

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 4-53 IN ITS ENTIRETY AND ADDING A NEW SECTION 4-53 THEREBY ESTABLISHING NEW ADOPTION PROCEDURES FOR ANIMALS ADOPTED FROM THE CITY OF MESQUITE ANIMAL SHELTER AND ADOPTION CENTER; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

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, Texas, as amended, is hereby amended by deleting Section 4-53 in its entirety and adding a new Section 4-53 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

**Sec. 4-53. Adoption procedures.**

- (a) An individual may adopt a dog or cat from the City Animal Shelter under the following conditions:
  - (1) The animal has been classified as adoptable by the Supervisor of Animal Control;
  - (2) The prospective adopter has proper facilities to care for the animal;
  - (3) Prospective adopter pays an adoption fee of \$100.00 per dog/puppy and \$80.00 per cat/kitten.
    - a. The Supervisor of Animal Control may reduce or waive adoption fees for purposes of participation in local adoption events.
    - b. The Supervisor of Animal Control may reduce adoption fees to \$35.00 for animals who are determined to be altered prior to impound.
  - (4) Prospective adopter agrees to release the animal to the City's veterinary services provider for the spaying or neutering of the animal and the administration of vaccines for the animal. The adopter also agrees to have a microchip implanted in the animal for the purpose of identifying the animal should it be found without proper identification visible. In addition, a City registration tag will be provided at no additional cost to the adopter upon release of the animal.
    - a. *Exemption.* An animal determined to be previously altered prior to impound does not require veterinary release before adoption but the adopter must have the animal vaccinated for rabies and registered within 24 hours of the time of adoption.

- (b) The Supervisor of Animal Control may refuse to allow a person to adopt a cat or dog whom the Supervisor has reason to believe:
- (1) Would not be able to obtain a registration certificate under restrictions of this Code;
  - (2) Would not have proper facilities to contain or care for the animal, as required by this Code;
  - (3) Wants the dog or cat for the purpose of resale or for purposes other than pet ownership; or
  - (4) Has surrendered two or more animals in a 12-month period for reasons other than the health of the animal.

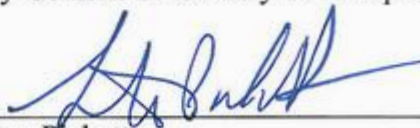
SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

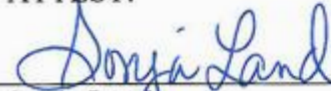
SECTION 5. That this ordinance shall take effect on and after October 30, 2015.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of September, 2015.



Stan Pickett  
Mayor

ATTEST:



Sonja Land  
City Secretary

APPROVED:



B. J. Smith  
City Attorney