

## **ORDINANCE NO. 2022-09**

**AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING CHAPTER 6, "ANIMALS," OF THE SAGINAW CITY CODE BY AMENDING 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 has previously established an advisory committee and has now determined that certain aspects of the committee, including matters pertaining to membership, qualifications and duties, be amended.

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

### **SECTION 1.**

That section 6-1 of the Saginaw City Code is hereby amended to read as follows:

**"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 nine regular members and two alternate members appointed by a majority vote of the city council. Committee members shall serve two-year terms.

Appointments shall be as follows:

(1) Places 1, 3, 5, 7, 9 and alternate place 1. Terms expire on July first, each odd-numbered year.

(2) Places 2, 4, 6, 8 and alternate place 2. Terms expire on July 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. All other members shall be registered voters of the city of Saginaw and shall have resided in Saginaw at least six months prior to their date of appointment.

(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 required by 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.

(j) *Organization.* Annually, the members shall elect a chairperson, vice chairperson and secretary, and if needed, a treasurer, from among its membership.



(k) *Training.* Members shall complete the statutorily mandated open government training within 90 days of having been sworn in to service or from the date by which the member otherwise assumes responsibilities for the committee, whichever is sooner.

(l) *Documentation.* The committee, with the assistance of the City Manager, or his designee, shall post agendas, minutes, budget, and attendance on the committee page on the city's website.

(m) *Reports.* The committee shall provide an annual report to the city council and may be required to provide additional reports upon request of the city council.

(n) *Recommendations.* Policy recommendations presented to the city council regarding the matters over which the committee presides, shall be made by a member of the Animal Shelter Committee.”

## **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 2<sup>nd</sup> DAY OF AUGUST, 2022.**

Todd Slep  
MAYOR

ATTEST:

Jamie England  
CITY SECRETARY

EFFECTIVE: 8-2-2022

APPROVED AS TO FORM AND LEGALITY:

[Signature]  
CITY ATTORNEY

