



VIOLATION



- ❑ **ANIMAL CRUELTY/ANIMAL DUMPING: TEXAS PENAL CODE § 42.092. CRUELTY TO NONLIVESTOCK ANIMALS.** (B) A PERSON COMMITS AN OFFENSE IF THE PERSON INTENTIONALLY, KNOWINGLY, OR RECKLESSLY: (1) tortures an animal or in a cruel manner kills or causes serious bodily injury to an animal; (2) without the owner's effective consent, kills, administers poison to, or causes serious bodily injury to an animal; (3) fails unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody; (4) abandons unreasonably an animal in the person's custody; (5) transports or confines an animal in a cruel manner. (c-1) An offense under Subsection (b)(1) or[,] (2) is a felony of the third degree, except that the offense is a felony of the second degree if the person has previously been convicted under Subsection (b)(1), (2), (7), or (8) or under Section 42.09.
- ❑ **BESTIALITY PROHIBITED: TEXAS PENAL CODE § 21.09.** (b) An offense under this section is a state jail felony unless the offense is committed under Subsection (a)(9) or results in serious bodily injury or death of the animal, in which even the offense is a felony of the second degree.
- ❑ **COMMERCIAL BREEDER PERMIT REQUIRED: HOUSTON CODE OF ORDINANCES, Chapter 6, Sec. 6-1.** Definitions and interpretation. (b) Commercial breeder means any person who: (1) Breeds dogs or cats for the purpose of selling; or (2) Sells or offers for sale unneutered or unspayed offspring of dogs or cats to another person. Sec. 6-111. Permit required. It shall be unlawful for any person to operate as a commercial breeder without a valid breeder's permit.
- ❑ **DOG FIGHTING: TEXAS PENAL CODE § 42.10. CRUELTY TO NON-LIVESTOCK ANIMALS.** (A) A PERSON COMMITS AN OFFENSE IF THE PERSON INTENTIONALLY OR KNOWINGLY: (1) causes a dog to fight with another dog; (2) participates in the earnings of or operates a facility used for dog fighting; (3) uses or permits another to use any real estate, building, room, tent, arena, or other property for dog fighting; (4) owns or possesses dog-fighting equipment with the intent that the equipment be used to train a dog for dog fighting or in furtherance of dog fighting; (5) owns or trains a dog with the intent that the dog be used in an exhibition of dog fighting; or (6) attends as a spectator an exhibition of dog fighting.
- ❑ **PUBLIC NUISANCE DOG (DOG BARKING). HOUSTON CODE OF ORDINANCES, Chapter 6, Article VI, Section 151.** *Public nuisance dog* shall mean any dog that (1) Substantially interferes with the right to enjoyment of life or property by persons other than the owner by acts including, but not limited to, frequent, long, or continued barking or howling, repeated defecation on property other than that of the owner, or damaging property other than that of the owner.
- ❑ **ROADSIDE AND FLEA MARKET SALES: HOUSTON CODE OF ORDINANCES, Chapter 6, Sec. 6-118.** (a) It shall be unlawful for any person to sell, trade, barter, lease, rent, give away, or display for a commercial purpose a live animal on a roadside, public right-of-way, commercial parking lot, or at an outdoor special sale, swap meet, flea market, parking lot sale, or similar event.
- ❑ **RUNNING AT LARGE PROHIBITED: HOUSTON CODE OF ORDINANCES, Chapter 6, Sec. 6-101.** (a) It shall be unlawful for any person owning or having in his possession any dog to allow such dog to be at large without the owner or person in charge thereof having direct physical control over such dog. An owner or person having in his possession a dog may allow the dog to be at large on property that does not provide the animal with access to a sidewalk or street.
- ❑ **UNLAWFUL RESTRAINT OF DOG: TEXAS HEALTH & SAFETY CODE, SEC. 821.077.** (a) An owner may not leave a dog outside and unattended by use of a restraint that unreasonably limits the dog's movement: (1) between the hours of 10 p.m. and 6 a.m.; (2) within 500 feet of the premises of a school; or (3) in the case of extreme weather conditions, including conditions in which: (A) the actual or effective outdoor temperature is below 32 degrees Fahrenheit; (B) a heat advisory has been issued by a local or state authority or jurisdiction; or (C) a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service. (b) In this section, a restraint unreasonably limits a dog's movement if the restraint: (1) uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the dog; (2) is a length shorter than the greater of: (A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or (B) 10 feet; (3) is in an unsafe condition; or (4) causes injury to the dog.