting, confining, or capturing of an animal.
- 4.22. LIVESTOCK: Common farm animals such as but not limited to: horses, mules, donkeys, cattle, goats, sheep, llamas, alpacas, and swine, regardless of age, breed or sex and not including "Potbelly Pig" or "Pot-Bellied Pig" as defined below in Y.
  - 4.22.1. LIVESTOCK - LARGE shall mean horses or any member of the domesticated horse family including, but not limited to, mules, donkeys, and ponies; and all types and varieties of cattle. Any unlisted domesticated animal over one hundred fifty (150) pounds shall be considered large livestock.
  - 4.22.2. LIVESTOCK - SMALL - shall mean all types of domesticated swine, sheep, and goats.
  - 4.22.1 LOCAL HEALTH AUTHORITY - A person or agency designated by the City Mayor to receive reports of animal bites, investigate bite reports, insure Texas Law pertaining to the control and eradication of Rabies.
- 4.23. OWNER: A person who owns or has custody or control of the animal.
- 4.24. PEN OR CORRAL: An enclosure in which livestock is kept. This shall not be interpreted to include a grazing area.
- 4.25. PET: Any animal that has commonly been kept as a pet in family households in the U.S. for pleasure rather than utility, such as dogs, cats, guinea pigs, rabbits, and hamsters.
- 4.26. POTBELLY PIG or POT-BELLIED PIG: A breed of domesticated miniature Vietnamese, Chinese or Asian pig not exceeding one hundred and fifty pounds.
- 4.27. PREMISES: A developed residentially zoned lot or a parcel of land owned, leased

- 4.29. PROHIBITED ANIMAL: An animal normally found in a wild state and not normally considered domesticated, (With the exception of Assistance or Therapy Animals) including but not limited to the following:
- 4.29.1 Any Animal defined as a Wild Animal or Dangerous Wild Animal in this ordinance.
  - 4.29.2 All Venomous Reptiles such as poisonous Snakes, Gila Monsters and Beaded Lizards.
  - 4.29.3. All Constrictor Snakes such as Pythons, Boa Constrictors and Anacondas.
  - 4.29.4. All Crocodilians or Alligators.
  - 4.29.5. Any Animal that is listed as protected, threatened or endangered by the State of Texas, the US Endangered Species Act and/or The US Migratory Bird Treaty Act of 1918, as amended.
- 4.30. PIG: All swine animals regardless of age, breed or sex.
- 4.31. RABBIT: All members of the leporine family regardless of age, breed or sex.
- 4.32. SANITARY: Any condition of good order and cleanliness which precludes the probability of disease transmission.
- 4.33. SHEEP: All ovine animals regardless of age, breed or sex.
- 4.34. STRAY ANIMAL: Any animal found roaming with no physical restraint beyond the premises of an animal's owner or keeper.
- 4.35. STUDENT: A youth that is currently attending Public or Private School. Between the grades of Kindergarten and 12th Grade.
- 4.36. STUDENT LIVESTOCK PROJECT PERMIT: A permit required to house Student animal projects inside The City of Nevada.
- 4.37. VACCINATION: An injection of a vaccine approved by the U.S. Department of Agriculture, Bureau of Animal Industry and administered to produce or artificially increase immunity to a particular disease.
- 4.38. VACCINATION CERTIFICATE: An official vaccination certificate issued by the vaccinating veterinarian, containing certain standard information as follows:
- 4.38.1. Owner's name, address and telephone number;
  - 4.38.2. Animal identification. Species, sex, age (3 months to 1 year; 1 year or older), size (lbs.), predominant breed, and colors;

4.38.3. Vaccine used, producer, expiration date and serial number;

4.38.4. Date vaccinated;

4.38.5. Rabies tag number, in the case of a Rabies Vaccination; and

4.38.6. Veterinarian's signature and license number.

4.39. **VICIOUS ANIMAL:** Any animal which without reasonable provocation habitually attacks other animals, or has without provocation bitten or physically attacked a human being or has behaved in such a manner that the owner thereof knows or should reasonable know that the animal is possessed of tendencies to attack or bite, but does not include an animal which bites, attacks or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented, tortured or exhibited cruelty to such animal. This definition also includes any animal defined as a "dangerous wild animal" "prohibited animal", or "dangerous dog" by this ordinance.

4.40. **WILD ANIMAL:** An animal that is normally found in a wild state, and not normally considered domesticated, including the Dangerous Wild Animals listed above..

4.41. **WILD STATE:** An animal living in its original natural condition; not domesticated.

## **SECTION 5. GENERAL ANIMAL REGULATIONS:**

### **RABIES CONTROL**

5.1 **VACCINATIONS** - Every owner of a dog or cat three (3) months of age or older shall have such animal vaccinated against Rabies.

5.1.1 All dogs or cats vaccinated at three (3) months of age or older shall be re-vaccinated at one (1) year of age and every three years thereafter. Any person moving into the City from a location outside of the City shall comply with this section of this ordinance within thirty (30) days after having moved into the City.

5.1.2 If the Dog or Cat has inflicted a bite on any person, or another animal, within the last ten (10) days, the owner of said Dog or Cat shall report such act to the Veterinarian, and no Rabies Vaccine shall be administered until after the ten (10) days observation period.

5.2 **CERTIFICATE OF VACCINATION** - Upon vaccination, the Veterinarian shall execute and furnish to the owner of the Dog or Cat as evidence thereof, a Certificate upon a form furnished by the Veterinarian. The Veterinarian shall retain a duplicate copy. Such Certificate shall contain the following



information:

- 5.2.1. The name, address and telephone number of the owner of the vaccinated Dog or Cat;
  - 5.2.2. The date of vaccination;
  - 5.2.3. The type of Rabies Vaccine used;
  - 5.2.4. The year and number of Rabies Tag; and,
  - 5.2.5. The breed, age, color, and sex of vaccinated Dog or Cat
- 5.3 RABIES TAGS - Concurrent with the issuance and delivery of the Certificate of Vaccination referred, the owner of the Dog or Cat shall cause to be attached to the collar or harness of the vaccinated Dog or Cat a metal tag, serially numbered to correspond with the Vaccination Certificate Number, and bearing the year of issuance and the name of the issuing Veterinarian and his address. The owner shall cause the collar or harness, with the attached metal tag, to be worn by his Dog or Cat at all times.
- 5.4. DUPLICATE TAGS - In the event of loss or destruction of the original rabies tag, the owner of the dog or cat shall obtain a duplicate tag. Vaccination Certificates and tags shall be valid only for the animal for which it was originally issued.
- 5.5. PROOF - It shall be unlawful for any person who owns or harbors a vaccinated dog or cat to fail or refuse to exhibit his copy of the Certificate of Vaccination upon demand to any person charged with the enforcement of this ordinance.
- 5.6. HARBORING UNVACCINATED ANIMALS - It shall be unlawful for any person to harbor any dog or cat that has not been vaccinated against rabies, as provided herein, or that cannot be identified as having a current vaccination certificate.
- 5.7. ANIMALS EXPOSED TO RABIES - Any person having knowledge of the existence of any animal known to have been, or suspected of being, exposed to rabies must immediately report such knowledge to the local health authority, giving any information that may be required. For any animal known to have been, or suspected of being exposed to rabies, the following rules must apply:
- 5.7.1. Animals having a current vaccination must be revaccinated immediately and confined according to the method prescribed by the Local Health Authority for a period of not less than ninety (90) days.
  - 5.7.2. Animals not having a current vaccination should be humanely destroyed. However, if the owner of such an animal elects, he may, at his expense and in a manner prescribed by the Local Health Authority, confine said animal. Such animal must be vaccinated immediately following exposure and quarantined for not less than six (6) months. A

revaccination shall be done one (1) month prior to release from quarantine.

## **SECTION 6. REPORTING HUMANS BITTEN BY ANIMALS**

- 6.1. Any person having knowledge of an animal bite to a human will report the incident to the Police or Local Health Authority as soon as possible, but not later than twenty-four (24) hours from the time of the incident.
  - 6.1.2. The owner of the biting animal will place that animal in quarantine under the supervision of the Local Health Authority.
  - 6.1.3. Utilizing Standardized Reporting Forms provided by the TDH, the Local Health Authority will investigate each bite incident.
  - 6.1.4. Human Bites from Rodents, Rabbits, Birds and all cold-blooded animals are excluded from the reporting requirements of this section.
- 6.2. When an animal that has bitten a human is identified, the owner is required to produce the animal for ten (10) days confinement at the owner's expense. Refusal to produce said dog or cat constitutes a violation of this section and each day of such refusal constitutes a separate and individual violation.
  - 6.2.1. The ten (10) day observation period will begin on the day of the bite incident.
  - 6.2.2. The animal must be placed in a licensed quarantine facility. However, the owner of the animal may request permission from the Local Health Authority for home quarantine if the following criteria can be met.
    - 6.2.2.1. Secure facilities must be available at the home of the animal's owner and must be approved by the Local Health Authority.
    - 6.2.2.2. The animal is currently vaccinated against rabies.
    - 6.2.2.3. The Animal Control Officer, Local Health Authority or Licensed Veterinarian must observe the animal at least on the first and last days of the quarantine period.
    - 6.2.2.4. If the animal becomes ill during the observation period, the Local Health Authority must be notified by the person having possession of the animal.
    - 6.2.2.5. At the end of the observation period, the release from quarantine must be accomplished in writing.
    - 6.2.2.6. The animal was not in violation of any laws at the time of the bite.
    - 6.2.2.7. The victim of the bite was a member of the immediate family.

- 6.2.3. If the biting animal cannot be maintained in secure quarantine, it shall be humanely destroyed and the brain submitted to the TOH Certified Laboratory for rabies diagnosis.
- 6.2.4. It shall be unlawful for any person to interrupt the ten (10) day observation period.
- 6.2.5. No wild animal will be placed in quarantine. All wild animals involved in biting incidents will be humanely killed in such a manner that the brain is not mutilated. The brain shall be submitted to a TOH Certified Laboratory for rabies diagnosis.

## **SECTION 7. RUNNING AT LARGE**

- 7.1. It shall be unlawful for any owner to allow any dog or other animal possessed, kept, or harbored, other than a cat, to run at large as is defined in this Ordinance.
- 7.2. The Animal Control Officer is authorized to impound such animals running at large, other than a cat.
- 7.3. The Animal Control Officer may impound a cat under conditions specified in this Ordinance, or when he has received a complaint that the cat has caused a nuisance or hazard to the health or welfare of human or animal population.
- 7.4. All dogs kept in the City must be kept in an enclosure of sufficient strength and type to ensure the dog does not escape.
- 7.5. A fence around all or part of the property shall serve as an approved enclosure as long as the fence is capable of keeping the dog from leaving the property.
- 7.6. It shall be the responsibility of every person residing at a location where a dog is kept to ensure that the enclosure is maintained in a manner capable of containing all dogs kept on the property.
- 7.7. Any dog running at large shall be prima facie evidence that the enclosure was not maintained in a manner to keep the dog contained.
- 7.8. It shall be unlawful for any person to fail to maintain an enclosure in compliance with paragraph 7.5.

## **SECTION 8. ANIMAL NUISANCE**

- 8.1. No person shall willfully or knowingly keep or harbor on his premises or elsewhere in the City of Nevada, any animal or fowl of any kind that makes or creates an unreasonable disturbance of the neighbors or the occupants of adjacent premises or persons living in the vicinity thereof, or permit such animal to make or create disturbing noises by howling, barking, crowing, bawling or other-wise. A person shall be deemed to have willfully and knowingly violated terms of this section if

such person shall have been notified by an elected official of the City of Nevada, or by the Town's designated Animal Control Officer, or by any peace officer, of such disturbance and shall have, within twenty four (24) hours failed or refused to correct such disturbance and prevent its recurrence.

- 8.2. The owner or person in possession of animals shall keep yards, pens and enclosures in which such animals reside in such a manner so as not to give off odors offensive to persons of ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes or other noxious insects, or in any manner to endanger the public health or safety.
- 8.3. The keeping of any animal in such a manner as to endanger the public health; to annoy neighbors by the accumulation of animal wastes which cause foul and offensive odors, or are considered to be a hazard to any other animal or human being; or by continued presence on the premises of another is prohibited. Animal pen, stables, or enclosures in which any animal may be kept or confined that have become offensive to a person of ordinary sensitivities are prohibited. All animal manure and other excrement shall be disposed of in such a manner so as to prevent it from becoming a public nuisance. An owner, harbinger, or other person having care, custody, or control of an animal commits an offense if he knowingly permits, or by insufficient control allows, the animal to defecate in the Town:
- 8.4. The keeping of bees in such a manner as to deny that lawful use of adjacent property or endanger personal health and welfare is prohibited.
- 8.5. Failure to control cats; resulting in their running at large; which results in disturbance to persons of ordinary sensibilities is prohibited.
- 8.6. It is a defense to a prosecution under this ordinance that:
  - 8.6.1. The animal was an assistance animal or therapy animal, as defined in this ordinance, and was in the care, custody, or control of that disabled person at the time it defecated on the property;
  - 8.6.2. The owner or person in control of the property had given prior consent for the animal to defecate on the property; or
  - 8.6.3. The animal was being used in official law enforcement activities.

## **SECTION 9. ABANDONMENT OF ANIMALS PROHIBITED**

It shall be unlawful for any person to intentionally or knowingly abandon any animal within the corporate limits of the City of Nevada.

## **SECTION 10. POISONING OF ANIMALS PROHIBITED**

No person shall poison any domestic animal or distribute poison in any manner whatsoever with the intent or for the purpose of poisoning a domestic animal.

## **SECTION 11. PROHIBITED ANIMALS**

- 11.1. It shall be unlawful for any person to sell, offer for sale, barter, or give away as toys, premiums or novelties, baby chickens, ducklings or other fowl under three (3) weeks old; and rabbits under two (2) months old; sale of such animals for agricultural purposes is exempt from this provision.
- 11.2. It shall be unlawful to color, dye, stain, or otherwise change the natural color of any chickens, ducklings, other fowl, or rabbits, or to possess for the purpose of sale or to be given away, any of the above mentioned animals which have been so colored.
- 11.3. It shall be unlawful to keep and/or sell any Dangerous Wild Animal in the City limits.
- 11.4. It shall be unlawful for any person to keep or to permit the keeping of livestock on premises owned by him or under his control except as follows:
  - 11.4.1. No livestock shall be kept on any premises of less than one (1) acre.
  - 11.4.2. For each premises one (1) acre or larger, an owner may keep one head of adult livestock for each one third (1/3) acre.
- 11.8. It shall be unlawful for an owner of any dead livestock located on private property to fail to lawfully dispose of the dead animal within twenty four (24) hours of its discovery by the owner.

## **SECTION 12. RESERVED**

## **SECTION 13. POTBELLY PIGS**

It shall be unlawful for any person to keep or to permit the keeping of Potbelly Pigs on any premises owned by him, or under his control, within the corporate limits of the City of Nevada, except as follows.

- 13.1. No Potbelly Pig shall be kept on any premises of less than one-half (1/2) acre.
- 13.2. For each premises two (2) acre or less, an owner may keep two (2) head of adult Potbelly Pigs.
- 13.3. For each premises larger than two (2) acres, an owner may keep two (2) head of adult Potbelly Pigs for each acre.
- 13.4. Any accessory structure, pen or corral, housing Potbelly Pigs, shall be located at least one hundred (100) feet from any neighboring residential structure and shall be screened from view.

13.5. The distance provisions of this section shall not apply to a structure, pen or other enclosure in which potbelly pigs that are lawfully kept and maintained prior to:

13.5.1. The passage of this ordinance.

13.5.2. The time a residential structure was erected on another's property so as to cause a violation of the distance requirements stated above.

13.6. All Potbelly Pigs shall be vaccinated by a licensed veterinarian by the time they are four (4) months of age and within each subsequent twelve (12) month interval thereafter. A vaccination certificate must be issued to the owner and maintained as proof of vaccination. Required Vaccinations are:

13.6.1. Rabies;

13.6.2. Erysipelas; and

13.6.3. Leptospirosis.

13.7. Male potbelly pigs, over the age of three (3) months, and kept on premises two (2) acres or less must be neutered and must have their tusks trimmed at least once per year.

13.8. Female potbelly pigs, over the age of three (3) months, and kept on premises two (2) acres or less must be spayed.

13.9. It shall be unlawful for any person or persons, to permit Potbelly Pigs kept or possessed by them, or under their control, to wander in, or upon, or invade the premises of any other person.

13.10. All structures, pens or other enclosures for the keeping of Potbelly Pigs must be maintained in clean and sanitary conditions at all times.

#### **SECTION 14. BEES**

No person shall keep bees in such a manner as to deny the lawful use of adjacent property or to endanger the health and welfare of anyone in the City of Nevada.

#### **SECTION 15. ANIMALS RUNNING AT LARGE**

15.1. It is unlawful for any person to allow any animal to run at large within the corporate limits of the City of Nevada.

15.2. The Town's Animal control officer is authorized to pursue and to impound animals running at large.

15.3. If any animal is found upon the premises of any person, the owner or occupant of the premises shall have the right to confine such animal, until the rightful owner or the City can be notified and the animal picked up. But in so doing, the property

owner confining such animal shall be responsible for the humane care of the animal while it is in his care.

- 15.4. Any animal, except dangerous or wild animals, not reclaimed by the owner may be humanely euthanized or released for adoption after being impounded for 96 hours
- 15.5. Any impounded dangerous or wild animal may be immediately disposed of as may be deemed appropriate by the Town.

## **SECTION 16.      VICIOUS ANIMALS**

- 16.1. The owner of a vicious animal shall be required to:

- 16.1.1. Restrain the Vicious animal at all times on a leash in the immediate control of the owner, or in a secure pen or enclosure as prescribed for vicious animals herein.

- 16.1.2. Not later than the 30th day after a person learns that the person is the owner of a vicious animal, (learns of an unprovoked attack on a person that causes bodily injury made by the animal or receives notice that a justice court, county court or municipal court has found that the animal is a vicious animal) the person shall:

- 16.1.2.1. Have the vicious animal implanted with a microchip identifying the owner of said animal.

- 16.1.2.2. Obtain liability insurance in the amount of not less than \$100,000 covering bodily injury or death to any person, or for damages to any person's property, resulting from the keeping of such vicious animal.

- 16.1.2.3. Register the vicious animal with the City Animal Control Officer, Providing the Animal Control Officer with:

- 16.1.2.3.1. The name and address of the owner;

- 16.1.2.3.2. Breed, age, sex, color and any other identifying marks of said animal;

- 16.1.2.3.3. The location where the animal is to be kept;

- 16.1.2.3.4. Two color photographs of the animal;

- 16.1.2.3.5. The microchip number of the animal;

16.1.2.3.6. A copy of the aforementioned certificate of liability insurance; and

16.1.2.3.7. The required registration fee.

16.1.2.4. The Animal Control Officer shall provide the owner a registration tag designating the animal as dangerous.

16.1.2.5. The owner must place the tag on the animal's collar and must insure that the animal wears such tag and collar at all times.

16.2. Confinement: All vicious animals shall be securely confined either indoors or in a securely enclosed and locked kennel, pen or structure outdoors as provided herein. Such kennel, pen or structure shall meet the following standards:

16.2.1. All kennels, pens or structures shall comply with all zoning and construction regulations of the City of Nevada, Texas.

16.2.2. All kennels, pens or structures must be of sufficient design and construction to prevent unauthorized entry and to restrain said vicious animal at all times.

16.2.3. At no place within the kennel, pen or structure shall a vicious animal be able to put his mouth outside of the enclosure.

16.2.4. All kennels pens or structures used to confine vicious animals must be locked with a key or combination lock when such animals are within the enclosures.

16.2.5. All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

16.2.6. All kennels, pens or structures must be adequately lighted and ventilated and must be maintained in a clean and sanitary condition.

16.2.7. Signs giving notice of the vicious animal shall be prominently displayed so that all persons entering such premises are immediately notified a vicious animal is being kept at the location.

16.2.8. The owner of a vicious animal shall at all reasonable times, allow the Town's Animal Control Officer, or a designated licensed veterinarian to enter the premises where the animal is kept and to inspect the animal, the primary enclosure or secure enclosure for the animal, and the owner's records relating to the animal, to ensure compliance with this article.



16.3. Leash and Muzzle

16.3.1. It shall be unlawful for any person to permit a vicious animal to go outside its kennel or place of enclosure unless said animal is securely leashed with a leash no longer than four (4) feet in length and unless said animal is muzzled by a muzzling device sufficient to prevent said animal from biting persons or other animals.

16.3.2. An owner shall be in physical control of a leashed vicious animal at all times, and it shall be unlawful for said owner to leave such animal tied on a chain, rope or other type leash outside of its kennel or place of enclosure to an inanimate object such as a tree, post, building, car or truck.

16.4. Violations of the Vicious Animal Section

16.4.1. In the event that the owner of any vicious animal is found in violation of any provision of this section by a justice court, county court or a municipal court, such court shall order the animal control authority to seize the animal and shall issue a warrant authorizing the seizure.

16.4.2. The authority shall seize the animal and provide for the impoundment of the animal in secure and humane conditions.

16.4.3. The owner shall pay any cost or fees assessed by the municipality related to the seizure.

16.4.4. The court shall order the animal control authority to humanely destroy the vicious animal if the owner has not complied with the provisions of this section before the 11th day after the date on which the animal is seized or delivered to the authority.

16.4.5. The court shall order the authority to return the animal to the owner if the owner complies with the provisions of this section before the 11th day after the date on which the animal is seized or delivered to the authority.

16.5. Any animal that has been declared or found vicious by the animal control authority or court of another jurisdiction shall be conclusively presumed to be vicious in the City.

**SECTION 17. PROHIBITED ANIMALS**

It is unlawful for a person to sell, offer for sale, barter, trade, keep, own, harbor, maintain, use, or have in a person's possession a prohibited animal within the corporate limits of the City of Nevada.

**SECTION 18. ANIMAL CARE GUIDELINES**

The following are established as guidelines for animal care and are not intended to contravene the provisions for animal cruelty in the Texas Penal Code.

- 18.1. All animals shall be fed with a quantity of good wholesome food sufficient to keep them in a well-nourished condition, and such food shall be served to said animals in a clean and sanitary manner.
- 18.2. All animals shall be provided with pure, clean water in sufficient quantities at all times.
- 18.3. All animals shall be provided with proper shelter and protection from the weather.
- 18.4. All stables, pens, corrals, yards or enclosures in which animals reside shall be kept and maintained in a clean and sanitary condition.
- 18.5. All animals shall be provided with veterinary care when needed to prevent suffering.
- 18.6. No person shall beat, cruelly treat, torment, torture, overload, overwork or otherwise abuse an animal, or cause, instigate or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans. If a peace officer or the City Animal Control Officer has reason to believe that an animal has been, or is being cruelly treated, the officer may apply to the Towns municipal court for a warrant to seize the animal, and disposition of such animal shall be handled as outlined in Title 10 "HEALTH AND SAFETY OF ANIMALS", *Chapter 822 "REGULATION OF ANIMALS" SUBCHAPTER B "DISPOSITION OF CRUELLY TREATED ANIMALS"* of the Texas Health and Safety Code, as amended.
- 18.7. No person shall intentionally or knowingly confine or allow to be confined any animal in a motor vehicle or trailer under such conditions, or for such a period of time, as may endanger the health or well-being of the animal due to heat, lack of food or water or any other circumstance which causes suffering, disability or death of said animal.
- 18.8. It shall be unlawful for any person to knowingly bring into the City of Nevada, Texas any animal having any infectious or contagious disease.
- 18.9. It shall be unlawful for any person to sell or give away any animal under four (4) weeks of age.
- 18.10. It shall be unlawful for any person to keep more than (10) adult animals, excluding fish, on a property of less than one (1) acre.

- 18.11. The City adopts Title 10 “Health & Safety of Animals” Chapter 826 “RABIES” of the Texas Health and Safety Code, also known as The Rabies Control Act of 1981.
- 18.12. Any person moving into the City from a location outside of the City shall comply with this chapter within ten days after having moved into the Town.
- 18.13. A person who knows of an animal bite or scratch to an individual that the person could reasonably foresee as capable of transmitting rabies, or who knows of an animal that the person suspects is rabid, shall immediately report the incident or animal to the Animal Control Officer of the City of Nevada.
- 18.14. The Animal Control Officer shall quarantine, have quarantined, and/or test any animal when there is probable cause to believe the animal is rabid, may have been exposed to rabies, or may have exposed a person to rabies, following the rules set out in the Texas Administrative Code Title 25 Health Services, Rule 169.27 “Quarantine Method and Testing”.

## **SECTION 19. ENFORCEMENT**

The administration of the provisions of this ordinance shall be the responsibility of the designated Animal Control Officer or the Mayor’s designee; and shall be carried out in the following manner:

- 19.1. A notice may be sent to the owner of the animal reported to be in violation of the provisions of this ordinance, or to the owner and/or occupant of the premises where said the alleged violation occurred. The notice shall state:
  - 19.1.1. The nature of the violation, and
  - 19.1.2. The amount of time given to correct said violation.
- 19.2. If the violation is not corrected within the specified time period, a citation shall be issued and/or the animal impounded, per procedures described herein, and/or
- 19.3. A written complaint may be filed with the the municipal court, and handled in the normal manner for Class C misdemeanor cases.
- 19.4. Primary enforcement of this Ordinance shall be the responsibility of the Local or contracted animal control agency.
  - 19.4.1. Any Code Enforcement Officer, Public Health Officer or Police Officer shall possess the authority to enforce any provision of this ordinance.
  - 19.4.2. Any authority vested with an animal control officer by this ordinance shall vest an equal authority with any Nevada Code Enforcement

Officer, Public Health Officer or Police Officer.

- 19.5. Any Animal Control Officer, Nevada Code Enforcement Officer, Public Health Officer or Police Officer shall have the authority to issue citations for any violation of this Ordinance.
- 19.6. If the person being cited is not present, the officer may send the citation to the alleged offender by registered or certified mail.
- 16.7. It shall be unlawful for any person to interfere with the Animal Control Officer, Nevada Code Enforcement Officer, Public Health Officer or Police Officer in the performance of his duties as outlined in this ordinance.
- 19.8. Any Animal Control Officer, Nevada Code Enforcement Officer or Public Health Officer are given the right to go onto any private property in the City of Nevada for the purpose of determining whether or not any provisions of this ordinance has been violated and to impound any animal kept or harbored in violation of any terms of this ordinance.
- 19.9. The following animals may immediately be impounded:
  - 19.9.1. Any animal running at large, as defined herein;
  - 19.9.2. Any animal infected or kept under conditions which could endanger the public or animal health; or
  - 19.9.3. Any animal that has bitten a human being or needing to be placed under observation for rabies determination, as determined by the local health authority.
- 19.10. Authority to issue citation.
  - 19.10.1. The Town's Animal Control Officer or Police Officer shall have the authority to issue citations for any violation of this chapter.
  - 19.10.2. If the person being cited is not present, Town's Animal Control Officer or Police Officer may send the citation to the alleged offender by registered or certified mail.

## **SECTION 20.        GENERAL IMPOUNDMENT PROCEDURES**

- 20.1. The City Council shall select and establish a place for impounding all animals under any provision of this chapter.
- 20.2. Reasonable effort shall be made by the City to contact the owner of any animal impounded which is wearing a current vaccination tag; however, final responsibility for location of an impounded animal is that of the owner.

- 20.3. The owner can resume possession of any impounded animal upon payment of any and all impoundment fees and any veterinary bills incurred by animal control for the welfare of the animal, and upon compliance with the vaccination and registration provisions of this code, except where prohibited by state law.
- 20.4. Any nursing baby animal impounded without the mother, or where the mother cannot, or refuses to, provide nutritious milk may be immediately euthanized to prevent further suffering, or given to a non-profit humane organization for the purpose of care, as determined by the Town.
- 20.5. Any impounded animal that appears to be suffering from extreme injury or illness may be euthanized or given to a non-profit humane organization for the purpose of veterinary medical care, as determined by the Town.
- 20.6. An owner who no longer wishes responsibility for an animal, or believes the animal to be in an ill or injured condition, may sign a written waiver, supplied by the Town, allowing the animal to be immediately euthanized in a humane manner, provided that:
  - 20.6.1. no animal that has bitten a human being shall be euthanized before expiration of the ten-day quarantine period.
  - 20.6.2. the owner certifies that the animal is their legal property and the owner pays the City for all euthanization costs.
- 20.7. The following animals may be impounded:
  - 20.7.1. Cats or dogs not exhibiting evidence of being vaccinated as described in this ordinance;
  - 20.7.2. Any animal infected with rabies or kept under conditions that could endanger the public or animal health;
  - 20.7.3. Any animal that creates a nuisance, in this ordinance;
  - 20.7.4. Any animal found running at large;
  - 20.7.5. Any animal treated in a manner determined by an Animal Control Officer to be cruel and inhumane;
  - 20.7.6. Any animal that has bitten a human being or needs to be placed under observation for rabies determination, as determined by an Animal Control Officer;
  - 20.7.7. Any animal violating any provisions of this Ordinance.
- 20.8. If any of the animals named in this Ordinance are found upon the premises of any person, the owner or occupant of the premises shall have the right to confine such animal in a humane manner until he can notify an Animal Control Officer to retrieve the animal for impoundment. When so notified, it shall be the duty of the

Animal Control Officer to impound such animal.

- 20.9. Except where otherwise prohibited, the owner can resume possession of any impounded animal upon payment of required fees and any charges incurred for the care of the animal, and upon compliance with vaccination and registration provisions of this Ordinance.
- 20.10. Disposition of animals impounded on the grounds of cruel or inhumane treatment shall be determined by the Court of Jurisdiction.
- 20.11. If any animal is being held in quarantine or observation for rabies, the owner shall not be entitled to possession until it has been released from quarantine.
- 20.12. The City Mayor shall select and establish a place for impounding animals under any provisions of this Ordinance or may contract with an outside agency to provide such service.

#### **SECTION 21. IMPOUNDMENT FEES**

All fees related to animal control shall be as established by the City's animal contractor or in the absence of an animal control contractor, fees shall be as established in the City's comprehensive fee schedule.

#### **SECTION 22. INTERFERENCE WITH AUTHORITIES IN PERFORMANCE OF DUTIES**

It shall be unlawful for any person to interfere with an Animal Control Officer in order to hinder the performance of his duties.

#### **SECTION 23. ADOPTION**

The adoption of animals shall be regulated by the City of Nevada animal control contractor.

#### **SECTION 24. LIMITATION ON NUMBERS OF CERTAIN ANIMALS**

- 24.1 The following limitations shall apply to residents living in the zoning districts AG 2/20, SF 1/22, & SF 1/4/12.
- 24.2. Cats & Dogs. A maximum of five (5) dogs or five (5) cats or any combination of the Cats and Dogs so long as the maximum number of Cats and Dogs combined does not exceed five (5). Offspring may be retained for up to six (6) months of age.
- 24.3. Pot Bellied Pig. A maximum of one (1) pot-bellied pig shall be permitted per residence regardless of lot size. The pig must be domesticated and reside inside the residence.

- 24.4. Fowl. See Section 26 fowl limitations.
- 24.5. Other Pet Animals. Other pet animals shall be limited to a maximum of three (3) mature animals. Offspring may be retained for up to six (6) months of age.
- 24.6. Small and Large Livestock. Swine, with the exception of Pot Bellied Pig as noted above, are prohibited. All other small and large livestock are limited to two (2) large livestock and/or four (4) small livestock animals per acre. An acre for this section shall refer to an area set aside for the primary use of the livestock and shall specifically exclude residence, garage and any other buildings not for the primary use of the livestock. If both small and large livestock are kept within the same area, 2 small livestock animals shall count as 1 large livestock animal when determining how many livestock animals will be allowed. Offspring may be retained for up to ten (10) months of age.
- 24.7. Exceptions.
- 24.7.1. Current residents as of the date of the adoption of this article that exceed the animal limits are granted exception for animals currently owned.
- 24.7.2. Residents of newly annexed areas to the City of Nevada that exceed the animal limits are granted exception for animals currently owned at date of annexation.
- 24.8. Any enclosure, pen, corral, or other restrictive area for small livestock shall consist of a solid wall stretching from the ground to at least four (4) feet in height, that does not sway or give way when tested by an Animal Control Officer; or shall consist of a fence.
- 24.8.1. Such fence must have at least sixteen-(16) gauge wire arranged in a grid pattern (Hogwire) with the maximum size of any grid in the wire being seven and one-half inches (7 1/2") by twelve inches (12").
- 24.8.2. The wire pattern must stretch continuously from the ground to at least thirty-two inches (32") above ground.
- 24.8.3. Above this wire pattern must be stretched tautly at least two (2) strands of at least sixteen (16) gauge wire with at least one of these strands at least four (4) feet above the ground.
- 24.8.4. The maximum distance allowed between fence posts shall be fifteen feet (15'). The fence posts must not sway more than six inches (6") when tested by an Animal Control Officer. Trees may not be used as fence posts.
- 24.8.5. Gates for small livestock enclosures shall be mounted on hinges to a solid wall or fence post and stretch from the ground to at least four feet (4') above the ground.
- 24.8.5.1. Such a gate must connect with another fence post or wall in such

a manner that small livestock cannot pass through it.

24.8.5.2. The gate itself must be constructed so that there is not an opening in it larger than seven and one-half inches (7 1/2") by twelve inches (12").

24.8.5.3. Such gates must have a latch or chain attached capable of keeping the gate closed when tested by an Animal Control Officer.

24.9. Any enclosure, pen, corral or restrictive area for large livestock shall consist of a fence.

24.9.1. Such fence must have at least sixteen (16) gauge wire stretched tautly between fence posts.

24.9.2. Such a fence shall have at least four (4) strands of wire with one strand one foot (1') above the ground and one strand at least four feet (4') above the ground, with the two other strands uniformly spaced between the top and bottom strands.

24.9.3. The maximum distance between fence posts shall be fifteen feet (15'). The fence posts must not sway more than six (6) inches when tested by an Animal Control Officer. Trees may not be used as fence posts.

24.9.4. Gates for large livestock shall be mounted on hinges to a solid wall or fence and stretch from one foot (1') above the ground to at least four feet (4') above the ground.

24.9.4.1. Such a gate must connect to another fence post or solid wall in such a manner that large livestock cannot pass through it, and the gate itself must be constructed so that there is not an opening in it large enough for large livestock to pass through.

24.9.4.2. Such gates must have a latch or chain attached capable of keeping the gate closed when tested by an animal control officer.

24.10. When small and large livestock are kept together, the standards for small livestock must be met.

24.11. It shall be unlawful for any person, firm or corporation to keep on premises under his or its control, within the city limits, any small or large livestock in such a manner that the livestock will be quartered closer than one hundred and fifty feet (150') from any human living quarters, other than the living quarters of the owner or keeper.

24.12. Male equine, including, but not limited to, horses, capable of breeding, will be confined in such a manner that said animal will not be dangerous to human beings and all breeding shall be under the control of the owner or handler.



## **SECTION 25. PERMIT FOR FFA OR 4-H PROJECTS**

- 25.1. Any student wishing to house a livestock project in the City of Nevada may do so within the requirements of this section.
- 25.2. Obtain an approved student livestock project permit by:
  - 25.2.1. Show proof of participation in either FFA or 4-H and be a member in good standing.
  - 25.2.2. Show the number and types of animals to be housed.
  - 25.2.3. Pay a \$20 permit fee.
- 25.3. At which time the student is no longer a member in good standing with the above-mentioned organizations they have thirty (30) days in which to remove the animal or animals from the premises.
- 25.4. Student Project Permits shall be restricted to premises of one (1) acre or larger.
- 25.5. Except where modified herein all other sections of this ordinance must be followed.

## **SECTION 26. FOWL**

The following limitations shall apply to residents living in the zoning districts AG 2/20, SF 1/22, & SF 1/4/12.

- 26.1. A maximum of twelve (16) fowl, except as otherwise provided herein. A person commits an offense if he or she owns or has control of a rooster, peacock or guineas on any premises within the city limits. In this article, the term "rooster" means a male chicken.
  - 26.1.1 All animals at all times are still subject to Section 8 - Animal Nuisance, and all other ordinances of the City.
- 26.2. Exceptions.
  - 26.2.1. Residents of the City as of the date of the adoption of this ordinance; or residents of newly annexed areas to the City that own a number of fowl that:
    - A. exceed the 16 fowl limit in 26.1 ; and/or
    - B. are harboring a rooster, peacock or guineasare granted exception for fowl requirements in 26.1 currently owned until the death of the animals owned at the effective date of this ordinance, or three years from the effective date, whichever first occurs. The burden is on the owner to prove the animal existed and was housed on the owner's

property in Nevada at the effective date. No exemption is granted without adequate proof being provided.

**SECTION 27.        PENALTY CLAUSE**

Any person, firm or corporation (collectively referred to as "Person") violating any of the provisions of this Ordinance, shall be subject to the penalty as provided herein, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2000.00) Dollars for each offense. Each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 28.        SEVERABILITY CLAUSE**

Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

**SECTION 29.        SAVINGS CLAUSE**

All rights and remedies of the City of Nevada, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting pets and/or animals which have been secured at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances the same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 30.        REPEALER CLAUSE**

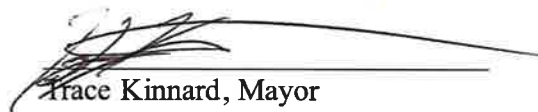
All provisions of the ordinances of the City of Nevada in conflict with the provisions of this Ordinance, and the same as this ordinance are hereby repealed. All other provisions of the ordinances of the City of Nevada, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION 31.        PUBLICATION OF THE CAPTION HEREOF AND EFFECTIVE DATE**

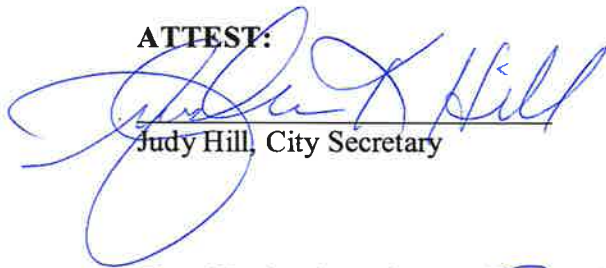
This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

**PASSED** by the City Council of the City of Nevada, Texas, this 19 day of June, 2018.

**APPROVED:**

  
Trace Kinnard, Mayor

**ATTEST:**

  
Judy Hill, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
James E. Shepherd, City Attorney

The effective date of this ordinance after its passage, and publication of its Caption is the 19 day of June, 2018.

