

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 “GENERAL REGULATIONS”, ARTICLE 9-1 “ANIMAL SERVICES”, SECTION 9-1-1 “DEFINITIONS” OF THE CODE OF ORDINANCES TO ADD THE DEFINITIONS OF “TETHER”, “TETHERING DEVICE”, AND “PROPERLY FITTED”; AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 ‘GENERAL REGULATIONS’, ARTICLE 9-1 “ANIMAL SERVICES”, SECTION 9-1-3 “RUNNING AT LARGE” OF THE CODE OF ORDINANCES BY REPEALING IT IN ITS ENTIRETY AND REPLACING WITH A NEW SECTION 9-1-3 “RUNNING AT LARGE/RESTRAINT”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:**

**SECTION 1.** That Chapter 9 “General Regulations”, Article 9-1 “Animal Services”, Section 9-1-1 “Definitions” of Code of Ordinances of the City of Coppel is amended by adding definitions for the terms “Tether”, “Tethering Device”, and “Properly Fitted” to read as follows:

**“CHAPTER 9 – GENERAL REGULATIONS**

**.....**

**ARTICLE 9-1. – ANIMAL SERVICES**

**Sec. 9-1-1. Definitions.**

**.....**

*Properly Fitted* shall mean, with respect to a collar or harness used for an animal, a collar or harness that:

1. does not impede the animal's normal breathing or swallowing;
2. is fabricated from non-metallic materials;
3. does not result in the pinching, pronging, or choking of the animal when pulled; and

4. is attached to the animal in a manner that does not allow for escape and does not cause injury to the animal.

*Tether* shall mean restraining an animal or the act of chaining, tying, fastening, or otherwise securing an animal to a fixed point so that it can move or range only within certain limits.

*Tethering Device* shall mean a cable, chain, cord, leash, rope, or other means of attaching an animal to a stationary object or trolley system.

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**SECTION 2.** That the Code of Ordinances of the City of Coppell be hereby amended by repealing Chapter 9 “General Regulations”, Article 9-1 “Animal Services”, Section 9-1-3 “Running at large” in its entirety and replacing with a new Section 9-1-3 “Running at large/Restraint” to read as follows:

## **“CHAPTER 9 – GENERAL REGULATIONS**

.....

### **ARTICLE 9-1. – ANIMAL SERVICES**

**Sec. 9-1-1.**      .....

.....

**Sec. 9-1-3      Running at large/Restraint.**

- A. It shall be unlawful for an owner of a dog or other animal without regard to mental state, to fail to keep the animal from running at large as defined in this article.
- B. It shall be unlawful for an owner or person to allow a dog or other animal to be tethered to a stationary object or trolley system unless:
  1. The dog or other animal is tethered in a manner or by a method that prevents the dog or other animal from becoming entangled or injured;
  2. The dog or other animal is tethered using a properly fitted harness or collar that is specifically designed for the dog or other animal; and

3. The tethering device is attached to the dog or other animal's harness or collar and not directly to the dog or other animal's neck or any other body part.
4. Such tethering complies with subsection C of this section.

C. An owner shall not tether a dog or other animal by use of a tethering device:

1. While not attended by the owner or another person;
2. For more than one (1) consecutive hour in a twenty-four (24) hour period and no longer than is necessary for the owner or person to complete a temporary task that requires the dog or other animal to be tethered; or
3. During extreme weather conditions, including conditions in which:
  - a. The actual or effective outdoor temperature is below thirty-two (32) degrees Fahrenheit;
  - b. A heat advisory has been issued for the jurisdiction by the National Weather Service; or
  - c. A tornado warning has been issued for the jurisdiction by the National Weather Service.

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**SECTION 3.** That all provisions of the Code of Ordinances of the City of Coppel, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 6.** That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances, as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Coppel, Texas, shall be subjected to a fine

not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Coppell, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

APPROVED:

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KAREN SELBO HUNT, MAYOR

ATTEST:

\_\_\_\_\_  
ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

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ROBERT E. HAGER, CITY ATTORNEY