AN ORDINANCE REQUIRING ALL DOGS AND CATS IN THE CITY OF COOLIDGE, TEXAS TO BE VACCINATED AGAINEST RABIES, PROVIDING FOR ENFORCEMENT OF THIS ORDINANCE; PROVIDING FOR IDENTIFICATION OF ANIMALS; PROHIBITING ANIMALS RUNNING AT LARGE; PROVIDING RULES FOR ANIMALS IN HEAT; PROHIBITING ANIMAL DEFECATION IN CERTAIN AREAS: PROVIDIING FOR LICENSING OF DOGS AND CATS BY THE CITY OF COOLIDGE, TEXAS; PROVIDING FOR FEES FOR LICENSING OF DOGS AND CATS; PROVIDING FOR PROPER METAL OR PLASTIC TAGS TO BE WORN BY DOGS OR CATS AT ALL TIMES: PROVIDING FOR THE IMPOUNDMENT OF DOGS AND CATS; PROVING FOR ANIMAL RELEASING AGENCY FEES FOR ANIMALS; PROVIDING FOR NUISANCE ANIMALS; PROVIDING FOR HUMANE CARE FOR ANIMALS; PROVIDING FOR INJURED OR ILL ANIMALS; PROVIDING RULES FOR ANIMALS WHICH HAVE BITTEN PERSONS: PROVIDING RULES FOR DANGEROUS DOGS: PROVIDING RULES FOR DOG AND CAT STERILIZATION: PROVIDING FOR EXEMPTIONS TO SECTION 36; SETTING AN EFFECTIVE DATE FOR ANIMALS RUNNING AT LARGE AND PROVIDING A PENALTY TO OWNER OR CUSTODIAN OF DOGS AND CATS UPON FAILURE TO COMPLY WITH THIS ORDINANCE.

NOTES:

- 1) the masculine includes the feminine and the singular includes the plural, unless the context clearly indicates otherwise.
- 2) The words "City" and "Police" refer to the City of Coolidge and Coolidge Police Department respectively, unless the context clearly indicates otherwise.

SECTION 1:

DEFINITIONS

- (a) **Abuse** shall mean to mistreat through intent or neglect any animal in a manner that causes or is likely to cause stress or physical injury or as otherwise stated in this ordinance.
- (b) Animal Control Authority shall mean the senior animal control official, or a person, persons or official he designates to act in his place when he is temporarily unable to act for any reason.
- (c) **Animal Control Official** shall mean any person or agency designated by the City Council who is primarily responsible for the enforcement of regulations and this Ordinance regarding animals.
- (d) Animal Releasing Agency or Animal Rescue/Shelter shall mean a facility designated by the City Council to be used for the impoundment of animals taken up by animal control officials and is sometimes referred to as "shelter."
- (e) Animal welfare group shall mean an association or nonprofit organization which as one of its purposes, providing for the welfare or protection of animals of any kind.
- (f) Cat shall mean the male and the female of any domesticated member of the feline species of animals.

- (g) **Currently Vaccinated** shall mean having proof of vaccination records from a licensed veterinarian showing up to date rabies vaccination either on the animals collar or in written form in the owners possession.
- (h) **Dangerous Dog** shall mean a dog that:
 - (1) Makes an unprovoked attack on a person or pet animal that causes bodily injury and occurs in a place other than an enclosure in which the dog is being kept and that is reasonably certain to prevent the dog from leaving the enclosure on its own; or
 - (2) Commits unprovoked acts in a place other than an enclosure in which the dog is being kept and that is 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.
- (i) Day shall mean a workday and shall exclude Saturday, Sunday and holidays
- (j) **Dog** shall mean the male and the female of any domesticated member of the canine species of animal.
- (k) **Harbor** shall mean any animal shall be deemed harbored if it is fed, sheltered or maintained for three days or more.
- (I) **Local Health Authority** shall mean the senior animal control official, or an official he designates to act in his place when he is temporarily unable to act for any reason.
- (m) New Owner means a person who is legally competent to enter into a binding contract and who is adopting a dog or cat from a releasing agency.
- (n) **Owner** shall mean any person owning, keeping, maintaining, harboring or having the care, custody or control of one or more animals.
- (o) **Registration** Meaning the requirement set forth by this Ordinance of any person, company, firm or Corporation taking ownership of a dog and/or cat, who resides or does business inside city limits, to register that animal at the city office with a description and/or photo of the animal whereas upon completed registration the owner will receive a metal or plastic tag to keep on the animals collar.
- (p) **Releasing agency** means a public or private animal rescue, shelter, or humane organization. The term does not include an individual who occasionally renders humane assistance or shelter in the individual's home to a dog or cat.
- (q) **Residence** shall mean any place of human habitation at any time, day or night, including, but not limited to, any residence, church, school, convalescent center or nursing home.
- (r) **Restrained** shall mean any animal secured by a leash of some sort or confined within the property limits of its owner. In public (i.e. events, parks or on roadways or businesses) secured by leash or some sort.
- (s) Secure enclosure means a fenced area or structure that is;
 - (1) Locked;
 - (2) Capable of preventing the entry of the general public, including children;
 - (3) Capable of preventing the escape or release of a dog;
 - (4) Clearly marked as containing a dangerous dog; and
 - (5) In conformance with the requirements for enclosures established by the local Animal Control Authority.
- (t) **Sterilization** means the surgical removal of the reproductive organs of a dog or cat to render the animal unable to reproduce.
- (u) **Tag** shall mean a vaccination tag attached to a collar as required by this Ordinance, or some other permanent identifying device attached to a collar or to an animal. Tag also includes the metallic or plastic tag issued by the City upon issuance of a dog or cat license.

- (v) **Tattoo** shall mean a permanent mark which is made on the skin of an animal by puncturing the skin and inserting indelible color, which is used to show ownership or sterilization.
- (w) **Vaccination** shall mean an injection of a rabies vaccine which is approved by the U.S. Department of Agriculture, Veterinary Biologics Division, State Veterinarian and administered by a licensed veterinarian or at an approved anti-rabies clinic.
- (x) **Veterinarian** shall mean any person duly licensed to practice veterinary medicine by the State Board of Veterinary Examiners, or who is exempt from such licensing.

SECTION 2

PURPOSE

It is the intent and purpose of this Ordinance to provide a safe and healthy environment within the city for both animals and people. While a person may own and keep animals within the City, the conduct of those animals and the conditions that the animals are kept in should not infringe on the surrounding homes and their inhabitants.

- (a) The provisions of this Ordinance may be enforced by Animal Control Officials, Police Officers and such other persons as are designated by the City.
- (b) It shall be unlawful for any person to interfere with, obstruct, resist or oppose any Animal Control Official or other person authorized to enforce provisions of this Ordinance while such person is apprehending an animal or performing any other duties. It shall be unlawful without proper authorization to take or attempt to take any animal from any Animal Control Official or from any vehicle used by the official to transport any animal or to take or attempt to take any animal from the animal rescue/shelter or other kennel or confinement area used to detain/impound an animal.

SECTION 3

IDENTIFICATION FOR ANIMALS/TAGS

All animals within the city limits shall be marked by either a metal or plastic tag provided upon registration of said animal with the city office as well as any vaccination tags or tattoos provided by a licensed Veterinarian. The city secretary shall maintain a record of identify numbers and shall make this record available to the public.

SECTION 4

RUNNING AT LARGE

- (a) It shall be unlawful for any person who owns, keeps, harbors or otherwise has control over any animal within the City to allow or permit such animal to run or be at large within the City.
- (b) The prohibition against an animal running at large shall not apply to a cat which has been vaccinated as required by this Ordinance and which is wearing the required tags. The prohibition shall apply to all other cats.
- (c) An animal shall be considered at large if it is not under the control of its owner by either a leash, chain, cord, or other suitable material attached to a collar or harness. An animal inside a vehicle parked in a public place shall be considered at large unless it is restrained in such a manner that it cannot exit the vehicle of its own volition. An animal shall not be considered at large requiring

restraint, as long as the animal remains within the property boundaries of the animal owner, or if the animal owner is a tenant, then within the property boundaries of the leased property. If the animal owner is a guest, then the animal belonging to the guest need not be restrained within the property boundaries of the host, as long as the animal is present on the property with permission, or consent of the property owner. However, any animal which is lawful unrestrained within the property boundaries of the owner, tenant or host and which subsequently exits the property boundaries, shall immediately be considered an animal at large while the animal is outside such property boundaries.

- (d) The Animal Control Official for the city may impound any animal observed to be at large, whether the animal is on public or private property. If the Animal Control Official observes an animal on property which is owned by a person other than the animal's owner and follows the animal back to the property of its owner, the Animal Control Official may impound the animal or issue a citation for the animal running at large.
- (e) Proof that an animal was found at large in violation of this section, together with proof that the defendant was the owner of such animal at the time, shall constitute prima facie evidence that the defendant allowed or permitted the animal to be at large.

SECTION 5

ANIMAL IN HEAT

Any person who owns, harbors or keeps any female dog or cat during the period that such animal is in heat, shall keep such dog or cat in a secured area that prevents a male dog or cat from having access to such female except for controlled breeding permitted by the owner of the female. Additionally, the female dog or cat shall not be chained or tethered in a manner that prevents her from defending herself or from avoiding a male.

SECTION 6

ANIMAL DEFECATION PROHIBITED IN CERTAIN AREAS

- (a) It is unlawful for the owner or person in control of an animal to allow or permit such animal to defecate on any public property or private property other than that of the owner of the animal. That the animal was at large at the time it defecated on any property shall constitute prima facie evidence that the owner or person in control of the animal allowed or permitted the animal to so act.
- (b) It shall be a defense to prosecution under this section that the owner or person in control of the animal immediately removed and cleaned up such animals feces from public or private property.

SECTION 7

LICENSE REQUIREMENT

No owner shall, without first obtaining a license therefor in writing from the City Secretary or Animal Official, own, keep, harbor or have custody of any dog or cat over three (3) months of age.

SECTION 8

LICENSE FEE

Upon showing by an applicant for a license that he is prepared to comply with the regulations

prescribed by this Ordinance, a license shall be issued after payment of the applicable fee provided the person applying for a license pays any previously imposed fees and fines imposed under said Ordinance as follows:

- (1) For each dog, male or female, \$5.00
- (2) For each cat, male or female, \$5.00
- (3) No fee shall be required by any humane society or veterinary hospital/animal rescue
- (4) If any license issued hereunder is for a period of less than six (6) months, the fee therefore shall be \$2.50

SECTION 9

TERM OF LICENSE

A license shall be valid from the date of its purchase, if not revoked as hereinafter provided, until the following two years from date. A new license shall be obtained for each dog or cat owned and a new fee paid on or before the expiration date in accordance with rabies regulations – registration is required every two (2) years.

SECTION 10

LICENSE MAY BE REVOKED

- (a) The city may revoke any license any license(s) refuses to fails to comply with this Ordinance or any state or local law governing cruelty to animals or keeping of animals. When a license is revoked, the owner shall, within ten (10) days thereafter, surrender or humanely euthanize, if deemed necessary by City Animal Official or Courts, of the animal whose license has been revoked, which is owned, kept or harbored by such owner; and no part of the license fee shall be refunded.
- (b) It shall be a condition of the issuance of any license to any person who owns a dog or cat that officials and inspectors of the City of Coolidge shall be permitted to inspect all animals owned by such person and the premises where animals are kept at any time, and if permission for such inspection is refused by the owner, the City shall revoke the license(s) of the refusing owner.

Upon issuing a license to keep any dog or cat, the City Secretary/Animal Official/Animal Releasing Agency shall issue to the owner a metallic or durable plastic tag, stamped with an identifying number and with the year of issuance and so designated that it may conveniently be fastened to the dog's or cat's collar or harness by the owner, and shall be worn at all times. The City Secretary/Animal Releasing Agency shall maintain a record identifying numbers and shall make this record available to the public. The shape and color of the tag shall be changed bi-yearly. It is urged and recommended that the owner use an expandable safety collar.

SECTION 12

IMPOUNDMENT

Any dog or cat found within the City in violation of any provision of this Ordinance shall be impounded and kept for a period of three (3) to five (5) days unless, due to severe injury or illness or at the discretion of the Animal Control Official or a licensed veterinarian, the best interests of the dog or cat would be to humanely euthanize such dog or cat in a shorter period. If any impounded animal is not claimed within seven (7) days by its owner or other person who has complied with all procedures for claiming of animal as provided in this Ordinance, then it shall become property of the Animal Releasing Agency or Animal Rescue. Owner must tag or show proof of tag receipt any animal(s) being claimed before release of the animal(s).

SECTION 13

RELEASING FEES

Animals shall be released from the Animal Releasing Agency or Animal Rescue/Shelter upon payment of the applicable Rescue/Shelter fees, impoundment fees and ordinance violation fees (city court fee, which is at the end of this ordinance). The Rescue/Shelter fees shall consist of the following:

- (a) \$25.00 impoundment fee and \$20.00 per day that the animal has been sheltered for the first offense.
- (b) \$50.00 impoundment fee and \$25.00 per day that the animal has been sheltered for the second offense when picked up by the same owner.
- (c) \$75.00 impoundment fee and \$30.00 per day that the animal has been sheltered for the third offense when picked up by the same owner.

If at the time of impoundment, the dog or cat is not wearing a collar with a tag attached indicating a valid license and rabies vaccinations, then the owner thereof, when claiming the animal from the Animal Releasing Agency, shall present a certificate showing that the dog has been vaccinated within twelve (12) months from that day or shall have the dog vaccinated prior to its release from impoundment, and shall further produce or secure a valid license tag for such dog or cat and provide a suitable collar for the animal for attachment of the tags.

SECTION 14

NUISANCE ANIMALS

- (a) As used in this article, a nuisance animal shall be defined as any animal which commits any of the acts listed herein:
 - (1) Molests or chases pedestrians, passers-by or passing vehicles, including bicycles;
 - (2) Makes unprovoked attacks on other animals of any kind;
 - (3) Is repeatedly at large; specifically, three (3) or more times per twelve (12) month period;
 - (4) Damages private or public property.
 - (5) Defecates on property not belonging to or under the control of its owner;
 - (6) Barks, whines, howls, or makes any noise excessively and continuously, and such noise disturbs a person of ordinary sensibilities; or
 - (7) Is unconfined when in heat.
- (b) If the Animal Control Official determines that any animal is a nuisance, the Animal Control Official may issue an order requiring that the owner meet certain remedial requirements to correct the conduct of an animal. The order shall be given to the owner by personal service by the Animal Control Official or a City police Officer or by certified mail, return receipt requested.

SECTION 15

HUMANE CARE

All owners shall provide their dog(s) or cat(s) with humane care and with sufficient food and water, proper shelter, and veterinary care when needed to prevent suffering. Unwanted animals may be given to the Animal Releasing Agency with surrendering fees to the Animal Releasing Agency discretion. Persons/owners in violation of this section or convicted under the laws of Texas pertaining to cruelty to animals shall be ineligible for City licensing for any and all dogs or cats for a period of two (2) years.

SECTION 16

INJURED OR ILL ANIMALS

Whenever the Animal Control Official encounters a stray animal suffering pain, he shall take the animal to a veterinarian where the cost of any care or treatment shall be borne by the Owner. If the ownership of the animal cannot be determined, the Animal Control Official may either (1) treat the animal at the expense of the Animal Releasing Agency/Rescue or (2) have the animal euthanized by humane means.

SECTION 17

ANIMALS WHICH HAVE BITTEN PERSONS

- (a) When any dog or cat or other animal has bitten or attacked any person, or when any dog or cat or other animal is suspected of having rabies, it shall be the duty of any person having knowledge of such facts to report the same immediately to the Police Department of the City of Coolidge, Texas.
- (b) Such animal shall not be killed but shall be confined in such way for such period of time as the Animal Control Official shall direct. No person shall release from confinement any such animal or

remove such animal from its place of confinement to another place without the consent of the Animal Control Official. The Animal control Official shall be empowered in his discretion order impoundment or examination of any such animal to determine whether it may have rabies. No person shall refuse to surrender any animal for quarantine when demand is made by the order of the Animal Control Official. If the animal dies or is killed, a laboratory examination of the head shall be made. If any animal is publicly confined under this subsection the confinement will be at the expense of the Animal Reclaim Agency/Rescue.

SECTION 18

VACCINATION

All dogs and cats owned, kept, harbored or in the custody of any person, within the City of Coolidge, Texas, are hereby required to be vaccinated against rabies by some licensed veterinarian once every two (2) years or such person must receive a waiver once every two (2) Years from a licensed veterinarian stating that said animal does not need vaccinating that year; and it is further provided herein that every veterinarian who vaccinated any such dog or cat for any such person, or issues such waiver of non-vaccination or a certificate of waiver to such person, stating the name of the owner, a brief description of the dog or cat, the date of vaccination or waiver, and the fee collected by him the same, which certificate shall be shown to the City Secretary or Animal Control Authority/Rescue at the time of application for a license is made, as provided herein; and that the owner of the dog or cat shall receive and secure from the veterinarian a tag consisting of either metal or plastic, which tag shall be fastened to the collar around the neck of the dog or cat. Whenever any person has complied with the provisions of this section and the dog and cat tag is lost or destroyed, it shall be the duty of the owner or keeper of the dog or cat to procure another tag from the veterinarian by paying the value of the tag to the veterinarian.

SECTION 19 REQUIREMENTS FOR OWNER OF DANGEROUS DOG

- (a) Not later than the 30th day after a person learns that the person is an owner of a dangerous dog, the person shall:
 - (1) Register the dangerous dog with the Animal Control Authority;
 - (2) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure; and
 - (3) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person.
- (b) For purposes of this section, a person has knowledge that he is the owner of a dangerous dog when;
 - (1) The owner knows of an attack or acts described in Sections 1 (h) (1) or (2) (Definition of Dangerous Dog); or
 - (2) The owner is informed by the Animal Control Authority that the dog is a dangerous dog.
- (c) If a person reports an incident described in Section 1, (h) (1) or (2) (Definition of a Dangerous Dog), the Animal Control Authority may investigate the incident. If, after receiving the sworn

statement of any witnesses, the Animal control Authority determines the dog is a dangerous dog, it shall notify the owner of the fact.

(d) An owner, not later than the 30th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the Animal Control Authority to the municipal court. An owner may appeal the decision of the municipal court in the same manner as appealing for other criminal cases.

SECTION 20

REGISTRATION

- (a) The Animal Control Authority shall annually register a dangerous dog if the owner;
 - (1) Present proof of;
 - (A) Liability insurance or financial responsibility in the amount of \$100,000.00,
 - (B) Current rabies vaccination of the dangerous dog; and
 - (C) The secure enclosure in which the dangerous dog will be kept; and
 - (2) Pays an annual registration fee of \$50.00.
- (b) The Animal Control Authority shall provide the owner registering a dangerous dog a registration tag.
- (c) If an owner of a registered 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. On presentation by the current owner of a dog's prior registration tag and payment of a fee of \$50.00, the Animal Control Authority shall issue a new registration tag to be placed on the dangerous dog's collar.
- (d) An owner of a dangerous dog shall notify the office in which the dangerous dog was registered of any attacks the dangerous dog makes on people.

SECTION 21

ATTACK BY DANGEROUS DOG

- (a) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dogs enclosure and causes bodily injury to the other person.
- (b) An offense under this section is a Class C misdemeanor, unless the attack causes serious bodily injury or death, in which event the offense is a Class A misdemeanor.
- (c) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a licensed veterinarian or surrendered to the Animal Releasing Agency.
- (d) In addition to criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed \$10,000.00. An attorney for a municipality where the offense occurred may file suit in a court of competent jurisdiction to collect the penalty. Penalties collected under this subsection shall be retained by the municipality.

SECTION 22

VIOLATIONS

- (a) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with Section 19, Section 20, Section 21.
- (b) An offense under this section is a Class C misdemeanor.

SECTION 23

DEFENSE

- (a) It is a defense to prosecution under Section 22 that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter/rescue, or person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody or control of the dog in accordance with the owner.
- (b) It is a defense to prosecution under Section 22 that the person is an employee of the institutional division of the Texas Department of Criminal Justice or a law agency and trains or uses dogs for law enforcement or corrections purposes.
- (c) It is a defense to prosecution under Section 22 that the person is a dog trainer or an employee of a guard dog company under the Private Investigators and Private Security Agencies Act (Article 4413 [29bb]), Vernon's Texas Civil Statues.

SECTION 24

LOCAL REGULATION OF DOGS

A municipality may place additional requirements or restrictions on dangerous dogs if the requirements or restrictions;

- (a) Are not specific to one breed or several breeds of dogs; and
- (b) Are more stringent than restrictions provided by state statues.

SECTION 25

ADOPTION STANDARDS

- (a) Each releasing agency may set its own standards for potential adopters if those standards are applied in a fair and equal manner.
- (b) If the releasing agency is a public facility, the standards must be reasonably related to the prevention of cruelty to animals and the responsible management of dogs and cats in the interest of preserving public health and welfare.

SECTION 26

REQUIREMENTS FOR ADOPTION

A releasing agency may not release a dog or cat for adoption unless the animal has been sterilized, or the release is made to a new owner who signs an agreement to have the animal sterilized. Fees charged for sterilization of adoption animals shall be paid by adopting party and/or releasing agency.

SECTION 27

STERILIZATION AGREEMENT

- (a) The sterilization agreement used by a releasing agency must contain:
 - (1) The date of the agreement;
 - (2) The names, addresses, and signatures of the releasing agency and the new owner;
 - (3) A description of the animal to be adopted;
 - (4) The sterilization completion date and veterinarian.
 - (5) A statement, printed in conspicuous, bold print, that sterilization of the animal is required under Chapter 828, Health and Safety Code, and that a violation of this chapter is a criminal offense punishable as a Class C misdemeanor.
- (b) The sterilization completion date contained in the sterilization agreement must be:
 - (1) The 30th date after the date of adoption in the case of an adult animal;
 - (2) The 30th date after a specified date estimated to be the date of adopted infant female animal becomes six (6) or an adopted infant male animal becomes eight (8) months old; or
 - (3) If the releasing agency has a written policy recommending sterilization of certain infant animals at an earlier date, the 30th day after the date contained in the written policy.

SECTION 28

STERILIZATION REQUIRED

- (a) Except as provided by this section, a new owner who signs an agreement under Section 27 shall have the adopted animal sterilized on or before the sterilization completion date stated in the agreement.
- (b) If the sterilization completion date falls on a Saturday, Sunday, or legal holiday, the deadline is extended to the first day that is not a Saturday, Sunday, or legal holiday.
- (c) A releasing agency may extend the deadline for thirty (30) days on presentation of a written report from a licensed veterinarian stating that the life or health of the adopted animal may be jeopardized by surgery. There is no limit on the number of extensions that may be granted under this subsection.

SECTION 29

CONFIRMATION OF STERILIZATION

- (a) Except as provided by Section 30 and Section 31 each new owner who signs a sterilization agreement under Section 27 shall deliver to the releasing agency from which the animal was adopted a letter signed by the veterinarian who performed the surgery.
- (b) The letter must be delivered in person or by mail not later than the seventh day after the date on which the animal was sterilized.
- (c) The letter must state that the animal has been sterilized, briefly describe the animal and provide the date of sterilization.

SECTION 30

LETTER CONCERNING ANIMALS' DEATH

- (a) If an adopted animal dies on or before the sterilization completion date agreed to under Section 27, the new owner shall deliver to the releasing agency/rescue a signed letter stating that the animal is dead.
- (b) The letter must be delivered not later than the seventh (7) day after the date of the animals' death and must describe the cause of death, if known, and provide the date of death.
- (c) The letter required by this section is in lieu of the letter required by Section 29.

SECTION 31

LETTER CONCERNING LOST OR STOLEN ANIMAL

- (a) If an adopted animal is lost or stolen before the sterilization completion date agreed to under Section 27, the new owner shall deliver to the releasing agency a signed letter stating that the animal is lost or stolen.
- (b) The letter must be delivered not later than the seventh (7) day after the date of the animals' disappearance and must describe the circumstances surrounding the disappearance and provide the approximate date of the disappearance.
- (c) The letter required by this section is in lieu of the letter required by Section 29.

SECTION 32

NOTICE OF FAILURE TO RECEIVE LETTER

A releasing agency/rescue that does not receive a letter under Section 29, Section 30 or Section 31 before the expiration of the seventh (7th) day after the sterilization completion date agreed to under Section 27 shall cause a complaint to be filed against the new owner. It is a presumption under this law that the failure of the new owner to deliver to the releasing agency/rescue a signed letter as required under Section 29, Section 30 or Section 31 is the result of the new owner's refusal to have the adopted animal sterilized. The new owner may rebut this presumption at the time of the hearing with the proof required under the above-mentioned sections.

SECTION 33

RECLAMATION

- (a) A releasing agency/rescue that does not receive a letter under Section 29, Section 30 or Section 31 after the expiration of the seventh (7th) day after the sterilization completion date agreed to under Section 27 may promptly reclaim the animal from the new owner.
- (b) A person may not prevent, obstruct, or interfere with a reclamation under this section.

SECTION 34

PENALTY

Any person violating any of these regulations shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined a sum not to exceed Five Hundred Dollars (\$500.00).

AMENDED AND SIGNED on this the aday of Sanuary.	2025.
CITY OF COOLIDGE, TEXAS BY: MAYOR ATTEST: CITY SECRETARY	