

City of Lumberton, TX

Code of Ordinances

Chapter 4 - ANIMALS

FOOTNOTE(S):

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State Law reference— V.T.C.A., Agriculture Code ch. 1 et seq.; health and safety of animals, V.T.C.A., Health and Safety Code ch. 821 et seq.

ARTICLE I. - IN GENERAL

Secs. 4-1—4-18. - Reserved.

ARTICLE II. - ANIMAL CONTROL

DIVISION 1. - GENERALLY

Sec. 4-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal control officer means the reporting agent for the purposes of this article, whose duties consist of the following:

(1)

Receiving all reports of animal bites and scratches to humans.

(2)

Receiving all reports of suspected rabid animals.

(3)

Investigation of all reported animal bites and scratches and suspected rabid animals.

(4)

Order quarantine, if appropriate, of any animal which has exposed an individual or which may be rabid.

(5)

Other duties entailed by the text of this law.

The animal control officer shall be directly responsible to, and under the supervision of, the chief of police or his designee.

Cat means a domestic feline of either sex, including one neutered or sterilized.

Dog means a domestic canine of either sex, including one neutered or sterilized.

Domestic animal includes the following species:

(1)

Dog;

(2)

Cat;

(3)

Horse;

(4)

Cow;

(5)

Pig;

(6)

Sheep; and

(7)

Goat.

It does not include hybrid animals resulting from crossing wild with domestic species.

Harboring means the act of keeping and caring for an animal or of providing a premises to which the animal returns for a period of three days.

Owner means any person who has right of property in an animal or who harbors any animal or allows an animal to remain about his premises for a period of three days.

Pet animal includes dogs, cats, rabbits, rodents, birds, reptiles, and any other species of animal which is sold or retained as a household pet, but shall not include any species of wild, exotic, or carnivorous animal that may be further restricted in this chapter.

Rabies vaccination means the vaccination of a dog, cat or other domestic animal with an anti-rabies vaccine approved by the United States Department of Agriculture and administered by a veterinarian licensed by the state.

Running at large or run at large pertains to an animal off the premises of the owner and not under the physical, visible or audible control of the owner or his authorized representative. An animal intruding upon the property of another person other than the owner shall be termed "running at large." An animal within an automobile or other vehicle of its owner shall not be deemed "running at large."

Stray animal means any animal for which there is no identifiable owner or harborer.

Vicious animal means any animal that commits an unprovoked attack upon a person or animal on public or private property or that attacks, threatens to attack or terrorizes a person on public property or in a public place.

Wild animal refers to any mammal native to North America, except the domestic species dog, cat, horse, cow, pig, sheep, and goat.

(Ord. No. 00-1147, §§ 1.1—1.13, 1-24-2000; Ord. No. 08-1174, § 1, 4-14-2008)

Secs. 4-20—4-52. - Reserved.

DIVISION 2. - RABIES CONTROL

Sec. 4-53. - Vaccinations required.

Every owner of a dog or cat four months of age or older shall have such animal vaccinated against rabies. Annual revaccination shall be required thereafter. Any person moving into the city from a location outside of the city shall comply with this division within ten days after having moved into the city.

(Ord. No. 00-1147, § 2.1, 1-24-2000; Ord. No. 08-1174, § 2.1, 4-14-2008)

Sec. 4-54. - Certificate of vaccination issued; duplicate copy.

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:

(1)

Owner's name, address and telephone number.

(2)

Animal identification: species, age, sex, size (in lbs.), predominant breed, and colors.

(3)

Vaccine used: producer, expiration date, and serial number.

(4)

Date vaccinated.

(5)

Rabies tag number.

(6)

Veterinarian's signature and license number.

(Ord. No. 00-1147, § 2.2, 1-24-2000; Ord. No. 08-1174, § 2.2, 4-14-2008)

Sec. 4-55. - Rabies tags.

Concurrent with the issuance and delivery of the certificate of vaccination referred to in section 4-54, the owner of the dog shall cause to be attached to the collar or harness of the vaccinated dog 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.

(Ord. No. 00-1147, § 2.3, 1-24-2000; Ord. No. 08-1174, § 2.3, 4-14-2008)

Sec. 4-56. - Duplicate tags.

In the event of loss or destruction of the original tag provided in section 4-55, the owner of the dog shall obtain a duplicate tag.

(Ord. No. 00-1147, § 2.4, 1-24-2000; Ord. No. 08-1174, § 2.4, 4-14-2008)

Sec. 4-57. - Proof of vaccination.

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 section.

(Ord. No. 00-1147, § 2.5, 1-24-2000; Ord. No. 08-1174, § 2.5, 4-14-2008)

Sec. 4-58. - Harboring unvaccinated animals.

It shall be unlawful for any person to harbor any dog or cat which has not been vaccinated against rabies, as provided herein, or which cannot be identified as having a current vaccination certificate.

(Ord. No. 00-1147, § 2.6, 1-24-2000; Ord. No. 08-1174, § 2.6, 4-14-2008)

Sec. 4-59. - 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 animal control officer, giving him any information which he may require. Any animal known to have been or suspected of being exposed to rabies, the following rules must apply:

(1)

Unvaccinated animals which have been bitten or directly exposed by physical contact with a rabid animal or its fresh tissues should be:

a.

Humanely killed; or

b.

If sufficient justification for preserving the animal exists, immediately vaccinated against rabies, placed in strict isolation for six months and given a booster vaccination one month prior to release from isolation.

(2)

Vaccinated animals which have been bitten or otherwise significantly exposed to a rabid animal should be:

a.

Humanely killed; or

b.

If sufficient justification for preserving the animal exists, given a booster rabies vaccination and placed in strict isolation for three months.

(3)

These provisions apply only to domestic animals for which an approved vaccine is available.

(Ord. No. 00-1147, § 2.7, 1-24-2000; Ord. No. 08-1174, § 2.7, 4-14-2008)

State law reference— Rabies, V.T.C.A., Health and Safety Code ch. 826; authority of municipalities to establish rabies control programs, V.T.C.A., Health and Safety Code § 826.015.

Secs. 4-60—4-76. - Reserved.

DIVISION 3. - REPORTING BITES FROM ANIMALS

Sec. 4-77. - Duty to report.

Any person having knowledge that an animal has bitten a human shall immediately report the incident to the animal control officer. Every physician or other medical practitioner who treats a person for such bites shall, within 12 hours, report such treatment to the animal control officer or his agent, giving the name, age, sex and precise location of the bitten person and such other information as the animal control officer may require.

(Ord. No. 00-1147, § 3.1, 1-24-2000; Ord. No. 08-1174, § 3.1, 4-14-2008)

Sec. 4-78. - Exclusions.

Human bites from rodents, rabbits, birds and reptiles are excluded from the reporting requirements of this division.

(Ord. No. 00-1147, § 3.2, 1-24-2000; Ord. No. 08-1174, § 3.2, 4-14-2008)

Sec. 4-79. - Suspected rabies.

Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other domestic or wild animal shall immediately report the incident to the animal control officer stating precisely where such animal may be found. If a known or suspected rabid animal bites or attacks a domestic animal, such incident shall also be reported as required in section 4-59.

(Ord. No. 00-1147, § 3.3, 1-24-2000; Ord. No. 08-1174, § 3.3, 4-14-2008)

Sec. 4-80. - Confinement of dogs and cats.

Any dog or cat which has bitten a person shall be observed for a period of ten days from the date of the bite. The procedure and place of observation shall be designated by the animal control officer. If the dog or cat is not allowed an at-home quarantine, confinement shall be by impoundment in the designated shelter, or at any veterinary hospital of the owner's choice. Such confinement shall be at the expense of the owner. Stray dogs or cats the owners of which cannot be located shall be confined in the designated

animal shelter or a veterinary hospital. The owner of any dog or cat that has been reported to have inflicted a bite on any person shall, on demand, produce said dog or cat for impoundment, as prescribed in this section. Refusal to produce said dog or cat constitutes a violation of this section, and each day of such refusal shall constitute a separate and individual violation. At no time shall a dog or cat be allowed an at-home quarantine if it is in violation of any provision of this section.

(Ord. No. 00-1147, § 3.4, 1-24-2000; Ord. No. 08-1174, § 3.4, 4-14-2008)

Sec. 4-81. - Removal of dogs and cats from confinement.

It shall be unlawful for any person to remove from any place of confinement any dog or cat which has been confined as authorized without the consent of the animal control officer.

(Ord. No. 00-1147, § 3.5, 1-24-2000; Ord. No. 08-1174, § 3.5, 4-14-2008)

Sec. 4-82. - Procedures for other animal bites.

Procedures concerning bites from other animals shall be discussed with the animal control officer or the state department of health for proper disposition. Any wild animal which has bitten a person should be caught and killed and the brain immediately submitted to a qualified laboratory for rabies examination. An exception to this rule may be allowed for large, exotic, or valuable zoo species, which, by reason of their close confinement, would be unlikely rabies vectors. Rodents, rabbits, birds and reptiles are not considered to be transmitters of the rabies virus and should not be submitted for laboratory examination for rabies.

(Ord. No. 00-1147, § 3.6, 1-24-2000; Ord. No. 08-1174, § 3.6, 4-14-2008)

Secs. 4-83—4-107. - Reserved.

DIVISION 4. - DOCUMENTS

Sec. 4-108. - False and stolen documents.

It shall be unlawful for any person to make use of a stolen, counterfeit or forged vaccination receipt, rabies vaccination certificate, rabies vaccination tag or other form.

(Ord. No. 00-1147, § 4.1, 1-24-2000; Ord. No. 08-1174, § 4.1, 4-14-2008)

Sec. 4-109. - Transferability.

Dog and cat vaccination receipts are not transferable and it shall be unlawful for any person to use any vaccination receipt or rabies tag for any dog or cat other than the dog or cat for which such tag was originally issued.

(Ord. No. 00-1147, § 4.2, 1-24-2000; Ord. No. 08-1174, § 4.2, 4-14-2008)

Secs. 4-110—4-131. - Reserved.

DIVISION 5. - ANIMALS RUNNING AT LARGE

Sec. 4-132. - Restraining; notice of no trespass on property.

It shall be unlawful for any animal, owned, kept or harbored to run at large, as defined in section 4-19. The supervisor of animal control or an officer designated by him shall have the authority to impound such animals running at large. He shall furthermore be enabled by this article to enter onto privately owned property for this purpose, so long as in doing so he does not violate a property owner's posted notice or no trespassing notice.

(Ord. No. 00-1147, § 5.1, 1-24-2000; Ord. No. 08-1174, § 5.1, 4-14-2008)

Sec. 4-133. - Nuisance.

It shall be unlawful for any owner to harbor any dog, cat or other pet animal which by any sound or cry or other activity shall disturb the peace, comfort or property of the inhabitants of the neighborhood. Signed complaints by inhabitants of two separate households will establish the existence of a disturbance, and such disturbance is hereby declared to be a public nuisance and a violation of this article.

(Ord. No. 00-1147, § 5.2, 1-24-2000; Ord. No. 08-1174, § 5.2, 4-14-2008)

Sec. 4-134. - Confinement during estrus.

Any unspayed female dog or cat in the state of estrus (heat) shall be confined during such period of time in a house, building, or secure enclosure and said area of enclosure shall be so constructed that no other dog or cat may gain access to the confined animal. Owners who do not comply shall be ordered to remove the animal in heat to a boarding kennel, veterinary hospital, or animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. Failure to comply with the removal order of the animal control officer shall be a violation of this order and the dog or cat will then be impounded as prescribed in this order.

(Ord. No. 00-1147, § 5.3, 1-24-2000; Ord. No. 08-1174, § 5.3, 4-14-2008)

Sec. 4-135. - Injured animals.

Animals injured on public property may be impounded and given adequate veterinary medical treatment pending notification of the owner. If the injured animal is treated and/or impounded, the owner of such animal shall be liable for all expenses of the treatment and/or impoundment; however, disposition may be made according to section 4-187.

(Ord. No. 00-1147, § 5.4, 1-24-2000; Ord. No. 08-1174, § 5.4, 4-14-2008)

Sec. 4-136. - Stray dogs.

After three months from the effective date of the ordinance from which this division is derived, any dog not wearing a rabies tag shall be assumed to be a stray and will be subject to immediate impoundment.

(Ord. No. 00-1147, § 5.5, 1-24-2000; Ord. No. 08-1174, § 5.5, 4-14-2008)

Secs. 4-137—4-155. - Reserved.

DIVISION 6. - VICIOUS ANIMALS

Sec. 4-156. - Ownership prohibited.

No person shall own or harbor a vicious animal within the city. Such an animal shall be impounded as a public nuisance. If impoundment of said animal running at large cannot be made with safety to the animal control officer, or other persons, the animal may be destroyed without notice to the owner or harborer.

(Ord. No. 00-1147, § 6.1, 1-24-2000; Ord. No. 08-1174, § 6.1, 4-14-2008)

Sec. 4-157. - Guard dogs; confinement to area or premises.

It shall be unlawful to place or maintain any dog which has been specifically trained to attack in any area for the protection of persons or property, unless the dog is physically confined to a specific area or is under complete and absolute control. The area or premises in which a guard dog is confined must be conspicuously posted with warning signs bearing letters not less than two inches high.

(Ord. No. 00-1147, § 6.2, 1-24-2000; Ord. No. 08-1174, § 6.2, 4-14-2008)

Secs. 4-158—4-182. - Reserved.

DIVISION 7. - IMPOUNDED ANIMALS

Sec. 4-183. - Impoundment standard.

Animals owned or harbored in violation of this order, or any other ordinance or law of the state, shall be taken into custody by an animal control officer or other designated official and impounded. Stray animals shall be similarly impounded.

(Ord. No. 00-1147, § 7.1, 1-24-2000; Ord. No. 08-1174, § 7.1, 4-14-2008)

Sec. 4-184. - Animal shelter.

If an animal shelter is provided for the purpose of boarding and caring for any animal impounded under the provisions of this order, such shelter shall be constructed in accordance with recommendations from the state department of health. In lieu of constructing a shelter, the city may contract with any organization having a suitable facility that has been approved by the state department of health.

(Ord. No. 00-1147, § 7.2, 1-24-2000; Ord. No. 08-1174, § 7.2, 4-14-2008)

Sec. 4-185. - Removal of animals from animal shelter.

It shall be unlawful for any person to remove any impounded animal from an animal shelter without the consent of the animal control officer.

(Ord. No. 00-1147, § 7.3, 1-24-2000; Ord. No. 08-1174, § 7.3, 4-14-2008)

Sec. 4-186. - Removal of biting dogs and cats from confinement.

Dogs and cats that have inflicted human bites shall be confined for a period of ten days for observation, and shall not be terminated until consent from the animal control officer can be secured.

(Ord. No. 00-1147, § 7.4, 1-24-2000; Ord. No. 08-1174, § 7.4, 4-14-2008)

Sec. 4-187. - Disposition of impounded vaccinated dogs and cats.

As soon as practical after impoundment, if the owner of the impounded dog or cat is known, immediate notice shall be given to him. Any impounded dog or cat which is vaccinated may be redeemed by the owner upon payment of the impoundment fee, care and feeding charges, and such other costs as set by the city council. If such animal is not redeemed within three days, and after reasonable effort has been made to locate its owner, it shall be considered abandoned and may be placed for adoption subject to payment of the care and feeding charges, veterinary charges, and such other costs as set by the city council, or the animal may be humanely euthanized (killed) under the supervision of or by a licensed veterinarian.

(Ord. No. 00-1147, § 7.5, 1-24-2000; Ord. No. 08-1174, § 7.5, 4-14-2008)

Sec. 4-188. - Disposition of impounded unvaccinated animals.

As soon as practical after impoundment, if the owner of the impounded animal is known, immediate notice shall be given to him. Any impounded animal may be redeemed upon payment of the care and feeding charges, veterinary charges, rabies vaccination charges, and such other costs as set by the city council. If such animal is not redeemed within three days, it shall be deemed abandoned and may be placed for adoption subject to payment of the care and feeding charges, veterinary charges, rabies vaccination charges and such other costs as set by the city council, or said animal may be humanely euthanized (killed) under the supervision of a licensed veterinarian. If any impounded animal appears to be either seriously ill or injured in such a manner as to render treatment impractical, it may be humanely destroyed before the end of the three-day waiting period to end its suffering, or the animal may be given to a nonprofit humane organization for the purpose of treatment.

(Ord. No. 00-1147, § 7.6, 1-24-2000; Ord. No. 08-1174, § 7.6, 4-14-2008)

Sec. 4-189. - Disposition of impounded animal being held on complaint.

If a complaint has been filed in city court against the owner of an impounded animal for violation of this article, the animal shall not be released except on the order of the court which may also direct the owner to pay any penalties for violation of this order in addition to all impoundment fees. The court may, upon making a finding that such animal is vicious, or that it represents a clear and present danger or nuisance to the citizens or other animals in the community, order said animal to be euthanized (killed) in a humane manner. Surrender of an animal by the owner thereof to the animal control officer does not relieve or render the owner immune from the decision of the court, nor to the fees and fines which may result from a violation of this article.

(Ord. No. 00-1147, § 7.7, 1-24-2000; Ord. No. 08-1174, § 7.7, 4-14-2008)

Sec. 4-190. - Disposition of deceased animals.

Any animal taken into custody by the animal control officer, except those animals which have inflicted human bites during the preceding ten days and that are visibly affected with any sign of communicable disease other than rabies, which are being held at the impounding facility, may, instead of being impounded, be humanely destroyed provided:

(1)

That any animal which has inflicted any human or animal bite during the preceding ten days have its head removed by the animal control officer and submitted to the laboratory for rabies examination.

(2)

Any animal exhibiting symptoms of rabies must be handled in a manner prescribed by the animal control officer.

(Ord. No. 00-1147, § 7.8, 1-24-2000; Ord. No. 08-1174, § 7.8, 4-14-2008)

Secs. 4-191—4-218. - Reserved.

DIVISION 8. - PROHIBITED ANIMALS

Sec. 4-219. - Unlawful import, sale, etc., in city.

It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in the city any monkey or other nonhuman primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, other carnivorous animal, or poisonous reptile.

(Ord. No. 00-1147, § 8.1, 1-24-2000; Ord. No. 08-1174, § 8.1, 4-14-2008)

Sec. 4-220. - Endangered species prohibited.

It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in the city any endangered species of animal as defined by the United States Department of the Interior or the state department of parks and wildlife.

(Ord. No. 00-1147, § 8.2, 1-24-2000; Ord. No. 08-1174, § 8.2, 4-14-2008)

Sec. 4-221. - Exemption.

This division shall not apply to:

(1)

A bona fide publicly or privately owned zoological park.

(2)

A bona fide research institution using animals for scientific research.

(3)

A circus duly authorized to do business in the city.

(4)

A permittee holding a special permit issued by the city council. The permittee must have suitable confinement to prevent escape. If conditions are not met, the permit is automatically revoked and the animal must not be kept in the city limits.

(Ord. No. 00-1147, § 8.3, 1-24-2000; Ord. No. 08-1174, § 8.3, 4-14-2008)

Secs. 4-222—4-250. - Reserved.

DIVISION 9. - INHUMANE TREATMENT

Sec. 4-251. - Cruelty to animals.

It is hereby prohibited and it shall be unlawful for any person to commit or cause to be committed any act of cruelty, harassment or torture to any animal or intentionally cause such animal to be mutilated or inhumanely killed. Ownership or the commission of such acts of cruelty on private property shall not be a justifiable defense for violation of this section.

(Ord. No. 00-1147, § 9.1, 1-24-2000; Ord. No. 08-1174, § 9.1, 4-14-2008)

Sec. 4-252. - Poisoning.

It is hereby prohibited and it shall be unlawful for any person to poison any domestic animal or to distribute poison or toxicants on public or private property in any manner whatsoever with the intent of poisoning any domestic animal.

(Ord. No. 00-1147, § 9.2, 1-24-2000; Ord. No. 08-1174, § 9.2, 4-14-2008)

Sec. 4-253. - Abandonment or undernourishment of animals.

It is hereby prohibited and it shall be unlawful for any person to willfully abandon any animal; or to withhold food or water from any animal such that its health is endangered, or is caused to suffer unduly.

(Ord. No. 00-1147, § 9.3, 1-24-2000; Ord. No. 08-1174, § 9.3, 4-14-2008)

Sec. 4-254. - Display or sale of dyed or immature animals.

It is hereby prohibited and it shall be unlawful for any person to possess, display, sale, barter or give away dyed, colored or in any way artificially treated baby chicks, ducklings, fowl, rabbits or any animals as pets, playthings, novelties, gifts or for any other purpose. This section shall not be construed to prohibit their display by hatcheries, stores, owners, dealers or persons engaged in the business of selling such immature animals to be raised for food; but not such hatcheries, stores, owners, dealers or persons which shall sell or give away baby chicks, ducklings or any other immature domestic fowl as pets, playthings, novelties or gifts.

(Ord. No. 00-1147, § 9.4, 1-24-2000; Ord. No. 08-1174, § 9.4, 4-14-2008)

Sec. 4-255. - Fighting animals.

It is hereby prohibited and it shall be unlawful for any person to cause, instigate or encourage any dog or other animal to fight with another of its own species or with another of a different species. It shall be unlawful for any person to train or keep any dog or other animal for the purpose of fighting. It shall be unlawful for any person to maintain a place where any dog or other animal is permitted to fight for exhibition or for wager or for sport.

(Ord. No. 00-1147, § 9.5, 1-24-2000; Ord. No. 08-1174, § 9.5, 4-14-2008)

State law reference— Cruelty to animals, V.T.C.A., Health and Safety Code § 42.09.

Secs. 4-256—4-273. - Reserved.

DIVISION 10. - SAFETY PROVISION

Sec. 4-274. - Interference with the animal control officer or his authorized representative.

It shall be unlawful for any person to interfere with, molest, hinder, or prevent the animal control officer or his authorized representatives in the discharge of their duties as herein prescribed, or to violate any of the provisions of this order.

(Ord. No. 00-1147, § 10.1, 1-24-2000; Ord. No. 08-1174, § 10.1, 4-14-2008)

Secs. 4-275—4-296. - Reserved.

DIVISION 11. - FEES AND LICENSES

Sec. 4-297. - Fees.

Fees for impoundment, boarding, adoption and any other fee deemed necessary shall be set by resolution of the city council. Such fees may be changed or adjusted as necessary from time to time.

(Ord. No. 00-1147, § 11.1, 1-24-2000; Ord. No. 08-1174, § 11.1, 4-14-2008)

Sec. 4-298. - Fee schedule established.

A current schedule of all fees shall be as currently established or as hereafter adopted by resolution of the city council from time to time.

(Ord. No. 00-1147, § 11.2, 1-24-2000; Ord. No. 08-1174, § 11.2, 4-14-2008)

Sec. 4-299. - Records.

It shall be the duty of the animal control officer of the city to maintain such records as deemed necessary to the enforcement of all provisions of this order and have those records available for display to the city council, or to the public at any time during regular business hours of city hall.

(Ord. No. 00-1147, § 11.3, 1-24-2000; Ord. No. 08-1174, § 11.3, 4-14-2008)

Secs. 4-300—4-316. - Reserved.

DIVISION 12. - ADOPTIONS

Sec. 4-317. - Adoption from animal shelter.

(a)

An individual may adopt a dog or cat from the city animal shelter under the following conditions:

(1)

The animal has been classified as adoptable by the supervisor of animal control.

(2)

The prospective adopter has proper facilities to care for the animal.

(3)

The prospective adopter obtains the necessary vaccinations.

(4)

The prospective adopter pays the charges set out in section 4-187 and 4-188 only.

(5)

The prospective adopter agrees to have the animal neutered if a male, or spayed if a female, within 30 days after adoption, or else the animal control supervisor shall have the right of immediate return of the animal to the animal shelter, provided the supervisor shall allow additional time in the case of dogs or cats less than six months of age.

(b)

The supervisor of animal control may refuse to allow a person to adopt a cat or dog of whom he has reason to believe that the person adopting:

(1)

Would not have proper facilities to contain or care for the animal as required by this chapter;

(2)

Wants the dog or cat for the purpose of resale or for purposes other than pet ownership; or

(3)

The cat or dog would be a hazard to humans or other animals.

(Ord. No. 00-1147, § 12.1, 1-24-2000; Ord. No. 08-1174, § 12.1, 4-14-2008)