

ORDINANCE NO. 136 Revision A

AN ORDINANCE TO AMEND ORDINANCE 129 WHICH PROTECTS THE HEALTH, SAFETY AND WELFARE OF THE CITY OF ENCHANTED OAKS BY REGULATING THE MOVEMENTS AND BREEDING OF PETS WITHIN THE CITY LIMITS, SETTING A PENALTY FOR VIOLATION AND REMOVAL OF ANIMAL. REVISION A PROVIDES FOR ANIMAL HEALTH
BE IT ORDAINED BY THE TOWN COUNCIL OF ENCHANTED OAKS, TEXAS.

SECTION I

For purposes of this ordinance, the following terms are defined as follows:

- a. "Pet"-- any kind of animal kept as a pet including but not limited to dogs and cats. No farm animals (e.g., pigs, chickens, cows, horses, goats, etc.)**
- b. "Leash" -- any kind of lead sufficient to restrain the animal upon which it is used whether made of leather, chain or other materials.**

SECTION II

It shall be unlawful for any person, firm or association of persons to allow:

- a. Pets to roam at large within the city limits without being restrained by a leash;**
- b. Pets excrement be left on public property, city owned property, or other individuals private property;**
- c. Breeding of pets for the purpose of monetary gain within the city limits and E.T.J. of Enchanted Oaks, which by definition is "a business" and is prohibited by city zoning ordinance #60;**
- d. No person shall chain, tether, fasten, tie, or restrain a dog, or cause a dog to be chained, tethered, fastened, tied, or restrained, to a dog house, tree, fence, or any other stationary object: EXCEPT WHEN ATTENDED BY AN ADULT (18 YRS) or under unusual circumstance for less than 72 hours.**
- e. A person may do the following: Attach a dog to a running line, pulley, or trolley system. Any installed system shall provide the animal a free range of no less than ten (10) feet. A dog shall not be tethered to the running line, pulley, or trolley system by means of a choke collar or pinch collar.**

Property owners with rental property within Enchanted Oaks are responsible to assure that their renters are fully aware, and adhere to, the restrictions of this ordinance. In the event violations and subsequent penalties against renters are unresolved upon their moving from Enchanted Oaks, the responsibility for such shall fall upon the property owner/tax payer.

SECTION III

Violation of this ordinance shall be punishable by a fine of not less than \$75.00 or the maximum allowed for a Class C misdemeanor and each day of violation may be considered a separate offense hereof.

SECTION IV

The City of Enchanted Oaks has the authority to remove the animal from the city to a shelter provided in the Cedar Creek area.

SECTION V

The City of Enchanted Oaks accepts no liability for injuries to a pet removed from the city or any fees incurred to have the pet released.

Nothing in this ordinance shall be construed to prohibit a person from walking a dog with a hand-held leash

PASSED AND APPROVED THIS 14th DAY OF February, 2012

Mayor Donald G. Warner III

ATTEST _____
City Secretary Pam Foster