

ORDINANCE NO. 2025-17

AMENDING CHAPTER 2 ANIMAL CONTROL LICENSE REQUIREMENTS

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING CODE OF ORDINANCES CHAPTER 2 "ANIMAL CONTROL", ARTICLE 2.02 "VACCINATION AND LICENSING OF DOGS AND CATS" AND ARTICLE 2.04 "IMPOUNDMENT", REMOVING SECTION 2.02.004 "LICENSE TAG AND COLLAR."; AMENDING SECTION 2.02.008 "LICENSING AND FEES" TO "PET REGISTRATION REQUIREMENT" AND REMOVING SUBSECTION (A)-(C); REMOVING SECTION 2.04.006 "CONFINEMENT OF FEMALE DOGS AND CATS DURING ESTRUS"; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

- WHEREAS**, the City of Bastrop, Texas (the "City") is a home rule municipality located in Bastrop County, Texas hereby seeks to promote animal welfare, safety, and health; and
- WHEREAS**, the City Council finds and determines that the requirements adopted here in are authorized under statute and comport with current federal, state, and local law; and
- WHEREAS**, the City finds it necessary to review and amend certain aforementioned codes to meet changing conditions and are in the best interest of the City; and
- WHEREAS**, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

- Section 1.** Findings of Fact. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** Amendment. Chapter 2 Article 2.02, Sections 2.02.004 and 2.02.008 is hereby amended as set forth with underlines being additions, double underlines being moved text, and ~~strikethroughs~~ being deletions.

Sec. 2.02.004 License tag and collar.

~~Upon payment of the license fee, where applicable, the city shall issue to the owner a license certificate and metal tag having stamped the number corresponding with the number of the certificate. Such tag shall at all times be securely attached to a collar or harness around the neck of the licensed animal. In case a tag is lost, a duplicate will be issued by the city police department, or its designee, upon presentation of the receipt showing the payment of the license fee. Tags shall not be transferable from one animal to another, and no refunds shall be made. ;hn0;~~

Sec. 2.02.008 Licensing and fees Pet Registration Requirement.

In accordance with the city ordinance, all residents of the city are required to have their dog(s) and cat(s), aged four months and older, implanted with a microchip. The microchip must be registered with the owner's current information. For newly acquired pets owners must ensure their dog(s) and cat(s) are microchipped within 30 days of ownership or 30 days of locating to the city.

- ~~(a) *License required.* No person shall own, keep or harbor a dog over the age of three (3) months within the city, unless a license has been obtained for the dog owned.~~
- ~~(b) *Administration of licensing.* The city will furnish licenses as provided for herein. Licenses shall be available at the following locations:
 - ~~(1) City utility department;~~
 - ~~(2) The city police department; and~~
 - ~~(3) The county animal shelter.~~~~
- ~~(c) *Application.* Written applications for dog licenses shall be made upon a printed application form provided by the city and shall state the name and address of the owner of the dog(s), and the name, breed, color, age and sex of each dog being licensed. Applications may be obtained at the locations provided for above in subsection (b) of this section.~~
- ~~(d) *Conditions for license.* Dog license tags shall be issued upon payment of a license fee and upon presentation of a rabies certificate issued by a licensed veterinarian showing that such vaccination was given in compliance with state law.~~
- ~~(e) *License fee and term of licenses.*
 - ~~(1) If the owner presents documentation prepared and signed by a veterinarian licensed by the state which demonstrates that the dog to be licensed has been altered, the owner shall be provided a lifetime license for such animal, for a one-time licensing fee as set forth in section A2.02.008 of the fee schedule in appendix A to this code;~~
 - ~~(2) Owners of an unaltered dog(s) shall be required to file an application for a new license for the dog(s), each year. The fee for such annual license shall be as set forth in section A2.02.008 of the fee schedule in appendix A to this code;~~~~

~~(3) No license fees shall be due or paid for any dog that is owned by a citizen over 65 years of age, if such animal is altered. Unaltered animals owned by citizens over 65 years of age shall be licensed as set forth above in subsection (e)(2).~~

Section 2. Enactment. Chapter 2, Article 2.04, Section 2.04.006 of the City of Bastrop Code of Ordinances is hereby amended as set forth with underlines being additions, double underlines being moved text, and strikethroughs being deletions.

Sec. 2.04.006 Confinement of female dogs and cats during estrus.

~~The owner/harbinger of any unneutered female dog or cat in the state of estrus ("in heat") shall confine the animal that is in heat during such period of time, by enclosing the animal in a house, building or other secure enclosure. The area of enclosure shall be so constructed that no other dog or cat may gain access to the confined animal(s), except for the purpose of intentional breeding of the animal by the owners/harborers. Owners/harborers who do not comply with this requirement shall be ordered to immediately remove the animal that is in heat from other person's or public property, and to place the animal in confined quarters. Failure to comply with the removal order of the animal control department shall be a violation of this article and the dog or cat that is in heat, but is not confined, may be impounded as prescribed in this chapter. All expenses incurred as a result of this confinement shall be paid by the owner/harbinger of such animals.~~

Section 3. Codification. The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 4. Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.

Section 5. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 6. Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

Section 7. Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

READ & ACKNOWLEDGED on First Reading by the City Council of the City of Bastrop, on this, the 25th day of February 2025.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the 11th day of March 2025.

APPROVED:

by: _____
John Kirkland, Mayor Pro-Tem

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney