

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CORSICANA, TEXAS, AMENDING CHAPTER 2, *ANIMAL CONTROL*,
ARTICLE 2.700, *ANIMAL NUISANCE*, OF THE CITY CODE OF
ORDINANCES.**

WHEREAS, in accordance with the provisions of the laws of the State of Texas, the City Council has conducted a public hearing for the purpose of considering the amendment to the Code of Ordinances for the City of Corsicana, Texas.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Corsicana, Texas, that Chapter 2, *Animal Control*, Article 2.700, *Animal Nuisance*, of the City Code of Ordinances is amended to read as follows:

CHAPTER 2 – ANIMAL CONTROL

Article 2.700 – ANIMAL NUISANCE

The commission of any of the following acts, or permitting any of the following conditions to exist on or to one's property within the City of Corsicana, shall constitute a nuisance to the health, safety and general welfare of the City and its inhabitants and shall be unlawful, to-wit:

- A. The keeping of an animal enclosure that emits foul and offensive odors which are obnoxious to any person of ordinary sensitivity in the vicinity.
- B. The keeping of bees that endanger the health and welfare of persons in the vicinity.
- C. The keeping of a dog, cat, or other pet animal that enters the property of another and commits any act that disturbs any person of ordinary sensitivity.
- D. The parking on or along any highway, street, or alley within the City of Corsicana, any vehicle used for hauling animals or fowl that emits odors obnoxious to any person of ordinary sensitivity in the vicinity.
- E. Whenever any complaint is made to the City as to the unsanitary condition or offensive odors resulting from the keeping of such livestock, fowl, or pet animal or if such shall come to the attention of the City without complaint, the City shall investigate the same, and if such unsanitary condition is found to exist, the same shall constitute a nuisance. The City may give the owner or possessor of such livestock or fowl instructions as to how to clean up such premises and abate the nuisance, and if such unsanitary condition is not remedied within twenty-four (24) hours thereafter, complaint shall be filed against such owner, keeper or possessor for maintaining a nuisance in the City of Corsicana.

- F. Failing to supervise a dog or failing to restrain or control the actions of a dog, by allowing or permitting the dog to defecate on public property, common, community, or the private property of another person, and thereby causing a nuisance by failing or refusing to immediately remove and dispose of all feces deposited on the property by the dog.
- G. It is a defense to prosecution under Subsection F of this section;
 - a. That at the time of the violation, the dog was an assistance dog as defined by Texas Administrative Code, Title 25 Health Services, Section 169.22(2) as it is now enacted or hereafter amended.
 - b. That at the time of the violation, the dog was a police dog as defined by Texas Administrative Code, Title 25, Health Services, Section 169.22(21) as it is now enacted or hereafter amended.
- H. All dogs on public property, community or common property, or property owned by another person must be restrained with a leash, unless permission is granted by the property owner.

PASSED, APPROVED and ADOPTED this 8th day of August, 2022.

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney