

**ORDINANCE NO. 1119-12-16**

**AN ORDINANCE AMENDING CHAPTER 2, ENTITLED “ANIMAL CONTROL” IN THE CITY CODE OF ORDINANCES; PROVIDING FOR THE DEFINITION OF “SHELTER” AND ESTABLISHING ANIMAL CARE SERVICES ADVISORY BOARD, PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Hondo staff has determined there are some amendments that are necessary in the Animal Control regulations which they are recommending to the City Council; and

**WHEREAS**, residents in Hondo are being affected by dogs, cats, other domestic animals as well as livestock and fowl and City Council wishes to establish an advisory board to assist the City in proposing policies, or amendments to the City Council and City Manager as it shall deem necessary for the daily operations of the animal shelter; and

**WHEREAS**, the City Council deems it desirable to amend the existing Animal Ordinance for the health, safety, and protection of the residents of the City of Hondo, Texas.

**NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF HONDO, THAT:**

**SECTION 1. AMENDMENT.** Chapter 2, “Animal Control” of the Municipal Code of Ordinances of the City of Hondo is amended so that it shall read as follows:

UNDER DEFINITIONS SECTION 2.01.001, the following definition of “Shelter” shall be added:

*SHELTER*: Shall mean a structure with a roof and three (3) sides and a fourth side allowing access that is protected from the elements and a floor that is elevated enough to keep the interior dry as well as the animal. The size of the shelter must be conducive to the size of the animal to allow movement within the interior without restraint.

**SECTION 2. ESTABLISHMENT OF ANIMAL CARE SERVICES ADVISORY BOARD.**

Chapter 2, “Animal Control” of the Municipal Code of Ordinances of the City of Hondo is amended so that a new Article establishing the Animal Care Services Advisory Board is added that shall read as follows:

**Article 2.05 ANIMAL CARE SERVICES ADVISORY BOARD**

**Sec. 2.05.01 – Creation; Composition; Terms of Service.**

- (a) There is hereby created the Animal Care Services Advisory Board, and such board shall act as a liaison between the community and the City Council, City Manager and Animal Care Services Department. Such board shall propose policies, or amendments to existing policies to the City Council and City Manager as it shall deem necessary for the daily operations of the animal shelter and its daily operations, performance of duties of any shelter employee(s) and personnel, any new fees and/or changes to existing fees schedule. The Board shall also promote collaboration between the City and interested parties relating to animal welfare in the city; identify proactive, creative approaches to engage and facilitate those interested parties; and foster and assist the development of animal welfare programs in the community.

(b) The Animal Care Services Advisory Board shall consist of five (5) members, to be appointed by the City Council for a term of two (2) years. Each appointed member may be eligible to serve three (3) consecutive two-year terms. Three (3) members shall be appointed during even-numbered years and two (2) shall be appointed during odd-numbered years. Four (4) members must be residents of the city and one member may reside within the City's extraterritorial jurisdiction. One (1) member shall be a licensed veterinarian. After three consecutive two-year terms have been served by a member, there must be a two-year break in service before he/she may be reappointed to the advisory board. In the event a vacancy occurs during the term of any member, his/her successor shall be appointed to serve for the unexpired position of the term. The serving of an unexpired term shall not count towards the maximum two-year terms. Member of said board shall serve without compensation and serve at the pleasure of the City Council.

(c) The animal care advisory board shall meet as necessary but no less than three (3) times a year.

**SECTION 3.** The remainder of Chapter 2, "Animal Control" shall remain unchanged by this Amendment.

**SECTION 4. INCORPORATION OF RECITALS.** The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

**SECTION 5. REPEALER.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**SECTION 6. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

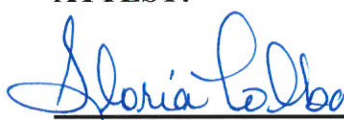
**SECTION 7. EFFECTIVE DATE.** This ordinance shall become effective upon the adoption of this ordinance.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, THIS 28<sup>th</sup> DAY OF DECEMBER, 2016.**



**JAMES W. DANNER, SR., MAYOR**

**ATTEST:**



**GLORIA COLBATH  
CITY SECRETARY**

