

**Village of Point Venture**

**ORDINANCE NO. 2025-01-15A**

**AN ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS, AMENDING CHAPTER 3 OF THE VILLAGE OF POINT VENTURE CODE OF ORDINANCES; PROVIDING RULES AND REGULATIONS FOR THE RESTRAINT OF DOGS; PROVIDING FINDINGS OF FACT; PROVIDING FOR REPEAL, SEVERABILITY, SAVINGS, PUBLICATION AND CODIFICATION; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village Council of the Village of Point Venture (“Village Council”) seeks to provide for the public health, safety and welfare of its citizens; and

**WHEREAS**, pursuant to Section 51.001 of the Texas Local Government Code, the Village of Point Venture may adopt and amend ordinances for the good government, peace and order of the Village, as necessary or proper for carrying out a power granted by law to the Village; and

**WHEREAS**, Chapter 821, Subchapter E of the Texas Health and Safety Code, provides regulations regarding the restraint of dogs; and

**WHEREAS**, pursuant to Section 821.104 of the Texas Health and Safety Code, the governing body of a municipality may adopt an ordinance relating to the restraint of a dog provided the requirement is compatible with and equal to or more stringent than the state law or relates to an issue not specifically addressed by state law; and

**WHEREAS**, the Village Council has previously adopted regulations governing animals, as codified in Chapter 3 of the Village of Point Venture Code of Ordinances; and

**WHEREAS**, the Village Council finds that the regulations contained within this ordinance are compatible with and equal to or more stringent than the state law and relate to an issue not specifically addressed by state law; and

**WHEREAS**, the Village Council finds the amendment of dog restraint regulations is necessary for the good government, peace and order of the Village.

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

**SECTION 1. Findings of Fact.** All of the above recitals and premises are hereby found to be true and correct legislative and factual findings of the Village Council of the Village of Point Venture, Texas and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. Ordinance Amendment.** The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Section 3.03.007 of Chapter 3 thereof and substituting therefor a new Section 3.03.007 of Chapter 3 as set forth in Exhibit A, attached hereto.

**SECTION 3. Repeal.** All provisions of the ordinances of the Village of Point Venture in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the Village of Point Venture not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 4. Severability.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be illegal, invalid or unconstitutional, 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 invalid, illegal or unconstitutional, and shall not affect the validity of any remaining provision of the Code of Ordinances or the Code of Ordinances as a whole.

**SECTION 5. Savings.** All rights and remedies of the Village of Point Venture are expressly saved as to any and all violations of the provisions of any ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6. Publication and Codification.** The Village Secretary of the Village of Point Venture is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code. The Village Secretary is further directed to have this Ordinance codified at the next available codification update.

**SECTION 7. Open Meeting.** The Village Council of the Village of Point Venture hereby finds and determines that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 8. Penalty.** It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Five Hundred Dollars (\$500.00), in

accordance with the enforcement and penalty provisions, and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues. Further, if the Village Council of the Village of Point Venture determines that a violation of this Ordinance creates a threat to the public safety, the Village may bring suit in the District Court to enjoin such violation and may exercise all available remedies as allowed by law.

**SECTION 9. Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

**DULY PASSED AND ADOPTED** by the Village Council of the Village of Point Venture, Texas, on the 15<sup>th</sup> day of January, 2025.



  
Justin Hamilton, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
Vickie Knight, Village Secretary

  
Caroline Kelley, Village Attorney

**Exhibit A**

**VILLAGE OF POINT VENTURE, TEXAS  
CODE OF ORDINANCES**

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**CHAPTER 3 ANIMAL CONTROL**

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**ARTICLE 3.03 OFFENSES**

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**3.03.007 Tethering Of Dogs**

- (a) The regulations concerning the restraint of dogs imposed by Chapter 821, Subchapter E of the Texas Health and Safety Code shall apply to the restraint of dogs in the village.
- (b) A person may not restrain a dog while attended or unattended in a manner that allows the dog to move outside the person's property.