

ORDINANCE NO. 2090

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EULESS, TEXAS, CHAPTER 10, "ANIMALS," SECTION 10-131, "ANNUAL IMMUNIZATION OF DOGS, CATS OR ANY OTHER ANIMAL REQUIRED; VACCINATION TAG," TO MODIFY IMMUNIZATION STANDARDS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Euless, Texas is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Euless currently has regulations in place requiring the annual vaccination of dogs and cats; and

WHEREAS, the City Council finds that these regulations should be amended to comply with state law and provide for the vaccination of dogs and cats at regular intervals as provided by the Department of State Health Services.

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

SECTION 1.

Chapter 10, "Animals," Section 10-131, "Annual immunization of dogs, cats or any other animal required; vaccination tag," be amended to hereafter be and read in its entirety as follows:

Sec. 10-131 Immunization of dogs and cats required; vaccination tag

(a) The owner of any dog or cat shall have the animal vaccinated against rabies by the time the animal is four months of age and at regular intervals thereafter in accordance with rules adopted by the Department of State Health Services.

(b) A veterinarian shall supply the owner of a vaccinated dog or cat with a rabies vaccination tag which shall have stamped upon it the veterinarian's name and vaccination certificate number. It shall be unlawful for an owner to have, harbor or keep any dog or cat without a current rabies vaccination tag fastened securely to a harness or collar worn about the shoulders or neck of the dog or cat.

SECTION 2.

CUMULATIVE CLAUSE. This Ordinance shall be cumulative of all provisions of the City Code and other ordinances of the City of Euless, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

SAVINGS CLAUSE. All rights and remedies of the City of Euless are expressly saved as to any and all violations of the provisions of the City Code that 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 5.

PENALTY CLAUSE. Any person, firm or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with Chapter 1, Section 1-12, Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 6.

PUBLICATION CLAUSE. The City Secretary of the City of Euless is hereby directed to publish the caption, Section 1, penalty clause and effective date of this ordinance in the official newspaper of the City of Euless, as required by Section 12 of Article II of the Charter of the City of Euless.

SECTION 7.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter and the laws of the State of Texas.

PRESENTED AND APPROVED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on October 13, 2015, by a vote of ____ ayes, ____ nays, and ____ abstentions.

APPROVED:

APPROVED AS TO FORM:

Linda Martin, Mayor

Wayne K. Olson, City Attorney

ATTEST:

Kim Sutter, TRMC, City Secretary