

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 10, "ANIMALS," ARTICLE IV, "LIVESTOCK, FOWL, AND OTHER AGRICULTURAL ANIMALS", SECTION 10-136 "FERRETS" OF THE CODE OF ORDINANCES, CITY OF BRYAN, TEXAS, TO REQUIRE RABIES VACCINATION AND LICENSING OF FERRETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas requires ferrets to be vaccinated against rabies in the same manner as dogs and cats; and

WHEREAS, in order to ensure compliance with this requirement, the licensing regime is being modified to include ferrets; and

WHEREAS, the City participates in the Brazos County Tag Program, administered by Aggieland Humane Society, and will contract with them as a third party to enforce this ordinance; and

WHEREAS, the City Council has determined that in the interest of public health and safety, ferrets need to be included in the licensing and registration regime for rabies control; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, THAT:

1.

Chapter 10 of the City of Bryan Code of Ordinances is amended as follows:

Chapter 10 - ANIMALS

ARTICLE IV. - LIVESTOCK, FOWL, AND OTHER AGRICULTURAL ANIMALS

Sec. 10-136. - Ferrets.

- (a) It is unlawful to keep more than two ferrets over the age of six months in a dwelling unit within city limits.
- (b) Ferrets must be currently vaccinated against rabies at all times and licensed in the same manner as dogs and cats under section 10-52. This section shall be enforced in the same manner and with the same consequences as for dogs and cats.
- (c) The owner of ferrets, or the owner of real property on which ferrets are being kept, may not allow the ferrets to be a nuisance, or be the source of a nuisance, by virtue of (1) odor, excessive noise, or attraction of pests, which would disturb a person of normal sensibilities; or (2) otherwise create a health hazard.

2.

That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

3.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

4.

Should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby and to this end the provisions of this Ordinance are declared to be severable.

5.

It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meeting was given.

6.

It is the intention of the City Council that this Ordinance shall become a part of the Code of the City of Bryan, Texas, and it may be renumbered and codified therein accordingly.

7.

This Ordinance shall take effect immediately upon its first and only reading and passage.

PASSED, ADOPTED, AND APPROVED after the first and only reading the _____ day of _____, 20__, at a regular meeting of City Council of the City of Bryan, Texas, by a vote of _____ yeses and _____ noes.

ATTEST:

CITY OF BRYAN:

Melissa Brunner, City Secretary

Bobby Gutierrez, Mayor

APPROVED AS TO FORM:

Thomas A. Leeper City Attorney