

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, DIVISION 18, SECTION 2.367 OF THE CITY CODE TITLED POWERS AND DUTIES RELATING TO THE ANIMAL ADVISORY COMMITTEE TO EXPAND THE POWERS AND DUTIES OF THE ANIMAL ADVISORY COMMITTEE AS RECOMMENDED BY THE ANIMAL ADVISORY COMMITTEE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

- 1.** The City Council seeks to utilize the expertise of individuals knowledgeable about animal welfare issues appointed by the City Council to the Animal Advisory Committee in support of animals and citizens of our community.
- 2.** Enacting such an ordinance expanding the powers and duties of those appointed to the Animal Advisory Committee is in the interest of the public health, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The city council adopts the recitals as true and correct and such recitals are made a part hereof.

SECTION 2. Chapter 2, Division 18, Section 2.367 of the San Marcos City Code, is amended by adding additional powers and duties of the Animal Advisory Committee. Added text is indicated by underlining.

Sec. 2.367. – Powers and duties.

The committee will serve in an advisory capacity to the director and assistant director of environmental health on matters involving compliance with state laws that regulate issues relating to animal welfare shelters as well as local policy decisions related to the administration of animal welfare issues. The committee may make recommendations to the city council regarding the San Marcos Regional Animal Shelter and its operation. Specifically, the committee may serve in an advisory capacity to make recommendations relating to the following matters and activities:

- (a) Matters involving compliance with state laws that regulate animal shelters, including Texas Health and Safety Code Chapter 823;
- (b) Assist with the development of animal welfare policies;
- (c) Assist with the development of budget priorities impacting the animal shelter;
- (d) Identify proactive, creative approaches to engage and facilitate communication within the animal welfare community;

(e) Assist with the development of recommendations concerning capital improvements and maintenance requirements for the shelter.

SECTION 3. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 4. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 5. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 6. This ordinance will take effect after its passage, approval and adoption on second reading and publication in accordance with the City Charter.

PASSED AND APPROVED on first reading on December 15, 2021.

PASSED, APPROVED AND ADOPTED on second reading on January 4, 2022.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
City Clerk

Michael J. Cosentino
City Attorney