

ORDINANCE NO. 8016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, ARTICLES I, III, AND V, SECTIONS 8-2-1, 8-2-4, 8-2-12, 8-2-55, AND 8-2-81, AND CHAPTER 2-6, ARTICLE II, SECTION 2-6-27, TO REFLECT THE CITY'S EXPANDED RESCUE, FOSTER, AND TNR PARTNERSHIPS; PROVIDING FOR: SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, AND EFFECTIVE DATE.

WHEREAS, the City of Amarillo's Animal Management and Welfare is expanding its rescue, foster, and trap-neuter-return partnerships with animal welfare organizations and groups; and

WHEREAS, the City desires to update its ordinances to reflect this expansion;

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

SECTION 1. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-12 be and hereby is repealed and reserved as follows:

Sec. 8-2-12. – Reserved.

SECTION 2. The Amarillo Municipal Code, Chapter 2-6, Article II, Section 2-6-27 be and hereby as amended to now read as follows:

Sec. 2-6-27. - Members.

This Board shall consist of five (5) members, including one (1) faculty member from the Texas Tech University School of Veterinary Medicine. ~~two (2) of whom may be recommended by the Amarillo-Panhandle Humane Society.~~

SECTION 3. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-1 be and hereby is amended in part to now read as follows:

Community Cat Colony: Means a group of Community Cats that live together in one (1) territory and are managed by ~~the Amarillo-Panhandle Humane Society~~ a community organization authorized by the Director.

~~*Society:* Means the Amarillo-Panhandle Humane Society.~~

Trap, Neuter, and Return (TNR) Program: Means a program approved by the Director or designee of ~~the Amarillo-Panhandle Humane Society~~ a community organization approved by the Director which community Cats are captured,

evaluated, vaccinated for Rabies, neutered, micro-chipped, ear tipped, and returned to the trap location in order to encourage the stabilization of the free-roaming cat population in the city.

SECTION 4. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-4 be and hereby is amended in part to now read as follows:

Sec. 8-2-4. – Fees.

(a) [NO TEXT CHANGE]

~~(b) — *Humane society kenneling fees.* For kenneling of any Animal pursuant to section 8-2-55(a)(3) the society shall pay to the City the per animal per day fees required by contract with the City for this service.~~

~~(eb) [NO TEXT CHANGE]~~

~~(dc) [NO TEXT CHANGE]~~

SECTION 5. The Amarillo Municipal Code, Chapter 8-2, Article III, Section 8-2-55 be and hereby is amended in part to now read as follows:

Sec. 8-2-55. - Disposition of unclaimed or unredeemed Animals.

(a) After any impounded Animal that has become the property of the City pursuant to Section 8-2-15 and has remained unclaimed or unredeemed, the department shall have the following powers:

(1)-(2) [NO TEXT CHANGE]

(3) ~~*Transfer to Animal Foster or Rescue Partner Humane Society.*~~ The Animal Management & Welfare Department may transfer any impounded Animal that is unclaimed or unredeemed to an animal foster or rescue partner ~~the Amarillo Panhandle Humane Society~~ for the purposes of temporary foster care or rescue transport. ~~In the event of transfer of ownership for purposes of temporary foster care or rescue transport, the Amarillo Panhandle Humane Society shall pay to the Animal Management & Welfare Department the required kenneling fees set forth in this section 8-2-4(b).~~ Except as otherwise required by law, personal identifying information of a person who adopts or fosters an animal or a rescue organization that takes custody of an animal shall remain confidential.

(b) Surrendered, sick, unweaned or injured Animals.

(1) [NO TEXT CHANGE]

(2) Animals surrendered for adoption may only be destroyed upon order of the Director of Animal Management & Welfare, or his designee, ~~after taking into consideration the recommendation of the Humane Society representative, if reasonably available.~~

SECTION 6. The Amarillo Municipal Code, Chapter 8-2, Article V, Section 8-2-81 be and hereby is amended in part to now read as follows:

Sec. 8-2-81. - Community cat colonies.

(a) [NO TEXT CHANGE]

(b) It shall be the duty of any community organization approved by the Director ~~the Amarillo Panhandle Humane Society~~ to:

(1)-(2) [NO TEXT CHANGE]

(3) Maintain records provided by Community Cat Colony Caretakers on the size and location of the colonies as well as the vaccination, and neutered records of cats in the ~~Society's~~ colonies.

(4)-(7) [NO TEXT CHANGE]

(8) Provide to the Department access to records pertaining to the location, by address, of Community Cat Colonies where Community Cat Colony Caretakers have regularly failed to comply with this Ordinance or where the approved organization ~~Amarillo Humane Society~~ has been unable to resolve a nuisance behavior situation.

(c) Community Cat Colony Caretaker Responsibilities. In order to be an approved managed Community Cat Colony Caretaker, said Caretakers shall be responsible for the following:

(1) Registering the colony with the approved organization ~~Society~~.

(2)-(4) [NO TEXT CHANGE]

(5) Providing the approved organization ~~Society~~ descriptions of each cat in the colony and copies of documents demonstrating that the cats have been vaccinated, and neutered.

(6)-(11) [NO TEXT CHANGE]

(d) Withdrawal of Community Cat Colony Caretaker. In the event that a Community Cat Colony Caretaker is unable or unwilling to continue in that role, he or she shall notify the approved organization Society. In the event the approved organization Society is unable or unwilling to continue to perform its role, it shall so advise the Department.

(e) Removal of Community Cat Colony cats.

(1) [NO TEXT CHANGE]

(2) The Department, when in possession of a cat whose ear has been tipped indicating that it belongs to a Community Cat Colony, shall take reasonable steps to notify the approved organization Society of the description and sex of the cat, and if available, the address or location where the cat was trapped. The approved organization Society shall take all appropriate and available steps to identify the Community Cat Colony Caretaker of this cat

(3) [NO TEXT CHANGE]

SECTION 7. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 8. Repealer. Subject to the provision in Section 9 (Continuation of Prior Law), all ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 9. Continuation of prior law. Nothing in this ordinance or any code hereby adopted shall be construed so as to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause of action acquired existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just, vested, or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

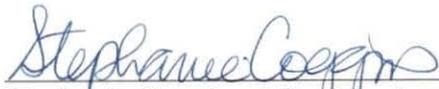
SECTION 10. Effective Date. This ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 13th day of September, 2022; and PASSED on Second and Final Reading the 27th day of September, 2022.



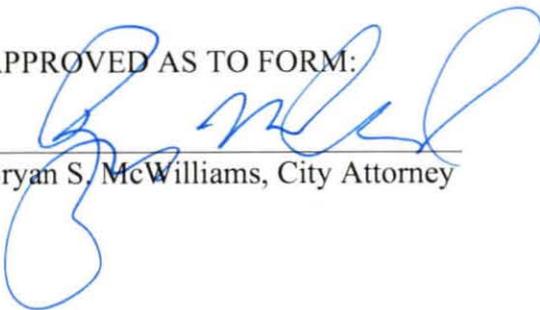
Ginger Nelson, Mayor

ATTEST:



Stephanie Coggins, City Secretary

APPROVED AS TO FORM:



Bryan S. McWilliams, City Attorney