



ORDINANCE NO. 447-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, ORDERING THE AMENDMENT OF THE CITY OF VENUS CODE OF ORDINANCES, CHAPTER 6 – ANIMALS, TO UPDATE REGULATIONS DEALING WITH THE CARE AND CONTROL OF ANIMALS WITHIN THE CITY, ADOPTING STATE LAW PROVISIONS DEALING WITH RABIES CONTROL, DANGEROUS DOGS AND UNLAWFUL DOG RESTRAINT, PROVIDING A CRIMINAL PENALTY, CONFIRMING TEXAS OPEN MEETINGS ACT COMPLIANCE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE, PROVIDING A PUBLICATION CLAUSE, PROVIDING AN EFFECTIVE DATE, AND PROVIDING A CERTIFICATION OF ADOPTION.

WHEREAS, the City of Venus, Texas (“City”), is a Type A general law city operating pursuant to the laws of the State of Texas, by and through its duly elected council members;

WHEREAS, the City is authorized and empowered to adopt and enforce ordinances, not inconsistent with state law, that are necessary to protect the welfare and safety of its inhabitants (TEXAS LOCAL GOVERNMENT CODE § 51.012);

WHEREAS, the City Council (“Council”) of the City serves as the elected governing body; directly responsible for the promotion and protection of the public health and safety of its citizens and inhabitants;

WHEREAS, the Council finds that this ordinance is necessary to protect public health, safety and welfare; and

WHEREAS, the ordinances of the City are codified together in the CITY OF VENUS CODE OF ORDINANCES, hosted and managed by Municode.com and this ordinance replaces the previous Chapter 6 – Animals in its entirety with a new chapter with new section titles and numbering.

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

SECTION A. CHAPTER 6 AMENDMENT

Chapter 6 – Animals of the CITY OF VENUS CODE OF ORDINANCES is hereby amended as follows:

Sec. 6-1. – Definitions.

Terms, words, phrases and their derivatives used, but not specifically defined in this subsection shall be commonly defined. Words used in the singular include the plural and the plural include the singular. Words used in the masculine gender include the feminine and the feminine the masculine. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning or where a definition is included in an adopted state statute or regulation, for which the state statute definition shall precede the ordinance definition.

- (1) ***Animal*** means any warm-blooded vertebrate creature, domestic or wild, excluding the human species.
- (2) ***Animal services officer*** means any person designated by the city administrator or police chief to enforce the provisions of this chapter; a member of the animal services department.
- (3) ***Cat*** means a domestic feline of either sex, including one neutered or sterilized.
- (4) ***Dog*** means a domestic canine of either sex, including one neutered or sterilized.
- (5) ***Domestic animal*** means any of various animals domesticated so as to live and breed in a tame condition. It does not include hybrid animals resulting from crossing wild with domestic species.
- (6) ***Harbor*** means the caring for an animal by providing food, water, shelter (whether indoor or outdoor) and/or other comfort to the animal where over time the animal regularly returns to the place/premises and is known to be at that location.
- (7) ***Impoundment*** means to seize and take custody of an animal and to put the animal up securely in a shelter, enclosure or space.
- (8) ***Keep*** means to watch over an animal, to defend it against harm.
- (9) ***Livestock*** means a domestic farm animal kept, raised and/or used by people, including but not limited to cattle, cows, horses, sheep, swine, donkeys, goats, chickens, ducks, turkeys or geese. For purposes of this definition, rabbits are not livestock.
- (10) ***Owner*** means any person (seventeen (17) years of age or older), firm or corporation, that keeps, shelters, maintains, feeds, harbors, allows to remain any animal, domestic or prohibited, either temporarily or permanently on or about any premises occupied by the person or under

the control of the person; or that has title to any animal, domestic or prohibited, by purchase, sale or gift. For purposes of this definition, one animal may have multiple “owners” with equal responsibility, with legal title of an animal not being exclusive of others.

(11) ***Pet*** means a domestic cat or dog.

(12) ***Potbellied pig*** means that breed of miniature pig meeting the standards established by the North American Potbelly Pig Association (NAPPA).

(13) ***Running at large*** means a cat, dog or other animal that has left its enclosure, not completely confined by a building, wall or fence of sufficient strength and construction as to restrain the animal, and off of the property where the cat, dog or other animal regularly stays and/or lives.

(14) ***Stray animal*** means any domestic animal for which there is not an identifiable owner or harbinger and/or any animal which does not exhibit evidence of vaccination and/or registration and that is running at large or is lost.

Section 6-2. – Pet registration.

(a) Every owner of a cat or dog which is four (4) months of age and is kept in the city, shall register the animal with the city every two years.

(b) In order to register a cat or dog, the owner, or his designee, shall:

(1) Provide a current rabies vaccination certificate issued by a licensed veterinarian that contains identifying information regarding the animal including, but not limited to, breed, sex, and sterilization information;

(2) Present a valid picture identification card issued to him or her by a state; and

(3) Pay a registration fee as established by the city council and maintained on file in the office of the city secretary.

(c) Upon registration, the city shall execute and furnish to the owner of the cat or dog as evidence thereof, a certificate of registration and a tag that contains a serial number to correspond with the registration certificate number. The owner shall place the registration tag on the animal's collar or harness while the animal is outside the owner's residence. If the tag is lost or destroyed, the owner shall obtain a duplicate upon payment of a fee established by the city council and on file in the office of the city secretary. The city shall retain a paper or digital copy of the registration certificate and registration application, including the required rabies vaccination information securely with the city secretary's office. The city secretary shall maintain the confidentiality of these rabies vaccination certificates and any record compiled with the same information in compliance with the

TEXAS HEALTH AND SAFETY CODE Section 826.0211 and the Texas Public Information Act, TEXAS GOVERNMENT CODE Chapter 552.

(d) It shall be unlawful for a person to knowingly possess a dog or cat that has not been registered as prescribed by this section.

(e) It shall be unlawful for a person to knowingly use a certificate of registration or tag of any dog or cat other than the one for which it was issued.

(f) It shall be unlawful for a person to alter or obliterate any information contained in a certificate of registration or on a registration tag.

(g) It shall be unlawful for a person who owns or harbors a dog or cat to fail or refuse to present proof to an animal services officer, police officer, or city code officer, upon request, that such animal is currently registered as required by this section.

(h) The city shall waive the prescribed registration fees for owners under the following conditions:

(1) The registration of an animal trained to assist the hearing impaired, visually impaired, or physically impaired;

(2) The registration of a dog employed as a police canine by a law enforcement agency; or

(3) The registration of a spayed or neutered animal by a resident sixty-five (65) years of age or older.

The eligibility for a waiver of the registration fee does not relieve the owner of his or her responsibility to register a dog or cat as prescribed by this section.

(i) For purposes of this section, “temporarily” means a period of time not to exceed thirty (30) days. This section does not apply to:

(1) Non-residents of the city who stay within the city limits temporarily; or

(2) Residents who may harbor an animal temporarily.

(i.) The city may provide citizens registration options through outside vendors, including online pet registration services. There may be additional fees beyond those prescribed in this section to access said services and are the responsibility of the user. The city may also provide incentives for utilizing these services that may alter the time periods, fees, etc. as prescribed by this section.

Sec. 6-3. – Rabies control.

The city hereby adopts the TEXAS HEALTH AND SAFETY CODE, Title 10, Health and Safety of Animals, Chapter 826. Rabies, known as the Rabies Control Act of 1981 and as hereafter amended and as authorized by TEXAS HEALTH AND SAFETY CODE Section 826.013 as it relates to standards for rabies control. The City also hereby adopts the Texas Administrative Code, Title 25, Health Services, Part 1, Department of State Health Services, Chapter 169, Zoonosis Control, Subchapter A, Rabies Control and Eradication and as hereafter amended.

Sec. 6-4. – Microchip required.

(a) All dogs living within the city limits of the City of Venus are required to have a microchip. The owner or keeper of any dog must have the animal implanted with a registered microchip before the animal attains six (6) months of age.

(b) The owner or keeper of a dog shall also maintain a current registration with a microchip registration company.

(c) Any dog impounded by the City of Venus, that has not already been microchipped, shall be microchipped before being released from impound. The owner or keeper receiving an impounded dog microchipped before release shall pay the cost of microchipping the dog.

(c) Dogs exempt from microchipping include:

(1) a dog that is determined to be medically unsuitable for microchipping by a licensed veterinarian, and a writing supporting that determination is filed with the City of Venus animal services department; and/or

(2) a dog temporarily living in the City of Venus for a period of less than sixty (60) days.

(d) The city shall promote and recruit opportunities for events where microchipping services are available to citizens at a low-cost and on-site somewhere easily accessible to citizens.

Sec. 6-5. Prohibited animals.

It shall be unlawful for any person to keep, harbor or maintain in the City of Venus, any of the following animals:

(a) Wild animals. Any wild animal, including but not limited to a monkey or other nonhuman primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, sloth, mountain lion, panther, bear, wolf, coyote, fox, armadillo or other carnivorous animal is prohibited. Hybrid animals, resulting from crossing wild with domestic species, are also prohibited.

(1) It shall be a defense to prosecution under this section that the animal being kept was an infant or injured animal which was not capable of surviving on its own and that such animal was kept for seventy-two (72) hours or less, or for such reasonable time as was necessary before giving the animal to a licensed wildlife rehabilitator or veterinarian.

(b) Poisonous animals. Any poisonous or venomous biting or injecting species of amphibian, arachnid or reptile, including snakes, shall also be prohibited. Snakes not indigenous to this state are also prohibited.

(c) Livestock. Any cattle, cow, sheep, goat, donkey, swine, pig (excluding potbelly pigs), hog or other livestock are prohibited on any tract or parcel of land less than five (5) acres in total area. And, in no case shall there be more than ten (10) livestock animals allowed. Any livestock animal being housed and maintained by a Venus Independent School District owned facility for purposes of Future Farmers of America (FFA) student projects is exempted from this subsection. For purposes of calculating the land area for this subsection, contiguous tracts or parcels owned by the same person or entity may be added together to reach the five (5) acre exception.

(d) Fowl. Any duck, goose, turkey, emu, peacock, ostrich or other fowl are prohibited.

(1) Chickens are permitted as follows:

(A) Roosters are prohibited;

(B) Owner shall not keep or maintain more than four chickens;

(C) Chickens shall be kept a distance of fifty (50) feet or more from any habitation located on another's property;

(D) Chickens shall be kept in a coop or pen and not allowed to run at large outside of that pen or coop enclosure; and

(E) In connection with all of the above, the premises and facilities used for keeping chickens, including pens and/or coops must be kept in such a manner as to prevent the emission of odor offensive to persons of ordinary sensibilities in the neighborhood or the existence of any nuisance to the public health.

(e) Endangered species. Any native or foreign species or subspecies of mammal, bird, amphibian or reptile or the dead body or parts thereof which appear on the United States Department of the Interior or the Texas Department of Parks and Wildlife endangered species lists are prohibited.

(f) Bees. No person shall construct, place or maintain any beehive within five-hundred (500) feet of any residence other than the residence of the owner except with the written, documented consent of the occupants of all residences within the distance restriction.

(g) A person in violation of subsections (a), (b), (c), and/or (d) of this section on the effective date of the passage and approval of Ordinance 447-2017, shall have a period of six (6) months from the effective date to remedy and gain full compliance before enforcement and prosecution may commence.

Sec. 6-6. Number of animals.

(a) It shall be unlawful for a person to harbor, keep or own a large number of animals in a residential apartment, mobile home, house or yard within the city if determined by the police chief, the director of the animal services department, that the health, safety, and/or welfare of the animals and/or the people sharing the space with the animals is endangered.

(b) Factors for determination. The factors for the police chief's determination may include 1) whether the animals have adequate access to food and water, 2) whether the animals have adequate shelter and protection from the elements/weather, 3) the amount of space allocated/available for each animal, 4) the health of the animals, 5) the effect the animals have on the welfare, health and safety of the people who share the living space, 6) the view/opinion of neighbors on the number of animals at the location, 7) the financial ability of the person with custody and care of the animals to provide proper veterinary care and food, 8) whether people at the location are foster providers/volunteers who provide temporary care for animals for a period of time until a permanent home can be found, 9) whether the animals receive adequate attention and care from their caregivers 10) whether the animals are a litter of young, pre-weaned animals and/or 11) any other factor effecting the health, safety, or welfare of the animals as well as the people sharing the space. The police chief shall be the final authority in determining the maximum number of animals allowed for a given household residence.

(c) Notice and prosecution. Prior to a prosecution under this section, the police chief shall mail and/or deliver written notice of his determination of the maximum number of animals allowed in a residence by certified mail, return receipt and/or posting a notice on the entry door of the residence. In the notice, the police chief shall include the reason(s) for the determination and provide a deadline for compliance at least ten (10) days from the date of notice. After the ten (10) day deadline, if no compliance, the police chief shall authorize the animal services officer to issue a citation for an offense under this section and/or to remove the animals from the location in the discretion of the animal services officer if necessary to preserve the health, safety and welfare of the animals and people involved. At the discretion of the animal services department head, the chief of police, the ten (10) day compliance period may be eliminated and immediate action authorized if there exists a present threat to the health and safety of the animals or any person.

Section 6-7. – Animal noise.

(a) A person commits an offense by owning, keeping, or harboring any animal or bird which, by causing frequent or long, continued noise, shall disturb the comfort of a reasonable person of ordinary sensibilities in the immediate vicinity.

(b) In order for a person other than a peace officer or animal services officer to file a formal complaint regarding an animal-related noise offense, that person must:

(1) In the presence of either an animal services officer or a clerk of the municipal court, complete and sign an official, notarized complaint, alleging that there has been a violation of this section and naming the alleged responsible party and file all necessary evidence (audio and/or video recordings, logs documenting the animal noise, photos etc.) with the municipal court; and

(2) Appear as a witness in the municipal court, if called or served with a subpoena, to testify as a witness on any date(s) as specified by the court.

Sec. 6-8. Animals in motor vehicles.

(a) It shall be unlawful for any person to leave or confine any animal in any standing or parked vehicle in such a way as to intentionally, knowingly or recklessly endanger the animal's health, safety or welfare. For purposes of this section, "endanger" shall mean in a manner less than "cruel" as defined by TEXAS PENAL CODE Section 42.092 and nothing in this section shall preclude the prosecution of the higher animal cruelty offense if supported by the facts.

(b) An animal services officer or police officer is authorized to use reasonable force to remove an animal from a vehicle whenever it appears that the animal's health, safety or welfare is or will be endangered if the owner of the vehicle cannot be located after reasonable attempts and time.

(c) The animal shall be taken to the animal shelter or to a veterinarian if the animal is in distress. A written notice bearing the name of the officer removing the animal, a telephone number where he can be contacted and the location where the animal may be claimed by the owner shall be attached to the vehicle.

(d) Any person violating this section shall bear the full cost and expense incurred by the city in the care, medical treatment, impoundment cost and disposal of the animal, including any damage caused by the animal services officer or police officer's efforts to remove the animal from the vehicle.

Sec. 6-9. Sale of animals in public place.

(a) It shall be unlawful for any person to sell, trade, barter, lease, rent, give away or convey the ownership of any animal on any roadside, public right-of-way, commercial

parking lot, garage sale, flea market, fair, festival, park, community center or outdoor public place.

(b) It shall be unlawful for any person to display any animal for a commercial purpose on any roadside, public right-of-way, commercial parking lot, garage sale, flea market, fair, festival, park, community center or outdoor public place.

(c) This section shall not apply to any tax-exempt non-profit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals or any organization recognized by the animal services department.

(d) Any animal being conveyed in a manner in violation of this section shall be subject to seizure and impoundment at the discretion of the animal services department and subject to applicable codes for disposition of impounded animals.

Sec. 6-10. – Impoundment of animals.

(a) The following animals may be impounded:

- (1) any animal running at large;
- (2) any animal that creates a public nuisance;
- (3) any animal infected, diseased or kept under circumstances which could endanger the public or animal's health;
- (4) any animal violating this chapter;
- (5) any animal treated in a manner determined by the animal services officer to be cruel or inhumane; and
- (6) any animal subject to impoundment by the state animal laws adopted by this chapter (dangerous dogs, rabies, vaccinations, etc.).

(b) Notice of impoundment. Reasonable effort shall be made by any animal services officer or police officer to contact the owner of animal impounded; however final responsibility for location of an impounded animal is that of the owner.

(c) Place of impoundment. The place of impoundment of all animals impounded under any provision of this chapter shall be as determined by the Venus City Council or the police chief, as the supervisor of the animal services department.

(d) Seriously injured animals. Any animal seized or impounded and suffering from serious injuries, in apparent great pain or having a disease which would endanger the public health may be euthanized after reasonable efforts to locate the owner have failed and there is no apparent reason for allowing the continued suffering of the animal.

(e) Infant animals. Any nursing animal impounded without the mother, or where the mother cannot or refuses to provide nutritious milk, may be immediately euthanized to prevent further suffering.

(f) Redemption. The owner of any animal impounded in accordance with this section may reclaim such animal upon showing satisfactory proof of ownership and paying all impoundment fees and any other expenses incurred by the city or its agent in keeping the animal or attempting to locate the owner of the animal.

(g) Surrendered animals. If an owner surrenders an animal to animal services or after impoundment the owner disclaims ownership, the animal will be deemed abandoned. If an owner is surrendering an animal, they must complete a Venus Animal Services "Owner Animal Surrender and Relinquishment" form and file it accordingly. Once an animal is surrendered and deemed abandoned, the previous owner's ownership is extinguished immediately and transfers to the City of Venus. The transfer expressly divests the previous owner of any of the property rights in the animal.

(h) Abandoned/Stray animals. If an animal has been impounded and efforts to locate the owner have persisted for a period of seventy-two (72) hours with no owner or responsible party coming forward to claim the animal, the animal will be deemed abandoned. Once an animal is deemed abandoned, the previous owner's ownership is extinguished and transfers to the City of Venus. This transfer expressly divests the previous owner of any of the property rights in the animal.

Sec. 6-11. – Dangerous dogs.

The city hereby adopts the TEXAS HEALTH AND SAFETY CODE, Title 10, Chapter 822, Subchapters A (General Provisions; Dogs that Attack Persons are a Danger to Persons) and D (Dangerous Dogs), and as hereafter amended, as they relate specifically to the definitions, notice provisions, hearing procedures, post-hearing remedies, requirements for owners of dangerous dogs, appeal, registration, dangerous dog destruction and other relevant matters related to dangerous dogs.

Sec. 6-12. Dog restraint.

(a) Running at large. It shall be unlawful for any person who owns, has control over, harbors or keeps any dog within the city limits of Venus, Texas to permit that dog to run at large.

(1) Exception for dogs on a leash. Any dog on a leash with a lead not to exceed six (6) feet in length and directly under the owner's control when not on the owner's property shall not be deemed "running at large" for purposes of this section. Extendable lead leashes are prohibited.

(2) Voice control is no defense. It is no defense to an offense under this section that a dog is trained to obey the verbal commands (voice control) of its owner/keeper.

(3) Exception for dogs in an automobile. A dog within an automobile or other vehicle of its owner or keeper is not running at large for purposes of this section.

(4) Return is no defense. It is no defense to an offense under this section that a dog observed running at large, on its own or through the action of others or the animal services department, has returned to its intended enclosure, house, building or otherwise restrained.

(5) Warning not required. No warning is necessary for the ticketing and prosecution of an offense under this section.

(b) Enclosure. It shall be unlawful for any person who owns, has control over, harbors or keeps any dog to fail to keep the dog in an adequate enclosure, which is one that complies with all of the requirements of this section. Subject to the further requirements of this section, an enclosure shall be an area that is completely surrounded by a substantial fence or other structure of sufficient strength, height, construction, materials and design as to prevent any dog from escaping from the area and to isolate any dog from the public and from other dogs not under the control of the same owner.

(1) Gates. When not in use, all gates shall be closed and secured in a manner designed to prevent any dogs from leaving the enclosure.

(2) Buildings. Where a building forms a part of an enclosure, there shall be minimal separation between the building and the remaining parts of the enclosure to prevent escape of any dogs intended to be contained.

(3) Invisible fences. It shall be unlawful for any person to utilize an invisible fence, wireless containment device or other similar device to restrain any dogs as their primary enclosure for purposes of this section.

Sec. 6-13. – Dog defecation.

(a) An owner of a dog commits an offense if he knowingly permits, or by insufficient control, allows, a dog to defecate in the city on private property or on property located in a public place and fails to have in his possession materials or implements that, either alone or in combination with each other, can be used to immediately and in a sanitary and lawful manner both remove and dispose of any excreta the dog may deposit on the property and the owner of the dog does not immediately and in a sanitary and lawful manner remove and dispose of, or cause to be removed and disposed, all excreta deposited on the property by the dog.

(b) It shall be a defense to prosecution under Section 6-13(a) if:

(1) the property was owned, leased or controlled by the owner of the dog;

(2) the owner or person in control of the property had given prior consent for the dog to defecate on the property;

(3) the dog was a service dog being used in official law enforcement activities, or

(4) the dog was a service dog that is specially trained to assist a person with a disability and that was in the custody or control of that disabled person at the time it defecated or was otherwise present on private property or on property located in a public place.

Sec. 6-14. – Unlawful restraint of dogs.

The city hereby adopts the TEXAS HEALTH AND SAFETY CODE, Title 10, Chapter 821, Subchapter D, Sections 821.076, 821.077, 821.078, 821.079, 821.080 and 821.081 and as hereafter amended, as they relate specifically to the leaving of a dog outside and unattended by the use of a restraint (chain, rope, tether, leash or other device that attaches a dog to a stationary object or trolley system) that unreasonably limits the dog's movement.

Sec. 6-15. Outside dogs.

(a) Dog pens. An owner of a dog commits an offense if the fenced yard or other pen or structure used as the primary outside living area for the dog or used as an area for the dog to regularly eat, sleep, drink and eliminate is not:

(1) at least one-hundred and fifty (150) square feet for each dog six months of age or older;

(2) designed, constructed and composed of materials that do not pose a risk to the dog's health, safety and/or welfare; and

(3) designed in a manner that provides the dog access to the inside of a dog house, building or shelter to get in out of the elements and bad weather.

The dog house, building or shelter must:

(A) have a weatherproof top, bottom and sides;

(B) have an opening on no more than one side that allows the dog to remain dry and provides adequate shade during daylight hours;

(C) have a floor that is level and dry;

(D) be free from cracks, depressions and rough areas that be conducive to insects, parasites and other pests;

(E) be of adequate size to allow the dog to stand erect with the dog's head up, to turn around easily and to sit down in a comfortable and normal position;

(F) have sufficient clean and dry bedding material or other means of protection from the weather that will allow the dog to retain body heat when the weather is colder than what a dog of that breed and condition can tolerate;

(G) provide suitable means for the prompt elimination of excess fluids/liquids'

(H) be structurally sound, maintained in good repair and constructed with material that protects the dog from injury; and

(I) allows the dog in and out.

(b) Sanitary standards. An owner of a dog commits an offense if the fenced yard or other pen or structure used as the primary outside living area for the dog or used as an area for the dog to regularly eat, sleep, drink and eliminate is not kept in a sanitary manner.

The owner must:

(1) remove feces, throw-up and other excrement from the pens, structures, dog houses and premises.

(2) protect water and food bowls and troughs from disease, insects and other vermin.

(3) remove all refuse and trash.

(4) equip all watering troughs or tanks with adequate facilities for draining and overflow.

Sec. 6-16. – Penalty.

Any person violating provisions of this chapter shall be deemed to be guilty of a Class C misdemeanor and upon conviction shall be fined in an amount not in excess of five-hundred dollars (\$500.00). For purposes of Section 6-2 of this chapter, upon conviction, any person violating the section shall be fined in an amount not to exceed \$200.00. Each violation of this chapter shall be deemed a separate offense and each day that the violation continues shall be deemed a separate offense. Nothing herein shall prevent the enforcement of this chapter by another means authorized by law, and this chapter may be enforced by any or all means, and the choice of remedy is not to the exclusion of any other remedy.

SECTION B. OPEN MEETINGS COMPLIANCE

That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the TEXAS OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, Chapter 551.

SECTION C. SEVERABILITY

Should any section, clause, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and/or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

SECTION D. REPEALER

All ordinances or parts of ordinances not consistent or conflicting with the provisions of this ordinance are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this ordinance shall continue as if this ordinance was not passed or any other ordinance had not been repealed.


SECTION E. PUBLICATION

The City Secretary is hereby directed, if required by law, to post or publish in the official newspaper of the City, the caption, publication clause and effective date clause of this ordinance in one issue of the official newspaper of the City, provided that the official newspaper is a weekly paper, in accordance with Section 52.011 of the TEXAS LOCAL GOVERNMENT CODE. The City Secretary is also hereby directed to incorporate the provisions of this Ordinance into the CITY OF VENUS CODE OF ORDINANCES by submitting it to *www.municode.com* for incorporation and online publication.

SECTION F. EFFECTIVE DATE

That this Ordinance shall become effective on the date of the passing of this ordinance.

SECTION G. CERTIFICATION OF ADOPTION

APPROVED: 
MAYOR JAMES BURGESS

PASSED: MONDAY, FEBRUARY 13, 2017

I, the undersigned, City Secretary do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the City of Venus City Council at a regular meeting duly convened on Monday, February 13, 2017.

ATTEST:



RANA GAMEL, CITY SECRETARY

APPROVED AS TO FORM:



CASS CALLAWAY, CITY ATTORNEY

