

ORDINANCE 2013-2

AMENDING THE JACINTO CITY CODE OF ORDINANCES, CHAPTER 2, "ANIMAL CONTROL," SECTION 3 "DOGS" BY ADDING SUB-SECTION 3-M "ANIMAL WASTE" AND PRESCRIBING A PENALTY OF NO LESS THAN ONE HUNDRED DOLLARS (\$100.00) AND NO MORE THAN FIVE HUNDRED DOLLARS (\$500.00)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACINTO CITY, TEXAS THAT:

1. The City Code of Ordinances, Chapter 2, "Animal Control," Section 3 "Dogs" hereby amended by adding new Section-3. "M" "Animal Waste" to read as follows:

"Sec. 3-M Animal Waste"

(a) It is unlawful for an owner or person having control of an animal to permit the animal to defecate on public or private property unless the person immediately removes and properly disposes of the feces.

(b) It is unlawful for an owner or person having control of an animal to walk the animal on public or private property without carrying at all times a suitable container or other suitable instrument for the removal and disposal of animal feces.

(c) Prior to filing a complaint with the city, the person whose property has been defecated on or who witnessed the defecation on public property, must give an affidavit to the Jacinto City Police Department stating that the person witnessed the animal defecate on the private or public property and that the person having control of the animal failed to immediately remove and properly dispose of the feces.

(d) It is a defense to prosecution under this section that the animal is a specially trained dog that is being used by a blind individual.

(e) It is a defense to prosecution under this section that the animal defecates upon private property owned by the owner or person having control of the animal.

2. Each violation of this ordinance shall be punished by a penalty of a fine of no less than \$100.00 and no more than \$500.00.

3. This ordinance shall become effective on and after its final passage, approval and publication as provided by law.

PASSED AND ADOPTED ON THIS 14th DAY OF MARCH, 2013.

Gregg Robinson
GREGG ROBINSON, MAYOR

ATTEST:

Joyce Raines
JOYCE RAINES, CITY SECRETARY

PASSED AND ADOPTED ON THE SECOND AND FINAL READING HEREOF ON THE
____ DAY OF _____, 2013.

GREGG ROBINSON, MAYOR

ATTEST:

JOYCE RAINES, CITY SECRETARY

APPROVED:

Jim L. DeFoyd
JIM L. DeFOYD, CITY ATTORNEY