

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING CHAPTER 14, “ANIMALS,” OF THE CITY OF MISSION CODE OF ORDINANCES BY ADDING ARTICLE VIII, “WILDLIFE HABITAT AREAS”; PROVIDING PURPOSE AND DEFINITIONS; AUTHORIZING THE DESIGNATION OF WILDLIFE HABITAT AREAS BY SEPARATE ORDINANCE; AUTHORIZING PUBLIC SAFETY MEASURES, WARNING SIGNAGE, ACCESS RESTRICTIONS, AND COORDINATION WITH APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR PROHIBITED CONDUCT IN POSTED AREAS; PROVIDING FOR ENFORCEMENT; PROVIDING A SAVINGS AND REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mission, Texas is a home-rule municipality authorized to protect the public health, safety, and welfare of its residents and to adopt ordinances necessary for the good order and welfare of the City; and

WHEREAS, certain areas within the City, including ponds, lakes, drainage channels, stormwater facilities, wetlands, shoreline areas, parks, and open-space corridors, may provide habitat for wildlife while also being located near residential, commercial, or public areas; and

WHEREAS, the City Council recognizes the importance of preserving and responsibly managing wildlife habitat while protecting public health and safety; and

WHEREAS, wildlife occurring within the City may create public safety concerns requiring public education, warning signage, reasonable access restrictions, and coordination with appropriate state and federal agencies; and

WHEREAS, the City Council finds that the establishment of designated wildlife habitat areas and related public safety measures serves a valid municipal purpose and promotes the public health, safety, and welfare of the City and its residents.

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

SECTION 1. FINDINGS.

The findings and recitals set out above are hereby found to be true and correct and are incorporated into this Ordinance for all purposes.

SECTION 2. AMENDMENT TO CHAPTER 14.

Chapter 14, “Animals,” of the City of Mission Code of Ordinances is hereby amended by adding Article VIII, “Wildlife Habitat Areas,” to read as follows:

ARTICLE VIII. WILDLIFE HABITAT AREAS

Sec. 14-____. Purpose.

The purpose of this Article is to authorize the designation of wildlife habitat areas within the City and to provide reasonable public safety measures intended to reduce conflicts between wildlife and the public while protecting public health, safety, and welfare.

Sec. 14-____. Definitions.

For purposes of this Article, the following terms shall have the meanings assigned below:

Designated Wildlife Habitat Area means an area designated by separate ordinance of the City Council as a wildlife habitat area under this Article.

Wildlife means non-domesticated animal species occurring naturally or present within the City, including mammals, birds, reptiles, amphibians, fish, insects, and other invertebrates.

Wildlife Habitat means a natural, improved, or City-managed area where wildlife commonly resides, feeds, nests, breeds, travels, shelters, or otherwise occupies habitat necessary to support ecological functions.

Sec. 14-____. Designation of Wildlife Habitat Areas.

The City Council may designate a Wildlife Habitat Area by separate ordinance. A designated area may include lakes, ponds, stormwater retention or detention ponds, drainage channels, wetlands, shoreline areas, parks, open-space corridors, public grounds, or other areas where wildlife activity is commonly present.

A designation under this Article shall identify the general location or boundaries of the area and may include any site-specific findings, public safety measures, signage requirements, or administrative directions deemed appropriate by the City Council.

A designation under this Article is a municipal public safety and habitat-management designation only. It shall not be construed to create a conservation easement, dedicate parkland, grant public access to private property, impair stormwater or drainage operations, or create any private right of action.

Sec. 14-____. Public Safety Measures.

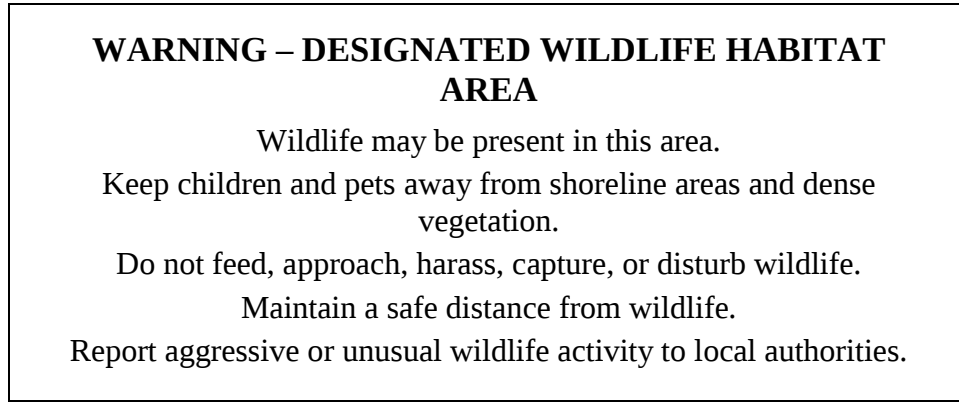
The City Manager or designee is authorized to implement reasonable public safety measures within or adjacent to a Designated Wildlife Habitat Area. The City Manager may coordinate implementation through the Health Department, Code Enforcement Department, Animal Services, Public Works Department, Parks and Recreation Department, Police Department, or any other appropriate City department.

Public safety measures may include, but are not limited to, warning signage, temporary or permanent access restrictions, placement of barriers or protective devices, public education efforts, coordination with state or federal agencies, wildlife monitoring, vegetation or shoreline management, and other measures reasonably necessary to protect public health and safety.

Sec. 14-____. Warning Signage.

The City Manager or designee is authorized to install warning signage within or adjacent to any Designated Wildlife Habitat Area.

Approved signage may substantially state:



The exact wording, size, location, and number of signs may be determined administratively based on site conditions, public safety needs, and applicable law.

Sec. 14-____. Restricted Activities in Posted Areas.

Where authorized signage has been installed, the following activities are prohibited within a Designated Wildlife Habitat Area when identified by posted signage or other lawful notice:

1. Feeding wildlife;
2. Approaching, harassing, pursuing, capturing, trapping, relocating, disturbing, or attempting to interact with wildlife, except as authorized by law;
3. Entering shoreline areas, vegetated areas, or other restricted areas closed for public safety purposes;
4. Removing, damaging, defacing, or tampering with warning signs, barriers, fencing, or protective devices;
5. Dumping food, trash, debris, or other materials that may attract wildlife or create unsafe conditions;
6. Releasing domestic animals, fish, reptiles, or other wildlife into the area without lawful authority; and
7. Violating any posted directive reasonably intended to protect public health and safety.

Sec. 14-____. Relationship to State and Federal Law.

Nothing in this Article authorizes any person to take, trap, capture, relocate, handle, harm, feed, or otherwise interfere with wildlife in violation of state or federal law. The City may coordinate with the Texas Parks and Wildlife Department, federal agencies, law enforcement, animal control, or other appropriate authorities when necessary to address wildlife concerns or public safety conditions.

Sec. 14-____. Enforcement.

Violations of this Article may be enforced by any lawful means available to the City, including warnings, citations, municipal court proceedings, civil enforcement, injunctive relief, removal from restricted areas, or other remedies authorized by law.

Each violation shall constitute a separate offense. A violation of this Article shall be punishable by a fine not to exceed the maximum amount authorized by state law or by the City Code for the type of violation involved.

Sec. 14-____. No Mandatory Duty Created.

The designation of an area as a Wildlife Habitat Area shall not be construed to guarantee the presence or absence of wildlife, create a mandatory duty to inspect, monitor, control, relocate, or remove wildlife, or create any private cause of action against the City, its officers, employees, agents, or representatives.

SECTION 3. SAVINGS AND REPEALER.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict only. All provisions of the City Code not amended by this Ordinance shall remain in full force and effect.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions, which shall remain in full force and effect.

SECTION 5. CODIFICATION.

The City Secretary is authorized to codify this Ordinance in the City of Mission Code of Ordinances and to make non-substantive formatting and numbering changes necessary for codification.

SECTION 6. PUBLICATION.

The City Secretary is authorized and directed to publish this Ordinance as required by law.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon adoption and publication as required by law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2026.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

City Attorney