

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 “GENERAL REGULATIONS”, ARTICLE 9-1 “ANIMAL SERVICES” OF THE CODE OF ORDINANCES TO AMEND SECTION 9-1-8 “ANIMAL APPEALS AND ADVISORY BOARD’ SUBSECTIONS A AND B, TO INCREASE THE NUMBER OF MEMBERS FROM THREE (3) TO FIVE (5); PROVIDING THAT AT LEAST THREE MEMBERS APPROVE OR DENY AN APPEAL; AND PROVIDING FOR AN ALTERNATE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:

SECTION 1. That Chapter 9 “General Regulations”, Article 9-1 “Animal Services”, by amending Section 9-1-8 ‘Animal appeals and advisory board’ by amending subsections A and B to the Code of Ordinances be, and the same is hereby, amended to read as follows:

“CHAPTER 9 – GENERAL REGULATIONS

ARTICLE 9-1. – ANIMAL SERVICES

Sec. 9-1-1. – Definitions

.....

Sec. 9-1-8. – Animal appeals and advisory board.

A There is hereby created the animal appeals and advisory board comprised of the animal services manager, a veterinarian to be appointed by the city council and three 3) residents of the city, , one of which shall not be an employee of the city and is a member of an animal welfare organization. The city council may appoint a resident as an alternate to serve in the absence of the appointed resident of the board whom is not animal welfare appointee, unless the alternate is a member of an animal welfare organization. The denial or revocation of registration may be appealed by filing with the animal services manager or their designated representative a written request for hearing within ten days after notification of the denial or revocation. The filing of a request for an appeal stays the action until the appeals board makes a final decision, although it does

not preclude the necessity for the animal to be removed from the city until all appeals are final. If written request for an appeal is not timely made, the denial or revocation is final.

- B. The appeals board may consider evidence offered by any interested person. The formal rules of evidence do not apply. The appeals board shall make its decision on the basis of a preponderance of the evidence presented at the hearing. The appeals board should conduct a hearing and render a decision within 15 days after the request for an appeal is filed or as soon thereafter as practicable. The appeals board may affirm or reverse the denial or revocation based on a simple majority of at least three members. The decision of the appeals board shall be sent to the owner of the affected animal. The decision of the appeals board is final.

.....”

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

SECTION 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. 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.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day of _____, 2021.

APPROVED:

Wes Mays, Mayor

ATTEST:

Ashley Owens, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney