

AN ORDINANCE 2013-09-05-0601

**AMENDING CHAPTER 5 OF THE CITY CODE ENTITLED "ANIMALS," TO DESIGNATE THE ANIMAL CARE SERVICES DEPARTMENT THE DESIGNATED CARETAKER OF IMPOUNDED ANIMALS.**

\* \* \* \* \*

**WHEREAS**, a recent ruling by the Texas State Board of Veterinary Medical Examiners (TSBVME), indicates that all veterinarians must have a vet/patient/client relationship in order for them to provide any medical care and treatment to any pet; and

**WHEREAS**, as a result of this ruling, shelter facilities such as Animal Care Services (ACS) will risk the health of its pets and kennels by not being able to provide basic medical treatment for stray animals; and

**WHEREAS**, the TSBVME is a state regulatory board that oversees compliance and ensures people who enter into the veterinarian profession meet minimum academic and examination requirements; and

**WHEREAS**, each year ACS brings in between 30,000 to 35,000 pets and in order to limit the spread of disease, organizations such as ACS must provide basic medical services for all pets through services such as issuing vaccinations upon intake; and

**WHEREAS**, ACS requests that Chapter 5 of the City Code be amended to designate ACS as the "designated caretaker" of all animals brought to its facility upon intake; and

**WHEREAS**, the designation as the animals' caretaker would allow veterinary staff to provide protective vaccinations and any needed medical care immediately, and help prevent the spread of disease by maintaining the health of the animals and kennels; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 5 of the City Code of San Antonio, Texas entitled "Animals", is hereby amended by adding language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text as set forth in this Ordinance.

**SECTION 2.** Chapter 5 of the City Code of San Antonio, Texas is hereby amended as follows:

*Chapter 5, Article I, Section 5-2, Animal care services facility; erection, maintenance, care of animals; euthanasia service, is amended as follows:*

**Sec. 5-2. - Animal care services facility; erection, maintenance, care of animals; euthanasia service.**

(a) There shall be erected and maintained, under the supervision of the director, a suitable building and kennels, to be known as the animal care services facility, for the confinement of all animals seized, impounded or surrendered pursuant to the provisions of this chapter. The animal care services facility shall be kept in a sanitary condition, and all animals taken up and impounded therein shall be properly fed and provided water. All animals shall be treated in a humane manner while under the custody of the department. The department or its designee shall be considered the designated caretaker of all impounded animals immediately upon intake at the facility.

(b) Upon payment of the applicable fee, if any, the animal care services facility will provide euthanasia of dogs, cats, and other small animals upon the signed request of an owner who resides within the city and residents of unincorporated Bexar County as long as the city and county maintain a joint animal control program through contractual agreement.

(c) The sale of live animals from the animal care services facility for research and pound seizures is prohibited.

**SECTION 3.** All other provisions of Chapter 5 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

**SECTION 4.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

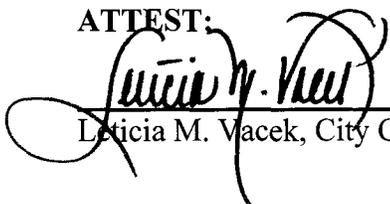
**SECTION 5.** The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 6.** This ordinance shall become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

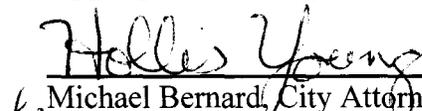
PASSED AND APPROVED this 5th day of September, 2013.

  
M A Y O R  
Julián Castro

ATTEST:

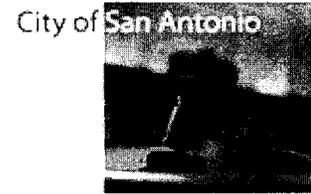
  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Michael Bernard, City Attorney



Request for  
**COUNCIL**  
 ACTION



## Agenda Voting Results - 19

<b>Name:</b>	5A, 5B, 8, 9, 10, 11, 12, 13, 14A, 14B, 14C, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 16, 17, 18, 19, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 21, 22, 23, 24, 25, 26A, 26B, 27A, 27B, 28A, 28B, 28C						
<b>Date:</b>	09/05/2013						
<b>Time:</b>	04:12:36 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance amending Chapter 5 of the City Code entitled "Animals" to designate the Animal Care Services Department the Designated Caretaker of impounded animals in order to provide protective vaccinations and any needed medical care for animals or pets brought into the ACS facility. [Erik Walsh, Deputy City Manager; Kathy Davis, Director, Animal Care Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x				
Elisa Chan	District 9	x					
Carlton Soules	District 10		x				