

## **Ordinance # 2021.4.2**

**AN ORDINANCE OF THE CITY OF FLATONIA, TEXAS AMENDING CHAPTER 2, SECTIONS 2.02.005 LICENSE FEE AND 2.02.006 ISSUANCE AND WEARING OF LICENSE TAG, CITY OF FLATONIA CODE OF ORDINANCES, AND AMENDING PROVISIONS OF THE FLATONIA FEE SCHEDULE, APPENDIX A, ARTICLE A3.000, ANIMAL CONTROL RELATED FEES, SECTION A3.001 DOG LICENSE, OF THE CITY OF FLATONIA CODE OF ORDINANCES, ESTABLISHING THE REQUIREMENT THAT DOG LICENSES WILL RUN CONCURRENTLY WITH THE ANIMAL'S RABIES VACCINE FOR THE CITY OF FLATONIA, AS AMENDED AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Flatonia desires to protect the public health and safety by regulating the care and keeping of animals within the city limits; and

**WHEREAS**, the City of Flatonia requires licensing with tags for all dogs more than four (4) months of age that are kept in the City; and

**WHEREAS**, the language in the current Ordinance 193 specifies the dog license shall run from April 1 of each year to April 1 of the succeeding year;

**WHEREAS**, Ordinance 193 does not require that dog licenses run concurrently with the dog's rabies vaccination; and

**WHEREAS**, the City of Flatonia wishes to ensure that dogs are properly vaccinated for the full period of the licensing.

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

**Section 1.** That Chapter 2, Sections 2.02.005 License Fees General and 2.02.006 Issuance and Wearing of License Tags of the Flatonia City Code is hereby amended to read as follows:

### **2.02.005 License Fee**

There is hereby fixed and assessed as a police regulation for the protection of the public health a license fee as provided for in the fee schedule found in [appendix A](#) of this code against the owner or keeper of each and every dog more than four (4) months of age kept in the city. The license shall run concurrently with the animal's rabies vaccination.

### **2.02.006 ISSUANCE AND WEARING OF LICENSE TAG**

It shall be the duty of the city secretary to provide suitable metal tags for said dogs, with a number thereon beginning at one (1) and running consecutively, which tags shall

evidence the payment of the license fees and the registration of the dogs, and each person owning or keeping a dog within the limits of the city shall apply to the city secretary for a tag, and upon payment of said license fee and presentation of a certificate by a practicing veterinarian showing that said dog has a current rabies vaccination when making application for a license, the city secretary shall supply to each such applicant therefor a tag suitable to be placed upon a collar around the dog's neck, and shall in a well-bound book kept for such purpose register the number of said tag, the name of the owner and his or her address, and a description of said [dog], and no such license shall be issued unless the application is accompanied by such certificate (The license shall run concurrently with the animal's rabies vaccination.). It shall be the duty of the owner of each dog to apply to said officer for such license, pay the fee for same, and obtain a tag therefor, and to have and to keep said tag at all times during the year securely fastened around the neck of said dog, and the failure of the owner in this respect shall have the same effect as if no license had been paid upon said dog, and it shall be unlawful for any person to issue any counterfeit license tag upon said dog except the tag adopted and issued by the city.

**Section 2.** That the provisions of the Flatonia Fee Schedule, Appendix A, Article A3.000, Animal Control Related Fees, Section A3.001 Dog License, of the Flatonia City Code of Ordinances is hereby amended to read as follows:

**Sec. A3.001 Dog license**

There is hereby fixed and assessed a license fee of two dollars (\$2.00) against the owner or keeper of each and every dog more than six (6) months of age kept in the city. The licensing period shall run concurrently with the animal's rabies vaccination. The license fee will not be prorated for a partial period.

**Section 3.** This ordinance shall be cumulative of all other ordinances of the City of Flatonia, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Flatonia except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

**Section 4.** The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or 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 or invalid phrase, clause, sentence, paragraph or section.

**Section 5.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 6.** This Ordinance shall be effective immediately from and after its final passage and any publication in accordance with the requirements of the City of Flatonia and the laws of the State of Texas.

**PASSED AND APPROVED** by the City Council of the City of Flatonia, Texas, on this the 13<sup>th</sup> day of April, 2021.

CITY OF FLATONIA, TEXAS

By:   
Bryan Milson  
Mayor



ATTEST:  
  
Heather Ambrose  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
Maria Angela Flores Beck  
City Attorney