

ORDINANCE NO. 21

AN ORDINANCE OF THE CITY OF UVALDE, TEXAS AMENDING TITLE 6 ANIMALS, OF UVALDE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING ENFORCEMENT AND PENALTY CLAUSES; PROVIDING OPEN MEETINGS, SEVERABILITY, AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Uvalde desires to promote health, welfare and quality of life; and

WHEREAS, the City Council of the City of Uvalde finds that regulation ownership of domestic animals with regard to safety and humane treatment is in the best interest of the citizens,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS, THAT:

Section 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Chapter 6.01.010 Definitions

Add or change definitions as follows:

“Authorized Restraint” used with respect to a dog, means kept under the direct physical control of the person who owns the dog or otherwise has control over the dog by a leash, cord, or pet tie-out cable.

“Shelter” means a structure, or combination of structures, that reasonably provides air circulation and protection from the elements including sunlight, moisture, and extreme temperatures.

“Tether” means tying out or fastening a dog outdoors on an authorized restraint. The term does not mean the restraint of a dog on an attended leash.

Section 3. Amendment of Chapter 6.02.010 Inhumane Treatment

Change clauses as follow:

(b) (13) tethers an animal to a stationary object for a period of time or in a location so as to create an unhealthy situation for the animal including but not limited to injury; lack of access to shelter, water or food; exposure to stinging or biting insects; standing water; attack by other animals; or danger of entanglement;

(b) (15) tethers an animal with an improperly fitted collar or harness or a choke-type collar, or with a tether that weighs more than one-fifth of the animal’s body weight, or with other than an authorized restraint.

Section 4. Penalty Clause. Any person who shall violate any of the provisions of this ordinance, or shall fail to comply therewith, or with any of the requirements thereof, within the City limits shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum set out in Section 1.12.010 of this Code. Each day the violation exists shall constitute a separate offense. Proof of a culpable mental state shall not be required to establish a violation of this ordinance. Such penalty shall be in addition to all the other remedies provided herein.

Section 5. Savings Clause. All rights and remedies of the City of Uvalde are expressly saved as to any and all violations of the provisions of any ordinances affecting signage 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, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

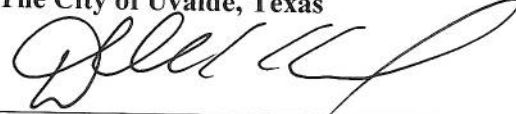
Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

Section 7. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation into this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 12 day of December 2017.

The City of Uvalde, Texas



Don McLaughlin, Jr., Mayor

ATTEST:


Sorayda Sanchez, City Secretary