

ORDINANCE NO. 2013-570

AN ORDINANCE OF THE CITY OF WACO, MCLENNAN COUNTY, TEXAS; AMENDING SECTION 5-1 “DEFINITIONS” IN CHAPTER 5 “ANIMALS” OF THE CODE OF ORDINANCES TO ESTABLISH THE ANIMAL SHELTER AS THE DESIGNATED CARETAKER OF ALL ANIMALS UNPON INTAKE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

Section 1. That Sec. 5-1 “Definitions” in Chapter 5 “Animals” of the Code of Ordinances of the City of Waco, Texas, shall be and is hereby amended by adding the following language (additions):

Sec. 5-1. - Definitions.

Animal shelter shall mean a facility designated by the city council to be used for the impoundment of animals taken up by the animal control officers. The shelter shall be the designated caretaker of all animals upon intake.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-14 of the Code of Ordinances of the City of Waco, which shall be a fine of not less than \$1.00 and no more than \$500.00, and each day a violation exists shall be a separate offense.

Section 4. That the terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the

remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 5. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Waco, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

Section 6. That this ordinance shall take effect upon its passage as provided by the City Charter of the City of Waco.

Section 7. That nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 8. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

FIRST READING: this 3rd day of September, 2013.

SECOND READING: this 17th day of September, 2013.

John Kinnaird, Mayor Pro Tem
City of Waco, Texas

ATTEST:

Patricia W. Ervin, City Secretary

APPROVED AS TO FORM & LEGALITY:

Jennifer Richie, City Attorney