



**PUBLIC HEARING AND
REGULAR MEETING OF THE VILLAGE COUNCIL
VILLAGE OF POINT VENTURE
Wednesday, October 18, 2023 at 6:30 PM
555 Venture Blvd S
Point Venture, TX 78645**

*"Partnership with the community. Foster community pride.
Preserve and enhance the natural beauty of our environment"*

Agenda

A. Items Opening Meeting

1. Call to Order
2. Pledge
3. Roll Call

B. Public Hearing/Items for Consideration

1. Consider testimony and act upon request by owner of the property located at 613 Deckhouse Drive (Lot 383) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(E) pertaining to minimum rear yard requirement.
 - a. Report
 - b. Public Hearing
 - c. Discussion
 - d. Action
2. Consider testimony and act upon request by owner of the property located at 18606 Champions Circle (Lot 211) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(E) pertaining to minimum rear yard requirement and Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement.
 - a. Report
 - b. Public Hearing
 - c. Discussion
 - d. Action

C. Convene into Regular Village Council Meeting

D. Public Comments

Public comment section to address Council.

Village Council may only make a factual statement or a recitation of existing policy in response to an inquiry regarding subjects not on this agenda.

E. Mayor Pro-Tem Report

**F. Travis County Sheriff's Report
Emergency Services Report**

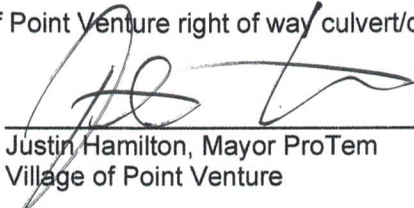
G. Items to Consider

1. Approval of Minutes September 28, 2023, Public Hearing and Regular Council Meeting.
2. Discuss and possible approval to designate Village of Point Venture official newspaper for posting of public and election notices.
3. Discuss possible format, agenda and dates for combined workshop with the P&Z Commission regarding zoning code amends/updates.
4. Review and discussion of Village of Point Venture animal control ordinance, animal control officer duties and responsibilities.

H. Council Reports

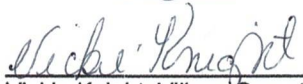
1. Financial Report
September Cash in Banks
2. Building Department
September Building Report
3. Code Enforcement
September code enforcement activity
4. Animal Control
September animal control activity
5. Village Services
September Village Services activity
6. Public Works
Process to establish priority guidelines for Village of Point Venture right of way culvert/ditch grading.

I. Adjourn



Justin Hamilton, Mayor Pro Tem
Village of Point Venture

I certify that a copy of the above Notice was posted on the Village Office Bulletin Board, in a place convenient to the public, in compliance with Chapter 551 of the Texas Government Code at 3 p.m. on 10/13, 2023.



Vickie Knight, Village Secretary
Village of Point Venture

Notes to the Agenda:

1. *The Council may vote and/or act upon each of the items listed in this Agenda.*
2. *Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or Village boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the bodies, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.*
3. *The Village Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code.*
4. *This agenda has been reviewed and approved by the Village's legal counsel, and the presence of any subject in any Executive Session portion of the agenda constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting, considering available opinions of courts of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c), and the meeting is conducted by all participants in reliance on this opinion.*

***This facility is wheelchair accessible and accessible parking spaces are available. Reasonable modifications and equal access to communications will be provided upon request.**

NOTICE OF PUBLIC HEARING
VILLAGE OF POINT VENTURE ZONING BOARD OF ADJUSTMENT

The Zoning Board of Adjustment of the Village of Point Venture, Texas, will conduct a public hearing on **October 18, 2023 at 6:30 P.M.** to consider testimony and act upon the following:

A request by Haven Homebuilders, owner of the property located at 613 Deckhouse Drive, Point Venture, TX 78645 (Section 2, Lot 383) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(E) pertaining to minimum rear yard requirement.

All persons are invited to attend and participate in this public hearing at **555 Venture Boulevard S, Point Venture, Texas 78645**. Any person wishing to present written materials or statements regarding the requested variance may submit such prior to the date of the public hearing to the Village Secretary at 411 Lohman Ford Rd., Point Venture, TX or via email at villagesecretary@vopv.org.

A copy of the variance request is available for review upon request. For additional information please contact Vickie Knight, Village Secretary, at 512-267-5511 or via email at villagesecretary@vopv.org.

NOTICE OF PUBLIC HEARING
VILLAGE OF POINT VENTURE ZONING BOARD OF ADJUSTMENT

The Zoning Board of Adjustment of the Village of Point Venture, Texas, will conduct a public hearing on **October 18, 2023 at 6:30 P.M.** to consider testimony and act upon the following:

A request by Vista Verde Custom Homes LLC on behalf of Frank and Samantha LeBlanc, owners of the property located at 18606 Champions Circle, Point Venture, TX 78645 (Section 2, Lot 211) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(E) pertaining to minimum rear yard requirement.

All persons are invited to attend and participate in this public hearing at **555 Venture Boulevard S, Point Venture, Texas 78645**. Any person wishing to present written materials or statements regarding the requested variance may submit such prior to the date of the public hearing to the Village Secretary at 411 Lohman Ford Rd., Point Venture, TX or via email at villagesecretary@vopv.org.

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A request by Vista Verde Custom Homes LLC on behalf of Frank and Samantha LeBlanc, owners of the property located at 18606 Champions Circle, Point Venture, TX 78645 (Section 2, Lot 211) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement.

All persons are invited to attend and participate in this public hearing at **555 Venture Boulevard S, Point Venture, Texas 78645**. Any person wishing to present written materials or statements regarding the requested variance may submit such prior to the date of the public hearing to the Village Secretary at 411 Lohman Ford Rd., Point Venture, TX or via email at villagesecretary@vopv.org.

A copy of the variance request is available for review upon request. For additional information please contact Vickie Knight, Village Secretary, at 512-267-5511 or via email at villagesecretary@vopv.org.

**PUBLIC HEARING AND
REGULAR MEETING OF THE VILLAGE COUNCIL
VILLAGE OF POINT VENTURE
Thursday, September 28, 2023, at 6:30 PM
555 Venture Blvd S
Point Venture, TX 78645**

*"Partnership with the community. Foster community pride.
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Notice of Meeting by Video Conference

Pursuant to Section 551.127 of the Texas Government Code, the Village Council of the Village of Point Venture may attend and participate in this meeting remotely by video conference. In such circumstance of remote attendance, a quorum of the Village Council intends to be and will be physically present at the location provided above on this Agenda.

Draft Minutes

A. Items Opening Meeting

1. Call to Order - Mayor ProTem Justin Hamilton called the meeting to order at 6:30 PM.
2. Pledge - Mayor ProTem Justin Hamilton led the Pledge of Allegiance.
3. Roll Call - Village Secretary called roll: Present were: Mayor ProTem Justin Hamilton, Councilmember Mark Maund, Councilmember Shelly Molina. Councilmember Tex Tubbs present via video conference from Torgiano, Italy; Councilmember Cliff McInnis present via video conference from the Dominican Republic. A quorum was present.

B. Public Hearing/Items for Consideration

1. Consider testimony and act upon ordinance 2023-09-28-1 adopting a budget for the Fiscal Year 2023-2024.
 - a. Mayor ProTem Justin Hamilton introduced fiscal year 2023/2024 budge item. The Village Council has conducted budget workshops since June and approved this proposed budget at the August 16, 2023, Council meeting.
 - b. There were no comments for public hearing. Mayor ProTem Justin Hamilton closed public comments to this item.
 - c. There was no additional discussion requested by Council.
 - d. **Councilmember Shelly Molina made a motion to adopt fiscal year 2023/2024 budget as presented Exhibit A per ordinance 2023-09-28-1 Mayor ProTem Justin Hamilton seconded the motion. Village Secretary call vote: Councilmember Mark Maund agree, Councilmember Tex Tubbs agree, Councilmember Cliff McInnis agree. Motion carried.**

Mayor ProTem Justin Hamilton closed public hearing and convened into Open Session at 6:33 PM.

C. Consent Agenda

1. Approval of Minutes August 16, 2023, Regular Council Meeting.
2. Approval of estimate from The Tree Man for Village public roadway canopy trim, expense item approved in FY2024 budget.

Councilmember Shelly Molina made a motion to approve minutes for August 16, 2023, meeting as presented and approve estimate of \$5,500 from The Tree Man for all roadway canopy trim approved in fiscal year 2024 budget. Mayor ProTem Justin Hamilton seconded the motion. Councilmember Mark Maund agree, Councilmember Tex Tubbs agree, Councilmember Cliff McInnis agree. Motion carried.

D. Public Comments

There were no public comments received.

E. Items to Consider

1. Discuss and possibly act upon ordinance 2023-09-28-2 adopting an ad valorem tax rate for the Village of Point Venture to be imposed on all taxable property within the corporate limits of the Village for the Tax Year 2023. Mayor ProTem introduced item to approve no new revenue 2023 ad valorem tax rate of 0.085828 per \$100 valuation.

Councilmember Shelly Molina made a motion to adopt ad valorem tax rate of 0.085828 per \$100 valuation per ordinance 2023-09-28-2 Councilmember Mark Maund seconded the motion. Village Secretary call vote: Mayor ProTem Justin Hamilton agree, Councilmember Tex Tubbs agree, Councilmember Cliff McInnis agree. Motion carried.

Mayor ProTem Justin Hamilton thanked Councilmembers Tex Tubbs and Cliff McInnis for their participation in this meeting. Councilmember Tex Tubbs departed meeting at 1:35AM Torgiano, Italy time zone; Councilmember Cliff McInnis departed meeting at 7:35PM Dominican Republic time zone. Mayor ProTem Justin Hamilton note time of Councilmembers departing meeting at 6:36PM and video conference is closed

2. Discuss and take possible action to renew expiring two-year contract with Flock Safety for 2 Falcon LPR cameras mounted at entrance for a five-year extension beginning 11/11/2023.

Mayor ProTem Justin Hamilton made a motion to renew expiring two-year contract with Flock Safety for 2 Falcon LPR cameras mounted at entrance for a five-year extension beginning 11/11/2023. Councilmember Shelly Molina seconded the motion. Councilmember Mark Maund agree. Motion carried.

3. Discuss and take possible action to declare an exemption to competitive bidding and to consider and authorize the execution of a contract for a three-year extension of the contract for the collection and disposal of solid waste and recycling services with Waste Connections Lone Star, Inc. to begin January 1, 2024. Mayor ProTem Justin Hamilton spoke with our Waste Connections representative regarding annual CPI adjustments. The Village of Point Venture will have 2024 annual CPI adjustment frozen at current rates with a three-year contract extension.

Mayor ProTem Justin Hamilton made a motion to authorize the execution of a contract for a three-year extension of the contract for the collection and disposal of solid waste and recycling services with Waste Connections Lone Star, Inc. to begin January 1, 2024. Councilmember Mark Maund seconded the motion. Councilmember Shelly Molina agree. Motion carried.

4. Discuss and possibly approve estimate for replacement of previously removed ribbon curb to maintain integrity of roadways. S&M Construction has poured missing ribbon curb at 424 Summit Ridge Dr and provided \$4,000 estimate to remove existing concrete ribbon that was poured (approximately 22 feet), cut down about 2 feet longer to have a good expansion joint. After curb is dry, cold patch any asphalt that is needed.

Mayor ProTem Justin Hamilton made a motion to approve estimate presented to remove and replace approximately 22' ribbon curb. Councilmember Shelly Molina seconded the motion. Councilmember Mark Maund agree. Motion carried.

5. Ratify Mayor ProTem appointment of an acting assistant building official effective August 23, 2023.

Councilmember Mark Maund made a motion to ratify appointment of an acting assistant building official effective August 23, 2023. Councilmember Shelly Molina seconded the motion. All agree. Motion carried.

6. Discuss and possibly approve offer letter for staff position of assistant building official to be effective 10/1/2023.

Mayor ProTem Justin Hamilton made a motion to approve and extend offer letter and designate Amanda Raffetto as assistant building official effective 10/1/23. Councilmember Shelly Molina seconded the motion. Councilmember Mark Maund agree. Motion carried.

7. Discuss and possibly approve updates to Village employee handbook for inclusion of procedure for conflict resolution.

Councilmember Shelly Molina made a motion to approve updates to Village employee handbook for inclusion of procedure for conflict resolution. Councilmember Mark Maund seconded the motion. Mayor ProTem Justin Hamilton agree. Motion carried.

8. Discuss and possibly approve pay level and required hours for Village animal control officer position. Mayor ProTem Justin Hamilton believes a longer discussion is necessary regarding animal control position, current and future expectations for animal control. Wildlife trapping has been removed from position duties but the Village will need to consider annual pet registration, responding to loose dog(s), sick wildlife and removal of dead wildlife from public roadways and areas.

Mayor ProTem Justin Hamilton made a motion to approve temporary employee position to remove dead deer (wildlife) from public roadways and areas at a rate of \$25/hour with a four-hour maximum per day. Councilmember Mark Maund seconded the motion. Councilmember Shelly Molina agree. Motion carried.

9. Discuss and possibly approve bid award for 2023 Crack Seal project.

Bid opening on August 31, 2023, received three bids. Bid specs required bidder submit by a cost per pound installed. Lowest bidder National Industrial Maintenance Inc \$1.97 cost per pound installed, Bennett Paving Inc \$4.50 cost per pound installed, Alpha Paving Inc \$6.60 cost per pound installed. Village engineer, Tim Haynie, recommends bid award to National Industrial Maintenance Inc.

Mayor ProTem Justin Hamilton made a motion to approve bid award to National Industrial Maintenance Inc at \$1.97 cost per pound installed with a maximum cost approved of \$185,000. Councilmember Shelly Molina seconded the motion. Councilmember Mark Maund agree. Motion carried.

F. Travis County Sheriff's Report

Deputy Nick McCaughey had no concerns to report.

Emergency Services Report

Greg Johnston, Deputy Emergency Management Coordinator with Travis County ESD No 1, spoke to Council regarding community meeting held on September 27, 2023 regarding safety of RM 1431, funding has been secured for installation of continuous left turn lane and shoulders between old RM 1431 and East Reed Park Road, continued community involvement needed by speaking with our county commissioner and attending meetings regarding safety issues and RM 1431. Code compliance has had a good response to Firewise notification and follow up will begin soon.

G. Mayor Pro-Tem Report

Mayor ProTem Justin Hamilton will request method to secure a community wide preview of culvert/drainage issues and problems to schedule list of priority areas for Council review and discussion.

Ribbon curb replacement and ditch grading improvement projects fall within fiscal year 2023 budgeted expense line item and have been approved for completion.

Upcoming general election on November 7, 2023.

Resignation of assistant building official and animal control officer.

National Night Out – October 14, 2023.

H. Council Reports

1. Financial Report

Mayor ProTem reported Aug YTD monies in bank:

Security State Bank & Trust – Money Market	\$ 94,839.04
Security State Bank & Trust – Operating Account	\$792,923.60

TexPool- Money Market	\$304,377.53
TexPool – Road Fund	\$697,132.02
TexPool – Time Warner	\$ 35,871.85
Total cash in banks	\$1,925,144.04

2. Building Department

Councilmember Shelly Molina presented the August Building Report: There no permits issued for single family dwelling. There was one certificate of Occupancy issued. There were permits issued for a pool, cargo lift, two solar installations and a whole-home generator.

3. Code Enforcement

No current report

4. Animal Control Report

No current report

5. Village Services

Traffic data sign will be stationed at least two weeks each location; moved in order of request; data reviewed and shared with Travis County Sheriffs.

6. Public Works

Future meeting discussion to plan method to review and organize ditch grading projects addressed during Mayor ProTem report.

I. Adjourn

Councilmember Shelly Molina made a motion to adjourn. Councilmember Mark Maund seconded the motion. **Mayor ProTem Justin Hamilton adjourned the meeting at 7:32 PM.**

Justin Hamilton, Mayor ProTem
Village of Point Venture

Vickie Knight, Village Secretary
Village of Point Venture

**This facility is wheelchair accessible and accessible parking spaces are available. Reasonable modifications and equal access to communications will be provided upon request.*

VILLAGE OF POINT VENTURE

RESOLUTION NO. 2023-10-18

A RESOLUTION OF THE OF THE VILLAGE COUNCIL OF VILLAGE OF POINT VENTURE, TEXAS, DESIGNATING AN OFFICIAL NEWSPAPER FOR THE VILLAGE OF POINT VENTURE, TEXAS AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SEC 52.004

WHEREAS, the Village Council of Village of Point Venture, Texas, finds that the Hill Country News is a public newspaper of general circulation within the Village of Point Venture; and

WHEREAS, the Village Council finds that the Hill Country News is published at least weekly; and

WHEREAS, the Village Council of the Village of Point Venture, Texas, finds that the Hill Country News is a publication that meets criteria legally required of an officially designated newspaper for the Village of Point Venture; and

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE, TEXAS:

1. Pursuant to Texas Local Government Code § 52.004(a), the Village of Point Venture, Texas, hereby designates the Hill Country News as the municipality's official newspaper until another newspaper is selected.
2. The mayor is authorized to execute a contract with the Hill Country News establishing the applicable rates for publication of Village notices, ordinances or any matter required by law or ordinance to be published.
3. This resolution is effective immediately upon passage.

PASSED AND APPROVED this _____ day of _____, 20__

Mayor, Village of Point Venture

ATTEST:

Village Secretary, Village of Point Venture

CHAPTER 3 ANIMAL CONTROL

ARTICLE 3.01 GENERAL PROVISIONS

ARTICLE 3.02 ADMINISTRATION

ARTICLE 3.03 OFFENSES

ARTICLE 3.01 GENERAL PROVISIONS

3.01.001 Definitions

3.01.002 Adoption Of State Law; Dangerous Animals And Rabies Control

3.01.003 Enforcement; Penalties; Standard Fine

3.01.004 Fees

3.01.005 Registration And Vaccination Of Dogs

State law references—Authority of governing body to regulate animals, V.T.C.A., Local Government Code, sec. 215.025 et seq.; health and safety of animals, V.T.C.A., Health and Safety Code, ch. 821 et seq.

3.01.001 Definitions

When used in this chapter, the definitions found in title 10 of the Texas Health and Safety Code shall apply. (Ordinance 2010-07-01, sec. II, adopted 7/7/10; Ordinance 2011-01-02, sec. II, adopted 1/3/11; Ordinance 2015-01-01, sec. II, adopted 1/14/15)

3.01.002 Adoption Of State Law; Dangerous Animals And Rabies Control

To the extent permissible, the village hereby adopts the provisions of chapters 822 and 826 of the Texas Health and Safety Code, as may be amended from time to time by the legislature. If any conflict exists between this chapter and state statute, the state statute shall prevail. (Ordinance 2010-07-01, sec. III, adopted 7/7/10; Ordinance 2011-01-02, sec. III, adopted 1/3/11; Ordinance 2015-01-01, sec. III, adopted 1/14/15)

State law references—Regulation of animals, V.T.C.A., Health and Safety Code, ch. 822; rabies, V.T.C.A., Health and Safety Code, ch. 826.

3.01.003 Enforcement; Penalties; Standard Fine

- (a) Civil and criminal penalties. The village shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person violating any provision of this chapter is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this chapter is hereby declared to be a nuisance.
- (b) Criminal prosecution. Any person violating any provision of this chapter shall, upon conviction, be fined in accordance with the general penalty provided in section 1.01.009 of this code plus court costs and administration fees as applicable. Each day that a provision of this chapter is violated shall constitute a separate offense. An offense under this chapter is a misdemeanor.
- (c) Civil remedies. Nothing in this chapter shall be construed as a waiver of the village's right to bring a civil action to enforce the provisions of this chapter and to seek remedies as allowed by law, including but not limited to the following:
 - (1) Injunctive relief to prevent specific conduct that violates this chapter or to require specific conduct that is necessary for compliance with this chapter;

- (2) A civil penalty up to \$1,000.00 a day when it is shown that the defendant was actually notified of the provisions of this chapter and after receiving notice committed acts in violation of this chapter or failed to take action necessary for compliance with this chapter; and
- (3) Other available relief.

(Ordinance 2010-07-01, sec. VI, adopted 7/7/10; Ordinance 2011-01-02, sec. VI, adopted 1/3/11; Ordinance 2015-01-01, sec. VII, adopted 1/14/15; Ordinance adopting Code)

3.01.004 Fees

Animal control fees are as set forth in the fee schedule in appendix A of this code. (Ordinance 2010-07-01, app. A, adopted 7/7/10; Ordinance 2011-01-02, app. A, adopted 1/3/11; Ordinance 2015-01-01, app. A, adopted 1/14/15; Ordinance adopting Code)

3.01.005 Registration And Vaccination Of Dogs

(a) Registration of dogs; dogs temporarily in village.

- (1) Registration requirement. The owner of a dog that is over the age of four (4) months and located with the village limits shall register the dog with the village.
- (2) Vaccination and registration of visiting dogs. Any visitor who is the owner of a dog which is kept within the boundaries of the village for a period of thirty (30) days or less must have an up-to-date rabies vaccination with proof of vaccination available. If the visiting dog remains in the village for more than thirty (30) days then the owner must obtain a village permit and tag, and must ensure that the village tag along with the rabies tag is properly worn by the animal at all times for the remainder of the animal's duration in the village.
- (3) Registration certificate.
 - (A) The village shall issue a registration certificate to the owner of an animal required to be registered under this section if the owner provides the village with the information necessary to complete the registration certificate and pays the village the full amount of the initial registration fees as determined by the council.
 - (B) Each registration certificate that the village issues shall state the following:
 - (i) The name, address, and telephone number of the owner of the animal;
 - (ii) The name, address, and telephone number of an alternate person responsible for the animal (if requested by the owner);
 - (iii) The period for which the registration is issued;
 - (iv) A description of the animal for which the registration is issued;
 - (v) The name of the animal for which the registration is issued;
 - (vi) The number of the metal tag issued for the animal;
 - (vii) A record of any violations of this chapter involving the animal or the owner of the animal;
 - (viii) A photo of the animal must be submitted and will remain on file with the ACO. Photos should be updated if there is a significant change in the animal's appearance.

- (C) The village shall not issue a registration certificate for a dog until the owner of the animal provides the village with written proof of the animal's current vaccination against rabies.
 - (D) The village shall retain a copy of each registration certificate it issues.
- (4) Registration tag.
- (A) The village shall issue a metal registration tag with a serial number plainly inscribed thereon for each dog the village issues a registration certificate.
 - (B) The village shall deliver registration tags to the owners of registered dog when the village issues the registration certificate for the animal.
 - (C) The owner of a dog required to be registered under this section shall attach the registration tag provided by the village for the dog to a collar securely fixed about the neck of the registered dog.
 - (D) If the registration tag provided by the village under this subsection is lost or destroyed, the owner of the registered dog shall apply to the village for a new tag by presenting the dog's registration certificate and paying the fee prescribed by the council.
- (5) Change of ownership of dog. Within (30) days of any change in ownership of a registered dog under this section, the new owner shall transfer the dog's registration certificate to his or her name.
- (6) Registration fee.
- (A) When the owner of a dog registers that dog, the owner will be required to pay a registration fee. The amount of such shall be as established in the fee schedule in appendix A of this code.
 - (B) Registration can be for one-, two- or three-year terms dependent on the length of rabies vaccination. The fee for each term can be found in the fee schedule in appendix A of this code.
 - (i) One-year term: Issued when the registered animal has received a one-year rabies vaccination or has less than one year remaining on a three-year vaccination.
 - (ii) Two-year term: Issued when the registered animal has received a three year rabies vaccination and has less than two years remaining on the vaccination.
 - (iii) Three-year term: Issued when the registered animal has received a three-year rabies vaccination and has greater than two years remaining on the vaccination.
- (7) Control of visitors' dogs. Nonresident workers, service personnel or visitors entering the village must obtain permission from the owner or person in control of the property before permitting a dog to enter upon any such property. Such workers, personnel, or visitors must ensure that their dogs have a current rabies tag and must keep their dog physically restrained to the premises or under direct physical control when working, performing a service or visiting.

(b) Rabies vaccination requirements.

- (1) The owner of a dog within the village limits shall have that dog vaccinated against rabies before the dog is 4 months of age and verified once every twelve (12) months thereafter. It is understood and accepted that some rabies vaccinations are effective longer one (1) year; if so, this should be shown on the rabies tag information from the veterinarian.
- (2) The owner of a dog that is required to be vaccinated shall maintain and keep a vaccination certificate issued by a veterinarian evidencing the status of the animal's rabies vaccination.

(Ordinance 2010-07-01, sec. III, adopted 7/7/10; Ordinance 2011-01-02, sec. III, adopted 1/3/11; Ordinance 2015-01-01, sec. IV, adopted 1/14/15)

State law references—Registration of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.031 et seq.; rabies vaccinations, V.T.C.A., Health and Safety Code, sec. 826.021 et seq.

ARTICLE 3.02 ADMINISTRATION

Division 3.02-1 Generally

Division 3.02-2 Dangerous Dogs

Division 3.02-1 Generally

3.02.001 Duties Of Animal Control Officer; Impoundment Regulations

3.02.002 Training Of Animal Control Officer

3.02.003 Reporting And Quarantine Of Dogs Suspected Of Having Rabies

3.02.004 Handling Of Dogs Exposed To Rabies

3.02.005 Payment Of Fees, Fines And Costs By Owner Of Impounded Animal

3.02.006 Procedure For Dogs Causing Injury Or Death To Another Animal

3.02.001 Duties Of Animal Control Officer; Impoundment Regulations

- (a) Designation of local rabies control authority. For purposes of this chapter, the animal control officer (ACO) is designated as the local health authority for the village. The ACO may delegate such authority to persons that he or she finds appropriate as needed to effectuate the provisions of this chapter. (Authority, Texas Health & Safety Code 826.017)
- (b) General duties of animal control officer. The ACO shall issue warnings or citations to owners of animals that own or keep animals in violation of this chapter. The ACO may impound animals that are owned or kept in violation of this chapter and take such dogs to the village kennels, and, as soon as practicable, notify the dog's owner to claim the animal before the dog is delivered to the contract veterinarian. Any animal impounded under this chapter shall be supplied with sufficient wholesome food and water during the confinement.
- (c) Disposition of impounded animals. The owner or designee (permission in writing) must take custody of impounded animal(s) on or before 72 hours from the impound date or the animal(s) will become the property of the village. In the event the animal(s) are not picked up and/or no arrangements have been made within the 72-hour impoundment period, the owner is still liable for the charges and all expenses related to impounded animal(s) and the animal(s) could be subject to adoption or euthanasia if required.
- (d) Additional impoundment authority. The ACO is authorized and empowered to enter upon any land within the village limits and to use reasonable means to take up and impound:
 - (1) Any dog which is not being kept physically restrained from leaving the premises of its owner or handler;
 - (2) Any dog suspected of being infected with rabies;

- (3) Any dangerous dog kept in violation of this chapter;
- (4) Any dog known to have caused the injury or death of another domestic animal.

(e) Duties regarding dogs that bite or scratch persons or domestic animals or exhibit rabid characteristics.

- (1) The ACO shall investigate all reports and notifications regarding any dog that has bitten or scratched a person or another domestic animal and/or is suspected of being rabid;
- (2) The ACO shall use reasonable means to immediately impound any dog he or she believes is rabid or has exposed a person or another animal to rabies; and
- (3) The ACO shall deliver impounded dogs that he or she believes are rabid or have exposed a person or another animal to rabies to the contract veterinarian to be quarantined and evaluated for at least ten (10) days.

(f) Collection of impoundment fees. The ACO or designated representative shall collect impoundment fees as specified by the village council, for all animals that are placed into impoundment.

(g) Duties regarding persistently stray dogs. If a dog is found to be persistently at large with no registration and no owner can be identified, the ACO may impound the dog and transport it to a holding facility from which it can be reclaimed, adopted, or, as a last resort, euthanized.

(Ordinance 2010-07-01, sec. V(A), adopted 7/7/10; Ordinance 2011-01-02, sec. V(A), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(A), adopted 1/14/15; Ordinance adopting Code)

3.02.002 Training Of Animal Control Officer

The animal control officer shall comply with all training requirements set out by state law, including but not limited to those contained in chapter 829 of the Texas Health and Safety Code. (Ordinance 2011-01-02, sec. V(J), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(J), adopted 1/14/15)

3.02.003 Reporting And Quarantine Of Dogs Suspected Of Having Rabies

(a) Citizen's reporting of dogs that have bitten or scratched persons or shown rabid characteristics; duties of owner.

- (1) Any person that is bitten or scratched or has knowledge of another person that is bitten or scratched by a dog in the village limits and reasonably believes that such bite or scratch could transmit rabies shall immediately report the incident to the ACO.
- (2) Any person that suspects a dog has rabies in the village limits shall immediately report the animal to the ACO.
- (3) The reports required under subsections (1) and (2) shall include the name and address of any victim and of the dog's owner, if known, and any other data which may aid in locating the victim or the animal.
- (4) The owner of an unvaccinated dog within the village limits that knows or suspects that his or her dog is rabid or has exposed a person or another animal to rabies, or to whom these conditions have been reported, shall, upon learning of such condition or exposure:
 - (A) Immediately confine the animal;
 - (B) Promptly notify the ACO of the place of confinement and the reasons for the confinement;

- (C) Prevent the dog from coming into contact with any person or other animal; and
- (D) Submit the dog for quarantine to the ACO.

(b) Procedures for veterinarian quarantine. At the request and expense of the animal's owner, and with the consent of a veterinarian, quarantines required by this chapter may be conducted at facilities maintained by and under the supervision of a veterinarian other than the contract veterinarian if the veterinarian submits written reports to the ACO as to the dog's health on the initial day of the quarantine and on the fifth (5th) and tenth (10th) days thereafter.

(1) If the veterinarian determines that a quarantined dog does not show the clinical signs of rabies, the dog may be released to its owner following the quarantine period if:

(A) The owner has an unexpired rabies vaccination certificate for the dog; or

(B) The dog is vaccinated against rabies by a veterinarian at the owner's expense.

(2) The veterinarian shall not release any dog under this section until the ACO receives a certificate signed by the veterinarian certifying that in his or her professional opinion the dog is free of transmissible rabies, and that it has been given any and all required rabies vaccinations.

(3) In the event any veterinarian confines any animal under the provisions of this section, and the owner of such dog fails or refuses to claim the dog or fails to have any required vaccinations within three (3) days of the expiration of the quarantine period, the veterinarian shall release such dog into the custody of the village to be delivered to the contract veterinarian to be handled and disposed of in accordance with state law.

(4) If the veterinarian determines that a quarantined dog shows the clinical signs of rabies, he or she shall report such fact to the ACO, who shall authorize the humane destruction of the dog.

(5) If a dog dies or is destroyed while in quarantine, the ACO shall authorize the removal of the head or brain of the dog for submission to the department of state health services for testing.

(c) Refusal or failure to present dog for rabies quarantine or testing. It is unlawful for any person to fail or refuse to quarantine or present for rabies testing a dog that is required to be placed into quarantine or for rabies testing as prescribed in this chapter.

(Ordinance 2010-07-01, sec. V(B), adopted 7/7/10; Ordinance 2011-01-02, sec. V(B), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(B), adopted 1/14/15; Ordinance adopting Code)

State law reference—Rabies reports and quarantine, V.T.C.A., Health and Safety Code, sec. 826.041 et seq.

3.02.004 Handling Of Dogs Exposed To Rabies

(a) Not currently vaccinated animals which have been bitten or directly exposed by physical contact with a rabid animal or its fresh tissues shall be:

(1) Humanely killed; or

(2) If sufficient justification for preserving the dog exists, the exposed animal shall be immediately vaccinated against rabies, placed in strict isolation for ninety (90) days, and given booster vaccinations during the third (3rd) and eighth (8th) weeks of isolation. For young animals, additional vaccinations may be necessary to ensure that the animal

receives a least two (2) vaccinations at or after the age prescribed by the United States Department of Agriculture for the vaccine administered.

- (b) Currently vaccinated animals which have been bitten or otherwise significantly exposed to a rabid animal shall be:
 - (1) Humanely killed; or
 - (2) If sufficient justification for preserving the dog exists, the exposed vaccinated animal shall be given a booster rabies vaccination immediately and placed in strict isolation for forty-five (45) days.
 - (3) In situations where none of the requirements of this section are applicable, the recommendations contained in the latest edition of the publication titled "The Compendium of Animal Rabies Control," published by the National Association of State Public Health Veterinarians, should be followed.

(Ordinance 2010-07-01, sec. V(C), adopted 7/7/10; Ordinance 2011-01-02, sec. V(C), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(C), adopted 1/14/15)

State law reference—Quarantine of animals, V.T.C.A., Health and Safety Code, sec. 826.042; release or disposition of quarantined animal, V.T.C.A., Health and Safety Code, sec. 826.043.

3.02.005 Payment Of Fees, Fines And Costs By Owner Of Impounded Animal

- (a) The owner of any dog which has been impounded for rabies examination, treatment, or disposition pursuant to this chapter shall pay, in addition to the impoundment fees, all reasonable charges incurred by or on behalf of the village in connection with such examination, treatment, or disposition.
- (b) The owner of any impounded dog not wearing, at the time of such impoundment, a registration tag required by this chapter must provide satisfactory proof of the dog's vaccination at the time the dog is claimed by the owner to the village before the village may release the dog. If the owner does not provide such vaccination proof to the village, the owner shall pay the village a reasonable vaccination fee in addition to the impoundment fees and fines so that the village may vaccinate the dog before releasing it to the owner. The owner shall also register the dog with the village if the dog has not been previously registered.
- (c) The village may not release any dog impounded under this chapter until the owner pays the village all applicable costs, fees, and fines. In the event an owner fails to claim its dog or refuses or fails to pay all applicable fees, the village may file a lawsuit against the owner to collect the costs, fees, and fines.

(Ordinance 2010-07-01, sec. V(D), adopted 7/7/10; Ordinance 2011-01-02, sec. V(D), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(D), adopted 1/14/15)

3.02.006 Procedure For Dogs Causing Injury Or Death To Another Animal

- (a) A dog that is determined (using state law) by the ACO or peace officer to have caused injury or death to another domestic animal within the village limits may be impounded by the village ACO or the peace officer and delivered to the village contract veterinarian clinic and a court hearing set within thirty (30) days of the date of the incident to determine the disposition of the case.
- (b) Any dog found by the court to have injured or killed any domestic animal may be ordered to be destroyed by euthanization at the village contract veterinarian clinic.

- (c) The owner of the dog is responsible for all impound, euthanization, and disposal fees.
- (d) Any ACO or peace officer that witnesses a dog cause injury or death of another domestic animal is authorized to enter onto any land and destroy the dog on-site.
- (e) It is a defense if the animal injured or killed did enter an enclosure designed to keep the dog causing the injury or death on its own property and the injury or death occurred in that enclosure.

(Ordinance 2010-07-01, sec. V(E), adopted 7/7/10; Ordinance 2011-01-02, sec. V(E), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(E), adopted 1/14/15)

Division 3.02-2 Dangerous Dogs

3.02.031 Determination That Dog Is Dangerous

3.02.032 Requirements For Owner

3.02.033 Registration; Notification Of New Address

3.02.034 Procedures For Dangerous Dog At Large Or Attack By Dangerous Dog

State law reference—Dangerous dogs, V.T.C.A., Health and Safety Code, sec. 822.041 et seq.

3.02.031 Determination That Dog Is Dangerous

- (a) If a person reports an incident in which a dog:
 - (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept, and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
 - (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own, and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person; then the animal control authority may investigate the incident.
- (b) If, after receiving the sworn statements of any witnesses, the animal control authority determines the dog is a dangerous dog, he/she shall notify the owner in writing of that fact.
- (c) An owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to the municipal court. An owner may appeal the decision of the municipal court in the same manner as appeal for other cases from the municipal court.

(Ordinance 2010-07-01, sec. V(F), adopted 7/7/10; Ordinance 2011-01-02, sec. V(F), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(F), adopted 1/14/15)

3.02.032 Requirements For Owner

- (a) Not later than the thirtieth (30th) day after a person learns that he/she is the owner of a dangerous dog, the person shall:
 - (1) Register the dog with the village as a dangerous dog and pay, in full, the registration fee as determined by the council;
 - (2) Restrain the dangerous dog at all times on a leash not longer than six (6) feet, in the immediate control of a person on the owner's property, or in a secure enclosure on the

owner's property; and

- (3) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 per dog to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control authority for the area in which the dog is kept.
- (b) The owner of a dangerous dog that does not comply with subsection (a) shall deliver the dog to the animal control authority not later than the thirtieth (30th) day after the owner learns that the dog is a dangerous dog.
- (c) If, on application of any person, a justice court, county court or municipal court finds, after notice and hearing, the owner of a dangerous dog has failed to comply with subsection (a) or (b) above, the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.
- (d) The owner shall pay any cost or fee assessed by the village or county related to the seizure, acceptance, impoundment or destruction of the dog. Fees are as established by the village council and as set out in the fee schedule in appendix A of this code.
- (e) The court shall order the animal control authority to humanely destroy the dog if the owner has not complied with subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority. The court shall order the authority to return the dog to the owner if the owner complies with subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority.
- (f) The court may order the humane destruction of the dog if the owner of the dog has not been located before the fifteenth (15th) day after the seizure and impoundment of the dog.
- (g) For the purpose of this section, a person learns that the person is the owner of dangerous dog when:
 - (1) The owner knows of an attack described in section 3.02.031 (determination that a dog is dangerous);
 - (2) The owner receives notice that a justice court, county court or municipal court has found that the dog is a dangerous dog under section 3.02.031 (determination that a dog is dangerous); or
 - (3) The owner is informed by the animal control authority that the dog is a dangerous dog.

(Ordinance 2010-07-01, sec. V(G), adopted 7/7/10; Ordinance 2011-01-02, sec. V(G), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(G), adopted 1/14/15)

3.02.033 Registration; Notification Of New Address

- (a) The village shall issue animal annual registration of the dangerous dog if the owner presents proof of:
 - (1) Liability insurance or financial responsibility;
 - (2) Current rabies vaccination of the dangerous dog; and
 - (3) A secure enclosure in which the dangerous dog will be kept.

- (b) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the fourteenth (14th) day after the date of the sale or move, shall notify the village animal control officer of the new address where the dangerous dog is located. If the dog has been moved to a new jurisdiction, the owner of the dangerous dog and the village animal control officer shall notify the animal control authority in the new jurisdiction of the location of the dangerous dog.

(Ordinance 2010-07-01, sec. V(H), adopted 7/7/10; Ordinance 2011-01-02, sec. V(H), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(H), adopted 1/14/15; Ordinance adopting Code)

3.02.034 Procedures For Dangerous Dog At Large Or Attack By Dangerous Dog

- (a) Any declared dangerous dog found to be at large, and not in the vicinity of the dog owner, shall, if possible, be impounded by the village animal control officer or a peace officer. If safety factors do not allow for the safe impoundment of the dangerous dog, the dangerous dog may be destroyed on-site by the village animal control officer or a peace officer.
- (1) Upon impoundment of a dangerous dog by the village animal control officer, the dog shall be delivered to the village contract veterinarian or village kennel clinic and a court hearing set within ten (10) days of the date of the incident to determine the disposition of the case.
 - (2) It is the responsibility of the dangerous dog owner to pay all fees associated with the impoundment and/or euthanization of the dog.
 - (3) Any dangerous dog found by the court to have been at large may be ordered to be destroyed by euthanization at the village contract veterinarian clinic.
- (b) Any declared dangerous dog found to have committed an unprovoked attack on a person outside the dog's enclosure and causing serious bodily injury or death shall be impounded by the village animal control officer or a peace officer and a court hearing set within ten (10) days of the date of the incident to determine the disposition of the case.
- (1) If the owner of the dangerous dog is found guilty of an offense under this section, the court shall order the dangerous dog destroyed by euthanization at the village contract veterinarian clinic.
 - (2) It is the responsibility of the dangerous dog owner to pay all fees associated with the impoundment and/or euthanization of the dangerous dog.

(Ordinance 2010-07-01, sec. V(I), adopted 7/7/10; Ordinance 2011-01-02, sec. V(I), adopted 1/3/11; Ordinance 2015-01-01, sec. VI(I), adopted 1/14/15)

ARTICLE 3.03 OFFENSES

3.03.001 Unregistered Dogs

3.03.002 Unvaccinated Dogs

3.03.003 Dogs Not Wearing Collar

3.03.004 Dogs At Large

3.03.005 Dogs That Attack Or Threaten To Attack

3.03.006 Physical Control Of Dangerous Dogs

3.03.007 Tethering Of Dogs

3.03.008 Removal Of Waste

3.03.009 Dog Nuisances

3.03.010 Interference With Duties Of Animal Control Officer

3.03.011 Cruelty To Animals

[3.03.012 Confinement Of Animal In Motor Vehicle Or Trailer](#)

[3.03.013 Poisoning Of Animals](#)

[3.03.014 Unreasonable Noise](#)

3.03.001 Unregistered Dogs

It shall be unlawful for any person to own, harbor, or keep a dog over four (4) months of age for which the village has not issued a current and unrevoked registration certificate. (Ordinance 2010-07-01, sec. IV(A), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(A), adopted 1/3/11; Ordinance 2015-01-01, sec. V(A), adopted 1/14/15; Ordinance adopting Code)

3.03.002 Unvaccinated Dogs

It shall be unlawful for any person to own, harbor or keep a dog over four (4) months of age that has not been vaccinated against rabies within the preceding twelve (12) months by a veterinarian. (Ordinance 2010-07-01, sec. IV(B), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(B), adopted 1/3/11; Ordinance 2015-01-01, sec. V(B), adopted 1/14/15; Ordinance adopting Code)

3.03.003 Dogs Not Wearing Collar

It shall be unlawful for the owner of any dog regulated by this chapter to permit such dog to be off of the owner's premises without a collar securely fastened to the dog. (Ordinance 2010-07-01, sec. IV(C), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(C), adopted 1/3/11; Ordinance 2015-01-01, sec. V(C), adopted 1/14/15; Ordinance adopting Code)

3.03.004 Dogs At Large

It is unlawful for any person to allow a dog to run at large within the village limits. An exception is made for the Point Venture Property Owners Association park property, where dogs can be unleashed if under the supervision of their owner or caretaker. The dog must be kept at least 100 feet away from other people or domestic animals. If the distance from the dog to other people or domestic animals becomes less than 100 feet then the leash law requirements apply again and the dog is considered to be "at large" if left unleashed within 100 feet. (Ordinance 2010-07-01, sec. IV(D), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(D), adopted 1/3/11; Ordinance 2015-01-01, sec. V(D), adopted 1/14/15; Ordinance adopting Code)

State law reference—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.033

3.03.005 Dogs That Attack Or Threaten To Attack

It is unlawful for any owner of a dog within the village limits to allow the same to attack or bite a person or domestic animal (that lawfully has the right to be where he, she, or it is) without provocation and off of the owner's premises. It is unlawful for the owner to allow the dog to commit acts that cause a person to reasonably believe that the dog will attack and cause bodily harm to the person or domestic animal (that lawfully has the right to be where he, she or it is). (Ordinance 2010-07-01, sec. IV(E), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(E), adopted 1/3/11; Ordinance 2015-01-01, sec. V(E), adopted 1/14/15; Ordinance adopting Code)

3.03.006 Physical Control Of Dangerous Dogs

It shall be unlawful for the owner of any dangerous dogs to fail to directly physically control the dangerous dog at all times. For purposes of this section, "directly physically control" means to either control by leash, cord, chain, or other similar means of physical restraint of a maximum length of six (6) feet (when the animal is on the owner's premises), or to confine said animal within an enclosure

adequately constructed and maintained to ensure continuous physical restraint, or in such other manner as to ensure that the animal does not leave the owner's premises. (Ordinance 2010-07-01, sec. IV(F), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(F), adopted 1/3/11; Ordinance 2015-01-01, sec. V(F), adopted 1/14/15)

State law reference—Requirements for owner of dangerous dog, V.T.C.A., Health and Safety Code, sec. 822.042.

3.03.007 Tethering Of Dogs

- (a) Except as provided in subsection (b), a person may not restrain a dog with a chain or tether unless the person is holding the chain or tether. Tethering in the front yard is always discouraged, especially if the dog is left unattended and a nuisance to people's right to walk down the street.
- (b) The prohibition of subsection (a) does not apply to temporary restraint:
 - (1) During a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity; or
 - (2) That is required to protect the safety or welfare of a person or the dog, if the dog's owner or handler remains with the dog throughout the period of restraint.
- (c) A person restraining a dog with a chain or tether shall attach the chain or tether to a properly fitting collar or harness worn by the dog. A person may not wrap a chain or tether directly around a dog's neck. A person may not restrain a dog with a chain or tether that weighs more than 1/18 of the dog's body weight. A chain or tether used to restrain a dog must, by design and placement, be unlikely to become entangled.
- (d) A person may not restrain a dog in a manner that does not allow the dog to have access to necessary shelter and water.
- (e) A person may not restrain a dog in a manner that allows the dog to move outside the person's property.

(Ordinance 2010-07-01, sec. IV(G), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(G), adopted 1/3/11; Ordinance 2015-01-01, sec. V(G), adopted 1/14/15)

State law reference—Unlawful restraint of dog, V.T.C.A., Health and Safety Code, sec. 821.076 et seq.

3.03.008 Removal Of Waste

It is unlawful for any owner of a dog within the village limits to permit or allow that animal to defecate upon any public place or upon any improved property not owned or controlled by the dog's owner, unless such waste is promptly removed by the owner; however, nothing herein contained authorizes such person to enter upon the private property of another without permission. (Ordinance 2010-07-01, sec. IV(H), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(H), adopted 1/3/11; Ordinance 2015-01-01, sec. V(H), adopted 1/14/15)

3.03.009 Dog Nuisances

It shall be unlawful for any person to own, keep, or harbor a dog in such a way that creates a dog nuisance as defined in this chapter. (Ordinance 2010-07-01, sec. IV(I), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(I), adopted 1/3/11; Ordinance 2015-01-01, sec. V(I), adopted 1/14/15)

3.03.010 Interference With Duties Of Animal Control Officer

It is unlawful for any person to knowingly and intentionally interfere with the village animal control officer while in the lawful discharge of his/her duties as prescribed in this chapter. (Ordinance 2010-07-01, sec. IV(J), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(J), adopted 1/3/11; Ordinance 2015-01-01, sec. V(J), adopted 1/14/15)

3.03.011 Cruelty To Animals

It shall be unlawful for any person to knowingly or intentionally overdrive, overload, overwork, torture, torment, deprive of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate, needlessly kill, carry or confine in or upon any vehicle in cruel or reckless manner, or otherwise mistreat or neglect any animal or cause or procure it to be done, or, having the charge or custody of any animal, fail to provide it with proper food, drink, or protection from the weather or abandon it. (Ordinance 2010-07-01, sec. IV(K), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(K), adopted 1/3/11; Ordinance 2015-01-01, sec. V(K), adopted 1/14/15; Ordinance adopting Code)

State law references—Cruelty to livestock animals, V.T.C.A., Penal Code, sec. 42.09; cruelty to nonlivestock animals, V.T.C.A., Penal Code, sec. 42.092.

3.03.012 Confinement Of Animal In Motor Vehicle Or Trailer

- (a) It shall be unlawful for any person having charge or custody of an animal, as owner or otherwise, to place or confine such animal or allow such animal to be placed or confined or to remain in a motor vehicle or trailer under such conditions for such period of time as may endanger the health or well-being of such animal due to heat, lack of food or water or such other circumstances as may reasonably be expected to cause suffering, disability or death.
- (b) Any police officer or animal control officer finding an animal in a motor vehicle or trailer in violation of this section is authorized to obtain a locksmith or break and enter the vehicle or trailer, at the owner's expense if necessary, to remove the animal. Neither the individual police officer, the animal control officer nor the village shall be liable for any resulting damage to the vehicle or trailer.
- (c) Removed animals will be impounded at the animal control shelter for safekeeping. Owners may reclaim their animals upon payment of all reasonable charges or fees that accrue for removal and maintenance of the animal plus impoundment fees.
- (d) At the time the animal is removed from the vehicle or trailer, the officer shall leave a written notice bearing his/her name and office and the address where the animal may be claimed. The animal will be retained for three (3) days, and if not claimed will be disposed of by adoption or, if that is not feasible, euthanasia by a licensed veterinarian.

(Ordinance 2010-07-01, sec. IV(L), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(L), adopted 1/3/11; Ordinance 2015-01-01, sec. V(L), adopted 1/14/15; Ordinance adopting Code)

3.03.013 Poisoning Of Animals

It shall be unlawful for any person to poison any dog, cat or other domestic pets or to distribute poison in any manner whatever with the intent or for the purpose of poisoning any dog, cat or other domestic pets. (Ordinance 2010-07-01, sec. IV(M), adopted 7/7/10; Ordinance 2011-01-02, sec. IV(M), adopted 1/3/11; Ordinance 2015-01-01, sec. V(M), adopted 1/14/15; Ordinance adopting Code)

3.03.014 Unreasonable Noise

- (a) Violation; Declaration of Nuisance. It shall be unlawful for any person to keep or harbor an animal which by loud, frequent or habitual barking, howling, whining or screeching causes annoyance that interferes with another person's enjoyment or rightful use of his or her property.

Unreasonable barking, howling, whining or screeching noises are defined as a nuisance whether the animal is on the animal owner's premises or not. For purposes of this section, the term "frequent or habitual barking, howling, whining or screeching" shall mean continuous barking, howling, whining or screeching for a duration of at least fifteen (15) minutes.

- (b) Affirmative Defense. It shall be an affirmative defense to prosecution that the noise occurred when a person was trespassing or threatening to trespass upon private property in which the animal is kept.
- (c) Complaints. Any person who believes there has been a violation of this section shall have the right to file a complaint against the owner or keeper of such animal with Village Code Enforcement at the Village Office, which may be adjudicated in the municipal court of the Village of Point Venture. Any complaints filed with municipal court must be supported by a signed complaint by a person other than a Village Code Enforcement officer.

HISTORY

Amended by Ord. [2021-08-18](#) on 9/15/2021

Village of Point Venture
Cash in Banks
As of September 30, 2023

	<u>Sep 30, 23</u>
ASSETS	
Current Assets	
Checking/Savings	
Banks	
1010 · Security State - Money Market	94,846.83
1015 · Security State - Operating Fund	763,692.47
1030 · TexPool - Money Market	305,708.87
1046 · TexPool - Road Fund	700,181.38
1047 · TexPool TimeWarner	36,028.77
Total Banks	<u>1,900,458.32</u>
Total Checking/Savings	<u>1,900,458.32</u>
Total Current Assets	<u>1,900,458.32</u>
TOTAL ASSETS	<u><u>1,900,458.32</u></u>
LIABILITIES & EQUITY	0.00

Village of Point Venture Building Department – September 2023

In the month of September, there no permits issued for single family dwelling. There was one certificate of occupancy issued. There were permits issued for a pool and a remodel, a deck staircase and a re-permit was issued for a remodel.

NEW HOMES ISSUED PERMITS

2010	8
2011	8
2012	6
2013	12
2014	23
2015	18
2016	36
2017	53
2018	30
2019	31
2020	28
2021	27
2022	33
2023	3

CERTIFICATE OF OCCUPANCIES ISSUED

2010	11
2011	6
2012	4
2013	5
2014	15
2015	18
2016	38
2017	33
2018	58
2019	24
2020	34
2021	17
2022	23
2023	14