

ORDINANCE NO. 92

AN ORDINANCE AMENDING SECTIONS 3, 4 AND 6 OF ORDINANCE NO. 90, PASSES AND APPROVED HERETOFORE ON THE 24TH DAY OF OCTOBER, 1991, BY THE TOWN OF BEASLEY, TEXAS, CONCERNING VACCINATION, LICENSING, REGISTRATION AND IMPOUNDING OF THE TOWN OF BEASLEY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF BEASLEY, FORT BEND COUNTY, TEXAS;

I. That Section 3 of Ordinance No. 90 concerning the vaccination, licensing, registration and impounding for the Town of Beasley, as set out above, and as passes and approved heretofore on the 24th day of October, 1991, shall be amended to read as follows:

Section 3 - Vaccination

It shall be unlawful for the owner of any dog to keep, maintain, or harbor such dog unless it shall have been vaccinated by a licensed veterinarian with anti-rabies vaccine. All dogs within the town limits of the Town of Beasley, are hereby required to be vaccinated against rabies by a veterinarian licensed in the State of Texas. Before any license shall be issued by the Town Secretary or his deputy under the terms of this ordinance, the owner must present a licensed veterinarian's certificate to the effect that the dog in question has been vaccinated for rabies within the preceding ninety (90) day period, and must display a valid metallic vaccination tag.

II. That Section 4 of Ordinance No. 90 concerning the vaccination, licensing, registration and impounding for the Town of Beasley, as set out above, and as passes and approved heretofore on the 24th day of October, 1991, shall be amended to read as follows:

Section 4 - License and Registration Required

All dogs kept, harbored or maintained by their owners within the town limits of the Town of Beasley, Texas, shall be licensed and registered upon attaining the age of four (4) months or within thirty (30) days of the acquisition by their owner, whichever occurs sooner. Licenses shall be issued by the Town Secretary or his deputy upon the owner furnishing the Town Secretary or his deputy evidence of vaccination in accordance with Section 2 hereof and upon the payment of a license tax of Two and No/100 Dollars (\$2.00) for each dog being registered. The owner shall state at the time of application upon forms provided for such purpose by the Town, the owner's name and address, and the name, breed, color and sex of each dog being registered. All such registrations shall expire on the same date as the expiration date of the rabies vaccination. The provisions of this section shall not be intended to apply to dogs temporarily within the city limits for the purposes of participating in a dog show, nor shall it apply to any "seeing eye" dogs property trained to assist blind persons when such dogs are actually being used by a blind person for the purpose of aiding them in going from place to place.

III. That Section 6 of Ordinance No. 90 concerning the vaccination, licensing, registration and impounding for the Town of Beasley, as set out above, and as passed and approved heretofore on the 24th day of October, 1991, shall be amended to read as follows:

Section 6 - Impounding and Release

(A) Unlicensed Dogs

Unlicensed dogs found running at large in violation of the provisions of this ordinance shall be taken up, captured and impounded by the Humane Officer designated by the Town Council or by any Police Officer of the Town of Beasley or any personnel of the Fort Bend County Animal Control Department and so impounded in a shelter designated as the "City Pound" or other secure place, and there confined in a humane manner for a period of not less than three (3) days. Upon the impounding of such dog, the officer so impounding the dog shall, as soon as possible, post a notice at the Town Hall which notice shall remain posted for a minimum of three (3) days, notifying the public of the place of capture of the dog in question and giving a general description of the dog. Upon the expiration of the three (3) day impoundment period, and upon the expiration of the three (3) day notice period provided herein, then any dog not claimed thereafter may be disposed of in a humane manner by the Humane Office or any Police Officer of the town or any personnel of the Fort Bend County Animal Control Department.

(B) Licensed Dogs

Licensed dogs that are found running at large in violation of the provisions of this ordinance shall be captured, taken up and impounded by the Humane Officer designated by the Town Council or by any Police Officer of the Town of Beasley or any personnel of the Fort Bend County Animal Control Department and so impounded in a shelter designated at the "City Pound" or other secure place, and there confined in a humane manner for a period of not less than five (5) days. Upon the impounding of such dog, the officer so impounding the dog shall, as soon as possible, post a notice at the City Hall which notice shall remain posted for a minimum of three (3) days, notifying the public of the place of capture of the dog in question and giving a general description of the dog. In addition to the posted notice, the officer in question shall also mail a notice by certified mail, return receipt requested letter to the owner of the licensed dog in question as designated in the records of the office of the Town Secretary, informing such owner of the dog's license number, description, place and date of capture, place of the dog's impoundment, and giving the owner three (3) days from the date of the notice to claim and regain custody of the dog, such notice to be effective upon actual receipt by the owner. If the licensed dog is not claimed by the owner within three (3) days from the date of receipt of actual notice or within two (2) weeks from the date of mailing such notice, whichever occurs sooner, then the licensed dog may be disposed of by the Humane Officer or any Police Officer of the town or any personnel of the Fort Bend County Animal Control Department in a humane manner.

(C) Unclaimed Dogs

Any dog, licensed or unlicensed, which is unclaimed at the expiration of the period described above, shall thereupon become the property of the Town of Beasley, Texas, and may be disposed of at the discretion of the Humane Officer or any Police Officer of the town or any personnel of the Fort Bend County Animal Control Department in any humane manner that he deems proper, including, but not by way of limitation, the offering of such dog for adoption by any person willing to pay all costs incurred in connection

therewith. Any dog offered for adoption must be spayed or neutered at the time of adoption if the dog is of sufficient age and maturity for such operation in the opinion of a licensed veterinarian, or, in the event the dog is not of sufficient age and maturity at the time of adoption, then the person adopting the dog must agree in writing to provide the Humane Officer or any member of the Police Department of the town with satisfactory evidence of such operation within the time specified by the veterinarian in question.

(D) Fees

The owner or any other person to whom an impounded dog is released shall be entitled to receive possession of the dog only upon payment to the Town Secretary of a Fifteen and No/100 Dollars (\$15.00) impoundment fee plus Five and No/100 Dollars (\$5.00) per day or any fractional part thereof during which the dog may have been impounded, said sum to be deposited in the treasury of the town for the use and benefit of the town as the Town Council may determine from time to time. Payment of any such fee shall not preclude the town from prosecuting the person in question for violations of this ordinance. In any event, no dog may be released to the owner or any other person unless it has been properly vaccinated and licensed in accordance with the terms of this ordinance. If the dog in question is a licensed dog with a tag and is in need of humane medical care or emergency veterinarian care, the Humane Officer or any other Police Officer of the town or any personnel of the Fort Bend County Animal Control Department shall deliver the dog to a licensed veterinarian for appropriate care, the cost of which shall also be paid by the owner or other person receiving possession of the dog following its impoundment. Before any dog impounded under the terms of this ordinance may be released to any person, a receipt showing that all reasonable charges incurred as provided above, including the boarding, feeding, medical treatment and cleaning of the dog in question have been paid must be presented to the Town Secretary and/or to the veterinarian rendering services under this ordinance.

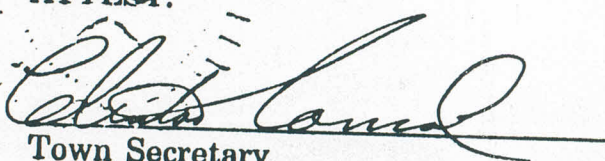
IV. That this Ordinance shall become effective after its passage and publication according to law.

PASSED AND APPROVED this the 19th day of DECEMBER, 1991.



Mayor of the Town of Beasley

ATTEST:



Town Secretary