



City of Pflugerville

Legislation Details (With Text)

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|----------------------|---|----------------------|---|--------------|--|
| File #: | ORD-0548 | Version: | 3 | Name: | |
| Type: | Ordinance | Status: | Approved | | |
| File created: | 10/13/2020 | In control: | Pflugerville Animal Welfare Services (P.A.W.S.) | | |
| On agenda: | 11/24/2020 | Final action: | | | |
| Title: | Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville amending Title IX, Chapter 90 Animals by repealing and replacing said chapter; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 90, as a Class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date. | | | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance_Repeal and Replace Chapter 90 Animals, 2. Exhibit A: Ordinance Chapter 90 Animals

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|----------------------------|--------|
| 11/24/2020 | 3 | City Council | Approved on Second Reading | Pass |
| 11/10/2020 | 2 | City Council | Approved on First Reading | Pass |
| 10/13/2020 | 1 | City Council | | |

Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville amending Title IX, Chapter 90 Animals by repealing and replacing said chapter; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 90, as a Class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date.

Chapter 90 has only had a few minor revisions since 1995. As a result, the majority of ordinances within Chapter 90 need to be updated to ensure compliance with state law, to ensure they do not conflict with zoning or other ordinances, to provide clarity and to reflect best practices. Due to the number of needed changes, staff recommends to repeal and replace the entire chapter.

Notable Changes to Chapter 90 are:

Animal Shelter Advisory Committee (§ 90.04) as required by state law, appointed annually by City Council;

The Director of Animal Welfare Services administers this chapter (currently the Chief of Police);

Local Rabies Control Authority (§ 90.06) as required by state law;

Treatment of Animals (§ 90.21) to address inhumane treatment that does not rise to the level of cruelty filing with County courts;

Animal Housing and Enclosures (§ 90.22) to address shelter and dog house requirements;

Dangerous Dogs (§ 90.40) to allow us to impound and hold for hearing or compliance a dog declared dangerous under state law;

Dangerous Wild Animals (§ 90.50) to prohibit certain wild animals from being owned or possessed inside the city limits;

Livestock Nuisance Conditions (§90.75) to set minimal standards on housing livestock near other residential properties, public parks and school properties;

Aggressive dogs to be addressed through the public nuisance provision of the ordinance;

Removal of Commercial Animal Establishment section which conflicts with zoning ordinances and permitting requirements through Development Services; and

Reducing the stray hold period from five calendar days to three business days. As most animals are claimed within three days (93%), this change will increase efficiency by allowing staff to begin the vetting and adoption process earlier.

Prior City Council Action

Chapter 90 of the Code of Ordinances was last amended in 2010.

At the October 13, 2020 Regular City Council Meeting, this item was removed from the consent agenda and no action was taken to allow staff to make minor amendments to the ordinance for consideration at an upcoming meeting.

The City Council approved the ordinance on first reading on November 10, 2020.

Deadline for City Council Action

There is no deadline for action.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒

Budgeted Item: Yes ☐ No ☐ N/A ☒

Amount: _____

1295 Form Required? Yes ☐ No ☒

Legal Review Required: N/A ☐ Required ☐ Date Completed: 10/20/2020

Supporting documents attached:

Ordinance Repeal and Replace Chapter 90 Animals

Exhibit A: Ordinance Chapter 90 Animals

Recommended Action

Approve the ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville amending Title IX, Chapter 90 Animals by repealing and replacing said chapter; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for violation of Chapter 90, as a Class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date.

