

ORDINANCE NO. 2011-43

AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY, TEXAS ENTITLED "ANIMALS" BY AMENDING SECTION 18-10 "DISPOSITION OF IMPOUNDED ANIMALS", SUBSECTION (b) "UNCLAIMED ANIMALS"

Whereas, the City of League City, Texas operates an animal shelter as a division of the League City Police Department and which is responsible for the enforcement of state laws and city ordinances as they pertain to animals; and

Whereas, the City's Chief of Police has met with Animal Control staff and volunteers to discuss issues concerning the animal population of the City's Animal Control Shelter, which meeting resulted in the creation of a task force to provide solutions concerning the Shelter's animal population; and

Whereas, the task force has presented various options providing for certain amendments to Section 18-10 of the Code of Ordinances of the City of League City which have been considered by City staff; and

Whereas, City staff has prepared an alternative option to address the disposition of animals impounded at the City's Animal Control Shelter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS AS FOLLOWS:

Section 1. The findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

Section 2. That Chapter 18, Article I, Section 18-10, Subsection (b) Unclaimed animals is hereby amended as follows:

Sec. 18-10. Disposition of impounded animals.

(b) Unclaimed Animals.

(1) Any animal not claimed by the owner within 120 hours and deemed to be of good health and not to constitute a threat to the public or animal health and safety of the city may be placed up for adoption. An adoption fee of no less than \$75.00 will be paid by the new owner, to the League City Animal Control Center upon signing of adoption contract with the City of League City Animal Control Center. Adoption fees shall be used to render neutral the cost of sterilizing, vaccinating, microchipping, and any tests or medications required to prepare said animal for adoption. The Animal Control Superintendent is authorized to offer an incentive program for one or more periods during which the adoption fees may be reduced by an amount not to exceed one-half of the current adoption fee.

(2) Any animal left unclaimed for 90 days, ~~exclusive of not to include~~ the aforementioned 120 hours ~~or any portion of time while the animal is in foster care, shall may, when space considerations make population reduction necessary,~~ be humanely euthanized unless it is determined by the Animal Control Superintendant that there are mitigating circumstances that would warrant the continued holding of an animal.

END OF TEXT

Section 3. That if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion of any provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 4. All other ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of any such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

PASSED on first reading the 26th day of July, 2011.

PASSED on second reading the _____ day of _____, 2011.

PASSED AND ADOPTED on the _____ day of _____, 2011.

TIMOTHY PAULISSEN
Mayor

ATTEST:

DIANA STAPP
Deputy City Secretary