

CHAPTER 2

ANIMAL CONTROL

ARTICLE 2.01 GENERAL PROVISIONS^{*}

Sec. 2.01.001 Definitions

As used in this chapter, the following terms shall have the respective meanings ascribed to them:

Abandon. To desert or to cease support of an animal owned or formerly supported, or to intentionally release or turn loose a contained animal, without first making accommodations to provide for basic animal care.

Animal. Any non-human live creature, domestic or wild.

Animal control officers. City employees appointed by the chief of police to enforce animal control ordinances.

At large. Any animal not secured by a leash or lead, or not physically restrained within the vehicle or real property limits of its owner.

Basic animal care. To provide the proper quantity of food, water, shelter and protection to an animal.

Bite. Breaking of the skin caused by teeth.

City animal control center. Any facility operated by a municipal agency, or its authorized agents, for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

Distance between structures. A straight line from the nearest point of the shed, barn, pen enclosure, fence, or area in which the animal is contained, to the nearest point of a residence or building that is used by humans for living or working purposes.

Feral animal. A descendant of a domesticated animal that is non-socialized or non-domesticated, born in the wild, abandoned and no longer socialized, or is the offspring of a non-socialized, non-domesticated or abandoned animal.

Fowl. Includes chickens, turkeys, pheasants, quail, guineas, geese, ducks, peafowl, and any other feathered creatures that are not domestically confined within a residence.

Kennel. Any lot, building, structure, enclosure, or premises wherein three (3) or more animals, four (4) months of age or older, are kept or maintained for the purpose of breeding, training, boarding, or raising for profit or pleasure.

Inclement weather conditions. Actual temperatures or wind chill at or below 32 degrees Fahrenheit, actual temperatures or heat index at or above 100 degrees Fahrenheit, or any severe weather warning issued by the National Weather Service for the area where an animal is located.

Local rabies control authority (LRCA). An[y] person designated by the chief of police whose duties and

responsibilities are to investigate and file any and all possible rabies exposure cases with the state board of health.

Official notice. Written notice personally delivered or mailed by an animal control officer, police officer or court clerk addressed to the last known address of the recipient.

Owner. Any person keeping, harboring, maintaining or having custody of one (1) or more animals or providing food, water, shelter or veterinary care for an animal or allowing an animal to remain on or about the person's premises for three (3) days or more.

Performing animal. Any animal used in a spectacle, display, act, or event.

Pet. Any animal kept for pleasure rather than utility.

(Ordinance 1208, sec. 1, adopted 4/11/16)

Pet registration tag (or license). A current unexpired official tag or license issued by the city to be worn by pet as proof of registration with the city. (Ordinance 1236, sec. 1, adopted 10/23/17)

Public nuisance. Any animal, fowl or livestock which does any of the following:

- (1) Molests passersby or passing vehicles;
- (2) Attacks other animals without provocation;
- (3) Trespasses on school grounds;
- (4) Is at large;
- (5) Damages private or public property;
- (6) Barks, whines, or howls in an excessive, continuous, or untimely fashion; or
- (7) Soils, defiles, urinates or defecates on property other than the owner.

Residence. Any place of human habitation at any time, day or night, including, but not limited to, any home, apartment, duplex, convalescent center or nursing home.

Sterilization. In the male, a testectomy; in the female, an ovariectomy.

Vaccination. An injection of a biological agent to provide active acquired immunity to a particular disease, approved and administered as required by state law. The rabies vaccination must be administered by a licensed veterinarian.

Veterinary hospital. Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

(Ordinance 1208, sec. 1, adopted 4/11/16)

Vicious animal. Any animal, without provocation, that bites or attacks a human being or domestic animal, either on public or private property, or that, in a vicious or terrorizing manner, approaches any person on a street, sidewalk or other public place in an apparent attitude of attack; except, no animal shall be deemed vicious if the bite, injury or damage was sustained by a person who at the time was committing

a willful trespass upon the premises occupied by the owner or provider of the animal, or by a person who has tormented or abused the animal. (Ordinance 1236, sec. 1, adopted 10/23/17)

Wild animal. Any animal of the canine or feline species normally found in a wild state, and poisonous snakes, raccoons, skunks, opossums, wolverines, badgers, bears, apes, hawks, falcons and alligators.

Sec. 2.01.002 Penalty; additional remedies

(a) Any person violating any provision of this chapter, except [section 2.02.002](#), shall be deemed guilty of a misdemeanor and shall be punished as provided in [section 1.01.009](#).

(b) If any violation is continuing, each day's violation shall be deemed a separate violation.

(c) If any person is found guilty by a court of violating any provision of [sections 2.01.013](#) through [2.01.017](#), or [2.06.006](#) through [2.06.008](#), his permit to own, keep, harbor, or have custody of such animals shall be deemed automatically revoked and no new permit may be issued.

Sec. 2.01.003 City animal control center

The city animal control center is hereby designated as the impoundment and quarantine center for animals picked up by the city.

Sec. 2.01.004 Enforcement officers; interference with enforcement

(a) The civil and criminal provisions of this chapter shall be enforced by those persons or agencies designated by municipal authority.

(b) It shall be a violation of this chapter to interfere in any manner with or give false information to an animal control officer, or local rabies control authority in the performance of their duties or to interfere with animal control facilities or equipment.

(c) The animal control officers shall have authority to discharge an air rifle, rifle, shotgun, or pepper spray in the performance of their duties.

(d) Nothing in this section shall be construed to diminish the authority of the police department in enforcing any provisions of this chapter.

Sec. 2.01.005 City designated bird sanctuary

The entire area embraced within the city is hereby designated as a bird sanctuary.

Sec. 2.01.006 Hunting or injuring birds

It shall be unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nests or wild fowl nests. Provided, however, if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the proper health authorities of the city, said health authorities shall meet with representatives of the Audubon Society, Bird Club, Garden Club or humane society, or as many of said clubs as are found to exist in the city, after having given at least three (3) days' actual notice of the time and place of said meeting to the representatives of said club. If as a result of said meeting no satisfactory alternative is found to abate such nuisance, said birds may be destroyed in such numbers and in such manner as is deemed advisable by said health authorities under the supervision of the chief of police.

State law reference—Protection of non-game birds, V.T.C.A., Parks and Wildlife Code, sec. 64.002.

Sec. 2.01.007 Offering animals as prize or inducement

No person shall give away any live animals as a prize for, or as an inducement to enter, any contest, game or other competition, or as an inducement to enter a place of business, or offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.

Sec. 2.01.008 Duty of vehicle driver upon striking animal

Any person who, as the operator of a motor vehicle, strikes a domestic animal shall immediately report such injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the local humane society.

Sec. 2.01.009 Running at large prohibited

The running or roaming at large of any dog, cat or other animal within the city is hereby declared a nuisance and positively prohibited, and it is hereby made unlawful and deemed a class C misdemeanor for the owner or keeper of any dog, cat or other animal to allow the same to run or roam at large within the city.

State law reference—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.033.

Sec. 2.01.010 Livestock running at large

The running or roaming at large of horses, mules, jacks, jennets, cattle, sheep, goats, or hogs within the city is hereby declared a nuisance, and positively prohibited, and it is hereby made unlawful for the owner or keeper of any such animals to permit the same to run or roam at large within the city.

Sec. 2.01.011 Fowl running at large

It shall be unlawful for any person owning or controlling any chickens, guineas, geese, turkeys or other fowl to allow the same to be at large within the city, except Antwerp messenger or homing pigeons commonly called carrier pigeons and racing pigeons.

Sec. 2.01.012 Keeping swine prohibited

It shall at any time be unlawful for any person to keep any swine within the city.

(Ordinance 1208, sec. 1, adopted 4/11/16)

Sec. 2.01.013 Keeping wild, dangerous or vicious animals

(a) Any person who shall harbor or keep on or in or about his or her premises, or premises under his control, any wild, dangerous or vicious animal, that whether gratuitously or for a fee, shall be guilty of a misdemeanor and, upon conviction, shall be fined as provided in [section 1.01.009](#), and each twenty-four (24) hour period that such animal shall remain or be kept on any such premises shall constitute a separate offense. This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.

(b) Any animal deemed to be wild, dangerous or vicious nuisance as defined in this chapter shall be impounded immediately in the city animal control center for a minimum of thirty-six (36) hours or until the violation has been corrected or other sections of this chapter have been met. The owner shall be required to pay the city an impounding fee as set forth in the fee schedule in [appendix A](#) of this code for each animal so redeemed.

(c) An owner of an animal that, without provocation, bites or injures a person or animal shall be liable for the harm caused by such animal.

Sec. 2.01.014 Public nuisance

Any person who shall harbor or keep on his or her premises or in or about his or her premises, or premises under his control, any animal, fowl or livestock which is a public nuisance as defined in this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined as provided in [section 1.01.009](#), and each twenty-four (24) hour period that such animal shall remain or be kept on any such premises shall constitute a separate offense.

(Ordinance 1236, sec. 2, adopted 10/23/17)

State law reference—Dangerous wild animals, V.T.C.A., Health and Safety Code, sec. 822.101 et seq.

Sec. 2.01.015 Performing animal exhibitions

(a) Restrictions. No performing animal exhibition or circus shall be permitted in which animals are induced or encouraged to perform for entertainment through the use of chemical, mechanical, electrical or manual devices in a manner which will cause, or is likely to cause, physical injury or suffering.

(b) Equipment. All equipment used on a performing animal shall fit properly and be in good working condition.

Sec. 2.01.016 Noisy animals

At any time when the bawling of a cow, the neighing of a horse, the bleating of a sheep or a goat, the crowing of a rooster and the cackling of a hen or any like animals or fowl become a disturbing factor to persons who live in the area or vicinity of such noise, it shall constitute a nuisance and is prohibited.

Sec. 2.01.017 Disposal of animal waste

The owner of every animal shall be responsible for the removal of any excreta deposited by his animals on public walks, recreation areas or private property.

Sec. 2.01.018 Disposal of dead animals

The owner of any deceased animal shall be responsible for the removal of the animal from public right-of-way, recreation areas or private property.

Sec. 2.01.019 Feeding feral animals and wildlife

It shall at any time be unlawful for any person to feed or provide food for any feral animals or wildlife, including waterfowl or migratory birds, at any time during the year on public property.

Sec. 2.01.020 Releasing or abandoning animals

It shall be unlawful for any person to release, abandon or turn lose any animal within the city limits.

ARTICLE 2.02 DOGS AND CATS

Sec. 2.02.001 Confinement of female dogs in season

Owners of dogs shall securely confine their female dogs while in season within an enclosure in a manner that will prevent the attraction of male dogs to the immediate vicinity.

Sec. 2.02.002 Barking dogs

Any person who shall harbor or keep on his or her premises or in or about his or her premises, or premises under his control, any dog or animal of the canine species which, by loud or unusual barking or howling, shall cause the peace and quiet of the neighborhood or the occupants of adjacent premises to be disturbed shall be guilty of a misdemeanor and, upon conviction, shall be fined as provided in [section 1.01.009](#), and each twenty-four (24) hour period that such dog shall remain or be kept on any such premises shall constitute a separate offense.

Sec. 2.02.003 Maximum number of dogs and cats

(a) Limitation. It shall be unlawful for any person(s) within a single residence of the city limits to keep more than three (3) dogs or three (3) cats, or any combination thereof, on or in his/her premises. Each animal over this amount may constitute a separate offense.

(b) Exceptions. Exceptions to subsection (a) above are breeders, new litters, kennels, and groomers within the city limits.

Sec. 2.02.004 Dangerous dogs

Dangerous dogs, as defined in V.T.C.A., Health and Safety Code, section 822.041, shall be regulated in accordance with the provisions of V.T.C.A., Health and Safety Code, chapter 822, subchapter D.

State law reference—Authority of city to regulate the keeping of dangerous dogs, V.T.C.A., Health and Safety Code, sec. 822.041 et seq.

Sec. 2.02.005 Dangerous wild animals

Dangerous wild animals, as defined in V.T.C.A., Health and Safety Code, section 822.101, shall be regulated in accordance with the provisions of V.T.C.A, Health and Safety Code, chapter 822, subchapter E, section 822.101 et seq.

Sec. 2.02.006 Registration required

No person shall own, possess or harbor a dog or cat 16 weeks of age or over without registering each animal with the city.

Sec. 2.02.007 Wearing of city registration tag

Failure of a dog to wear the city registration tag at all times while off the owner's property shall be prima facie evidence that no animal license has been issued, constitutes a violation of this section by the dog's owner, possessor or harbinger, and subjects the dog to impoundment by animal control. The registration tag shall run concurrently with the rabies vaccination.

Sec. 2.02.008 Tethering animals restricted

No animal shall be tethered except in the following ways:

- (1) Tethering shall only be done using a restraint system which allows the animal freedom of movement and prevents entanglement in any way and allows access food, water, shelter and shade for protection from the elements.
- (2) Tethering shall be done only using a properly fitted collar or harness that is not pinch-type, prong-type or choke-type.
- (3) Tethering shall not weigh more than 1/16th of the dog's body weight and be at least five (5) times the length of the animal's body measured from the tip of the nose to the base of the tail or ten (10) feet whichever is greater. No extra weights shall be allowed on the chain at any time.
- (4) No animal shall be tethered more than nine (9) consecutive hours. No animal shall be tethered between the hours of 10:00 p.m. and 6:00 a.m. or during inclement weather.

Sec. 2.02.009 Minimum animal care required

An animal owner shall provide the animal with basic animal care, including:

- (1) Sufficient amount and type of food suitable for the species, size and age of the animal to maintain healthy body condition and wellness.
- (2) Clean potable water available at all times, not exposed to the elements, and in a container that cannot be emptied by the animal other than by ingestion.
- (3) Shelter with at least three (3) sides and a roof, large enough for the animal to stand up and turn around unencumbered, clean of debris, trash and feces, and maintained in such a way it does not become offensive to the public or the animal.
- (4) Sufficient shade to offer the animal protection from the sun and other natural elements.

ARTICLE 2.03 IMPOUNDMENT*

Sec. 2.03.001 Impoundment authorized

It shall be the duty of the city animal control officers or other employees designated by the chief of police to cause to be taken up and impounded all dogs, cats and other animals loose and at large in violation of the terms of this chapter.

(Ordinance 1208, sec. 1, adopted 4/11/16)

Sec. 2.03.002 Disposition of impounded dogs and cats; redemption by owner; fees

- (a) The owner of any dog or any cat impounded in accordance with [section 2.03.001](#) shall have the

right to redeem the same upon payment to the city of an impounding fee as set forth in the fee schedule in [appendix A](#) of this code for each animal so redeemed. In a case in which the owner of an animal voluntarily requests impoundment, an impounding fee as set forth in the fee schedule in [appendix A](#) of this code shall be paid to the city prior to acceptance of said animal. In addition to the impounding fees, the owner of the animal will pay the city for any overtime associated with the animal control officer's enforcement of [section 2.03.001](#) and this section. An additional fee shall be assessed for vaccination costs for all dogs and cats in violation of [section 2.04.001](#) and shall be subject to the provisions of [section 2.03.003](#).

(b) It shall be the duty of the animal control officers to keep all impounded dogs or cats with a current pet registration tag for a period of one hundred twenty (120) hours from the date of impounding, and all impounded animals without such pet registration tag for a period of seventy-two (72) hours from the date of impounding. Any impounded animal without pet registration which is not redeemed within seventy-two (72) hours, or any impounded dog or cat with a current pet registration which is not redeemed within one hundred twenty (120) hours from the date of impounding, shall become the property of the city.

(c) Any animal which becomes the property of the city by abandonment, court order, or by any other means may be destroyed or adopted out; provided, however, should a dog be destroyed it shall be the duty of the animal control officers or other employee designated by the chief of police to supervise such destruction. All animals so destroyed shall be destroyed by injection of a lethal drug or other humane method, but in no instance by gunshot.

(Ordinance 1236, sec. 2, adopted 10/23/17)

Sec. 2.03.003 Vaccination of impounded dogs and cats

Any dog or cat at the city animal control center must be vaccinated by a licensed veterinarian against rabies subject to the provisions of [section 2.04.001](#) and proof shall be presented to the city within seventy-two (72) hours of being redeemed.

ARTICLE 2.04 RABIES CONTROL*

Sec. 2.04.001 Vaccination of dogs and cats required

Except as otherwise provided by any rule promulgated by the state board of health, the owner of each dog or cat shall have the dog or cat vaccinated against rabies at such time and at regular intervals thereafter as prescribed by rules of the board of health. It shall be unlawful for the owner of any dog or cat to keep or maintain such dog or cat within the city without compliance with the provisions of this section. Valid vaccination tag must be worn on collar or harness at all times. Failure to be wearing the tag is prima facie evidence that no vaccination has been given.

State law reference—Rabies vaccinations, V.T.C.A., Health and Safety Code, sec. 826.021 et seq.

Sec. 2.04.002 Quarantine or destruction of animal attacking person

(a) Any dog, cat, domestic ferret or other animal, regardless of its vaccination status, which bites, scratches or otherwise attacks any person within the city, or in which there is probable cause that it has exposed a human to rabies, shall be placed in quarantine as defined in the Texas Health and Safety Code and held for a period of ten (10) days. In the event an owner of the subject animal has not been identified, the victim, at his or her option, may elect to have the animal examined by a licensed veterinarian or have tissues submitted for laboratory examination. The cost incurred will be borne by the

victim.

(b) If such an animal cannot be safely captured, it may be destroyed, and the head submitted for examination. In the event an animal's head is submitted for examination, the owner of the subject animal shall pay to the city a fee as set forth in the fee schedule in [appendix A](#) of this code to cover expenses for the preparation to submit the specimen. In the event the owner of the subject animal has not been identified, the preparation cost will be borne by the victim.

State law references—Quarantine of animals, V.T.C.A., Health and Safety Code, sec. 826.042; release or disposition of quarantined animal, V.T.C.A., Health and Safety Code, sec. 826.043; quarantine method and testing, Texas Administrative Code sec. 169.27.

ARTICLE 2.05 KENNELS

Sec. 2.05.001 License required

All kennels operating within the city limits are required to be licensed by the city through its animal control division.

Sec. 2.05.002 Zoning requirements

Kennels must be operated within the appropriate commercial district of the city as defined in [chapter 14](#) of this code.

Sec. 2.05.003 Minimum distance from residences

No person shall keep, possess, operate or maintain within the city limits a kennel within three hundred feet (300') of any residence or habitation for human beings other than the residence of the keeper, possessor, operator or owner of such kennel.

ARTICLE 2.06 KEEPING LIVESTOCK, FOWL, PIGEONS OR OTHER ANIMALS

Sec. 2.06.001 Enforcement officers

This article shall be enforced by the animal control officers or other employee designated by the chief of police.

Sec. 2.06.002 Permit

(a) Required; issuance. It shall be unlawful, except as hereinafter provided, for any person to keep certain animals, fowl or pigeons within the city who does not possess an unrevoked permit from the animal control officer or other employee designated by the chief of police. Only persons who comply with the requirements of this article shall be entitled to receive such a permit and then only after an inspection by proper authorities to determine if the terms of this article have been met.

(b) Suspension or revocation. A permit may be temporarily suspended by the animal control officer or other employee designated by the chief of police on violation by the holder of any of the terms of this article, or revoked after an opportunity for a hearing by the animal control officer upon serious or repeated violations.

(c) Fee. The annual permit fee for the keepers of animals, fowl, or pigeons shall be as set forth in the fee schedule in [appendix A](#) of this code. Money received from the issuance of permits shall be used to assist in the cost of inspection service, and the printing of forms for same.

(d) Term. Permits shall be for all or any part of a year beginning on September 1 and ending on the following August 31.

Sec. 2.06.003 Exceptions

(a) No permit shall be issued to keep any swine within the city.

(b) Permits will not be required for the keeping of chickens or turkeys in a brooder or battery or for the

keeping of poultry within the business district for sale if said poultry areas are kept in accordance with the sanitary code of the state and the ordinances of the city. Poultry in numbers larger than twenty-five (25) shall not be kept in the city.

(c) Dogs and cats shall be excepted from the provisions of this article.

(e) Animals hospitalized under the care and supervision of a licensed doctor of veterinary medicine on the premises of an approved veterinary hospital or clinic shall be excepted from the provisions of this article.

Sec. 2.06.004 Temporary permit for keeping infant or injured wild animal

The animal control officer may issue a temporary permit for the keeping, care and protection of an infant or injured animal native to this area which has been deemed incapable of surviving on its own.

Sec. 2.06.005 Authority to order release of infant or injured wild animal

The animal control officer, with the advice and consent of the game management officers, shall have the power to release or order the release of any infant or injured wild animal kept under temporary permit which is deemed capable of survival.

Sec. 2.06.006 Inspections

(a) At least once a year, the health officer and/or the animal control officer, or authorized representative, may inspect every area or place for which a permit has been issued for the keeping of animals, fowl or pigeons. In case such officer discovers the violation of any item of sanitation, he or she shall make a second inspection after the lapse of such time as he or she deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this article. Any violation of the same item of sanitation on such second inspection shall call for immediate suspension of the permit.

(b) The person keeping animals, fowl or pigeons within the city shall, upon the request of such officer or his authorized representative, permit access to the area or places of keeping thereof.

Sec. 2.06.007 Keeping livestock

(a) Generally. It shall be unlawful for any person to feed, breed, stable, pasture, or keep any cow, goat, horse, sheep or any other animal of like species in or on any lot, pen, building, parcel of land, stable or other enclosure within the city except: (1) as may be permitted by the zoning ordinance of the city ([exhibit A to chapter 14](#)); or (2) with respect to any animal for which a permit has been obtained pursuant to this article. It shall be a defense to any prosecution for violation of this section if the defendant can demonstrate that his keeping of livestock commenced prior to the enactment of this section (February 25, 1974) or any predecessor ordinance of the city prohibiting the keeping of livestock.

(b) Sanitation requirements; distance from occupied buildings. With respect to the keeping of any livestock which is permitted by subsection (a) of this section, the following regulations, in addition to any other applicable laws or regulations, shall govern the keeping of any livestock within the city:

(1) Any place of feeding, breeding, stabling, pasturing, or keeping of any cow, goat, horse, sheep or any other animal of like species in or on any lot, pen, building, parcel of land, stable or other enclosure in the city must be kept free of offensive odors, flies, rodents and other pests.

(2) Any place of feeding, breeding, stabling, pasturing, or keeping of any cow, goat, horse, sheep or any other animal of like species in or on any lot, pen, building, parcel of land, stable or other enclosure in the city must be so situated that any such animal must approach no closer than one hundred (100) feet to any building occupied by any person any part of the day or night, other than such building occupied by the owner of the animal.

(3) No individual, person, or corporation shall have grounds for complaint to any municipal officer against the feeding, breeding, stabling, pasturing, or keeping of any cow, goat, horse, sheep or any other animal of like species in or on any lot, pen, building, parcel of land, stable or other enclosure in the city unless he or she can demonstrate a personal adverse effect caused by the object of his or her complaint.

(4) Each lot, pen, building, stable or other enclosure in the city in or on which any of the above-named animals or other species are kept, fed, bred, stabled, pastured or housed shall have a suitable manure box or container which shall be securely screened or otherwise protected from flies, vermin and rodents and shall be cleaned out and disinfected at least once a week. Manure from such boxes or containers shall not be left in open stacks, but removed or buried.

Sec. 2.06.008 Keeping fowl, rabbits or pigeons

It shall be unlawful for any person to do any of the following:

(1) Keep, harbor, maintain or permit the presence on any lot or parcel of land within the city of any poultry, fowl or rabbits, of any kind, sex or description, closer than one hundred (100) feet to any building being occupied by humans, and then not more than one for every ten (10) square feet of floor or ground area.

(2) Keep any poultry, fowl or rabbits within any structure in the city without scraping the floor of the room, coop, box or compartment and thoroughly cleaning the area within which such fowl are kept at least once every forty-eight (48) hours and so maintaining such structure or enclosure that no offensive odors are emitted therefrom.

(3) Keep any chickens or turkeys within any structure the interior of which is not whitewashed at least once every six (6) months and without spraying crude oil or some disinfectant on the roosting places at least once in each calendar month to discourage insects, fleas, mites and flies.

(4) Keep any pigeons, the coop, pen, structure or enclosure of which is not kept clean and free of offensive odors, or is less than a distance of fifty (50) feet measured in a straight line from the nearest point of the pen, enclosure or other structure in which such pigeons are kept to the nearest point of any residence, church, school, convalescent home or nursing home other than the residence of the keeper, possessor or owner of said pigeons, or the loft space of which is less than twelve (12) cubic feet per pigeon.

Sec. 2.06.009 Additional requirements for keeping pigeons

(a) It shall be unlawful for any person to breed, raise or keep pigeons within the city, except Antwerp

messenger or homing pigeons commonly called carrier pigeons.

(b) It shall be unlawful for any person or persons to keep or harbor on any lot or tract within the city more than one hundred (100) pigeons. Every person who owns, controls, keeps, maintains or harbors any pigeons in the city shall at all times keep them confined in proper cages or lofts; provided, however, Antwerp messenger or homing pigeons may be released for exercise or performance upon the condition that the owner or person who has possession of such pigeons shall not permit them to alight upon buildings or property of others without consent; and provided further the Antwerp messenger or homing pigeon commonly called carrier pigeon shall have upon its wing or tail or upon its leg a band or ring with the name of the owner or an identification or registration number stamped thereon when being permitted to race or to fly for necessary exercise and training and under restraint and control of its owner.

(Ordinance 1208, sec. 1, adopted 4/11/16)