

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CORSIANA, TEXAS, AMENDING CHAPTER 2, ANIMAL CONTROL,
ARTICLE 2.900, DANGEROUS DOGS, OF THE CITY CODE OF
ORDINANCES AUTHORIZING FEES ASSOCIATED WITH DANGEROUS
DOGS.**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Corsicana, Texas, that Chapter 2, *Animal Control*, Article 2.900, *Dangerous Dogs*, be amended to hereafter read as follows:

**CHAPTER 2: ANIMAL CONTROL
Article 2.900 DANGEROUS DOGS**

- A. Any dangerous dog or other animal found running at large may be destroyed by any peace officer or animal control officer in the interest of public safety.
- B. Animal Control must notify, in writing or by certified letter, the owner of the dog in question that the dog has been deemed dangerous. The owner of the dangerous dog must deliver the dog to Animal Control or a veterinarian of the owner's choice immediately upon the dog being deemed dangerous by Animal Control. If the owner does not deliver the dog within 24 hours of such designation, Animal Control has the authority to seize the dog with a seizure warrant. The owner has 30 days to comply with the requirements listed in Article 2.900(D).
- C. The owner, not later than the fifteenth day after the owner is notified the dog is a dangerous dog, may appeal the determination of Animal Control to the City's Municipal Court. Upon notice of appeal by the owner to the Municipal Court regarding a dangerous dog, the Court will conduct a hearing within ten (10) days regarding the validity of such finding. Such finding must be supported by a preponderance of the evidence.
- D. The following criteria must be met to retain ownership of a dangerous dog and the dog must be in compliance with the following criteria:
 - 1. Proof of liability insurance or financial responsibility of one hundred thousand dollars (\$100,000.00) must be provided to the Chief of Police or designee;
 - 2. The dangerous dog must also be registered with the Chief of Police or designee and receive a permanent identification microchip. A tag will be provided to identify the dangerous dog. A Dangerous Dog fee, as established by Texas State Law Health and Safety Code Chapter 822, must be paid upon registration and renewed annually;
 - 3. The owner must purchase a fluorescent yellow collar for the dog that can be seen from fifty (50) feet away;

4. All dangerous dogs must be confined by a building, wall or fence of sufficient strength or construction to retain the dog and the enclosure/property housing the dog must be clearly marked with a visible sign that the enclosure contains a dangerous dog. The enclosure must be reasonably constructed to keep the dog from escaping (all enclosures must have four sides, a top, a bottom and locks on the gates). Chains, ropes and/or leashes may not be used as the primary means of restraint for dangerous dogs; and
 5. The owner must secure the dog with a muzzle that does not interfere with the dog's vision, respiration, or ability to pant when the dog is removed from the secure enclosure.
 6. The owner must pay all associated fees to the Animal Shelter as referenced in Chapter 13, *Fees and Costs of Services* in the City Code of Ordinances.
- E. Owners of a dangerous dog commit a Class C Misdemeanor if the dangerous dog makes any unprovoked attack outside its enclosure or the owner does not comply with all requirements in this Article.
- F. Owners of a dangerous dog commit a Class B Misdemeanor if the owner has previously been convicted for not complying with the requirements in this article.
- G. Animal control officers and City police officers are hereby authorized, with consent of the owner or custodian, to seize and impound any animal that lacks basic care as prescribed in Article 2.1800 Animal Care or is treated in a manner as defined as cruelty to an animal. If the owner or custodian refuses consent, an animal control officer or City police officer may obtain a seizure warrant to impound the animal.

PASSED, APPROVED and ADOPTED this 12th day of November, 2019.

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney