

**ORDINANCE No. 2012-122
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SHOREACRES TO REGULATING THE RELEASING, DUMPING, ABANDONING, INJURY, OR KILLING OF DOGS, CATS, OR ANY DOMESTIC ANIMAL OR WILD BIRD WITHIN THE CITY LIMITS; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

That section 6-37 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 6-37. Running at large prohibited.

- (a) *At large.* No owner or keeper of any animal shall permit or allow such animal to run at large within the city. The owner or keeper of any animal running at large or not confined shall be in violation of this rule.
- (b) *At large — Riding in a vehicle.* Animals in vehicles shall be restrained in a manner which will not cause injury and will prevent the animal from reaching the outside of the vehicle.
- (c) *At large — Animal establishment.* Any animal off the premises of an animal establishment or outside the approved confinement area within said animal establishment without written approval from the director shall be considered at large and in violation of this rule.

- (d) *At large — Private property.* Any animal found trespassing or running at large upon any private property other than the premises of the owner may be taken up by any person and, if done so, shall be delivered to or notice given to the director. The director shall have the right to require that a secure top and/or secure bottom be added to the structure/pen if the need is demonstrated. This additional requirement shall be based upon the type of animal to be kept in the enclosure and its anticipated ability to escape.

That section 6-38 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 6-38. Releasing and dumping of animals.

- (a) It shall be a violation of this chapter for any person to dump, release, or abandon any animal, whatsoever on any property, whether public or private, within the city.
- (b) Any person who keeps, harbors, feeds, shelters or otherwise allows any stray animal or any animal which has been dumped, released, or abandoned, to remain on his property or allows or permits egress or ingress for three or more days without notifying the director [regulatory authority] shall be deemed the owner of said animal.

That the Shoreacres City Code is hereby amended by adding to Chapter 6 "Article II Animal Control," a section to be numbered 6-42, which section read as follows:

Sec. 6-42. Killing or injuring animals.

No person shall intentionally kill, cut, maim, or injure in any manner any dog, cat or domestic animal or any domestic or wild bird, within the city

This Ordinance shall be effective June 11, 2012, after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of Shoreacres at least once after the passage of this ordinance.

PASSED AND APPROVED this the 25th day of June 2012.



Dolly Arons

 Dolly Arons, Mayor

ATTEST:

[Signature]

 David K. Stall, CFM, City Clerk
 City Secretary