

CITY ANIMAL CONTROL ORDINANCE

#81

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An ordinance providing for the control of animals in the City of Waskom, Texas, set forth in accordance with the Rabies Control Act of 1981, Art. 4477-6a, VTCS. Provides for: definitions, animal vaccination, naming of local health authority, quarantining and disposition of biting animals; for confining to premise, impoundments, licensing, fees and penalties, control of vicious animals, inhumane treatment of animals, a severance clause and a repealing clause.

Be it ordained by the City council of the City of Waskom, Texas:

Section 1. DEFINITIONS: When used in this order the following words and terms, unless the context indicates a different meaning, shall be interpreted as follows:

1.1 OWNER: Any person who has right of property in an animal or who harbors any animal or allows an animal to remain about his premises for a period of three days.

1.2 HARBORING: The act of keeping and caring for an animal or of providing a premise to which the animal returns for a period of three days.

1.3 DOMESTIC ANIMAL: Shall include the following species: dog, cat, horse, cow, pig, sheep and goat. Does not include hybrid individuals resulting from crossing wild with domestic species.

1.4 WILD ANIMAL: Refers to any mammal native to North America except the domestic species (dog, cat horse, cow, pig, sheep and goat).

1.5 PET ANIMAL: Shall include dogs, cats, rabbits, rodents, birds, reptiles and any other species of animal which is sold or retained as a household pet but shall not include any species of wild, exotic, or carnivorous animal that may be further restricted in this law.

1.6 DOG: A domestic canine of either sex, including one neutered or sterilized.

1.7 CAT: A domestic feline of either sex, including one neutered or sterilized.

1.8 VICIOUS ANIMAL: Any animal that commits an unprovoked attack upon a person on public or private property or that attacks, threatens to attack or terrorizes a person on public property or in a public place.

1.9 STRAY ANIMAL: Any animal for which there is no identifiable owner or harborer.

1.10 RUNNING AT LARGE: Shall pertain to an animal off the premises of the owner and not under the physical, visible or audible control of the owner or his authorized representative. An animal intruding upon the property of another person than the owner shall be termed "running at large." An animal within an automobile or other vehicle of its owner shall not be deemed "running at large."

1.11 RABIES VACCINATION: Shall mean the vaccination of a dog, cat or other domestic animal with an anti-rabies vaccine approved by the United States Department of Agriculture and administered by a veterinarian licensed by the State of Texas.

1.12 LOCAL HEALTH AUTHORITY: Shall mean the reporting agent for the purposes of this law, whose duties consist of the following:

1. Receiving all reports of animal bites and scratches to humans.
2. Receiving all reports of suspected rabid animals.
3. Investigation of all reported animal bites and scratches and suspected rabid animals.
4. Order quarantine, if appropriate, of any animal which has exposed an individual or which may be rabid.
5. Other duties as entailed by the text of this law.

Section 2. RABIES CONTROL

2.1 In the City of Waskom the Local Health Authority shall be Dr. Robert C. Tiller, DVM.

2.2 VACCINATIONS: Every owner of a dog or cat four months of age or older shall have such animal vaccinated against rabies. Annual revaccination shall be required thereafter. Any person moving into the City from a location outside of the City shall comply with this ordinance within 10 days after having moved into the City.

2.3 CERTIFICATE OF VACCINATION: Upon vaccination the veterinarian shall execute and furnish to the owner of the dog or cat as evidence thereof, a certificate upon a form furnished by the veterinarian. The veterinarian shall retain a duplicate copy. Such certificate shall contain the following information:

1. Owner's name, address, and telephone number.
2. Animal Identification: species, age, sex, size (in lbs.), predominant breed, and colors.
3. Vaccine used, producer, expiration date, and serial number.
4. Date vaccinated.
5. Rabies tag number.
6. Veterinarian's signature and license number.

2.4 RABIES TAGS: Concurrent with the issuance and delivery of the certificate of vaccination referred to in Section 2.2, the owner of the dog shall cause to be attached to the collar or harness of the vaccinated dog 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.

2.5 DUPLICATE TAGS: In the event of loss or destruction of the original tag provided in Section 2.3, the owner of the dog shall obtain a duplicate tag.

2.6 PROOF: It shall be unlawful for any person who owns or harbors 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 ordinance.

2.7 HARBORING UNVACCINATED ANIMALS: It shall be unlawful for any person to harbor any dog or cat which has not been vaccinated against rabies, as provided herein, or which cannot be identified as having a current vaccination certificate.

2.8. ANIMALS EXPOSED TO RABIES: Any person having knowledge of the existence of any animal known to have been or suspected of being exposed to rabies must immediately report such knowledge to the Local Health Authority giving him any information which he may require. Any animal known to have been or suspected of being exposed to rabies, the following rules must apply:

1. Unvaccinated animals which have been bitten or directly exposed by physical contact with a rabid animal or its fresh tissues should be:
 - (a) humanely killed, or
 - (b) if sufficient justification for preserving the animal exists, the exposed animal should be immediately vaccinated against rabies, placed in strict isolation for six months and given a booster vaccination one month prior to release from isolation.
2. Vaccinated animals which have been bitten or otherwise significantly exposed to rabid animal should be:
 - (a) humanely killed, or
 - (b) if sufficient justification for preserving the animal exists, the exposed vaccinated animal should be given a booster rabies vaccination and placed in strict isolation for three months.
3. These provisions apply only to domestic animals for which an approved rabies vaccine is available.

Section 3. REPORTING BITES FROM ANIMALS SUSCEPTIBLE TO RABIES; RELATED PROCEDURES

3.1 DUTY TO REPORT: Any person having knowledge that an animal has bitten a human shall immediately report the incident to the Local Health Authority. Every physician or other medical practitioner who treats a person or persons for such bites shall, within twelve hours, report such treatment to the Local Health Authority or his agent, giving name, age, sex, and precise location of the bitten person or persons and such other information as the Local Health Authority may require.

3.2 EXCLUSIONS: Human bites from rodents, rabbits, birds and reptiles are excluded from the reporting requirements of this action.

3.3 SUSPECTED RABIES: Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other domestic or wild animal shall immediately report the incident to the Local Health Authority or his agent stating precisely where such animal may be found. If a known or suspected rabid animal bites or attacks a domestic animal, such incident shall also be reported as required above.

3.4 CONFINEMENT OF DOGS AND CATS: Any dog or cat which has bitten a person shall be observed for a period of ten (10) days from the date of the bite. The procedure and place of observation shall be designated by the Local Health Authority. If the dog or cat is not allowed an at-home quarantine, confinement shall be by impoundment in the _____ shelter, or at any veterinary hospital of the owner's choice. Such confinement shall be at the expense of the owner. Stray dogs or cats whose owners cannot be located shall be confined in the _____ animal shelter or a veterinary hospital. The owner of any dog or cat that has been reported to have inflicted a bite on any person shall on demand produce said dog or cat for impoundment, as prescribed in this section. Refusal to produce said dog or cat constitutes a violation of this section, and each day of such refusal shall constitute a separate and individual violation. At no time shall a dog or cat be allowed an at-home quarantine if it is in violation of any provision of this ordinance.

3.5 REMOVAL OF DOGS AND CATS FROM CONFINEMENT: It shall be unlawful for any person to remove from any place of confinement any dog or cat which has been confined as authorized, without the consent of the Local Health Authority.

3.6 PROCEDURES FOR OTHER ANIMAL BITES: Procedures concerning bites from other animals shall be discussed with the Local Health Authority, animal control officer, or the Texas Department of Health for proper disposition. Any wild animal which has bitten a person should be caught and killed and the brain immediately submitted to a qualified laboratory for rabies examination. An exception to this rule may be allowed for large, exotic, or valuable zoo species, which, by reason of their confinement, would be unlikely rabies vectors. Rodents, rabbits, birds, and reptiles are not considered to be transmitters of the rabies virus and should not be submitted for laboratory examination for rabies.

Section 4. ANIMALS RUNNING AT LARGE

4.1 RESTRAINING: It shall be unlawful for any animal, owned, kept, or harbored to run at large, as is defined in Section 1.10 of this ordinance. The supervisor of animal control or an officer designated by him shall have the authority to impound such animals running at-large. He shall furthermore be enabled by their ordinance to enter onto privately-owned property for this purpose, so long as in doing he does not violate a property owner's "posted" or "no-trespassing" notice.

4.2 NUISANCE: It shall be unlawful for any owner to harbor any dog, cat, or other pet animal which by any sound or cry or other activity shall disturb the peace, comfort, or property of the inhabitants of the neighborhood, and such disturbance is hereby declared to be a public nuisance and a violation of this ordinance.

4.3 CONFINEMENT DURING ESTRUS: Any unspayed female dog or cat in the state of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure and said area of enclosure shall be so constructed that no other dog or cat may gain access to the confined animal. Owners who do not comply shall be ordered to remove the animal in heat to a boarding kennel, veterinary hospital or animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. Failure to comply with the removal order of the animal control officer shall be a violation of this order and the dog or cat will then be impounded as prescribed in this order.

4.4 INJURED ANIMALS: Animals injured on public property may be impounded and given adequate veterinary medical treatment pending notification of the owner. If the injured animal is treated and/or impounded, the owner of such animal shall be liable for all expenses of the treatment and/or impoundment; however, disposition may be made according to Section 7.5.

Section 5. VICIOUS ANIMALS

5.1 VICIOUS ANIMALS: No person shall own or harbor a vicious animal with the City of Waskom. Such an animal shall be impounded as a public nuisance. If impoundment of said animal running at large cannot be made with safety to the animal control officer or other persons, the animal may be destroyed without notice to the owner or harborer.

5.2 GUARD DOGS: It shall be unlawful to place or maintain any dog which has been specifically trained to attack, in any area for the protection of persons or property unless the dog is physically confined to a specific area or is under complete and absolute control. The area or premises in which a guard dog is confined must be conspicuously posted with warning signs bearing letters not less than two inches high.

Section 6. IMPOUNDED ANIMALS

6.1 IMPOUNDMENT: Animals owned or harbored in violation of this order or any other ordinance or law of the State of Texas shall be taken into custody by an animal control officer or other designated official and impounded. Stray animals shall be similarly impounded.

6.2 ANIMAL SHELTER: If an animal shelter is provided for the purpose of boarding and caring for any animal impounded under the provisions of this order, such shelter shall be constructed in accordance with recommendations from the Texas Department of Health. In lieu of constructing a shelter, the City may contract with any chartered humane society organization having a suitable facility that has been approved by the Texas Department of Health.

6.3 REMOVAL OF ANIMALS FROM ANIMAL SHELTER: It shall be unlawful for any person to remove any impounded animal from an animal shelter without the consent of the animal control officer or Local Health Authority.

6.4 REMOVAL OF BITING DOGS AND CATS FROM CONFINEMENT: The impoundment of dogs and cats that have inflicted human bites shall be for a period of ten (10) days for observation and shall not be terminated until consent from the Local Health Authority is secured.

6.5 DISPOSITION OF IMPOUNDED LICENSED DOGS AND CATS: As soon as practicable after impoundment, if the owner of the impounded dog or cat is known, immediate notice shall be given to him. Any impounded dog or cat which is licensed may be redeemed by the owner upon payment of the impoundment fee, care and feeding charges and such other costs as set by the City council. If such animal is not redeemed within three (3) days, and after reasonable effort has been made to locate it's owner, it shall be considered abandoned and may be placed for adoption subject to payment of the impoundment fee, care and feeding charges, veterinary charges, and such other costs as set by the City Council or the animal may be humanely euthanized (killed) under the supervision of or by a licensed veterinarian.

6.6 DISPOSITION OF IMPOUNDED UNLICENSED ANIMALS: As soon as practicable after impoundment, if the owner of the impounded animal is known, immediate notice shall be given to him. Any impounded animal may be redeemed upon payment of the license fee, care and feeding charges, rabies vaccination charges and such other costs as set by the City Council. If such animal is not redeemed within three (3) days, it shall be deemed abandoned and may be placed for adoption subject to payment of the license fee, impoundment fee, care and feeding charges, veterinary charges, rabies vaccination charges and such other costs as set by the City Council, or said animal may be humanely euthanized under the supervision of a licensed veterinarian. If any impounded animal appears to be either seriously ill or injured in such a manner as to render treatment impractical, it may be humanely destroyed before the end of the three (3) day waiting period to end its suffering, or the animal may be given to a non-profit humane organization for the purpose of treatment.

6.7 DISPOSITION OF IMPOUNDED ANIMAL BEING HELD ON COMPLAINT: If a complaint has been filed in City Court in the City of Waskom against the owner of an impounded animal for violation of this ordinance, the animal shall not be released except on the order of the court which may also direct the owner to pay any penalties for violation of this order in addition to all impoundment fees. The court may, upon making a finding that such animal is vicious or that it represents a clear and present danger or nuisance to the citizens or other animals in the community, order said animal to be euthanized in a humane manner. Surrender of an animal by the owner thereof to the animal control officer does not relieve or render the owner immune from the decision

of the court, nor to the fees and fines which may result from a violation or violations of this ordinance.

6.8 DISPOSITION OF DISEASED ANIMALS. Any animal taken into custody by the animal control officer except those animals which have inflicted human bites during the preceding ten days and that are visibly affected with any sign of communicable disease other than rabies which are being held at the impounding facility, may instead of being impounded, be humanely destroyed provided:

1. That any animal which has inflicted any human or animal bite during the preceding 10 days have its head removed by the animal control officer and submitted to the laboratory for rabies examination.
2. Any animal exhibiting symptoms of rabies must be handled in a manner prescribed by the Local Health Authority.

Section 7. ANIMALS PROHIBITED

7.1 ANIMALS PROHIBITED: It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in the City of Waskom, any monkey, or other nonhuman primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, other carnivorous animal or poisonous reptile.

7.2 ENDANGERED SPECIES: It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor, or permit in the City of Waskom any endangered species of animal as defined by the United States Department of the Interior or the Texas Department of Parks and Wildlife.

7.3 SECTION DOES NOT APPLY: This section shall not apply to:

1. A bonafide publically or privately owned zoological park.
2. A bonafide research institution using animals for scientific research.
3. A circus duly authorized to do business in the City of Waskom.

Section 8. INHUMANE TREATMENT

8.1 CRUELTY TO ANIMALS: It is hereby prohibited and it shall be unlawful for any person to commit or cause to be committed any act of cruelty, harassment, or torture to any animal or intentionally cause such animal to be mutilated or inhumanely killed. Ownership, or the commission of such acts of cruelty on private property shall not be a justifiable defense for violation of this section.

8.2 POISONING: It is hereby prohibited and it shall be unlawful for any person to poison any domestic animal or to distribute poison or toxicants on public or private property in any manner whatsoever with the intent of poisoning any domestic animal.

8.3 ABANDONING ANIMALS: It is hereby prohibited and shall be unlawful for any person to willfully abandon any animal; or to withhold food or water from any animal such that its health is endangered, or it is caused to suffer unduly.

8.4 DISPLAY OR SALE OF DYED OR IMMATURE ANIMALS: It is hereby prohibited and it shall be unlawful for any person to possess, display, sale, barter, or give away dyed, colored or in any way artificially treated baby chicks, ducklings, fowl, rabbits or any animals as pets, playthings, novelties, gifts or for any other purpose. This section shall not be construed to prohibit their display by hatcheries, stores, owners, dealers, or persons engaged in the business of selling such immature animals to be raised for food; but not such hatcheries, stores, owners, dealers or persons shall sell or give away baby chicks, ducklings, or any other immature domestic fowl as pets, playthings, novelties or gifts.

8.5 FIGHTING ANIMALS: It is hereby prohibited and it shall be unlawful for any person to cause, instigate or encourage any dog or other animal to fight with another of its own species or with another of a different species. It shall be unlawful for any person to train or keep any dog or other animal for the purpose of fighting. It shall be unlawful for any person to maintain a place where any dog or other animal is permitted to fight for exhibition or for wager or for sport.

Section 9. SAFETY PROVISIONS

9.1 INTERFERENCE WITH THE LOCAL HEALTH AUTHORITY OR HIS AUTHORIZED REPRESENTATIVES. It shall be unlawful for any person to interfere with, molest, hinder, or prevent the Local Health Authority or his authorized representatives in the discharge of their duties as herein prescribed, or to violate any of the provisions of this order.

9.2 PENALTY FOR VIOLATION: Any person who violates any of the provisions of this order shall be guilty of a Class C misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$200 dollars, or by confinement in the County jail for not more than 60 days, or by both such fine and imprisonment.

9.3 SEVERENCE CLAUSE: If any section, subsection, sentence, clause or phrase of this order is for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this order.

9.4 SAFETY CLAUSE: The Local Health Authority of the City of Waskom hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

9.5 REPEALER: All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

9.6 EFFECTIVE DATE: This act shall take and be in effect on and after 8th day of October 1985.

PASSED AND APPROVED this the 8th day of October, 1985.

Billy R. Randolph
MAYOR

ATTEST:

Marlene Solomon
CITY SECRETARY

**SECOND AMENDMENT TO ORDINANCE NO. 81 OF THE CITY OF WASKOM,
TEXAS REGARDING CONTROL OF ANIMALS WITH SAID CITY**

The City of Waskom, Texas, acting through its elected City Council has previously adopted its Ordinance No. 81, regarding and providing for the control of animals within said City, which Ordinance No. 81 was adopted and became effective on October 8th, 1985.

Such Ordinance 81 was previously amended on July 11, 2006 to address changes as to animals running at large and to prohibit certain dangerous animals within said City, and such Ordinance as amended remains in full force and effect; however, it has now been determined that such Ordinance should be again amended and modified so that the certain provisions regarding chickens, turkeys, ducks, geese, ginea fowl and related poultry birds can be added .

NOW, THEREFORE, it is hereby **Ordered** and **Ordained** by the City Council of the City of Waskom, Texas that its Ordinance No. 81 be and is hereby amended as follows:

Section 7.1 of said Ordinance 81 shall be and is hereby amended to add and include as "ANIMALS PROHIBITED" the following: chickens, turkeys, ducks, geese, ginea fowl and related poultry birds. These additions to section 7.1 shall not alter or delete any enumerated animal already shown as being prohibited, but rather, these additional specific animals shall be prohibited in addition to all those animals already shown and enumerated as prohibited animals under said section 7.1

Section 7.3 of said Ordinance 81 shall be and is hereby amended to add and include as animals to which the prohibitions shown in section 7 do not apply to include: up to but not more than six (6) chickens which are maintained and kept solely for school approved projects and which projects have been verified in writing as "approved" by an authorized faculty or administration representative of an accredited public or private post-elementary school.

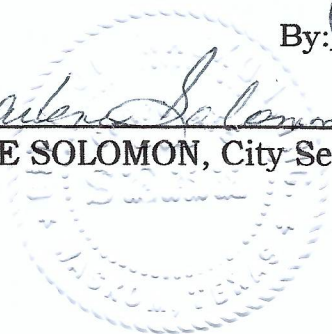
The remaining portions of such Ordinance No. 81 not specifically amended hereby are ratified and confirmed and remain in full force and effect.

DONE, ADOPTED and ORDAINED this the 11 day of December, 2007 by the City Council of the City of Waskom, Texas.

CITY OF WASKOM

By: Jesse W. Moore
JESSE W. MOORE, Mayor

ATTEST: Marlene Solomon
MARLENE SOLOMON, City Secretary



Section 5. DANGEROUS ANIMALS

7.1 ANIMALS PROHIBITED: It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in the City of Waskom any monkey, or other non-human primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, or other carnivorous animal or poisonous reptile, and any hybrid thereof.

All other terms and provisions of Ordinance No. 81 of the City of Waskom, Texas regarding animal control dated October 8, 1985 not expressly replaced or restated hereby are fully ratified, approved and confirmed the same in all respects.

DONE, ADOPTED and ORDAINED this the 11 day of July, 2006 by the City Council of the City of Waskom, Texas.

CITY OF WASKOM

By: Jesse W. Moore
JESSE W. MOORE, Mayor

ATTEST:

Marlene Solomon
MARLENE SOLOMON, City Secretary



City Hall
December 11, 2007
4:30 p.m.

The regular meeting of the Board of Aldermen was called to order with the following present: Mayor Jesse Moore, Alderman James King, John C. Hickey, Sr., Tommy Philpot, Sr., Kelli Butler and Barbara Reppond.

The meeting was opened with prayer by Alderman King

The Board convened into executive session at 4:32 p.m. for consultation with Attorney Gilstrap to consider possible litigation under GC§551.071

The board reconvened into regular session at 5:02 p.m.

Motion was made by King seconded by Reppond to retain Smith & Gilstrap and Ward & Smith Law Firms to represent the City of Waskom to assert claims against Schaumburg & Polk, Inc. on a contingent on what is recovered basis. Motion carried.

Motion was made by King seconded by Butler to approve the minutes of the previous meeting. Motion carried.

Motion was made by Reppond seconded by Philpot to pay the current bills. Motion carried.

Police Chief Rex Hawsey presented the police report for the month of November.

The Board conducted a public hearing to allow citizens to voice their opinions on the ad valorem taxation of goods in transit. Mayor Moore informed those present that Karen Jeans, Chief Appraiser had notified the City that to remove the goods in transit from our tax roll will remove \$5,586,682 in taxable value from the tax roll.

Motion was made by King seconded by Reppond to adopt Resolution No.249 to provide for ad valorem taxation of goods in transit. Motion carried.

A discussion was held on the need to amend Ordinance No. 81 to address the complaints that have been made about chickens within the city limits. Motion was made by King seconded by Reppond to amend Ordinance No. 81 to prohibit chickens within the city limits with the exception of school agricultural project chickens which will be limited to 6. Owners of chickens will be given six months from the date of this amendment to remove all chickens from the city. Motion carried.

W & S Supt. Darrell Robbins presented a request from Billy Almond for the city to approve the completion of Phase II in Almond Grove Sub-div. Motion was made by King seconded by Hickey to approve this construction. Motion carried.

AMENDMENT TO ORDINANCE NO. 81 OF THE CITY OF WASKOM, TEXAS
REGARDING ANIMAL CONTROL

The City of Waskom, Texas, acting through its elected City Council has previously adopted its Ordinance No. 81, regarding animal control, which Ordinance No. 81 was adopted and became effective on the 8th day of October, 1985.

The City of Waskom, Texas has now determined that certain Sections of said Ordinance 81 should be amended and modified as set forth below:

Section 1.8 shall remain the same except that the final two (2) words shall read "private place".

Section 1.10 shall be changed as follows:

"1.10 RUNNING AT LARGE: Shall pertain to an animal on or off the premises of the owner and not under the physical control or confinement by the owner or his authorized representative. An animal intruding upon the property of another person other than the owner shall be termed "running at large."

The heading for "Section 5" shall read:

Section 5. DANGEROUS ANIMALS.

In regard to Section 7.1 dealing with "Animals Prohibited", this section shall be changed to include hybrids of wild animals and the following words "and any hybrid thereof" shall be added at the end of this Section.

NOW, THEREFORE, it is hereby Ordered and Ordained by the City Council of the City of Waskom, Texas that only Section 1.8, Section 1.10, Section 5 and Section 7.1 of Ordinance No. 81 entitled "City Animal Control Ordinance #81" be and they are hereby amended as follows:

1.8 VICIOUS ANIMAL: Any animal that commits an unprovoked attack upon a person on public or private property or that attacks, threatens to attack or terrorizes a person on public property or in a private place.

1.10 RUNNING AT LARGE: Shall pertain to an animal on or off the premises of the owner and not under physical control or confinement by the owner or his authorized representative. An animal intruding upon the property of another person other than the owner shall be termed 'running at large'.

Proof of Publication

from

MARSHALL NEWS MESSENGER

P.O. BOX 730

MARSHALL, TX 75670

(903) 935-7914

263224 \$ 77.20

NOTICE
 The City of Waskom adopted an amendment to Ordinance No. 81 which regulates animal control. The Board of Aldermen amended this ordinance on July 11, 2006. This amendment changes Section 1.8 to read: Vicious Animal: Any animal that commits an unprovoked attack upon a person on public or private property or that attacks, threatens to attack or terrorizes a person on public property or in a private place. Section 1.10 is amended to read: Running At Large: Shall pertain to an animal on or off the premises of the owner and not under physical control or confinement by the owner or his authorized representative. An animal intruding upon the property of another person other than the owner shall be termed 'running at large.' Section 5 is amended to read: Dangerous Animals, Section 7.1 is amended to read: Animals Prohibited: It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in the City of Waskom any monkey, or other non-human primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, or other carnivorous animal or poisonous reptile, and any hybrid thereof.

STATE OF TEXAS
COUNTY OF HARRISON

On this 15th day of September, 2006

personally appeared before me the undersigned, a Notary Public in and for said county and state.

DIANNE GRAY

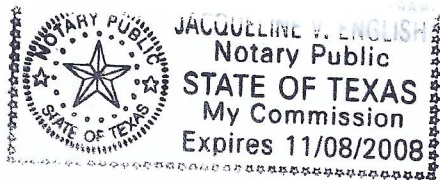
of the MARSHALL NEWS MESSENGER, a daily newspaper published at MARSHALL, County of HARRISON, State of TEXAS, who, being by me duly sworn, states that the attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in its issues thereof on the following dates:

- 23rd day of August 2006
- _____ day of _____ 20_____
- _____ day of _____ 20_____
- _____ day of _____ 20_____
- _____ day of _____ 20_____
- _____ day of _____ 20_____

Subscribed and sworn to before me this 15th day of September 2006.

Jacqueline V. English

Notary Public, Harrison County, Texas



My Commission expires 11-8-2008