

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 2, ARTICLE 2.01 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; REPEALING AND REPLACING CHAPTER 2, ARTICLE 2.02, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; AMENDING ARTICLE A3.000, SECTION A3.001 OF THE APPENDIX TO THE CODE OF ORDINANCES OF THE CITY OF OVILLA; AMENDING THE DEFINITION OF “VACCINATED ANIMAL” PROVIDING REQUIREMENTS FOR THE VACCINATION AND ANNUAL REGISTRATION OF DOGS AND CATS; PROVIDING FOR THE ISSUANCE OF ANNUAL REGISTRATIONS; PROVIDING ANNUAL REGISTRATION FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO OVILLA’S CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the vaccination of dogs and cats is essential to the health and safety of the community; and

WHEREAS, annual registration of dogs and cats allows for the identification of them as pets instead of homeless strays; and

WHEREAS, annual registration of dogs and cats provides emergency information and helps citizens and authorities to quickly reunite lost and found pets with their owners; and

WHEREAS, annual registration of dogs and cats provides proof of vaccination; and

WHEREAS, the City Council of the City of Ovilla finds and determines that the vaccination and annual registration of dogs and cats is an essential part of animal care; and

WHEREAS, the City’s administrative staff periodically reviews the City’s ordinances and recommends revisions thereto based on current needs, outdated provisions, changes in the law, advances in technology, changes in costs and necessary fees, for the protection of citizens, and/or for the efficient administration of the City’s operations; and

WHEREAS, the City’s administrative staff and legal counsel have recommended the repeal and replacement of the City’s current regulations for the licensing of pets, and revisions to the related fees; and

WHEREAS, the City Council finds and determines the recommended repeal, replacement and revisions of current pet licensing and fee regulations as set forth herein are in the best interest of the health, safety and welfare of the citizens of the City of Ovilla.

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

SECTION 1. AMENDMENT OF CHAPTER 2, ARTICLE 2.01, SECTION 2.01.001 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

Chapter 2, Article 2.01, Section 2.01.001, of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended in part by the following definition of a vaccinated animal:

Vaccinated animal. Unless otherwise indicated, an animal that has been vaccinated against rabies within the preceding twelve (12) months for animals being registered for a twelve-month period, or thirty-six (36) months for animals being registered for a thirty-six-month period.

SECTION 2. REPEAL AND REPLACEMENT OF CHAPTER 2, ARTICLE 2.02, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

Chapter 2, Article 2.02 of the Code of Ordinances of the City of Ovilla, Texas, is hereby repealed in its entirety and replaced with the following provisions:

**ARTICLE 2.02
REGISTRATION OF DOGS AND CATS**

Sec. 2.02.001 - Registration and vaccination required.

- (a) A person commits an offense if they own any dog or cat over four (4) months of age without having such dog or cat currently vaccinated against rabies.
- (b) A person commits an offense if they own any dog or cat over four (4) months of age without having such dog or cat currently registered with the City of Ovilla.
- (c) A person who owns a dog or cat commits an offense if they fail to display on such dog or cat both a current rabies vaccination tag furnished by a veterinarian and a current annual registration tag furnished by the City of Ovilla.

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(d) A person who owns a dog or cat commits an offense if they display on such dog or cat a rabies vaccination tag or registration tag issued to another animal.

(e) Each violation of this section constitutes a separate, punishable offense.

Sec. 2.02.002 - Issuance of registration.

(a) Written application for a dog or cat registration and payment of the applicable annual registration fee shall be made to the city's animal services manager or registration authority designated by the city council. The application shall include:

- (1) The name, telephone number, and address of the applicant;
- (2) A description of the animal, including name, breed, color, gender, and age;
- (3) A current and valid rabies certificate issued by a licensed veterinarian showing that said dog or cat has been vaccinated within the preceding twelve (12) months for animals being registered for a twelve-month period or thirty-six (36) months for animals being registered for a thirty-six-month period.
- (4) For registration of an animal as a sterilized animal, a certificate by a veterinarian or other clear and convincing evidence that the animal has, in fact, been sterilized; and
- (5) For registration of a microchipped animal, a certificate or other evidence establishing the animal's microchip identification number and registration bank.

(b) The annual registration fee shall be an amount set by the city council and set forth in Section A3.001 of the Appendix to this Code of Ordinances.

(c) No registration fee shall be required for the registration of:

- (1) A support dog which is professionally and specifically trained to assist a disabled owner;
- (2) A dog or cat which is owned by and residing with a person who is sixty-five (65) years of age or older;
- (3) A dog or cat which is owned by and residing with a person who provides proof of currently receiving Social Security disability income as a result of their own disability; and
- (4) A police service animal, as defined in Texas Penal Code, § 38.151.

(d) Registration shall be purchased for a period of twelve (12) months by making application as provided herein, providing proof of rabies vaccine certification, and payment of the appropriate fee.

(e) Upon acceptance of the registration application, the city's animal services manager or registration authority shall issue the owner a registration tag stamped with an identifying number for the dog or cat and designating the effective period. A registration certificate shall

also be issued which identifies the animal by age, gender, breed, color, name, and owner, the dates of issuance and expiration of the annual registration.

(f) In the event a registration tag or registration certificate is lost, the owner may obtain a duplicate tag or certificate after paying the applicable fee.

SECTION 3. AMENDMENT OF ARTICLE A3.000, SECTION A3.001 OF THE APPENDIX TO THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

Article A3.000, Section A3.001 of the Appendix to the Code of Ordinances of the City of Ovilla is hereby amended to read as follows:

Sec. A3.001 – Animal registration fees.

(a) Fees.

- (1) \$0.00 if the animal is microchipped (with documentation).
- (2) \$5.00 for animals not microchipped but spayed/neutered.
- (3) \$15.00 for animals not microchipped and not spayed/neutered.
- (4) Free for seniors (65+) or for persons with proof of physical disability.

(b) Replacement registration tag and/or certificate: \$5.00

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail and any and all such conflicting ordinances are hereby repealed.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such shall be deemed to be a separate, distinct and independent provision and such holding will not affect the validity of the remaining portions thereof.

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Ovilla, Texas, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

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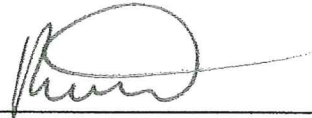
SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon the passage, approval and adoption by the City Council of the City of Ovilla, Texas.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication as provided by law.

PASSED, APPROVED and ADOPTED by the City Council of the City of Ovilla, Texas, on this 10TH day of MAY, 2021.



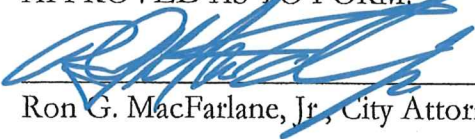
Richard Dormier, Mayor

ATTEST:



G Miller, City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney

