

Chapter 4 - ANIMALS

ARTICLE I. - IN GENERAL

Sec. 4-1. - Definitions.

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

Animal means any mammal, domesticated or wild.

Animal control authority means a town or county animal control office.

Animal owner means any person who owns or has custody or control of an animal.

Bite means puncturing or tearing of the skin caused by an animal's teeth.

Bodily injury means physical pain, illness or any impairment of physical condition.

Cat means *Felis catus*.

Currently vaccinated means having been annually vaccinated at not less than three months of age as prescribed by the Federal Department of Agriculture and at least 30 days have elapsed since the initial vaccination and not more than 12 months have elapsed since the most recent vaccination.

Custodian means a person or agency which feeds, shelters, harbors, has possession or control or has the responsibility to control an animal for 72 hours.

Dangerous dog means a dog that:

- (1) Makes an unprovoked attack on a person or domestic animal that causes bodily injury or severe bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own;
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person; or
- (3) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept, against a domestic animal and those acts cause severe bodily injury or death to the animal.

Department means department.

Dog and domestic dog mean any *Canis familiar* , including hybrids.

Domestic animal means any animal normally adapted to live in intimate association with humans or for the advantage of humans.

Guide dog means a domestic dog that is in service to a legally blind person.

High risk animals means animals which have a high probability of transmitting rabies including, without limitation, skunks, bats, species of foxes indigenous to North America, coyotes and raccoons.

Housing facility means any room, building or area used to contain a primary enclosure or enclosures.

Humanely killed means to cause the death of an animal by a method which rapidly produces unconsciousness and death without visible evidence of pain or distress or utilizes anesthesia produced by an agent that causes painless loss of consciousness, and death following such loss of consciousness.

Hybrid means any offspring of two animals of different species.

Isolation means separation of an animal exposed or potentially exposed to rabies.

Local rabies control authority means the officer designated by the town council under state law.

Low risk animals means animals that have a low probability of transmitting rabies which includes, without limitation, all animals of the order marsupialia, insectivora, rodentia, lagomorpha and xenarthra.

Observation period means the time following a bite incident during which the biting animal's health status must be monitored. The observation period for domestic dogs and cats only is ten days.

Police dog means a domestic dog that is owned or employed by a governmental law enforcement agency.

Primary enclosure means any structure used to immediately restrict an animal to a limited amount of space, such as a room, pen, run, cage, compartment or hutch.

Public health region means a contiguous group of counties so designated by the town council.

Public nuisance animal means any animal that unreasonably annoys humans, endangers the life or health of other animals or persons or substantially interferes with the rights of citizens, other than their owners, to enjoyment of life or property. The term "public nuisance animal" shall mean and include, but is not limited to, any animal that:

- (1) Is repeatedly at large or stray;
- (2) Damages the property of anyone other than its owner;
- (3) Molests or intimidates pedestrians or passersby;
- (4) Trespasses on school grounds;
- (5) Chases vehicles;

- (6) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
- (7) Fouls the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
- (8) Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;
- (9) Is offensive or dangerous to the public health, safety or welfare by virtue of the number or types of animals maintained; or
- (10) Attacks other domestic animals.

Quarantine facility means a structure where animals are held for rabies observation.

Quarantine period means that portion of the observation period during which a biting animal is physically confined for observation as provided for in this chapter.

Running at large means not completely confined by a building, wall or fence of sufficient strength or construction to restrain the animal, except when such animal is either on a leash or held in the hands of the owner or keeper, or under direct supervision of the owner within the limits of the owner's private property or other property where owners are lawfully permitted. An animal within an automobile or vehicle of its owner is lawfully permitted. An animal within an automobile or vehicle of its owner shall not be deemed to be running at large.

Sanitize means to make physically clean and to destroy disease producing agents.

Secure enclosure refers to dangerous dogs and means a fenced area or structure that is locked, capable of preventing the entry of the general public (including children) and preventing the escape or release of the dog, that is clearly marked as containing a dangerous dog and is otherwise in conformity with the requirements for enclosures for dangerous dogs established by the local animal control authority.

Serious bodily injury means a severe bite wound or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek medical treatment and would require hospitalization without regard to whether the person actually sought medical treatment.

Stray means roaming without physical restraint beyond the premises of the animal's owner. Absence of current rabies tag on dog running at large will be construed as evidence of stray status.

Unowned animal means any animal for which an owner has not been identified.

Vaccinated means properly injected by a licensed veterinarian with a rabies vaccine licensed for use in that species by the Federal Department of Agriculture.

Wild animal means all species of animals which commonly exist in a natural unconfined state and are usually not domesticated, regardless of the state or duration of captivity.

Zoonosis control division (ZCD) means the division of the state department of health responsible for implementing these rules.

Zoonosis control representative means any person employed by the ZCD.

(Ord. No. 1997-03, § 1, 10-21-1997)

Sec. 4-2. - Animal control officer.

- (a) *Duties.* The animal control officer appointed by the town shall serve as the local health authority for the purposes of rabies control. In addition, among other duties, the animal control officer acting as the designated local health authority shall enforce this chapter and all other town ordinances regarding animal and rabies control and all state law and rules adopted by the department establishing minimum standards for rabies control.
- (b) *Recordkeeping.* It shall be the duty of the animal control officer to maintain records which will track cases and funds in a manner to be approved by the town council for implementation of all provisions of this chapter.
- (c) *Interference prohibited.* It is unlawful for any person to interfere with, molest, hinder or prevent the animal control officer from the official discharge of the duties as herein prescribed. Any person who violates this subsection shall be guilty of a misdemeanor punishable by a fine of not less than \$100.00 nor more than \$500.00. No portion of the fine imposed hereunder may be deferred, suspended or probated.

(Ord. No. 1997-03, §§ 8, 9, 10-21-1997)

Sec. 4-3. - Fees.

- (a) *Town tag fee.* An annual town tag fee is set in an amount as set forth in the town fee schedule and may be changed from time to time by the town council.
- (b) *Impoundment fees.* An owner claiming an animal which has been impounded under this chapter shall pay, prior to the release of the animal, a fee as set forth in the town fee schedule, determined according to the status of the animal and whether the offense is a first or second offense.

In addition, costs of boarding the animal and vaccinations expense, if applicable, together with any other costs incurred, will be due prior to release of the animal.

(Ord. No. 1997-03, §§ 10.1, 10.2, 10-21-1997)

Sec. 4-4. - Penalties.

Unless a different penalty is prescribed in specific provisions of this chapter, any person who violates a provision of this chapter shall be guilty of a misdemeanor punishable by a fine of not less than \$500.00.

(Ord. No. 1997-03, § 10.3, 10-21-1997)

Sec. 4-5. - Dogs or cats running at large.

- (a) Dogs and cats at least four months of age shall be prohibited from running at large. If ownership is determinable and animal has registration with owner's identification and the owner can be located, the animal shall be returned to owner and the owner shall be cited for violation of this chapter. If owner cannot be located the animal shall be kept for not less than 72 hours. If ownership is in question or if the animal is a stray, the animal shall be impounded for 48 hours. An owner may claim the animal within this time period, after paying all incurred costs and impoundment fees.
- (b) Penalty for violation. Any person who violates a provision of this section shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 nor more than \$500.00. No portion of the fine imposed hereunder may be deferred, suspended or probated.

(Ord. No. 1997-03, § 7, 10-21-1997)

Sec. 4-6. - Prohibited animals and bees.

- (a) A person commits an offense if he owns, possesses or harbors a wild animal or bees within this town. There shall be a separate offense for each wild animal involved.
- (b) It is unlawful for any person to keep, or cause to be kept, for any purpose whatsoever, any cattle, horses, mules, donkeys, sheep, goats, chickens, swine or other livestock within the limits of the town.
- (c) There is expressly excepted from this chapter, livestock kept on ranching acreage within the town heretofore used for such purpose and 4-H projects.
- (d) It is unlawful for any person to house, or otherwise contain, for any purpose whatsoever, any bees within the town limits.
- (e) An offense under this section is punishable by a fine of not less than \$200.00 or more than \$2,000.00.
- (f) If a person is found guilty of an offense under this section, the court shall order the forfeiture of the wild animals or bees involved in the offense to the town animal control authority.
- (g) In addition to criminal prosecution, a person who commits an offense under this section, is also liable for a civil penalty not to exceed \$1,000.00 for each day of the violation. An attorney having civil jurisdiction in this town may file suit in a court of competent jurisdiction to collect the civil

penalty. Civil penalties collected under this section shall be retained by the town.

(Ord. No. 1997-03, § 12, 10-21-1997)

Sec. 4-7. - Maximum number of pets per household.

It is a violation of this chapter for any household to own or harbor more than three animals per household, unless the property owner or occupant is the operator of a kennel or veterinarian practice.

(Ord. No. 2008-1, § 12.8, 4-1-2008)

Secs. 4-8—4-32. - Reserved.

ARTICLE II. - FOWL

Sec. 4-33. - Prohibited in town limits without permit; permit fee and revocation.

It is unlawful for any person to keep, possess and maintain chickens or ducks within the town limits without obtaining a permit. Permit fees are as provided in the town fee schedule. Permits issued under this section may be revoked by the town at any time due to non-compliance.

(Ord. of 5-1-2018)

Sec. 4-34. - Keeping for commercial purposes prohibited.

It is unlawful for the owner or keeper of any chickens or ducks, where such the fowl are kept for sale or for any commercial purposes other than domestic use or home consumption, to allow such the fowl roam in open pens on the ground.

(Ord. of 5-1-2018)

Sec. 4-35. - Keeping for public showing restricted.

It is lawful for persons to keep, possess and maintain chickens or ducks for the purpose of a legitimate showing of such the fowl and animals for purely public exhibition, provided the conditions provided in this article are observed.

(Ord. of 5-1-2018)

Sec. 4-36. - Running at large prohibited.

It is unlawful for any person who owns or has under his control or in his possession chickens or ducks to permit them to run at large within the town.

(Ord. of 5-1-2018)

Sec. 4-37. - Proper enclosure required.

- (a) It is unlawful to keep any chickens or ducks within the town unless they are kept in an enclosure from which they cannot escape.
- (b) It shall be the duty of every person raising or keeping chickens or ducks to keep them in a pen, coop or enclosure which shall be a distance of at least 50 feet from every building or structure used for sleeping, dining or living. The distance of 50 feet to be measured in a straight line from the nearest point of any pen, enclosure, or other such structure in which such the fowl are kept to the nearest point of such the actual residence or place of human habitation, or church, school or hospital and shall be kept in a sanitary condition and shall also be kept in such a condition as will be reasonably calculated not to become offensive to the sense of neighbors or to the public.

(Ord. of 5-1-2018)

Sec. 4-38. - Maintenance of premises where kept.

Any person keeping pens, hutches, or houses or any enclosure in which fowl are kept, must keep the premises in a clean and sanitary condition at all times. Litter and droppings from such fowl must be collected daily and stored in a fly-tight container and hauled away at intervals of not to exceed seven calendar days. Litter and droppings shall not be dumped or disposed of in any street gutter, ditch or alley.

(Ord. of 5-1-2018)

Sec. 4-39. - Limitation on number to be kept.

Any person keeping, possessing, or maintaining chickens or ducks in the town at least 50 feet from any actual residence or habitation of human beings, church, school or hospital, other than the residence of the possessor or owner of the animals, shall keep no more than five chickens, or two ducks and; additionally, no more than seven of any combination of such chickens or ducks shall be kept upon any lot or enclosure.

(Ord. of 5-1-2018)

Sec. 4-40. - Impoundment.

Any fowl subject to the provisions of this article found to be running at large shall be taken up and impounded in a place suitable for that purpose, at the owner's expense.

(Ord. of 5-1-2018)

Secs. 4-41—4-68. - Reserved.

ARTICLE III. - DANGEROUS DOGS

Sec. 4-69. - Requirements for the owner of a dangerous dog.

Not later than the 30th day after a person learns that he is the owner of a dangerous dog, the person shall:

- (1) Register the dangerous dog with the county animal control officer for the area in which the dog is kept. An annual fee, as set forth in the town fee schedule, shall be collected by the animal control officer.
- (2) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the animal control authority for the area in which the new address is located. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee as set forth in the town fee schedule, the animal control authority shall issue a new registration tag to be placed on the dangerous dog's collar.
- (3) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure, the enclosure to be approved by the animal control officer.
- (4) Have the ability to obtain or show financial responsibility in an amount of at least \$100,000.00 to cover damages to property and person resulting from a dog attack.
- (5) Appeal the determination of the animal control authority to a justice or municipal court of competent jurisdiction. An owner may appeal the decision of the justice or municipal court in the same manner as appeal for other civil cases.

(Ord. No. 1997-03, § 11.1, 10-21-1997)

Sec. 4-70. - Appeal of notification of ownership of a dangerous dog.

- (a) If a person reports an incident involving a dangerous dog, the animal control authority shall make an initial investigation of the incident and if further investigation is warranted, the animal control authority shall take sworn statements in order to make a determination. The owner shall be notified of this determination. If, after receiving the sworn statements of any witnesses, the animal control officer determines the dog is a dangerous dog, it shall notify the owner of that fact.
- (b) Within 15 days of being informed that the owner's dog is considered dangerous, an owner still in possession of the dangerous dog may appeal this decision to a justice or municipal court of competent jurisdiction. Further appeals may be pursued in the same manner as appeals for other civil cases.

(Ord. No. 1997-03, § 11.2, 10-21-1997)

Sec. 4-71. - Confiscation.

- (a) Upon failure of an owner of a dangerous dog to timely meet the requirements placed on that owner by state law and this chapter or upon final adjudication by a court of competent jurisdiction of an unsuccessful appeal by the owner of the determination that the animal is a dangerous dog, whichever is later, the animal control or his designee shall confiscate the animal if it is found on public property or on private property where the officer has first obtained the permission of the property owner to enter. The animal control officer may also request the assistance of the county attorney or district attorney to obtain an injunction authorizing the officer or his designee to enter onto the premises of the owner to confiscate the animal.
- (b) The animal thus confiscated shall be sheltered by the animal control officer for a period of three days to allow the owner to reclaim the animal upon satisfaction of the provisions of this chapter and state law. Upon failure of the owner to reclaim the animal during that period, the animal control officer may destroy the animal without compensation to the owner. In addition to the fees required for registration of the animal, before returning the animal to the owner upon satisfaction of the above referenced provisions, the animal control office may charge the owner the expenses of any period of shelter offered the animal. The animal control officer may also request the assistance of the county attorney or district attorney to obtain restitution from the owner by civil suit for the expenses of any period of shelter offered the animal.
- (c) The animal control officer shall have no authority to confiscate any animal unless he has first delivered to the owner of the animal, written notice of the determination that the animal is a dangerous dog, by certified mail, directed to the last known mailing address of the owner. However, a dog that causes severe bodily injury or death to a person shall be immediately seized by the animal control authority and the dog shall be impounded until a hearing is held in a municipal or justice court.

(Ord. No. 1997-03, § 11.3, 10-21-1997)

Sec. 4-72. - Penalty and administrative fee.

- (a) Any person who violates a provision of this article shall be guilty of a misdemeanor punishable by a fine of not less than \$100.00 nor more than \$500.00. No portion of the fine imposed hereunder may be deferred, suspended or probated. If it is shown that an owner has been convicted two or more times of an offense under this article, punishment shall be by a fine of not less than \$200.00 nor more than \$500.00. Each day that a person owns a dangerous dog in violation of this section shall constitute a separate offense.

(b)

An administrative fee as set forth in the town fee schedule shall be assessed in addition to any fine for failure to pay or satisfy a judgment for violation of this article.

(Ord. No. 1997-03, § 11.4, 10-21-1997; Ord. No. 2007-1, 4-3-2007)

Secs. 4-73—4-102. - Reserved.

ARTICLE IV. - WILD, DANGEROUS AND EXOTIC ANIMALS

Sec. 4-103. - Wild and dangerous animals.

It is unlawful for any person to possess, harbor or breed, or to permit reproduction by wild and dangerous animals or their hybrids within the town limits. Owners are liable for costs to local agencies associated with the capture of an escaped wild and dangerous animal.

Sec. 4-104. - Exotic reptiles.

- (a) Owners are required to register venomous exotic reptiles with the town. The animal control office will notify 911 of the location of venomous reptiles in order to protect rescue workers and the public during any emergency situations.
- (b) Individuals must be greater than 18 years of age to own a venomous exotic reptile or an exotic reptile weighing over 40 pounds.
- (c) It is unlawful for exotic reptiles to run loose unsupervised. Owners are required to report to 911 any escapes of venomous exotic reptiles and exotic reptiles weighing over 40 pounds. Owners are liable for costs to local agencies associated with the capture of an escaped exotic reptile.

Sec. 4-105. - Exotic mammals.

- (a) It is unlawful for any person within the town limits to possess, sell or harbor an exotic mammal or their hybrids.
- (b) Breeding or allowing the reproduction of exotic mammals is also prohibited

Secs. 4-106—4-123. - Reserved.

ARTICLE V. - RABIES CONTROL

Sec. 4-124. - Vaccinations.

- (a) *Required; duty of owner.* It is unlawful for any person to own a dog or cat which has not been vaccinated against rabies as provided herein or which cannot be identified as having a current vaccination certificate.
- (b) *Time and type of vaccination.* The owner of each dog or cat shall have the dog or cat vaccinated against rabies at three months of age or as prescribed by the Federal Department of Agriculture and within each subsequent 12-month interval thereafter. Only Federal Department of Agriculture licensed rabies vaccines with a three-year duration of immunity in dogs or a vaccine which has been licensed for less than two years and for which testing to obtain approval for three-year duration of immunity is in progress, may be used according to label directions in any species for which it is approved.
- (c) *Certificate form and content.* Official rabies vaccination certificates issued by the vaccinating veterinarian shall contain certain standard information as designated by the department including, without limitation:
- (1) Owner's name, address and telephone number;
 - (2) Animal identifications means species, sex, age (three months to 12 months, 12 months or older), size (pounds), predominant breed and colors;
 - (3) Vaccine used means producer, expiration date and serial number;
 - (4) Date vaccinated;
 - (5) Rabies tag number if a tag is issued;
 - (6) Veterinarian's signature or signature stamp and license number.
- (d) *Records to be retained by veterinarian.* A copy of each official rabies vaccination certificate issued shall be retained by the issuing veterinarian in a readily retrievable status for a period of not less than three years from the date of issuance. If a veterinarian ceases the practice of veterinary medicine, the duplicate rabies vaccination certificates retained by that practice shall be turned over to the local rabies control authority. This does not apply to the sale or lease of a practice, when the records of the practice are transferred to a new owner.
- (e) *Rabies tag.* Concurrent with the issuance and delivery of the certificate of vaccination, the owner of the dog or cat shall attach to the collar or harness of the vaccinated dog or cat 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. The owner shall cause the collar or harness, with the attached metal tag, to be worn by his dog or cat at all times.
- (f) *Duplicate tags.* In the event of loss or destruction of the original tag, the owner of the dog or cat shall obtain a duplicate tag. Vaccination certificates (and tags) shall be valid only for the animal for which it was originally issued. Duplicate tag may be purchased from the practicing veterinarian that issued the original tag.

- (g) *Proof of compliance to be exhibited on demand.* It is unlawful for any person who owns 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.
- (h) *Penalty for violation.* Any person who violates a provision of this Section shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 or more than \$500.00. No portion of the fine imposed hereunder may be deferred, suspended or probated.

(Ord. No. 1997-03, § 2, 10-21-1997)

Sec. 4-125. - Report of humans exposed to rabies.

Any person having knowledge of a potential rabies exposure, as defined in the V.T.C.A., Health and Safety Code § 826.041, to a human, will report the incident to the local rabies control authority as soon as possible, but not later than 24 hours from the time of the incident; provided, however, that this requirement does not apply to bites by low risk animals. The owner or a custodian of the potentially rabid animal will place that animal in quarantine or submit it for testing as prescribed in this chapter. The local rabies control authority will investigate each potential exposure and ensure appropriate resolution.

(Ord. No. 1997-03, § 3, 10-21-1997)

Sec. 4-126. - Disposition of domestic animals exposed to rabies.

- (a) Unvaccinated animals which have bitten or have been directly exposed by physical contact with a rabid animal or its fresh tissues shall be:
 - (1) Humanely killed; or
 - (2) If sufficient justification for preserving the animal exists, the exposed animal shall be immediately vaccinated against rabies, placed in strict isolation for 90 days and given booster vaccinations during the third and eighth weeks of isolation. If the animal is less than three months of age at the time of the second vaccination, an additional booster shall be given when the animal reaches three months of age.
- (b) Currently vaccinated animals which have been bitten or otherwise significantly exposed to a rabid animal shall be:
 - (1) Humanely killed; or
 - (2) If sufficient justification for preserving the animal exists, the exposed vaccinated animal shall be given a booster rabies vaccination immediately and placed in strict isolation for 45 days.
 - (3) This section shall apply only to domestic animals for which an approved rabies vaccine is available.
 - (4)

In situations where none of the requirements of this section are applicable, the recommendations contained in the latest edition of the publication titled, "The Compendium of Animal Rabies Prevention and Control," published by the National Association of State Public Health Veterinarians, should be followed. (Ord. No. 1997-03, § 4, 10-21-1997)

Sec. 4-127. - Submission of specimens for laboratory examinations.

Preparation of specimens either for shipment or for personal delivery for rabies diagnosis, shall include the following:

- (1) Damage to the brain caused by shooting or other traumatizing procedures shall be avoided.
- (2) Suspect animal's head shall be separated from the body immediately after death by a qualified person. Only the head shall be submitted, with the exception that whole bats may be submitted.
- (3) The head shall be immediately chilled to between 45 degrees Fahrenheit and 32 degrees Fahrenheit, but should not be frozen.

(Ord. No. 1997-03, § 5, 10-21-1997)

Sec. 4-128. - Quarantine procedures for animals.

(a) When a domestic dog or cat which has bitten a human has been identified, the owner or custodian will be required to place the animal in quarantine. Unvaccinated animals should not be vaccinated against rabies during the observation period. The ten-day observation period will begin on the day of the bite incident. The animal must be placed in a department approved facility specified by the local rabies control authority and observed at least twice daily. However, the owner or custodian of the animal may request permission from the local rabies control authority for home quarantine if the following criteria can be met:

- (1) Secure facilities must be available at the home of the animal's owner or custodian and must be approved by the local rabies control authority.
- (2) The animal is currently vaccinated against rabies.
- (3) The local rabies control authority or a licensed veterinarian must observe the animal at least on the first and last days of the quarantine period. If the animal becomes ill during the observation period, the local rabies control authority must be notified by the person having possession of the animal. At the end of the observation period, the release from quarantine must be accomplished in writing.
- (4) The animal was not a stray, as defined by state law, at the time of the bite.

(b)

A domestic animal which has bitten a human and has been designated by the local rabies control authority as unclaimed may be humanely killed in such a manner that the brain is not mutilated. The brain shall be submitted to a department certified laboratory for rabies diagnosis.

- (c) If the biting animal is a high risk animal, it shall be humanely killed and the brain submitted for rabies testing.
- (d) If the biting animal is a low risk animal, neither quarantine nor rabies test will be required unless the local rabies control authority has cause to believe the biting animal is rabid, in which case it should be humanely killed and tested for rabies.
- (e) The local rabies control authority may require an animal which has inflicted multiple bite wounds, punctures or lacerations to the face, head or neck of a person to be humanely killed and the brain tested for rabies.
- (f) If the biting animal is not included in this section, the biting animal will be humanely killed and the brain tested for rabies or the local rabies control authority may require the animal to be confined for a 30 day observation period, an alternate method to killing and testing, otherwise conforming to the requirements delineated in this section.
- (g) Any animal required to be quarantined under this section, which cannot be maintained in a secure quarantine, shall be humanely killed and the brain tested for rabies.
- (h) Currently vaccinated guide dogs in service or currently vaccinated police dogs, when a bite inflicted in the line of duty, shall not be required to be placed in quarantine.
- (i) Penalty for violation. Any person who violates a provision of this section shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 nor more than \$500.00. No portion of the fine imposed hereunder may be deferred, suspended or probated. Each day an animal is not produced for quarantine shall constitute a separate offense.

(Ord. No. 1997-03, § 6, 10-21-1997)