

ORDINANCE NO. O-2016-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS BY APPOINTING A NEW LOCAL RABIES CONTROL AUTHORITY; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to protect the public health, safety and welfare; and

WHEREAS, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and general welfare of citizens; and

WHEREAS, on October 1, 2014, the City resumed providing all animal control services within the City of Tyler; and

WHEREAS, in resuming those activities and pursuant to Texas Health and Safety Code, Sec. 826.017, the City Council at that time appointed the City's Code Enforcement Manager as the new Local Rabies Control Authority (LRCA); and

WHEREAS, the LRCA is bound to perform certain statutory duties related to enforce minimum standards for rabies control and local ordinances related to animal control, and to enforce the rules adopted by the Texas Department of State Health Services related to the area rabies quarantine provisions; and

WHEREAS, the City of Tyler has since hired a professional Animal Shelter Manager who supervises all animal control services and the Animal Care Facility and who has extensive experience in rabies control and knowledge related to controlling regulations and rules; and

WHEREAS, the City desires to appoint the Animal Shelter Manager as the new LRCA; and

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

PART 1: That Tyler City Code Chapter 14, "Animals", Article I., "In General", is hereby amended by amending Section 14-2 to read as follows:

Sec. 14-2. Local Rabies Control Authority designated; duties.

a. The City Council has designated the City of Tyler Animal Shelter Manager as the Local Rabies Control Authority pursuant to state law.

b. The duties of the Supervisor and the Local Rabies Control Authority shall include but are not limited to:

1. Enforcement of all ordinances and/or rules of the City pertaining to rabies and animal control;

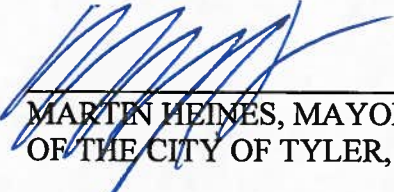
2. Enforcement of the provisions of state law and administrative rules of the Texas Department of State Health Services pertaining to rabies and animal control.

c. The City may employ such Animal Control Officers or inspectors as are necessary and feasible to carry out the purposes of this chapter. (Ord. No. O-96-13, 2-21-96) (Ord. No. 0-2014-85; 9/24/14) (Ord. No. O-2016-2; 1/13/16)

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 13th day of January, A.D., 2016.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS


A T T E S T:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY