

## ORDINANCE NO. 165-B

**AN ORDINANCE AMENDING ORDINANCE NO. 165-A OF THE CITY OF WALLIS, TEXAS, REGULATING ANIMALS WITHIN THE CITY; BY AMENDING ARTICLE III TITLED "RABIES CONTROL, SECTION III-I "NUMBER OF ANIMALS PERMITTED;" PROVIDING A PENALTY NOT TO EXCEED \$500.00 FOR VIOLATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE FOR THIS ORDINANCE.**

**WHEREAS**, the City Council of the City of Wallis, Texas, adopted an ordinance providing for regulation of Animals being Ordinance Number 165 on the 18th day of April, 2007; and

**WHEREAS**, the City Council of the City of Wallis, Texas, determined that said ordinance should be amended to add a new section defining and prohibiting nuisances caused by animals being Ordinance Number 165-A on the 19th day of November, 2008; and

**WHEREAS**, the City Council of the City of Wallis is continually reviewing the provisions of the City Ordinances relating to nuisances, land use and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants and has determined that said ordinance should be amended to prohibit nuisances caused by the permitted number of animals allowed in kennels as defined herein;

**WHEREAS**, notice of the agenda for this meeting, was given in accordance with law by posting the same at the place reserved and designated for notices of public meetings and public activities and prior to the adoption of this ordinance; **AND NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALLIS, TEXAS:**

1. The City Council of the City of Wallis having reviewed the findings of fact and conclusions as herein set out and adopts the same for inclusion in this ordinance as if the same had been repeated verbatim herein.
2. Ordinance Number 165-A, which amended Ordinance Number 165 of the City of Wallis, Texas is hereby amended by deleting the old Section III-I and adding a new Section III-I in Article III, titled "Rabies Control" as shown below.

**"Sec. III-I Number of animals permitted.**

(a) No person shall harbor or keep more than (a) four (4) dogs over the age of four (4) months, or (b) ten (10) dogs under the age of four (4) months, except in a clinic or hospital of a licensed veterinarian or an official animal pound so designated and approved by the City.

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(b) No person shall harbor or keep more than (a) four (4) cats over the age of four (4) months, or ten (10) cats under the age of four (4) months, except in a clinic, or hospital of a licensed veterinarian or an official animal pound so designated and approved by the City.”

3. All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

4. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Wallis, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

5. The City Council finds, determines and declares that a sufficient written notice was posted and this Amending Ordinance was passed in accordance with the Open Meetings Act. The City Secretary shall give notice of the enactment of this Ordinance Number 2011-165-B by promptly publishing it or its descriptive caption and penalty for violation in the official newspaper of the City in the manner provided for by Section 52.011(a) of the Local Government Code; the Ordinance to take effect upon publication. The City Secretary is directed to attach the notice and date of publication to this Amending Ordinance.

PRESENTED on the 20th day of APRIL, 2011, and passed and approved by a vote of 5 ayes and 0 nays at a regular meeting of the City Council of the City of Wallis, Texas.

APPROVED and EXECUTED this, the 20TH day of APRIL, 2011.

CITY OF WALLIS, TEXAS

  
TONY SALAZAR, Mayor

ATTEST:

  
D.J. SOMMERS, City Secretary

City Seal