



# City of Rowlett

## Official Copy

Ordinance: ORD-023-18

4000 Main Street  
Rowlett, TX 75088  
www.rowlett.com

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**AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, TEXAS, BY AMENDING ARTICLE I (“IN GENERAL”) OF CHAPTER 6 (“ANIMALS”) TO AMEND SECTION 6-8 PERTAINING TO ANIMAL CARE GUIDELINES, ESTABLISHING A TRAP, NEUTER/SPAY AND RETURN PROGRAM; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rowlett, Texas, hereby finds and determines that homeless animals exist in virtually every community in every state, and that many, by some estimates as many as 300,000, are euthanized every year, and that the number of homeless animals far exceeds the number of available homes; and

**WHEREAS**, the City Council further finds that feral cat colonies often present harmful conditions beyond constituting public nuisances due to the potential spread of rabies; and

**WHEREAS**, programs whereby feral cats are captured and impounded often results in euthanasia, but even placement in homes as pets does not affect the populations of feral cat colonies, since the euthanized animal is simply replaced in the colony by other feral cats; and

**WHEREAS**, the Council finds and determines that a “Trap, Neuter/Spay and Return” program can be an effective way of controlling feral cat populations, whereby citizens may humanely capture feral cats for evaluation and neutering/spaying by a veterinarian, and release the cat at or near the location where captured; and

**WHEREAS**, the Council finds and determines that a Trap, Neuter/Spay and Return program may help stem the tide of homelessness, control feral cat populations, and, as a component of an animal management policy, is essential for creating and sustaining a humane community.

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

**SECTION 1:** That section 6-8 of Article I, “In General,” of Chapter 6, “Animals,” of the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended to add a new subsection (h), without amendment, repeal or change to any other subsection or part of section 6-8, such that subsection (h) of section 6-8 shall henceforth read as follows:

**“CHAPTER 6. ANIMALS**

## ARTICLE I. IN GENERAL

...

### **Sec. 6-8. Animal care guidelines.**

...

(h) *Trap, Neuter/Spay, Return Program.* It is the policy of the City of Rowlett to encourage practices, programs and policies that are designed to humanely capture, neuter or spay, and return feral cats to their place of capture as a means of controlling feral cat populations. The Animal Control Manager or their designee shall develop and approve policies and programs to encourage and promote the humane capture, veterinarian evaluation, neutering/spaying, and humane release of feral cats. It shall be a defense to the prosecution of an offense under section 6-71 ("Registration Required") and section 6-236 ("Harboring Unvaccinated Animals") if the animal is a feral cat participating in a trap, neuter and return program authorized by the Animal Control Manager."

**SECTION 2:** That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3:** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4:** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

At a meeting of the City Council on August 21, 2018 this Ordinance be adopted. The motion carried by the following vote:

**Ayes: 7** Mayor Dana-Bashian, Mayor Pro Tem Brown, Deputy Mayor Pro Tem Grubisich, Councilmember Margolis, Councilmember Sherrill, Councilmember Bobbitt and Councilmember Bell.

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Approved by Tommy Davis-Basham  
Mayor

Date August 21, 2018

Approved to form by [Signature]  
City Attorney

Date August 21, 2018

Certified by Saura Hallmark  
City Secretary

Date August 21, 2018

