

ORDINANCE NO. 2025.03

AN ORDINANCE OF THE CITY OF PINEY POINT VILLAGE, TEXAS, AMENDING CHAPTER 6, ARTICLE III., DIVISION 2, SECTION 6-99 - FAILURE TO CONTROL DOGS OF THE CODE OF ORDINANCES REGARDING THE CONTROL OF A DOG UNDER LEASH OR E-COLLAR; REPEALING ALL ORDINANCES AND PART OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$200 FOR EACH DAY OF VIOLATION; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the regulations established in the Code of Ordinances have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, and general welfare of the city and its inhabitants; and

WHEREAS, The City Council of Piney Point Village, Texas, is to amend Section 6-99 of the Piney Point Village Code of Ordinances. This resolution is to enhance public safety and promote responsible pet ownership; and

WHEREAS, the regulations stipulate that dogs must remain under direct control when outside the owner's property, specifically mandating that a leash or e-collar restrain them in public areas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS, THAT:

Section 1. The recitals set forth above are found to be true and correct and are adopted as the findings of fact of the City.

Section 2. Chapter 6, Article III., Division 2, Section 6-99 - Failure to Control Dogs of the Code of Ordinances of the City of Piney Point Village, Texas, is hereby amended to read as set out in Exhibit A, attached hereto.

Section 3. All other portions of the Piney Point Village Code of Ordinances not specifically amended hereby remain in full force and effect.

Section 4. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

Section 5. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount of not less than One Dollar (\$1.00) or more than Two Hundred Dollars (\$200.00). Each day of violation shall

constitute a separate offense.

Section 6. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND RESOLVED this 24th day of March 2025.

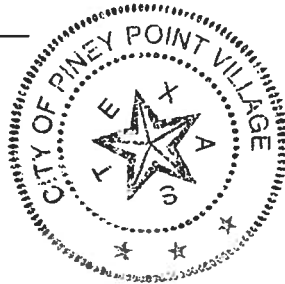


Aliza Dutt
Mayor

Attest:



Robert Pennington
City Administrator / City Secretary



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EXHIBIT A

Chapter 6
Article III.
Division 2
Sec. 6-99. - Failure to Control Dogs

- c) *It shall be unlawful for an owner to permit any dog to be at large upon the streets and public grounds of the city, or upon the premises of any person not the owner or keeper of such dog. Any dog on the streets, alleys, or public grounds of the city or on the premises of any person not the owner or keeper thereof, shall be at large, in violation of this section, unless:*
- 1) *A dog is under the control of the owner or keeper, or his agent, by means of a leash, chain, rope or cord not more than fifteen (15) feet in length and of sufficient strength to control the conduct of the dog.*
 - 2) *A dog is managed by its owner, handler, or representative at a distance no greater than fifteen (15) feet while using a functional electronic collar as an alternative to a traditional leash. This collar must be equipped with recognizable features to ensure accurate identification. The owner or handler is required to present proof of certified training, or the owner or handler must effectively demonstrate that the animal possesses the appropriate temperament for an electronic collar control.*
- d) *It shall be a defense to prosecution under this section if it can be shown that the failure of the owner or keeper to control such dog's behavior was necessary because:*
- 1) *The owner or keeper was in immediate danger of physical harm and such dog's behavior was necessary for such owner or keeper's self-defense; or*
 - 2) *The owner or keeper of such dog was in immediate danger of loss or destruction of property and such dog's behavior was necessary for the preservation of such property.*