

ORDINANCE NO. 7656

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, PROVIDING FOR THE DEFINITION OF A ROOSTER; AMENDING TRAP DEPOSIT FEE; PROVIDING FOR A CURRENT RABIES TAG; PROVIDING FOR STERILIZATION AND APPEAL BOND CONCERNING DANGEROUS ANIMALS; PROVIDING FOR CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION; ADDING BEASTIALITY AS A CRIMINAL OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, Chapter 8-2 of the Amarillo Municipal Code provides for and prescribes local requirements for custody and control of animals found within the City Limits; and

WHEREAS, the City Council finds that procedures are necessary for the management, welfare and disposition of animals found within the City Limits upon a violation of the prescribed requirements, in order to promote public health, safety, welfare, and protection of property;

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 8-2-1 be and hereby is AMENDED to now read as follows:

Sec. 8-2-1. - Definitions.

* * *

Rooster: a male domestic fowl or cock.

* * *

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

Sec. 8-2-4. - Fees.

[(a)-(b)] TEXT UNCHANGED

[(c)(1)-(6)] TEXT UNCHANGED

(7) Small Animal trap, deposit
(refundable upon timely return) ~~\$50.00~~ \$90.00.

[(8)] TEXT UNCHANGED

SECTION 3. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-9 be and hereby is amended to now read as follows:

Sec. 8-2-9. - Vaccination tag.

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P.O. Box 2901, Amarillo, Texas 806-376-4488
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Amarillo Daily News

CITY OF AMARILLO
CITY SECRETARY
PO BOX 1971
AMARILLO TX 79105

REFERENCE: 1000504077
G3737303 205 NORTH FAIRMONT STREET
3719 RIO GRANDE STREET

THE STATE OF TEXAS
BEFORE ME, a Notary Public in and for the
State of Texas, personally appeared

Diane Maynard

LEGAL CLERK of the Amarillo Globe-News Publishing
Company, after being by me duly sworn did dispose and
state that the above statement is true and correct and the
attached was published on the dates set forth therein.

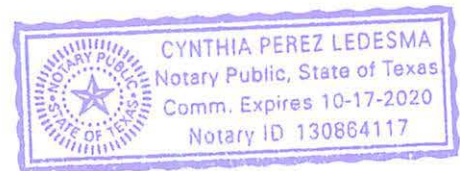
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council of the City of Amarillo, Texas, in the Council Chambers, Municipal Building, at 5:00 o'clock p.m. March 21, 2017 for the purpose of determining whether the conditions described below are a public nuisances, at which hearing the owners whose names appear below or any person interested are hereby summoned to appear and testify as to the issue to be decided.

Street Address and Nature of Nuisance.
Legal Description, Owner & Address

ADDRESS: 205 North Fairmont Street, Lot 3, Block 153, San Jacinto Heights Addition, Potter County, Texas. This property consists of a fire damaged residential structure, an accessory structure and an old foundation. **OWNER:** Joe Don Wright, Geneva Carol Wright, 2200 Southwest 7th Avenue, Apt. 506, Amarillo, Texas 79106-6775.

ADDRESS: 3719 Rio Grande Street, Lot 19, Block 2, Industrial City Addition, Potter County, Texas. This property consists of a partially collapsed accessory structure. **OWNER:** Gary Don Smith, c/o MRL, 99 South Taylor Street, Amarillo, Texas 79101-1546.



PUBLISHED ON: 03/03

FILED ON: 03/03/2017

Sworn and subscribed to before me the 6th day of March 20 17

Cynthia Perez Ledesma
Notary Public State of Texas



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APR 10 2017

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CITY OF AMARILLO

Upon complying with the vaccination provisions of this chapter, there shall be issued to the Owner a numbered metallic tag stamped with the number and expiration year. Dogs and cats shall at all times wear the current rabies vaccination tag issued to that Animal. The Owner or person in possession of a Miniature pig may not keep such Animal within the City of Amarillo without being able to provide proof of vaccination required by this chapter.

SECTION 4. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-10 be and hereby is amended to now read as follows:

Sec. 8-2-10. - Dangerous Animals.

[(a)(1) –(2)] TEXT UNCHANGED

(3) Have the Animal sterilized by a licensed veterinarian clinic located in

Randall or Potter County as approved by the Director or designee of

Animal Management & Welfare.

[(a)(4) –(11)] TEXT UNCHANGED

[(b) – (e)] TEXT UNCHANGED

[(f)(1)-(3)] TEXT UNCHANGED

(4) An appeal bond must be posted representing sixty (60) days of boarding costs at current set boarding rates.

[(f)-(i)] TEXT UNCHANGED

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

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

[(a) (1) –(2)] TEXT UNCHANGED

(3) *Transfer to Humane Society.* The Animal Management & Welfare Department may transfer any impounded Animal that is unclaimed and unredeemed to the Amarillo Panhandle Humane Society for the purposes of temporary foster care or adoption. In the event of transfer of ownership for purposes of adoption, the Amarillo Panhandle Humane Society shall pay to the Animal Management & Welfare Department the required fees set forth in this chapter. Except as otherwise required by law, personal identifying information of a person whom adopts or fosters an animal or a rescue organization that takes custody of an animal shall remain confidential.

~~(b)~~ TEXT UNCHANGED.

SECTION 6. The Amarillo Municipal Code, Chapter 8-2, Article III, Section 8-2-58 be and hereby is AMENDED to now read as follows:

Sec. 8-2-58. – Bestiality

(1). For the purposes of this section , the following terms shall have the following means:

(a.) Sexual conduct. Any touching or fondling by a person of the sex organs or anus of an animal or any transfer or transmission of semen by the person upon any part of the animal for the purpose of sexual gratification or arousal of the person.

(b) Sexual contact. Any contact, however slight, between the mouth, sex organ, or anus of a person and the sex organ or anus of an animal, any penetration, however slight, of any part of the body of the person into the sex organ or anus of an animal, or any penetration of the sex organ or anus of the person into the mouth of the animal for the purpose of sexual gratification or sexual arousal of the person.

(2). A person commits the crime of bestiality if he or she:

(a) Knowingly engages in or submits to any sexual conduct or sexual contact with an animal.

(b) Knowingly causes, aids, or abets another in engaging in any sexual conduct or sexual contact with an animal.

(c) Knowingly permits any sexual conduct or sexual contact with an animal upon premises under his or her control.

(d) Knowingly organizes, promotes, conducts, advertises, aids, abets, observes, or performs any service furthering an act involving sexual conduct or sexual contact with an animal for a commercial or recreational purpose.

(e) Knowingly permits or engages in any insertion or penetration of a foreign object into any organs or anus of an animal for the purpose of sexual arousal or gratification.

(3). Penalty. It is an offense to violate any provision or requirement of this section punishable upon conviction pursuant to 1-1-5 of this Code of Ordinances. This municipal criminal penalty is cumulative and not exclusive of any civil action or penal charge available under state law or other remedies provided by law or equity.

(4). This article shall not apply to accepted animal husbandry practices, conformation judging practices, or accepted veterinary medicine practices.

(5). If convicted the defendant shall be ordered to reimburse Amarillo Animal Management and Welfare for any reasonable costs incurred for the care and maintenance of any animals taken to the animal shelter as a result of conduct proscribed in subsection (2). This includes but is not limited to: kennel fees, vaccination fees, veterinary bills and diagnostic testing fees.

Secs. 8-2-59-8-2-70. – Reserved

SECTION 7. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

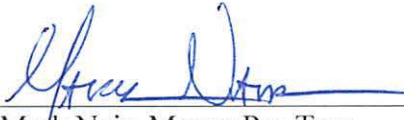
SECTION 8. Continuation. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or

causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance and such prior law is continued in effect for purposes of such pending matter.

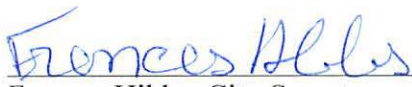
SECTION 9. Penalty. A violation of this ordinance is an offense punishable in accordance with Section 1-1-5 of this code of ordinances.

SECTION 10. Publishing and Effective Date. This ordinance shall be published and become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 7th day of March, 2017; and PASSED on Second and Final Reading the 14th day of March, 2017.


Mark Nair, Mayor Pro Tem

ATTEST:


Frances Hibbs, City Secretary

APPROVED AS TO FORM

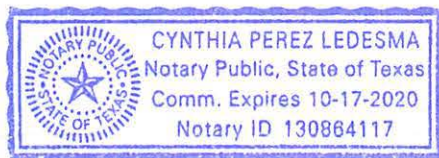

William M. McKamie, City Attorney

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P.O. Box 2901, Amarillo, Texas 806-376-4488
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Amarillo Daily News

CITY OF AMARILLO
PO BOX 1971
AMARILLO TX 79105

REFERENCE: 1000501044
G3742902 NOTICE OF PASSAGE OF ORDINANCE NO 7656



THE STATE OF TEXAS
BEFORE ME, a Notary Public in and for the
State of Texas, personally appeared

Diane Maynard
LEGAL CLERK of the Amarillo Globe-News Publishing
Company, after being by me duly sworn did depose and
state that the above statement is true and correct and the
attached was published on the dates set forth therein.

NOTICE OF PASSAGE OF ORDINANCE

Ordinance No. 7656 passed on March 14, 2017, amending the Amarillo Municipal Code, Chapter 8-2, Section 8-2-1, Section 8-2-4, Section 8-2-10, Section 8-2-55 and Section 8-2-58, to provide for the definition of a rooster; amending trap deposit fee; providing for current rabies tag; providing for sterilization and appeal bond concerning dangerous animals, providing for confidentiality of personal identifying information, adding bestiality as a criminal offense; providing for severability; providing for repealer; providing for continuation of prior law; providing penalty; providing for publication and effective date.

It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

This ordinance shall become and be effective on and after ten (10) days following the date of its second publication as required by the Charter of the City of Amarillo but in no event later than April 3, 2017.

Frances Hibbs, City Secretary

PUBLISHED ON: 03/17, 03/24

FILED ON: 03/17/2017

Sworn and subscribed to before me the 29 day of March 2017

Cynthia m/ Ledesma
Notary Public State of Texas



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