



# CITY OF HORSESHOE BAY



## POLICE DEPARTMENT

June 30, 2016

POA Presidents  
Horseshoe Bay, Texas 78657

Greetings,

As we enter another Hill Country summer filled with friends, family, relatives, and out of town visitors and guests, I wanted to take a moment of your time to send out a reminder about a couple of issues that have arisen in the community and ask for everyone's help to assure harmony within the community.

As a part of the City of Horseshoe Bay, it is important that as residents we follow the ordinances enacted for all the citizens of the community. Obviously there are laws and ordinances that individually we may not agree with. However, they were enacted for the betterment of all those concerned. Our system of government allows a process for citizens who disagree with a particular rule or regulation to bring about change. Until then, we must all live within the boundaries of those laws and ordinances.

Unfortunately, the Police Department has received increasing complaints throughout the community with regard to three different ongoing Ordinance violations that should be addressed:

- Sec. 2.09.004 (feeding of deer) of the Horseshoe Bay Code of Ordinances prohibits the feeding of deer within the city limits:
  - (a) No person shall purposely feed or provide food (as described in subsection (b) below) through a ground-feeding station, salt lick or by other means, to wild deer in the city on any public or private land.
  - (b) A person shall be deemed to have purposely fed or caused wild deer to be fed if the person places wheat, pelleted livestock food, corn in any form, fruit, vegetables, hay or alfalfa, human food scraps, any form of commercially sold wildlife feed, birdseed or livestock feed, or any other edible matter that deer will consume (not including live vegetation such as ornamental landscaping or flowers) on the ground, or within reach of deer. This prohibition shall not apply to edible matter located either in an enclosed building or stored in a securely sealed package.
  - (c) The prohibition of this section shall not apply to any peace officer, animal control officer, or other agent of the city acting pursuant to a deer control program in conformance with this article.

- Sec. 2.01.005 (Public Nuisances) of the Horseshoe Bay Code of Ordinances requires pet owners to dispose of animal excrement left by their pet on public property or private property not owned by the pet owner:

(2) Disposal of excrement.

(A) All animal manure and other excrement shall be disposed of in such a manner so as to prevent it from becoming a public nuisance.

(B) An owner, harborer, or other person having care, custody, or control of a dog or cat commits an offense if he knowingly permits, or by insufficient control allows, the dog or cat to defecate in the city:

(i) On private property other than property owned, leased, or controlled by the owner, harborer, or person having care, custody, or control of the dog or cat; or

(ii) On public property or any other place to which the public or a substantial group of the public has access, including but not limited to a street, sidewalk, alley, park, or playground, or any common area of a school, hospital, apartment house, office building, transport facility, or shop.

(C) It is a defense to a prosecution under subsection (B) that:

(i) The owner, harborer, or other person having care, custody, or control of the dog or cat immediately and in a sanitary manner removed and disposed of, or caused the removal and disposal of, all excreta deposited on the property by the dog or cat;

(ii) The dog was specially trained to assist a person with a disability and was in the care, custody, or control of that disabled person at the time it defecated on the property;

(iii) The owner or person in control of the property had given prior consent for the dog to defecate on the property; or

(iv) The dog was being used in official law enforcement activities.

- Sec. 2.01.005 (Public Nuisances) of the Horseshoe Bay Code of Ordinances prohibits animals from roaming at large within the city limits:

(7) Animals at large prohibited. It shall be unlawful for any owner to allow an animal to chase vehicles or molest, attack, or interfere with other animals or persons on public property or on private property, not owned by the animal's owner or keeper, or be at large as defined herein. All animals shall be kept under restraint. Unrestrained animals may be taken by police, the animal control officer, or any other person, and deliver same to the designated shelter or animal control officer or police officer for the city to be impounded as set out herein, as if the animal were found running at large. The city shall only be responsible for the impoundment fees of those animals its agents impound.

As your Police Chief, I am requesting the community POA presidents to distribute this letter to all residents both as a reminder, and as a warning, that violations of these ordinances constitute a Class C misdemeanor offense. Police officers are being instructed to take the appropriate enforcement action if these acts occur in the future.

Finally, please pass on a thank you from all the members of HSBPD to community residents for their continued support.

Sincerely,

Rocky Wardlow, Chief  
Horseshoe Bay Police Department