

ANIMAL NEGLECT REGISTRY

Ordinance No. 2017-O-090

| DATE OF CONVICTION | NAME | OFFENSE |
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1.

ORDINANCE NO. 2017-O-090

AN ORDINANCE OF THE CITY OF LAREDO TEXAS, AMENDING CHAPTER 6, ANIMALS AND FOWL, ARTICLE VII, OF THE CODE OF ORDINANCES BY ADDING SECTION 6-125 CREATING AN ANIMAL NEGLECT REGISTRY AND SECTION 6-126 CREATING AN OFFENSE AND PROVIDING FOR A PENALTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE (AS AMENDED).

WHEREAS, the City of Laredo has rules and regulations for the keeping of small animals and fowl, and large livestock and wild animals; and

WHEREAS, the Laredo City Council desires to establish a publicly accessible animal neglect registry for individuals convicted of animal neglect offenses that will prevent these individuals from purchasing or otherwise obtaining animals in the City of Laredo.

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

Section 1. The City of Laredo Code of Ordinances, Chapter 6, Animals and Fowl, Article VII, Applications, Registration, Permits, Fees and Penalty, is hereby amended as follows:

Sec. 6-125. – Animal Neglect Registry..

- (a) Beginning September 1, 2017, the City of Laredo shall post a publicly accessible list on its website of any person eighteen (18) years or older who resides in the City of Laredo and is convicted of an animal neglect offense on or after that date.
- (b) The list shall include the person’s full legal name, the offense committed, and the date of conviction.
- (c) The list shall not include the person’s social security number, driver’s license number, or any other state or federal identification number.
- (d) For purposes of this section, “animal neglect offense” means a violation of:
 - 1) Animal at large, under section 6-42(a)(1);
 - 2) Tethered dogs, under section 6-42(e)(3);
 - 3) Unlawful restraint of dog, under sections 6-42(g)(1) or 6-42(g)(4);
 - 4) Limiting dog’s movement, under section 6-42(h)(6);
 - 5) Exposing animals to poisonous substances, under section 6-19(a)(1); or
 - 6) Safety of animals in motor vehicle, under sections 6-19(d)(1) or 6-19(d)(2).
- (e) The municipal court clerk shall forward a copy of the judgment and the date of birth of all persons convicted of an animal neglect offense to the Animal Care Services Department within sixty (60) calendar days of the judgment.

- 1) Upon a person's first conviction for an animal neglect offense described in subsections (d)(2)-(6) or a person's third conviction in six months for an animal neglect offense described in subsection (d)(1), the Animal Care Services Department shall maintain the person's name, and other information, described in subsection (b), on the list published under subsection (a) for a minimum of two (2) years following the date of conviction, after which time the Animal Care Services Department shall, upon proof of completion of a responsible pet ownership class by that person, remove the person's name and other information from the list; provided, that the person is not convicted of another animal neglect offense during that two-year period.
 - 2) Upon the person's subsequent conviction for an animal neglect offense, the Animal Care Services Department shall maintain the person's name and other information, described in subsection (b), on the list published under subsection (a) for a minimum of five (5) years following the date of the most recent conviction, after which time the Animal Care Services Department shall, upon proof of completion of a responsible pet ownership class by that person, remove the person's name and other information from the list; provided, that the person is not convicted of another animal neglect offense during that five-year period.
- (f) The list shall remain on the City of Laredo website for such time as determined by the Animal Care Services Director.
- (g) The Animal Care Services Department shall remove the person's name and other information from the registry list if the sole offense for which the person is required to be subject to the mandates of the registry is expunged.

Sec. 6-126. – Unlawful to transfer animals to individuals on animal neglect registry.

- (a) It shall be unlawful for any person to sell, exchange or otherwise transfer the ownership of an animal to any person registered on the City of Laredo Animal Neglect Registry.
- (b) Prior to the sale, exchange, or other transfer of ownership of any animal, a person is required to examine the Animal Neglect Registry to confirm that the name of the potential owner of the animal is not listed.
- (c) For purposes of this section, the term "animal" means a domestic animal other than large livestock or wild animals.
- (d) A person who violates this section shall be guilty of a misdemeanor and upon conviction in municipal court shall be subject to a fine not to exceed two hundred (\$200) dollars for each offense.

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances 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. The City Secretary of the City of Laredo is hereby directed to publish the proposed Ordinance as required by Section 2.09 of the Charter of the City of Laredo.

Section 5. This Ordinance shall become effective from and after its adoption and publication required by the City Charter and by state law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS _____ DAY OF _____ 2017.



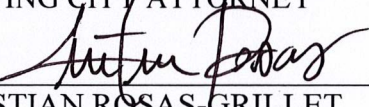
PETE SAENZ MAYOR

ATTESTED:


~~HERBERTO "BETO" L. RAMIREZ~~ Jose A. Valdez, Jr.
~~ACTING CITY SECRETARY~~ (TF)

APPROVED AS TO FORM:

KRISTINA L. HALE
ACTING CITY ATTORNEY

BY: 

CRISTIAN ROSAS-GRILLET
ASSISTANT CITY ATTORNEY

City Council-Regular

Meeting Date: 08/07/2017

Staff Source: Cristian Rosas-Grillet, Assistant City Attorney

SUBJECT

2017-O-090 An Ordinance of the City of Laredo Texas, Amending Chapter 6, Animals and Fowl, Article VII, of the Code of Ordinances by adding Section 6-125 Creating an Animal Neglect Registry and Section 6-126 Creating an Offense and Providing for a Penalty; Providing that this Ordinance shall be Cumulative; Providing a Severability Clause; Providing for Publication; and Declaring an Effective Date (As Amended).

VENDOR INFORMATION FOR COMMITTEE AGENDA

None.

PREVIOUS COUNCIL ACTION

On June 19, 2017, City Council moved to create an ordinance creating an animal neglect registry to serve the purpose of registering animal neglectors.

BACKGROUND

This ordinance creates a publicly accessible animal neglect registry for individuals convicted of certain animal neglect offenses on or after the effective date of the ordinance. The animal neglect registry will list the name, offense, and date of conviction. The offenders' information is maintained on the registry for a minimum of two years following the date of first conviction and five years after the date of subsequent conviction. This ordinance makes it unlawful for an individual to sell, exchange, or otherwise transfer and animal, as defined, to any individual listed on the animal neglect registry.

COMMITTEE RECOMMENDATION

None.

STAFF RECOMMENDATION

Staff recommends that City Council approve this ordinance.

Attachments

Final Reading 2017-O-090
