

ORDINANCE 85-19C

CITY OF WOODCREEK

An Ordinance amending 85-19B to control animals, fowl and reptiles; defining terms; prohibiting the keeping of typical farm animals and fowl except in defined areas; prohibiting the keeping of exotic animals, fowl and reptiles; prohibiting the unreasonable loud barking or howling noise by dogs; requiring physical restraint of dogs; prohibiting defecation by dogs in certain areas; providing for an effective date; providing for a penalty not to exceed Five Hundred (\$500) Dollars for each violation.

Be it ordained by the Council of the City of Woodcreek, Texas:

SECTION 1. DEFINITIONS

- 1) Owner: Any person, persons, firms, corporations or associations keeping, having custody of or harboring an animal, fowl or reptile.
- 2) Running at Large: Not under the direct physical control of the owner or handler by leash, cord, chain or similar direct physical control and not being kept physically restrained from leaving the premises of the owner.
- 3) Handler: Any person(s) with whom an animal has been placed by the owner of such animal for the purpose of that person(s) having control of such animal on behalf of the owner.
- 4) Typical Farm Animals and Fowl: Hogs, cattle, horses, jacks, jennets, sheep, goats, chicken, geese, ducks, turkeys or like animals and fowl.
- 5) Exotic Animals, Fowl and Reptiles: Animals, fowl and reptiles normally not considered household pets to include lions, tigers, jaguars, javelinas, bobcats, coyotes, wolves, llamas, pea fowl, falcons, snakes and alligators.

SECTION 2. GENERAL RESTRICTIONS

- 2.1. Typical farm animals will not be permitted within the City of Woodcreek except in the areas defined as Open Agricultural on the Official Zoning Map and the area commonly known as the stable. A specific boundary description is as follows: Beginning at the Low Water Bridge on Woodcreek Drive following northwesterly along Cypress Creek to Jacob's Well Road, proceeding northeasterly along the south right-of-way of that road to the Woodcreek Resort property line at Lot 63, Section 6-C, proceeding southeasterly along the Woodcreek Resort property line to Cypress Point, proceeding southwesterly along the Cypress Point property line to Woodcreek Drive, and along Woodcreek Drive to the original starting point at the Low Water Bridge on Woodcreek Drive. This area is zoned either FP (Flood Plain), OA (Open Agricultural) or P (Recreation District).
- 2.2. The pen(s) or fenced area(s) where any typical farm animals are confined shall be kept in a clean and sanitary manner, and will be subject to inspection by the Health Authority at all times between sunrise and sunset.
- 2.3. Exotic animals, fowl and reptiles will not be permitted within the City of Woodcreek.
- 2.4. It shall be unlawful for a dog to make unreasonable loud barking or howling noise. For purposes of this section, unreasonable loud barking or howling noise is defined as barking or howling of such a degree of loudness and duration that it is then and there

disturbing to a person or persons in the vicinity of the dog. Any such person or persons so disturbed must file a sworn, written complaint with the appropriate authorities to initiate prosecution under this section. The owner or handler of the dog shall be deemed responsible for training or hiring someone to train the dog to be reasonably quiet. The fine for the first conviction or violation of this section shall be One-Hundred (\$100) Dollars.

- 2.5. Every dog shall be kept under the direct physical control of the owner or handler or shall be physically restrained from leaving the premises of the owner or handler of such dog. It shall be unlawful for any owner or handler of a dog(s) to allow the dog(s) to defecate on any portion of the Woodcreek golf course, recreation areas, green belts, esplanades and privately owned lots upon which dwelling exists unless all feces are immediately removed and discarded in a sanitary manner. This restriction applies to both a dog(s) running at large or a dog(s) under direct physical control of owner or handler. The fine for the first conviction or violation of this section shall be One-Hundred (\$100) Dollars.
- 2.6. Any complaint alleging violation of any portion of this Ordinance must be a sworn, written complaint filed with the appropriate authorities to initiate prosecution under this Section.

SECTION 3 PENALTIES

The penalty for any violation of this Ordinance shall not exceed Five-Hundred (\$500) Dollars. Each day any violation of this Ordinance shall continue shall constitute a separate offense.

SECTION 4 EFFECTIVE DATE

This Ordinance shall be in effect thirty (30) days after passage and after publication in the Official City Newspaper.

PASSED AND APPROVED THIS 10th DAY OF APRIL 1996.

(signature on file)
JEANNINE C. POOL, MAYOR

ATTEST:

(signature of file)
PEG HULL, CITY SECRETARY

ORIGINAL ORDINANCE NO. 85-19, PASSED AND APPROVED SEPTEMBER 19, 1985.
AMENDED ORDINANCE NO. 85-19A, PASSED AND APPROVED SEPTEMBER 25, 1991.
AMENDED ORDINANCE NO. 85-19B, PASSED AND APPROVED APRIL 10, 1995.