

ORDINANCE 2015-07

AN ORDINANCE AMENDING CHAPTER 10 OF THE CLEAR LAKE SHORES MUNICIPAL CODE BY AMENDING THE VARIOUS FEES AND CHARGES TO BE LEVIED FOR SPECIFIED PURPOSES RELATED TO THE KEEPING OF ANIMALS, PROVIDING FOR PENALTIES FOR VIOLATIONS, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Clear Lake Shores, Texas has entered into a contract providing for the administration of the City's animal control functions; and

WHEREAS, the contracting firm has specified what its fees must be in the contract previously approved by the City Council,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS that:

Section 1. Section 10-57 of the Clear Lake Shores Municipal Code be and the same is hereby amended to read as follows:

Sec. 10-57. Issuance of identification tag.

Upon presenting an official rabies vaccination certificate indicating compliance with the schedule of vaccinations set forth in Sec. 10-22, completing any required application form and remitting the applicable fee, the animal control authority may issue the owner of a dog or cat an identification tag for any of the owner's dogs and/or cats that are kept, harbored or maintained within the corporate limits of Clear Lake Shores. The fee for registration and the issuance of an identification tag for animals shall be ten dollars (\$10.00) per animal that has been altered (spayed or neutered) and twenty-five dollars (\$25.00) for animals that are unaltered.

Section 2. Section 10-61(a) of the Clear Lake Shores Municipal Code be and the same is hereby amended to read as follows:

Sec. 10-61. (a) Impounding of untagged animals.

- (a) It shall be the duty of the humane officer(s) or other personnel, as employees of the contracted animal control authority charged with the responsibility of the enforcement of this article, or any police officer or peace officer, to capture and impound any animal running at large within the city limits, or any animal found in the city limits that does not have attached to it an identification tag and a rabies vaccination tag required by this article. The owner of such animal may reclaim and take possession thereof by paying an impound fee of fifty dollars (\$50.00) for the first day of impoundment and an additional fee of ten dollars (\$10.00) for each additional day the animal is impounded. In addition, if the owner or custodian of the animal does not have and produce a certificate showing that such animal has been vaccinated as required by this article, then such animal can be redeemed only after it has been vaccinated and tags procured as provided in this article. In the event such animal

is not claimed by its owner or custodian within 72 hours after impoundment, it shall be the right of the humane officer or other employee of the contracted animal control authority to either take ownership of the animal and provide for the vaccination of the animal and make it eligible for adoption or destroying the animal.

Section 3. Section 10-63 of the Clear Lake Shores Municipal Code be and the same is hereby amended to read as follows:

Sec. 10.63. Required observation of animals that have bitten persons.

If any animal shall have bitten any person, the owner or custodian of the animal shall confine and quarantine the animal for a period of ten days. In the event the animal is not voluntarily quarantined, the same shall be impounded and quarantined by the animal control authority, the police or any peace officer for observation for a period not to exceed ten days. If the animal is quarantined by the animal control authority, the police or any peace officer, a fee of two hundred dollars (\$200.00) per occurrence shall be imposed on the owner or custodian of the animal. If such fee is not paid and the animal reclaimed within 24 hours following the expiration of the quarantined period, the owner or custodian of the animal shall be charged an additional ten dollars (\$10.00) per day or portion of a day. If said fees are not paid and the animal reclaimed within 72 hours following the expiration of the quarantine period, the animal may be made available for adoption or it may be destroyed at the option of the animal control authority.

Section 4. Section 10-156 of the Clear Lake Shores Municipal Code be and the same is hereby amended to read as follows:

Sec. 10-156. Unlawful activities.

It is unlawful to trap, hunt, shoot or attempt to shoot in any manner any bird or wild fowl or to rob or disturb occupied nests of birds or wild fowl within the corporate limits of the City of Clear Lake Shores, except for the Muscovy Duck breed which may be trapped and humanely euthanized and the eggs of Muscovy Ducks may be addled.

Section 5. All provisions of any ordinance in conflict with this ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions shall remain in full force and effect.

Section 6. Should any section, subsection, clause or phrase of this ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this ordinance shall remain in full force and effect.

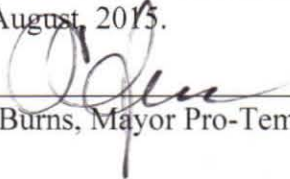
Section 7. This ordinance shall be shall be effective immediately upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR PRO-TEM OF THE
CITY OF CLEAR LAKE SHORES THIS 18th day of August, 2015.

Attest:


Christy Stroup, City Secretary




Al Burns, Mayor Pro-Tem