

ORDINANCE NO. 2017-4

**AN ORDINANCE AMENDING CHAPTER 2 “ANIMAL CONTROL”
AT SECTION 3 “DOGS” SUBSECTION B “ANNUAL LICENSE FEE;
WAIVING LICENSE FEE FOR UP TO TWO (2) DOGS PER OWNER OR
HOUSEHOLD UPON PROOF SUCH DOG(S) HAVE BEEN NEUTERED OR
SPAYED; PROVIDING REPEALING AND SAVINGS CLAUSE; PROVING A
OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council recognizes the importance of reducing the birthrate and overpopulation of dogs in the City in order to maintain proper animal controls for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City Council desires to encourage dog owners to have their dogs neutered or spayed so as to render their dogs sterile by waiving the required annual dog license fee for up to two (2) dogs per household; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACINTO CITY, TEXAS:

Section 1. That Chapter 2, “Animal Control”; Section 3 “Dogs”; st Subsection B entitled “Annual License Fee” be amended to read as follows:

B. ANNUAL LICENSE FEE

(1) All dogs must be registered and licensed in the City of Jacinto City.

(2) There is hereby assessed and levied upon each dog, male or female, kept or owned within the City, an annual license fee of Ten Dollars (\$10.00), which fee is to be due and payable on the first day of June of each year to the City of Jacinto City. It is the duty of the owner or keeper of any dog to pay such fee to the City, or its duly authorized agent, on or before June 1 of each and every year.

(3) Waive of Fee. The City shall waive the annual license fee upon satisfactory proof submitted to the City by the owner or keeper of the dog, whether male or female, that such dog has been neutered or spayed and is sterile. Provided however, the waiver of such annual license fee shall be limited to two (2) dogs per owner or household.

Section 2. Repealing and Savings Clause. That all ordinances or parts of ordinances inconsistent herewith, or to the extend of such inconsistency or conflict are hereby repealed. Further, the City Council of the City of Jacinto City, Texas, does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining photons of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declare that its intent is to make no portion of this Ordinance dependent upon the validity of any

portion thereof, and that all said remaining portions shall continue in full force and effect.

Section 3. Compliance with Open Meetings Act. It is hereby officially found and determined that the meeting at which this Ordinance was considered 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, Chapter 551, of the Texas Government Code.

Section 4. This Ordinance shall become effective on its second and final reading.

PASSED AND APPROVED THIS THE ____ DAY OF AUGUST, 2017.

ANA DIAZ, MAYOR

ATTEST:

JOYCE RAINES, CITY SECRETARY

PASSED AND ADOPTED ON THE SECOND AND FINAL READING THIS ____ DAY OF SEPTEMBER, 2017.

ANA DIAZ, MAYOR

ATTEST:

JOYCE RAINES, CITY SECRETARY

APPROVED:

JIM L. DeFOYD, CITY ATTORNEY