

**ORDINANCE NO. 2003- 20**

**An ordinance amending Sections 4-61 and 4-62 of the Victoria City Code to modify the vaccination and registration requirements of dogs and cats in the City of Victoria, repealing conflicting ordinances, providing for severability, providing a savings clause, providing for codification and savings, providing a penalty not to exceed \$500.00 upon conviction and enforcement, providing for publication, and declaring an effective date.**

On or about March 19, 2003, the Texas Department of Health modified 25 TAC § 169.29(a), to reduce the rabies vaccination post-initial booster requirement from once-per-year to once-every-three-years, and read as follows:

(a) The owner or custodian (excluding animal shelters) of each domestic dog or cat shall have the animal vaccinated against rabies by four months of age. The animal must receive a booster within the 12-month interval following the initial vaccination. Every domestic dog or cat must be revaccinated against rabies at a minimum of at least once every three years with a rabies vaccine licensed by the United States Department of Agriculture. The vaccine must be administered according to label recommendations. Livestock (especially those that have frequent contact with humans), domestic ferrets, and wolf-dog hybrids should be vaccinated against rabies. Nothing in this section prohibits a veterinarian and owner or custodian from selecting a more frequent rabies vaccination interval. Health and Safety Code §§ 826.014 and 826.015 allow local jurisdictions to establish more frequent rabies vaccination intervals.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

Sections 4-61 and 4-62 of the Victoria City Code are amended to read as follows:

**Sec. 4-61. Vaccination of dogs and cats.**

(a) No owner of a dog or cat shall fail to have such animal vaccinated against rabies by the time the animal is 4 months of age, vaccinated with a booster within the 12-month interval following the initial vaccination, and revaccinated against rabies at regular intervals not less than once every 3 years thereafter.

(b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the owner of the animal a vaccination certificate dated and describing the animal vaccinated.

**Sec. 4-62. Registration of dogs and cats.**

(a) No owner of a dog or cat over the age of 4 months shall fail to register such animal as provided herein.

(b) Registration of a dog or cat shall be made on a form prescribed by the city health authority, accompanied by a copy of the animal's current valid vaccination certificate, and by payment of the registration fee prescribed herein.

(c) Information required by the registration form shall include the name and address of the owner and a description of the animal.

(d) The amount of the registration fee shall be as set by city council by separate ordinance, from time to time.

(e) Upon compliance with the requirements of subsection (b) above, the health authority shall issue a durable tag imprinted with an identifying number and the year of issuance, designed so that it can be conveniently fastened to the animal's collar. The owner of a dog or cat shall ensure that the tag is fastened to the collar on the dog or cat at all times.

(f) Any dog or cat shall be registered by the time the animal is 4 months of age, registered again within the 12-month interval following the initial registration, and registered again not less than once every 3 years thereafter.

2.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

3.

If any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Victoria, Texas, and it may be renumbered and codified therein accordingly. The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed \$500.00 as provided in Section 1-8 of the Victoria City Code, and in addition to any other remedy provided by law, the City and its officers shall have the right to enjoin any violation of this ordinance by injunction issued by a court of competent jurisdiction. The City Secretary shall publish the caption or a descriptive title of this ordinance one time within 10 days after final passage of the ordinance in a newspaper of general circulation in the City of Victoria in accordance with Article II, § 10 of the City Charter.

6.

This ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 2nd day of September, 2003.

AYES: 6  
NAYS: 0  
ABSTENTIONS: 0

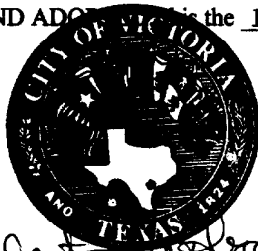
PASSED SECOND READING, this the 16TH day of SEPTEMBER, 2003.

AYES: 5  
NAYS: 0  
ABSTENTIONS: 0

PASSED THIRD READING, this the 16TH day of SEPTEMBER, 2003.

AYES: 5  
NAYS: 0  
ABSTENTIONS: 0

APPROVED AND ADOPTED this the 16TH day of SEPTEMBER, 2003.



ATTEST:

*Scarlet Swoboda*  
SCARLET SWOBODA, City Secretary

Distribution: Legal Department  
City/County Health Department  
The Victoria Advocate

*Gary Middleton*  
GARY MIDDLETON, Mayor of the  
City of Victoria, Texas

APPROVED AS TO LEGAL FORM

*David Atmar Smith*  
DAVID ATMAR SMITH, City Attorney

Copies Sent: SEPTEMBER 17, 2003