

ORDINANCE NO. O-18-11

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING
CHAPTER 10, ANIMALS, OF THE MISSOURI CITY CODE; AMENDING
REGULATIONS REGARDING THE ABANDONMENT, SURRENDER,
AND OWNERSHIP OF CERTAIN ANIMALS; PROVIDING FOR REPEAL;
PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.**

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WHEREAS, generally, the mission of the City of Missouri City (the "City") Animal Services is to protect the health, safety, and well-being of all people and animals in the City through enforcement of state and local laws and by providing compassionate care for every animal within the City's animal shelter; and

WHEREAS, to accomplish the aforementioned mission, the City provides temporary housing and humane care and treatment for shelter animals; and

WHEREAS, to provide high quality temporary housing for shelter animals, the City Council finds that penalizing owners for surrendering their animals may deter owners from taking such action; and

WHEREAS, the City Council finds that it is appropriate to clarify that ownership in animals at the City's shelter vests in the City after a time certain; and

WHEREAS, the City Council of the City of Missouri City now deems it appropriate to amend regulations regarding the abandonment, release, and ownership of certain animals; now therefore,

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The Missouri City Code is hereby amended by deleting Section 10-64 of Article III of Chapter 10 thereof and substituting therefor, a new Section 10-64 of Article III of Chapter 10 to provide as follows:

"Chapter 10 – ANIMALS

. . . .

ARTICLE III. - CARE AND CONTROL GENERALLY

. . . .

Sec. 10-64. - Abandonment or surrender of animal.

It shall be unlawful for an owner to abandon or surrender his animal. Any animal left without proper food, water or shelter shall be considered abandoned. Any animal left at the city animal shelter shall be considered surrendered.”

Section 3. The Missouri City Code is hereby amended by adding a new Section 10-110 of Division 2 of Article IV of Chapter 10 thereof to provide as follows:

“Chapter 10 - ANIMALS

ARTICLE IV. - IMPOUNDMENT

DIVISION 2. – DISPOSITION OF IMPOUNDED ANIMALS

Sec. 10-110. - Ownership of animals in city’s shelter.

Title and sole ownership of an animal that is not wearing current registration or vaccination metal certificates transfers to the city if such animal is not reclaimed by the owner after being held by the city for 72 hours from the time at which the city takes possession of the animal. Title and sole ownership of an animal wearing current registration or vaccination metal certificates transfers to the city if such animal is not reclaimed by the owner after being held by the city for six days from the time at which the city takes possession of the animal.”

Section 4. The Missouri City Code is hereby amended by deleting Section 10-116 of Division 2 of Article IV of Chapter 10 thereof and substituting therefor, a new Section 10-116 of Division 2 of Article IV of Chapter 10 to provide as follows:

“Chapter 10 - ANIMALS

ARTICLE IV. - IMPOUNDMENT

Sec. 10-116. - Euthanization at direction of owner.

Any owner who believes an animal to be ill or injured, may sign a written waiver, supplied by animal services, allowing the animal to be euthanized in a humane manner, provided that such warm-blooded animal has not bitten any human. Such animal that has bitten a human shall be held for a ten-day quarantine except where laboratory examination is provided for.”

Section 5. *Repeal.* All ordinances or parts of ordinances in conflict herewith, if any, shall be and are hereby repealed only to the extent of such conflict.

Section 6. *Penalty.* Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

Section 7. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 16th day of April, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this 7th day of May, 2018.

Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney