

ORDINANCE NO. 2866

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, REPEALING AND REESTABLISHING CHAPTER 2, *ANIMAL CONTROL*, ARTICLE 2.1900 *RESTRAINT AND CONFINEMENT* OF THE CORSICANA CITY CODE OF ORDINANCES.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Corsicana, Texas, that Chapter 2, Article 2.1900 of the Corsicana City Code of Ordinances be repealed and reestablished to hereafter read as follows:

CHAPTER 2: ANIMAL CONTROL

ARTICLE 2.1900 RESTRAINT AND CONFINEMENT

- A. ~~Tying, staking or tethering animal.~~ Animals shall not be tied, staked or tethered during the hours of 10:00 p.m. and 6:00 a.m. and during extreme weather conditions. Animals shall not be inhumanely chained, tied fastened or otherwise tethered. The following conditions must be met:
- ~~(1) Only one animal may be tethered to each cable run.~~
 - ~~(2) The tether must be attached to a properly fitting collar or harness worn by the animal, with enough room between the collar and the animal's throat through which two fingers may fit. Choke collars and pinch collars are prohibited for purposes of tethering an animal to a cable run.~~
 - ~~(3) There must be a swivel on at least one end of the tether to minimize tangling of the tether.~~
 - ~~(4) The tether and cable run must be of adequate size and strength to effectively restrain the animal and must not weigh more than 1/8 of the animal's body weight.~~
 - ~~(5) The cable run must be at least fifteen feet in length and mounted to either a swivel tie-out or to a cable/trolley/pulley system.~~
 - ~~(6) The length of the tether from the cable run to the animal's collar should allow access to the maximum available exercise area and should allow continuous access to water, food, shelter, shade and a dry area. The animal must be able to have room to urinate or defecate in a separate area from the area where it must eat, drink or lie down. The tether~~

~~system must be of appropriate configuration to confine the animal to the owner's property, to prevent the tether~~

~~from extending over an object or an edge that could result in injury or strangulation of the animal, and to prevent the tether from becoming entangled with other objects or animals.~~

~~(7) Any animal tethered as described in subsections (1) through (6) above must be removed from the tether at least once a day for adequate exercise.~~

- B. Confinement during Estrus. Any unspayed female dog or cat in the state of estrus (heat) shall be humanely confined during such period of time in a house, building or secure enclosure to ensure that an unwanted pregnancy will not occur. Owners who do not comply shall be ordered to remove the animal in heat to a veterinary hospital or boarding facility. All expenses incurred as a result of this confinement shall be paid by the owner.

CHAPTER 2: ANIMAL CONTROL

ARTICLE 2.1900 RESTRAINT AND CONFINEMENT

- A. Tying, staking or tethering animal. *Animals may not be tethered to a stationary object as a means of confinement.*

- (1) *Any animal permitted to be kept within the City of Corsicana shall not be chained, tied, fastened, or otherwise tethered to any stationary or inanimate object as a means of confinement and restraint to property. First-time violators of this provision may be given up to a three (3) day grace period without penalty to correct a violation of this provision, should such grace period be deemed appropriate by the officer. Violators holding a valid fence permit shall be given up to thirty (30) days to complete construction of a fence. Exception from penalty shall not be given in any case where the violation of the provision causes or contributes to the bodily injury of a person or animal. An animal tethered, not having food, not having water, or not having shelter shall be considered separate offenses under this provision and each violation shall carry a separate penalty.*

Any exceptions due to emergency acts of God must be approved in writing by the Animal Control Officer.

- (2) *A person commits an offense if he uses a chain, rope, tether, leash, cable, or other device to attach an animal to a stationary object or trolley system. This section does not prohibit a person from walking an animal on a handheld leash.*


(3) *It is a defense to prosecution under this section that:*

- (a) *The animal is being tethered during a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity; or*
- (b) *The animal tethering is required to protect the safety or welfare of a person or the animal and the animal's owner maintains direct supervision of the animal.*

B. Confinement during Estrus. *Any unspayed female dog or cat in the state of estrus (heat) shall be humanely confined during such period of time in a house, building, or secure enclosure to ensure that an unwanted pregnancy will not occur. Owners who do not comply shall be ordered to remove the animal in heat to a veterinary hospital or boarding facility. All expenses incurred as a result of this confinement shall be paid by the owner.*

C. Penalty. *The penalty for violation of this section shall be under Section 1.106(a)(1) of the City Code of Ordinances of the City of Corsicana, Texas, and shall be a maximum fine of two thousand dollars (\$2,000.00) for each offense, for each violation, for each separate day, and for each animal.*

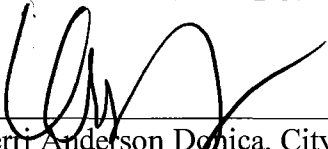
PASSED, APPROVED and ADOPTED by the City Council of the City of Corsicana, Texas, this the 26th day of **October, 2015.**


Chuck McClanahan, Mayor

ATTEST:


Virginia Richardson, City Secretary

APPROVED AS TO FORM:


Kerri Anderson Donica, City Attorney

