

FILE NO. 843070

(AMENDED) ORDINANCE NO. 59A

WHEREAS, THE CITY OF WALLIS, TEXAS, enacted Ordinance No. 59 on the 10th day of June, 1980, regulating animals within the City limits of Wallis, Texas, and;

WHEREAS, the City Council has determined that said Ordinance No. 59 should, in the interest of the public, be amended in certain respects as herein setout;

NOW THEREFORE, BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF WALLIS, TEXAS, that Ordinance No. 59 is hereby amended as follows by adding the following numbered Sections and paragraphs to said Ordinance:

Section 12. Except in a dangerous and/or emergency situation wherein the City Health Officer and/or a duly authorized peace officer shall act to protect the public health or safety, all other violations of this ordinance to be enforced hereunder shall be commenced by the filing of a written complaint stating fully and clearly the description of the subject animal violating the ordinance, the purported owner of such animal, address of the owner, location of th animal and specific acts or conditions being the basis of the complaint, and the times and dates of such violations. The complainant must reside or work within a reasonable vicinity of the location of the offending animal in order to have proper standing to file such complaint.

Section 13. After filing of a proper complaint, and the proper investigation by the police department has been made to determine the validity of such complaint, a copy of same shall be served upon the owner of the animal by personal service by a duly authorized City police officer or same may be served by the police department by certified mail. The owner of such animal shall have ten (10) days from actual service to correct, abate, cease, desist and prevent any future violations complained of, and if such violations continues after said ten (10) day warning period, the police department shall proceed to issue a citation and seek to impose such penalties as setout in Section 11 herein.

This Ordinance shall be effective from and after passage.

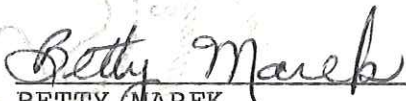
If for any reason any section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, word, phrase, clause or provision of this Ordinance be given full force and effect for its purpose.

Passed by an affirmative vote of all members of the City Council, this 8th day of May, 1984.


ATTEST:

APPROVED:

BY:

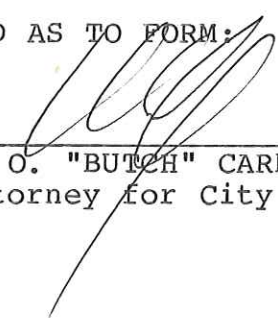

BETTY MAREK,
City Clerk

BY:


MAYOR CHARLES DUSEK, JR.,
CITY OF WALLIS, TEXAS

APPROVED AS TO FORM:

BY:


V. O. "BUTCH" CARDEN, JR.,
Attorney for City

THE STATE OF TEXAS :
COUNTY OF AUSTIN :

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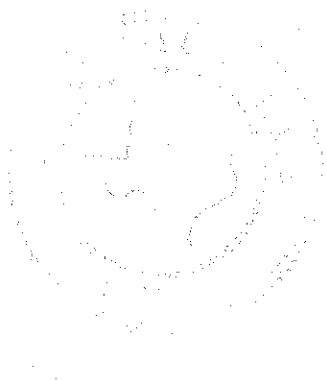
CERTIFICATION OF
ORDINANCE BY CITY SECRETARY

No. 59A

I, BETTY MAREK, duly authorized and appointed City Secretary of the City of Wallis do hereby certify by my hand and seal of office that the foregoing ordinance as setout above is a true and correct copy of an ordinance that was duly introduced, approved and passed on the 8th day of May, 1984, in a regular meeting by unanimous vote of all the members of the City Council who were present, being a quorum thereof.

And further this officer was directed by said City Council to enter said ordinance on the books of said City and to attach thereto for recording in the County Clerk's office of Austin County, Texas.

Betty Marek
BETTY MAREK, CITY SECRETARY
City of Wallis
Austin County, Texas



FILED FOR RECORD
AT 4:15 O'CLOCK P. M.

JUN 1 1984

DOROTHY HIMLY
CLERK COUNTY COURT, AUSTIN CO., TX
By Jamie Willingham Deputy
JAMIE WILLINGHAM

STATE OF TEXAS COUNTY OF AUSTIN
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Austin County, Texas as stamped hereon by me on

JUN 12 1984



DOROTHY HIMLY
County Clerk, Austin, County, Texas

By Deborah Stewart Deputy
DEBORAH STEWART