

ORDINANCE NO. 3210

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF MESQUITE RELATING TO ANIMAL ADOPTION POLICIES SPECIFICALLY BY AMENDING SECTION 4-53(a)(4) TO PROVIDE FOR REIMBURSEMENT OF A PORTION OF THE ADOPTION FEE; ADDING SECTION 4-55 TO PROVIDE FOR ALLOCATION OF A PORTION OF THE REGISTRATION FEE TO PERSONS AUTHORIZED AS REGISTRARS; ADDING SECTION 4-56 TO PROVIDE FOR A PROCEDURE FOR REDEEMING VOUCHERS; AMENDING SECTION 4-103(b) PROVIDING FOR AN INCREASE IN THE RECLAMATION FEE FOR REPEAT OFFENDERS AND REQUIRING PROOF OF RABIES VACCINATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS; the City Council of the City of Mesquite, Texas has determined that it is in the best interest of the City and its citizens to amend Chapter 4 of the Code of the City of Mesquite relating to animal adoption policies;

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

SECTION 1. That Chapter 4 of the Code of the City of Mesquite is hereby amended as follows, in all other respects said Code to remain in full force and effect:

A. Amend Section 4-53(a)(4) to read as follows:

(4) Pays an adoption fee of forty-five dollars (\$45.00). Upon payment of this fee, a sterilization voucher in the amount of thirty dollars (\$30.00) and a vaccination voucher in the amount of ten dollars (\$10.00) will be issued to the adopter. The adopter or any licensed veterinarian who has accepted such voucher(s) for services performed on behalf of the adopter will be entitled to reimbursement of said amounts if the vouchers are validated by a licensed veterinarian within the period designated by animal control and said validated vouchers are then redeemed for face value in accordance with section 4-56 of this division. In addition, a city registration tag will be provided at no additional cost to the adopter upon proof of sterilization and vaccination of the adopted dog or cat.

B. Amend Chapter 4, Article III., Division 1 by adding a new section 4-55 and 4-56 to read as follows:

**Sec. 4-55. Registration by authorized persons.**

(a) Animal control may, upon receipt of an application on a form provided for that purpose, authorize any licensed veterinarian, retail pet store or any other person to collect the annual registration fee for a dog or cat.

(b) An authorized registrar may issue city tags at the time of vaccination and/or sterilization or with proof thereof and upon payment of the appropriate fee. An authorized registrar shall not register a dog or cat without proof that the animal is currently vaccinated.

(c) As a service charge for processing the registration, an authorized registrar may keep fifty percent (50%) of the total funds collected in registration fees on behalf of the city.

(d) Animal control shall provide all authorized veterinarians with the necessary forms and city tags for registrations. Animal control shall establish a collection procedure for the registration fees and a format for the forms and registration tags which will be issued upon recordation of the appropriate information.

(e) An authorized registrar must submit the report forms to animal control on a monthly basis along with a check made payable to the city for fifty percent (50%) of the total registration fees collected.

(f) An authorized registrar who fails to comply with the procedures and requirements for the collection and payment of registration fees established pursuant to this section forfeits reimbursement of the service charge. An authorized registrar must be able to account at all times for all registration tags issued to the registrar by animal control.

**Sec. 4-56. Redemption of vouchers.**

A holder of a voucher may get reimbursed for the face value of such voucher(s) by submitting same to animal control within thirty (30) days from the date of expiration set forth in the voucher(s). Re-imburements will be processed by the city and a check for the face value of each voucher will then be mailed to the redeemer within thirty (30) days of the date submitted.

C. Amend Section 4-103(b) to read as follows:

(b) Any person owning an animal impounded hereunder shall be allowed to take such animal from the place where impounded upon the following conditions:

- (1) Payment to the city of the following impoundment fee:
  - a. for first time offenders: a fee of twenty dollars (\$20.00) plus five dollars (\$5.00) per day or fractional part thereof for boarding fees for each day
  - b. for repeat offenders: a fee of forty dollars (\$40.00) plus five dollars (\$5.00) per day or fractional part thereof for boarding fees for each day if such offender has reclaimed any animal impounded by the city on a prior occasion.

(2) A showing by the owner of a valid rabies vaccination certificate. Owners unable to confirm rabies vaccination will be charged an additional ten dollars (\$10.00) as a maintenance fee. Upon payment of this fee, a ten dollar (\$10.00) rabies voucher will be provided by animal control. The voucher may be redeemed as provided herein. An animal must be vaccinated within twenty-four (24) hours of being reclaimed if it has not been previously vaccinated as required.

(3) That the owner of the animal secure a registration tag for such animal, if required, as provided herein.

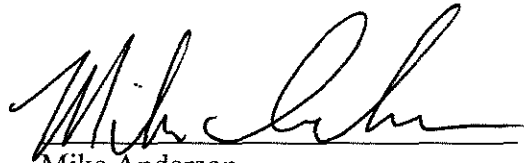
SECTION 2. That all provisions of the ordinances of the City of Mesquite, codified or uncodified, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the ordinances of the City of Mesquite, codified or uncodified, not in conflict with the provisions of this ordinance, shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph, or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the remainder of this ordinance, Chapter 4 or any other provision of the Code of the City of Mesquite.

SECTION 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed two thousand (\$2,000.00) Dollars for each offense.

SECTION 5. That the present ordinances of the City of Mesquite are inadequate to regulate the adoption of animals which creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

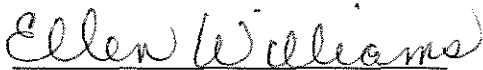
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 16 day of February, 1998.



Mike Anderson  
Mayor

ATTEST:

APPROVED:



Ellen Williams  
City Secretary



B.J. Smith  
City Attorney