

ORDINANCE NO. 2024-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AMENDING THE ODESSA CITY CODE CHAPTER 2 "ANIMAL CONTROL" ARTICLE 2-3 "DOGS AND CATS" SECTIONS 2-3-1 "MAXIMUM NUMBER" AND 2-3-5 "SPAY OR NEUTER REQUIRED" AND ARTICLE 2-4 "IMPOUNDMENT AND ADOPTIONS" SECTION 2-4-4 "DISPOSAL OF IMPOUNDED DOGS AND CATS"; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS NOTICED AND WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE AND DECLARING AN EFFECTIVE DATE

WHEREAS, to revitalize and re-engage our community regarding animal standards reflective of the values and compassion of our city's residents; and

WHEREAS, to promote a streamlined and focused approach to animal welfare and health and safety across the community and improve the overall quality of life for both human and animal resident's; and

WHEREAS, cities across Texas have successfully implemented similar structural changes to prioritize animal welfare and effective approach to managing animal-related issues;

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

Section 1. That the Odessa City Code Chapter 2 "Animal Control" Article 2-3 "Dogs and Cats" is hereby amended as follows:

SEC. 2-3-1 Maximum number

(a) It shall be unlawful, except as provided in subsection **(b)** below, for any person to keep, possess, or maintain altered dogs and/or cats in a total number exceeding six (6) per premises.

SEC. 2-3-5 Spay or neuter required

(a) All unaltered dogs and cats over six months of age kept, harbored, or maintained within the city limits must be spayed/neutered or their owner shall obtain a breeder's permit under this chapter.

(b) Exceptions to spay or neuter requirement.

(1) Animals under six months of age.

Section 2. That the Odessa City Code Chapter 2 “Animal Control” Article 2-4 “Impoundment and Adoptions” Section 2-4-4 “Disposal of impounded dogs and cats” is hereby amended by adding Section 2-4-4 (d) as follows:

Sec. 2-4-4 Disposal of impounded dogs and cats

(d) Animals may be transferred to a humane organization, so long as the humane organization agrees to vaccinate and sterilize the animal and notify Animal Control.

Section 3. That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. That any person violating the provisions of this ordinance shall be deemed guilty of a Class C misdemeanor and shall be punished by a fine not to exceed two thousand dollars (\$2,000) as provided in Odessa City Code Section 1-1-9 “General Penalty”.

Section 5. That the caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Odessa as provided by City Charter Section 65.

Section 6. That this ordinance shall go into effect five (5) days after its publication following adoption on second approval as provided by City Charter Sections 61 and 65.

The foregoing ordinance was first approved on the 27th day of February, A.D., 2024,
by the following vote:

| | |
|--------------------|--------|
| Mark Matta | AYE |
| Steven P. Thompson | ABSENT |
| Gilbert Vasquez | AYE |
| Greg Connell | AYE |
| Chris Hanie | AYE |
| Denise Swanner | AYE |
| Javier Joven | AYE |

The foregoing ordinance was adopted on second and final approval on the 12th day of
March, A.D., 2024, by the following vote:

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|--------------------|--------|
| Mark Matta | AYE |
| Steven P. Thompson | AYE |
| Gilbert Vasquez | AYE |
| Greg Connell | AYE |
| Chris Hanie | AYE |
| Denise Swanner | ABSENT |
| Javier Joven | AYE |

Approved this the 12th of March, A.D., 2024.

Javier Joven, Mayor

ATTEST:

Norma Aguilar-Grimaldo, City Secretary

APPROVED AS TO FORM:

Daniel C. Jones, City Attorney