

STATE OF TEXAS

AN ORDINANCE OF THE CITY OF SEGUIN, TEXAS, AMENDING THE SEGUIN CODE OF ORDINANCES, CHAPTER 14, ANIMALS, ARTICLE I, IN GENERAL, TO CLARIFY SALE OF PROHIBITED ANIMALS; ARTICLE II, ADMINISTRATION, TO ADD A NEW SECTION RELATED TO SURRENDER OF ANIMALS; AND APPENDIX C, FEES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES

**WHEREAS**, recently an exhibition of venomous animals was held in the City wherein sales of such animals was offered; and

**WHEREAS**, such exhibitions and sales create safety issues particularly with regard to venomous reptiles that are not indigenous to Texas; and

**WHEREAS**, for the safety of Seguin residents and visitors, a clear ban on such activities is justified; and

**WHEREAS**, the Seguin Animal Services has problems with persons and entities surrendering unwanted animals of undeterminable origination to Animal Services; and

**WHEREAS**, as a matter of previous policy Animal Services does not take stray animals from areas outside the corporate limits of the City; and

**WHEREAS**, as a matter of sound policy and to protect available funding Animal Services the acceptance of surrendered animals should be restricted to those residing within the city limits; and

**WHEREAS**, when organizations and other third parties surrender animals to Animal Services there is no way to determine where such animals originate; and

**WHEREAS**, in order to keep the new Animal Services Facility ready and available for Seguin residents, staff recommends that the facility not accept animals from third parties.

**NOW THEREFORE BE IT RESOLVED** by the City Council of Seguin, Texas:

**SECTION ONE.** The Seguin Code of Ordinances, Chapter 14, Animals, Article I, In General, Section 14-5, Prohibited animals, is amended as follows(underlining indicates added text, ~~strikethrough~~ indicates deleted text):

**Sec. 14-5. - Prohibited animals.**

(a) As used in this section, the term "prohibited animal" means any animal not normally born and raised in captivity, including but not limited to the following:

- (1) *Class Reptilia*. Family helodermatidea (the venomous lizards) and all varanidae (monitor); order ophidia, family boidae (boas, pythons, anaconda); family hydrophiidae (marine snakes); family viperidae (rattlesnakes, pit vipers and true vipers); family elapidae (coral snakes, cobras and mambas); family colubridae, dispholidus typus (boomslang), cyclagras gigas (water cobra), boiga dendrophila (mangrove snake) and kirtlandii (twig snake) only; order crocodilia (crocodiles, alligators and gavials).

(2) *Class Aves*. Order falconiforms (such as hawks, eagles and vultures) and subdivision rapitae (such as ostriches, rheas, cassowaries and emus).

(3) *Class Mammalia*. Order canivora, (the family felidae) except cats; the family canidae (such as wolves, dingos, coyotes and jackals), except dogs; the family mustelidae (such as weasels, skunks, martins, mink, badgers); family procyonidae (raccoon); family ursidae (such as bears); and order marsupialia (such as kangaroos, opossums); order chiroptera (bats); order edentata (such as sloths, anteaters and armadillos); order proboscidea (elephants); order primata (such as monkeys, chimpanzees and gorillas); order rodentia (such as porcupines); and order ungulata (such as antelope, deer, bison and camels).

(4) *Class Amphibia*. Poisonous frogs.

The term "prohibited animal" does not include livestock, fowl, poultry or normal household pets, such as a psittacine bird, canary finch, cocatiel, hamster, guinea pig, gerbil, rabbit, ferret, fish or small, nonpoisonous reptiles.

(b) It shall be unlawful to harbor or maintain within the city limits any animal defined as a prohibited animal.

(c) It shall be unlawful to possess, breed, display or sell, or advertise the exhibition or sale any animal defined as a prohibited animal within the corporate limits of the City of Seguin.

**SECTION TWO.** The Seguin Code of Ordinances, Chapter 14, Animals, Article II, Administration, is amended by the addition of a new Section 14-36 to read as follows:

Sec. 14-36. Surrender of animals to the Seguin Animal Services Facility.

Seguin Animal Services will accept owner surrendered animals only from citizens who reside within the city limits of Seguin. Proof of residency is required. Seguin Animal Services will not accept owner surrendered or abandoned animals from a third party to include (but not limited to) any local animal controls, shelters, rescues, societies, clinics, or hospitals.

**SECTION THREE.** . Appendix C – Fee Schedule, Chapter 14, Animals, Article III, Dogs and Cats, of the Seguin Code of Ordinances is amended with the changes, additions, and reorganization to the existing list (all sections not appearing below remain unchanged) as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

(a) License fee 5.00

(b) Duplicate tag 1.00 no charge

(c) Dangerous dog annual registration 50.00

(d) Dangerous dog reregistration upon sale of dog or moving dog to new address ..... 25.00

(e) Impoundment fee for dogs and cats:

(1) Altered (1st offense) 20.00

- (2) Altered (2nd offense) 40.00
- (3) Altered (3rd offense) 60.00
- (4) Unaltered (1st offense) 35.00
- (5) Unaltered (2nd offense) 70.00
- (6) Unaltered (3rd offense) 105.00
- (5) Unaltered Cat or Dog (Additional Fee) 25.00
- (f) Quarantine Fee, per day (additional to boarding fee) Impoundment for rabies observation, per day 10.00
- (g) Daily Boarding fees, per day 10.00
  - (1) Dog/Cat 10.00
  - (2) Horse, cow or animal of same size 25.00
  - (3) Exotic Animal 15.00
  - (4) Goat, Sheep, Pigs or animal of same size 20.00
- (h) Adoption fee, includes microchip:
  - (1) Cats, includes spay/neuter surgery (if of age), first set of vaccinations, microchip and registration, City registration 75.00
  - (2) Dogs, includes spay/neuter surgery (if of age), first set of vaccinations, Heartworm test (over 6 months old), ~~heartworm treatment (if necessary)~~ microchip and registration, City registration 100.00
- (i) City license issued by veterinarians 5.00
- (j) Microchipping 10.00
- (k) Leashes (dependent on size) 10.00–12.00
- Collars (dependent on size) 7.00–9.00
- (l) Owner surrender or Euthanasia 20.00
- (m) Rabies testing (lab fee) 25.00
- (n) Rescue shelter license fee Facility Fees 50.00
- ~~(1) Rescue Shelter 50.00~~

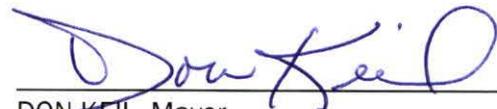
- (2) Pet Shop with animal sales 200.00
- (o) Pick up fee 15.00
- (p) Rabies Vaccine 10.00
- (q) Cremation Service
  - (1) up to 50 pounds 20.00
  - (2) ~~over 50~~ 50-100 pounds 50.00 ~~40.00~~
  - (3) over 100 pounds not taken
- (r) ~~Transfer of animal from shelter to other shelter, per animal 15.00~~

**SECTION FOUR.** In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall become effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

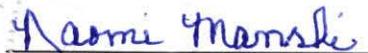
**SECTION FIVE.** If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

**PASSED AND APPROVED** on first reading this 7<sup>th</sup> day of March, 2017.

**PASSED AND APPROVED** on second reading this 21<sup>st</sup> day of March 2017.

  
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DON KEIL, Mayor

ATTEST:

  
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Naomi Manski, City Secretary