

ORDINANCE NO. 2026- ____

**AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS,
AMENDING THE CODE OF ORDINANCES, CHAPTER 6, ANIMALS,
ARTICLE I, TO UPDATE RESTRAINT DEFINITION; REPEALING ALL
LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY,
PUBLICATION AND AN EFFECTIVE DATE.**

Whereas, the City Council of the City of New Braunfels, Texas finds that these regulations are a proper exercise of its authority as a home-rule municipality, and further finds that these amendments are necessary to protect the health and safety of its citizens.

Whereas, the City Council of the City of New Braunfels, Texas, as authorized under the Texas Local Government Code, has adopted and employed ordinances establishing the New Braunfels Animal Services Advisory Board; and

Whereas, the City Council amends its ordinances from time to time to ensure they are achieving community and citizen goals; and

Whereas, the City Council has directed that ordinance dealing with the care of pets be reviewed by the Animal Services Advisory Board to make recommendations concerning improving those regulations; and

Whereas, the Animal Services Advisory Board at a public meeting on April 22, 2026 recommended approval of the proposed amendments; and

Whereas, the City Council heard a presentation and held a public hearing on this topic at their **DATE** meeting at which time they directed staff to bring forward for consideration amendments that would update the local ordinances and address citizen concerns; and

Whereas, the City Council considered the first reading on said amendments on **DATE**, and a second reading on **DATE**.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION1: That the Code of Ordinances, Chapter 6-1 Animals, Article I be amended as follows with underlined font indicating added language and strikethrough font indicating deleted language:

ARTICLE I. Definitions

Sec. 6-1. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Restraint

- (1) means that an animal is secured by a leash or lead that is physically held or otherwise physically connected to a ~~and under the control of a~~ responsible person, including but not limited to being held in the hand, attached to the person's body, or secured to a mobility device under the persons control, such that the person maintains immediate physical control of the animal and the animal is obedient to that person's commands. The animal shall also be secured by a leash or lead no longer than six (6) feet when in any public area or city park. ~~and obedient to that person's commands.~~
- (2) means at all other times, a dog or other such animal shall be confined to the realty or premises of the owner of such dog or other animal by a ~~substantial~~ physical fence of sufficient strength and height to prevent such dog or other animal from escaping therefrom; or inside a house on such premises; or secured on such premises by a leash, lead or tether consisting of a material of sufficient strength to prevent such dog or other animal from escaping from such premises. It shall be unlawful for the leash, lead or tether to be arranged in a manner that allows the dog or other animal to get on or across or within eight feet of any street, park, or other public land or within eight feet of any sidewalk, public way, place or building when such leash, lead or tether is stretched to its full length. Any animal so arranged shall be declared a nuisance and shall be impounded. Although cats shall be exempt from the leash, lead or tether requirement while on the premises of the owner, any cat straying on the property of anyone except its owner shall be deemed a public nuisance animal and will be subject to impoundment.

SECTION 2: This Ordinance shall be and is hereby declared to be cumulative to all other ordinances of the City of New Braunfels relating to animals within the City of New Braunfels, and same shall not operate to repeal or affect any such ordinance or ordinances except insofar as the provisions of such ordinance or ordinances are inconsistent or in conflict with the provisions of this Ordinance, in which instance or instances those provisions shall be and they are hereby repealed.

SECTION 3: That if any provisions of this Ordinance shall be held void, illegal, or unconstitutional, it is hereby provided that all other parts of the same which are not held void, illegal or unconstitutional shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE AND PUBLICATION:

This Ordinance shall become adopted upon its second reading, signature, and filing with the City Secretary's Office; however, it will not take effect until it has been published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this ____ day of _____, 2026.

PASSED AND APPROVED: Second reading this ____ day of _____, 2026.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney