

ORDINANCE NO. 2014-O-117

AN ORDINANCE OF THE CITY OF LAREDO TEXAS, AMENDING ARTICLE II OF CHAPTER 6 “ANIMALS AND FOWL,” OF THE CODE OF ORDINANCES, SPECIFICALLY SECTION 6-43 (DOGS RUNNING AT LARGE PROHIBITED; EXCEPTIONS) TO CLARIFY EXISTING REGULATIONS AND PROVIDE NEW EXCEPTIONS IN THE DEFENSE OF PROSECUTION FOR DOG AT LARGE; AND ARTICLE VII, SECTION 6-119 (REGISTRATION, VACCINATION AND PERMIT FEES) TO ESTABLISH A \$25.00 ANNUAL PERMIT FEE TO BE REQUIRED OF DOG TRAINERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Laredo is committed to ensuring public health, welfare, and safety of its citizens by encouraging individuals to be responsible pet owners; and

WHEREAS, the presence of unrestrained, and unaltered animals within the City poses a danger to the public safety and leads to animal bites, attacks, and overpopulation, which increases such danger and places a strain on public resources; and

WHEREAS, the establishment of reasonable requirements to prevent animals from running at large is necessary to protect the health, safety and quality of life of the citizens of the City of Laredo; and

WHEREAS, the City Council has considered the revisions and determined that it is in the best interest of the City and necessary to protect the health, safety and welfare of humans and other animals.

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

Section 1: The Code of Ordinances is amended as follows:

Sec. 6-43. Dogs running at large prohibited; exceptions.

- (a) It shall be unlawful for any person owning, keeping or having in his possession or control any dog to allow such dog to run at large upon the streets, sidewalks or public grounds of the city, or to allow any dog to run at large upon or about the residence, lot or lands of any person other than the owner of such dog. Any dog on the streets, sidewalks or public grounds of the city, or on the residence, lot or lands of any person other than the owner of the dog, shall be considered to be at large in violation of this section; except that a dog under the control of a person by means of a chain, rope, cord, or leash not more than ten (10) feet in length and of sufficient strength to control the action of the dog shall not be deemed to be running at large, provided such person is physically able to, and does, restrain such dog.
- (b) ~~[The provisions of this section shall not apply to the following:]~~ The following are defenses to prosecution under Section 6-43 (a):

- (1) ~~Any dog entered in any dog show or exhibition held in the city, while the dog is actually engaged in such show or exhibition but must always show proof of rabies vaccination and pet registration. It is an affirmative defense to prosecution that, at the time of the conduct charged, the dog is participating in an organized dog show or event sponsored by a nationally recognized or state-recognized kennel club.~~
 - (2) ~~A dog restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by this state if the activity for which the license is issued is associated with the use or presence of a dog; It is an affirmative defense to prosecution that the person, at the time of the conduct charged, is an obedience trainer approved by the City of Laredo, and is actively engaged in the training of a dog actually enrolled in a dog training school. Any dog duly and properly trained for this purpose must be registered with the City of Laredo Health Department.~~
 - (3) ~~Any dog used by a blind person to aid the person in going from place to place, while the dog is being used by the person for such purpose in the city. It is an affirmative defense to prosecution that the person is in need of as service animal due to a disability such as blindness, being deaf or has another disability and at the time of the conduct charged, uses the dog to provide assistance, the dog is trained to provide assistance to a person with a disability, and the person is using the dog to provide assistance in connection with the person's disability. Any dog duly and properly trained for this purpose must be registered with the City of Laredo Health Department without paying a fee.~~
 - (4) It is an affirmative defense to prosecution that the person is a veterinarian, a veterinary clinic employee, a peace officer, a person employed by a recognized animal shelter, or a person employed by this City of Laredo or County of Webb to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position.
 - (5) It is a defense to prosecution that the person is an employee of the Laredo Police Department, or another law enforcement agency, and trains or uses dogs for law enforcement or corrections purposes, and is training or using the dog in connection with the person's official capacity.
 - (6) It is a defense to prosecution that, at the time of the conduct charged, the person's dog was on a leash, and either the person was in immediate control of the dog, or if the person was not in control of the dog, the person was making immediate and reasonable attempts to regain control of the dog.
- (c) The owner/trainer must comply at all times with rabies vaccination and pet registration requirements. The owner/trainer must, at all times, have in his/her possession a dog leash at least five (5) feet and not more than ten (10) feet in length and of sufficient strength to control the dog. If in a public place (i.e. park), training must be confined to designated areas

for pets and comply with local public rules (i.e. picking up droppings, staying in designated areas, maintaining pet on a leash accompanied by owner and/or trainer at all times).

Sec. 6-119. Registration, vaccination and permit fees.

Registration fees will not go into effect until August 1, 2011.

- (a)(1) Spayed Or Neutered Dog Or Cat Registration Fee\$ 2.00
- (2) Intact Dog Or Cat Registration Fee5.00
- (3) Reserved.
- (4) Microchip fee is the actual cost plus any associated costs (shipping, handling and sales tax if appropriate).
- (5) An administrative fee not to exceed twelve dollars (\$12.00) will be added (if chip is inserted by health department) in addition to the cost of the microchip.

- (b)(1) Spayed Or Neutered Dog Or Cat Rabies Vaccination Fee12.00
- (2) Intact Dog Or Cat Rabies Vaccination Fee12.00
- (c) Litter Permit Fee/per litter/dog15.00
- (d) Special Permit Fee15.00
- (e) Circuses Permit Fee/event200.00
- (f) Grooming Shop Permit Fee25.00
- (g) Performing Animal Exhibit Permit Fee (horse show, dog show)/event25.00
- (h) Pet Store/Pet Shop Permit Fee:
 - (1) Selling only birds, fish, mice, rats and gerbils25.00
 - (2) All other pet stores50.00
- (i) Petting Zoo Permit Fee (Temporary; Less Than Ten (10) Days)25.00
- (j) Rodeo Permit Fee200.00
- (k) Lost or Damaged Animal Traps Fee50.00
- (l) Tissue Fee (Animal Brain Diagnostic) For Preparation, Processing, And Shipment50.00
- (m) Dangerous Dog Registration Fee100.00
- (n) Livestock Fee200.00
- (o) Impoundment Fee15.00
25.00 observation
- (p) Boarding and Care/day\$10.00
\$20.00 for livestock
- (q) Voluntary Surrender15.00
- (r) Adoption Fee60.00
- (s) Spay and neuter fee50.00
- (t) Trainer permit fee25.00

Section 2: Revenues collected will be deposited into account number 226-0000-373-2069.

Section 3: The City Manager is hereby authorized to make transfers within the budget to meet the necessary costs to accomplish the scope of work for the project.

Section 4: This ordinance shall become effective no less than sixty (60) days from the date of public hearing on this Ordinance, in accordance with 2.09 (b) of the City Charter.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
_____ DAY OF _____, 2014.

RAUL G. SALINAS
MAYOR

ATTEST:

GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:

RAUL CASSO
CITY ATTORNEY

KRISTINA K. LAUREL HALE
ASSISTANT CITY ATTORNEY