

ORDINANCE O-09 -2024

AN ORDINANCE OF THE CITY COUNCIL, CITY OF JACKSBORO, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JACKSBORO BY AMENDING CHAPTER 3. ANIMAL CONTROL, ARTICLE 3.01 GENERAL PROVISIONS, §3.01.009. IMPOUND FEES; ADOPTION PROCEDURE FOR DOGS AND CATS, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 28, 1984, the City Council of the City of Jacksboro, Texas adopted guidelines regarding the adoption procedures for dogs and cats by passing Ordinance 358; and

WHEREAS, the City Council of the City of Jacksboro finds a need to amend the current Code of Ordinances, "Chapter 3. Animal Control", to adopt the guidelines provided within the "Health and Safety Code, Title 10. Health and Safety of Animals; Chapter 828., Dog and Cat Sterilization"; and

WHEREAS, the City Council of the City of Jacksboro desires to enact a mandatory sterilization requirement for all animals released for adoption from the City of Jacksboro Animal Shelter, aka The Dr. Paul and Harriett Lillard Memorial Animal Shelter; and

WHEREAS, the City Council believes it is in the best interest of the citizens of the City of Jacksboro, Texas, to adopt the additional sterilization requirement for adoption in order to aid in controlling the population of stray animals within the City of Jacksboro, and Jack County.

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

SECTION 1. All the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The attached amendments to "Chapter 3., Animal Control" are hereby incorporated into the City of Jacksboro Code of Ordinances, "Article 3.01 General Provisions; § 3.01.009. Impoundment fees; adoption procedure for dogs and cats".

SECTION 3. SEVERABILITY CLAUSE. Should any section, subsection, sentence, clause, phrase of this Ordinance, or the Code of Ordinances, as amended hereby, be declared unconstitutional or invalid by a court of competent jurisdiction, the same shall not affect the validity of the remaining portions of said Ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. REPEALER CLAUSE. All provisions of the Code of Ordinances of the City of Jacksboro, Texas, in conflict with the provisions of this Ordinance, be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage, approval and publication.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS ON THE 26TH DAY OF AUGUST, 2024.

CITY OF JACKSBORO



Craig Fenter
Mayor

ATTEST:

Shalyn Burritt
Shalyn Burritt
City Secretary

APPROVED AS TO FORM: SPILLER & SPILLER
P. O. Drawer 447
Jacksboro, Texas 76458
Telephone: (940) 567-6644
Facsimile: (940) 567-3999

By: David Spiller
David Spiller
State Bar No. 18934950
Email: david@spillerlaw.net
Mason Spiller
State Bar No. 24095168
Email: mason@spillerlaw.net
Reid Spiller
State Bar No. 24111067
Email: reid@spillerlaw.net
Attorneys for the City of Jacksboro

EXHIBIT A

ARTICLE 3.01. GENERAL PROVISIONS

§ 3.01.009 Impoundment fees; adoption procedure for dogs and cats.

(a) Impoundment fees generally. Impoundment fees for each impoundment within a 12-month period shall be established from time to time by the city council and shall be on file with the city clerk.

(1) Fees shall be determined for the following classes:

Class	Description
Class A-1	Surgically sterilized dogs and cats
Class A-2	Dogs and cats
Class B	Small livestock
Class C	Large livestock
Class D-1	Wild animal unconfined
Class D-2	Wild animal confined

(2) If proof of surgical sterilization is provided within 15 days from the date an animal is released, the difference in impoundment fees between altered and unaltered animals shall be refunded. Dogs and cats under the age of six months shall be charged the same impoundment fee as sterilized animals. Animals may be exempted from sterilization upon written recommendation from a veterinarian licensed to practice in the state that such sterilization would be harmful or dangerous to the animal, and owners of such animals will be subject to the lower impoundment fee.

(3) Animals not listed hereinabove shall be disposed of at the discretion of animal control. Any animal impounded more than four times in a 12-month period will not be released to the owner without the written approval of the supervisor of animal control. Impoundment for such animal will be double the highest fee.

(b) Daily handling fee. A daily handling fee shall be charged for every day or fraction of a day that an animal is held at the animal control facility. The fee shall be based on the class of animal identified in subsection (a) of this section, and shall be established from time to time by the city council and shall be on file with the city clerk.

(c) Quarantine fee. The owner of any animal held in quarantine for observation purposes shall be charged a fee established by the city council and on file with the city clerk for every day or fraction of a day the animal is held at the facility. This fee is in addition to any impoundment fee.

(d) Adoption procedures.

(1) An individual may adopt an animal (dogs and cats only) from the city animal shelter under the

following conditions:

- (A) The animal has been classified as adoptable by the supervisor of animal control;
- (B) The prospective adopter has proper facilities to care for the animal;
- (C) The prospective adopter obtains all necessary vaccinations, **sterilization** and registrations; and
- (D) The adopter shall pay an adoption fee as set forth in the fee schedule in appendix A of this code.

(2) The purchaser of any dog or cat must have it vaccinated, sterilized, and obtain a city license within 30 days after purchase. **Proof of sterilization must be shown either the 30th day after the date of the adoption in the case of an adult animal; or; the 30th day after a specified date estimated to be the date an adopted infant female animal becomes six months old or an adopted infant male animal becomes eight months old (HSC Chapter 828) by letter signed by the veterinarian who performed the sterilization.** Failure to provide a letter may result in the reclamation of the adopted animal by the animal control officer.

(3) The supervisor of animal control may refuse to allow a person to adopt an animal whom he or she has reason to believe:

- (A) Would not be able to obtain a registration certificate under the restrictions of this chapter;
- (B) Would not have proper facilities to contain or care for the animal as required by this chapter; or
- (C) Wants the animal for resale or purpose other than pet ownership.
- (D) **Refuses to comply with the vaccination and sterilization requirements.**

(1984 Code, sec. 3-6; Ordinance 13 adopted 8/6/1902; Ordinance adopted 4/17/1911; Ordinance adopted 5/29/1918; Ordinance adopted 10/22/1918; Ordinance 358 adopted 2/28/1984; 1997 Code, sec. 90.09, Ordinance O-09-2024 adopted 08/26/2024.)