

ORDINANCE NO. 2009-08

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING CHAPTER 6, ANIMALS OF THE SAGINAW CITY CODE BY ADDING SECTION 6-1 WHICH ESTABLISHES AN ANIMAL SHELTER ADVISORY COMMITTEE AND PROVIDES FOR THE PURPOSES AND MEMBERSHIP OF THE COMMITTEE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING THAT THIS ORDINANCE IS SEVERABLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code;

WHEREAS, Section 823.005 of the Health and Safety Code requires the governing body of a municipality in which an animal shelter is located to appoint an advisory committee to assist in compliance with the requirements of Chapter 823 of the Health and Safety Code; and

WHEREAS, the City Council of the City of Saginaw desires to appoint an animal shelter advisory committee as required by Section 823.005.

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

SECTION 1.

That the Saginaw City Code is hereby amended by adding the following new section:

"Sec. 6-1. Animal shelter advisory committee.

(a) Creation. There is hereby created, pursuant to the Texas Health and Safety Code, § 823.005, an animal shelter advisory committee.

(b) Purpose. The purpose of the committee shall be to assist animal shelters located within the city limits regarding compliance with Chapter 823 of the Health and Safety Code. Additionally, upon request of the city council, the committee may: (i) provide recommendations to the city regarding its compliance with the Texas Rabies Control Act and (ii) recommend ways to improve the efficiency and cost effectiveness of the city's animal control program.

(c) Terms. The committee shall consist of five regular members and two alternate members appointed by a majority vote of the city council. Committee members shall serve two-year terms except as provided below.

Appointments shall be as follows:

(1) Places 1, 3, 5, and Alternate 1. Terms expire on June first, each odd-numbered year.

(2) Places 2, 4, and Alternate 2. Terms expire on June first, each even-numbered year.

(d) Members. The composition of the committee shall include at least one licensed veterinarian, at least one municipal official, at least one person whose duties include the daily operation of an animal shelter, and at least one representative from an animal welfare organization. The same person shall not be appointed to fulfill more than one of these requirements. It shall not be required for the representative of the animal welfare organization to reside within the city limits of the City of Saginaw or for the agency he or she represents to be chartered in the City of Saginaw. It shall not be required for the licensed veterinarian to reside within the city limits of Saginaw if his or her primary veterinary practice is located within the city limits of Saginaw.

(e) Vacancies. Members of the committee shall be subject to removal at any time by the city council. Any vacancy in the membership of the committee shall be filled by the city council for the unexpired term of the member whose place has, by removal or otherwise, become vacant. Vacancies shall be filled within sixty (60) days after the city council removes the member or within sixty (60) days after the city council receives notice of the member's resignation.

(f) Meetings. The committee shall meet a minimum of three (3) times per calendar year, as outlined in Texas Health and Safety Code, § 823.005.

(g) Quorum. A quorum of the committee shall consist of a majority of the members, excluding any vacancies. The presence of a quorum of the committee shall be required prior to a meeting being called to order.

(h) Voting. Approval of all items before the committee shall require a majority vote of those in attendance.

(i) Rules. The committee may adopt rules, subject to city council approval, for conduct of its meetings."

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Saginaw City Code, and except where the provisions of this ordinance are in direct conflict with the provisions of

such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

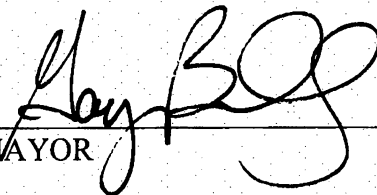
SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

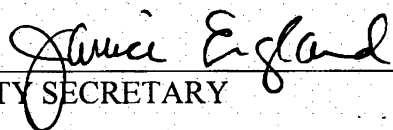
SECTION 4.

This ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED ON THIS 2nd DAY OF June, 2009.

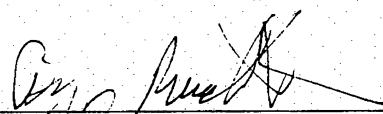

MAYOR

ATTEST:


CITY SECRETARY

EFFECTIVE: June 2, 2009

APPROVED AS TO FORM AND LEGALITY:


CITY ATTORNEY