

ORDINANCE NO. 2025- ____

**AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS,
AMENDING THE CODE OF ORDINANCES, CHAPTER 6, ANIMALS,
ARTICLE V, TO UPDATE RABIES QUARANTINE PROVISIONS;
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 June 18, 2025 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-Animals, Article V be amended as indicated below:

ARTICLE V. RABIES CONTROL

Sec. 6-109. Quarantine method and testing.

- (a) Animals quarantined at a veterinary clinic shall be observed by a licensed veterinarian at least on the first and last days of the quarantine period. If the veterinarian determines that the animal has clinical signs of the

disease of rabies, the animal shall be humanely euthanized, and the head or brain submitted for testing. If the veterinarian determines that the animal does not exhibit the clinical signs of the disease of rabies, the local rabies control authority officer shall provide a form to the veterinarian for ~~his~~ their signature certifying that the animal has been found to be free of the clinical signs of rabies at the end of the quarantine period. This form shall be returned to the local rabies control authority officer at the end of the quarantine period.

- (b) The owner of the animal to be quarantined may request permission from the local rabies control authority officer for home quarantine if the following criteria can be met:
- (1) Secure facilities must be available at the home of the animal's owner and must be approved by the local rabies control authority officer.
 - (2) The animal is currently vaccinated against rabies and possesses a current city registration (if the licensing requirement of this chapter is applicable).
 - (3) The animal was not in violation of any laws or ordinances at the time of the incident.
 - (4) The bite or scratch incident was a provoked attack.
 - (5) The animal welfare officer must approve the granting of a home quarantine if all other requirements have been met. The approval must be in writing on a form provided by the local rabies control authority officer.
 - (6) A licensed veterinarian or Animal Welfare Officer must observe the animal at least on the first and last days of the quarantine period. ~~For the first observation, the animal will be transported by the animal welfare officer or the owner to the local veterinarian chosen by the owner, and then returned to the location of the home quarantine by the animal welfare officer or the owner after the observation.~~ If the animal becomes ill during the home quarantine period, the veterinarian and the local rabies control authority officer must be notified by the person having possession of the animal. ~~At the end of the observation period the owner shall transport the animal by direct route to the veterinarian for the final observation. Both observations by the veterinarian may be made at the location of the home quarantine if requested by the owner or required by the rabies control officer.~~ The release from quarantine must be accomplished in writing.
 - (7) The owner shall be responsible for paying all rabies observation fees to the veterinarian.
 - (8) It shall be unlawful to violate the provisions and conditions of the home quarantine as required by the local rabies control authority officer. If the owner of the animal fails to abide by all provisions and conditions required by the local rabies control authority officer when the home quarantine was granted and the animal is found in violation of such conditions, the animal shall be immediately impounded and quarantined for the remainder of the observation period at an approved veterinary facility at the owner's expense.
- (c) No dog or cat shall be released from quarantine unless:
- (1) The owner has an unexpired rabies vaccination certificate and registration for the animal (if the registration requirement is applicable); or
 - (2) The animal is vaccinated against rabies by a licensed veterinarian at the owner's expense and a registration, if required, is obtained at the owner's expense from the veterinarian.
- (d) No wild animal will be placed in quarantine. All wild animals involved in biting incidents will be humanely euthanized in such a manner that the brain is not mutilated. The brain shall be submitted to a state department of health certified laboratory for rabies diagnosis.

(Code 1961, § 3-24)

State law reference(s)—Release or disposition of quarantined animal, V.T.C.A., Health and Safety Code § 826.043.

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 _____, 2025.

PASSED AND APPROVED: Second reading this ____ day of _____, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, Mayor

ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney