

ORDINANCE 14-01

**AN ORDINANCE OF THE CITY OF WOODWAY, TEXAS;
AMENDING CHAPTER 3, ANIMALS AND FOWL, OF THE
CODE OF ORDINANCES OF THE CITY OF WOODWAY,
TEXAS, TO REGULATE SPAYING, NEUTERING, AND
MICROCHIPPING OF DOGS AND CATS; PROVIDING A
SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE;
AND FINDING AND DETERMINING THAT THE
MEETING AT WHICH THIS ORDINANCE IS ADOPTED
WAS NOTICED AND WAS OPEN TO THE PUBLIC AS
REQUIRED BY LAW.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODWAY,
TEXAS:**

SECTION I

That Chapter 3, Animals and Fowl, of the Code of Ordinances of the City of Woodway, Texas, Article I, General Provisions, Section 3-8, Owner responsibility, is hereby amended by adding the following:

- (d) Spay/neuter required; exceptions.
 - (1) All dogs or cats in the City of Woodway corporate city limits shall be spayed/neutered. The owner of such animals must retain documentation of the spay/neuter of their animals.
 - (2) All dogs or cats impounded within the corporate city limits of the City of Woodway will be spayed/neutered prior to being released to the owner. The cost to spay/neuter the animal shall be paid by the owner along with the impound fees.
 - (3) The following animals will not be spayed/neutered as directed under subsection (2):
 - a. The animal is under four (4) months of age;
 - b. A licensed veterinarian certifies that the dog or cat should not be spayed/neutered for health reasons or is permanently non-fertile;
 - c. The animal is a trained animal used by or under the authority of a governmental agency in police or rescue work;
 - d. Animals transferred to another animal shelter that provides a written agreement to the City of Woodway that the animal will be sterilized before being placed into a new home located within the corporate limits of the City of Woodway; or

- e. Animals, picked up for the first time, belonging to a breeder that has:
 - 1. the animal's microchip number; and
 - 2. a copy of the animal's health statement; and
 - 3. paid the fee for the first offense and all other fees associated with the impoundment of the animal. Should the animal be impounded a second time, it will be spayed/neutered prior to being released to the owner.
- (e) Microchip required.
- (1) All dogs or cats in the City of Woodway corporate city limits must be microchipped.
 - (2) All dogs or cats will be microchipped prior to leaving the animal shelter.
 - (3) All impounded dogs or cats shall have a microchip inserted between its shoulder blades before being released to its owner. The owner of the dog or cat shall pay the cost for this procedure in addition to the impoundment fees.
 - (4) Any dog or cat that is adopted from the animal shelter shall have a microchip inserted between its shoulder blades and the animal's new owner shall pay the cost for this procedure.
 - (5) The microchip fee is not refundable and may be used only for the dog or cat for which it was issued.
 - (6) Subsections (1) and (2) do not apply to a community ear tipped cat.

SECTION II

That if any provision of this ordinance is found by a Court of competent jurisdiction to be invalid, unconstitutional or unenforceable, or if the application of this ordinance to any person or circumstances is found to be invalid, unenforceable or unconstitutional, such invalidity, unenforceability or unconstitutionality shall not affect the other provisions or application of this ordinance which can be given effect without the invalid, unenforceable or unconstitutional provisions or application.

SECTION III

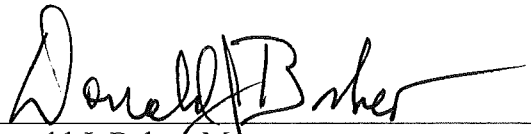
That all ordinances, codes, regulations, policies and guidelines of and in the City of Woodway, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV

That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by law.


PASSED AND APPROVED this 31st day of January 2014.

CITY OF WOODWAY, TEXAS




Donald J. Baker, Mayor

ATTEST:



Jennifer Canady, City Secretary

APPROVED:



Mike Dixon, City Attorney