



**CITY OF NEW BRAUNFELS, TEXAS
ANIMAL SERVICES ADVISORY BOARD
MEETING
CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET**



WEDNESDAY, JULY 27, 2022 at 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

A) Minutes from the May 4, 2022, ASAB meeting.

[22-846](#)

4. CITIZENS' COMMUNICATIONS

This is a time for attendees to speak on general items of their personal concern that are NOT on this agenda. Pursuant to the Texas Open Meetings Act the Board cannot answer questions or discuss items brought up during Citizens' Communications. Comments regarding agenda items should be brought up when those items are considered by the Board.

5. DISCUSSION ITEMS

A) Discussion regarding whether an impounded animal can [22-859](#) be spayed or neutered if the animal is impounded twice in a 12-month period.

B) Discussion, comment, and input on any ideas for [22-875](#) restructuring of the Animal Services Advisory Board.

6. ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

Board Liaison

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.



Animal Services Advisory Board Agenda Item Report

550 Landa Street
New Braunfels, TX

7/27/2022

Agenda Item No. A)

PRESENTER:

Bryan V. Ruiz, Neighborhood Services Manager

SUBJECT:

Minutes from the May 4, 2022, ASAB meeting.

**MINUTES
OF THE NEW BRAUNFELS ANIMAL SERVICES ADVISORY BOARD
ON MAY 04, 2022**

The Animal Services Advisory Board of the City of New Braunfels, Texas, convened in a Regular Session on May 04, 2022 at 6:02 p.m., at the City of New Braunfels Council Chambers meeting room located at 550 Landa Street.

Board Members present were Eric Trager, Sarah Hammond, Tanya Palmer, John Velazquez, and Bryan Ruiz.

City Staff present: Allison Scheffel, Christopher Looney, Valeria Acevedo, Nathan Brown, and Monique Johnson

Media was present: Steve Knight from Herald-Zeitung

The meeting was called to order by Eric Trager at 6:02p.m., verifying the presence of a quorum.

1. MINUTES

Chairman Eric Trager introduced the minutes of the March 3, 2022 regular session meeting for consideration of approval.

- a) Sarah Hammond motioned to approve the minutes
- b) John Velazquez made a motion to second the approval of the minutes.
- c) Minutes were approved unanimously as amended.

2. CITIZENS COMMUNICATIONS

Citizen's communications was offered

- a) None

3. DISCUSSION ITEMS FOR CONSIDERATION

- a) Chairman Eric Trager opened up discussion to consider a possible recommendation to City Council regarding an ordinance that would regulate the sales of dogs and cats in retail pet shops.
 - i. Bryan Ruiz spoke about the research the City has done in order to compile the proposed ordinance that would regulate the sales of dogs and cats in retail pet shops.
 - ii. The public that were in attendance expressed their concerns for and against the item for discussion.
 - iii. Sarah Hammond motioned to accept the proposed ordinance.
 - iv. John Velazquez seconded Sarah's motion.
 - v. All board members were in favor in moving forward with the proposed ordinance and present it to Council.

4. Presentation: Mobile Groomers

- a) Allison Scheffel presented to the board members a presentation on mobile groomers.

5. Staff Report

- a) Christopher Looney provided information to the board and commission appointment process.

6. Adjournment:

- a) The meeting adjourned at 6:54 pm by Chairman Eric Trager.

Date Approved: 05/04/2022

By:_____

Attest:_____

7/27/2022Agenda Item No. A)

PRESENTER:

Agenda item requested by Board Member Sarah Hammond, Executive Director, Humane Society of New Braunfels Area

SUBJECT:

Discussion regarding whether an impounded animal can be spayed or neutered if the animal is impounded twice in a 12-month period.

DEPARTMENT: Planning & Development Services**COUNCIL DISTRICTS IMPACTED:** All Districts**BACKGROUND INFORMATION:**

This agenda item was requested by Board Member Sarah Hammond to promote spaying and neutering of pets as part of responsible dog and cat ownership. It could also serve to educate pet owners on the need to keep their pets secured on their property. There are examples of other cities within the state that have similar ordinances.

City of San Marcos

Sec. 6.030. Impoundment and redemption.

(d) *Redemption of impounded animals.*

- (6) If an animal is impounded for running at large, for a second time, the owner must have the animal neutered as a further requirement for return. The procedures for returning and neutering such animal will be the same as those set forth in section 6.031 for adoption of an animal.
- (7) An owner whose animal is impounded for running at large shall remain liable for all fees whether the owner claims the animal or chooses to abandon the animal at the shelter.

(Ord. No. 2008-62, § 4, 12-18-08; Ord. No. 2010-10, § 1, 3-2-10)

City of El Paso

7.16.020 Redemption—Disposition.

- A. The owner of any impounded dog or cat shall be entitled to resume possession of such dog or cat upon payment of the established impoundment and daily handling fees and compliance with vaccination, registration, microchipping, spaying or neutering requirements, and other legal requirements for keeping such dog or cat.
 - B. An additional fee in the amount established by the council shall be paid by the owner of an unaltered dog or cat more than four months of age that is impounded by the program for a second time within a one year period, upon a third time within a two-year period or upon a fourth and each subsequent time during the animal's life. To further the city's interest in combating pet overpopulation and promoting spaying and neutering of pets as part of responsible dog and cat ownership, the city will refund the additional established fee to the owner if the owner provides evidence to the program that the dog or cat was spayed or neutered within thirty days after the day the owner resumed possession of the dog or cat. All requests for a refund under this section shall be submitted to the program no later than the 60th day after the date the dog or cat was spayed or neutered and only one fee paid under this subsection is eligible for a refund.
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City of Austin

§ 3-1-29 STERILIZATION.

The city manager or the manager of an animal shelter must sterilize an animal if it has been impounded two or more times if the animal is medically cleared for the sterilization.

Source: Ord. 20061005-007; Ord. No.20191017-025, Pt. 9, 10-28-19.

City of Houston

Sec. 6-96. Unsterilized pet registration revocation; mandatory sterilization.

Any owner of an animal with an unsterilized pet registration whose animal is impounded for running at large in violation of this chapter two or more times shall have the unsterilized pet registration immediately revoked and shall be required to have the animal sterilized prior to redemption of the animal from the BARC animal shelter. Upon redemption of the animal from the BARC animal shelter:

- (1) The owner shall purchase a sterilized pet registration for the animal;
- (2) The owner shall pay the fee for the performance of sterilization at the BARC animal shelter; and
- (3) The owner shall pay any other applicable fees as set forth in section 6-137 of this Code.

(Ord. No. 2022-44 , § 2(Exh. A), 1-19-2022)

City of Waco

Sec. 5-210. Required, exceptions.

- (a) All dogs or cats in the corporate city limits shall be spayed/neutered. The owner of such animals must retain documentation of the spay/neuter of their animals.
- (b) All dogs or cats impounded within the corporate city limits 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.
- (c) The following animals will not be spayed/neutered as directed under subsection (a):
 - (1) The animal is under four months of age;
 - (2) A licensed veterinarian certifies that the dog or cat should not be spayed/neutered for health reasons or is permanently non-fertile;
 - (3) The animal is a trained animal used by or under the authority of a governmental agency in police or rescue work;
 - (4) Animals transferred to another animal shelter or a nonprofit or 501(c)3 organization that provides a written agreement to the city that the animal will be sterilized before being placed into a new home located within the corporate limits of the city; or

7/27/2022

Agenda Item No. B)

PRESENTER:

Bryan V. Ruiz, Neighborhood Services Manager

SUBJECT:

Discussion, comment, and input on any ideas for restructuring of the Animal Services Advisory Board.

DEPARTMENT: Planning & Development Services**COUNCIL DISTRICTS IMPACTED:** All Districts**BACKGROUND INFORMATION:**

At the last Animal Services Advisory Board (ASAB) meeting staff provided information on the City's board and commission appointment process. The ASAB was first established in 2013, when the community was smaller. Since then, many new related businesses have opened, existing ones have expanded, and thousands of new residents have moved to New Braunfels. Many of the new residents likely have interests in the topics the ASAB reviews and considers. And, with the growth, more issues for the ASAB to advise City Council on will arise.

In light of these community changes and in the spirit of continuous improvement, staff is seeking any input or ideas on changes to the board makeup or structure to improve processes and service delivery to our community's residents.

PART II - CODE OF ORDINANCES
Chapter 6 - ANIMALS
ARTICLE IV. - CARE AND KEEPING
DIVISION 2. ANIMAL SERVICES ADVISORY BOARD

DIVISION 2. ANIMAL SERVICES ADVISORY BOARD¹

Sec. 6-87. Definitions.

For the purposes of this article, the following terms, phrases, words and their derivation shall have the meaning given herein:

Board means the animal services advisory board of the City of New Braunfels, Texas.

Board member means the members of the city animal services advisory board.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-88. Establishment of an animal services advisory board.

The animal services advisory board is hereby established to, among other things, advise and make recommendations to the city council pertaining to animals and this chapter. The board shall further advise the city council, through the city manager, on any aspect of animal care services which in the board's opinion merits the attention of the city. The animal services advisory board shall be appointed by the city council and shall be composed of the following members as identified in section 6-89.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-89. Number of members; qualified appointment; terms.

The board shall consist of seven appointed members. The board shall consist of one licensed veterinarian, representing the Comal County Veterinary Medical Association, one municipal official, represented by the city's designated Texas Department of State Health Services (TDSHS) local rabies control authority, one county official, represented by Comal County's designated TDSHS local rabies control authority, one person whose duties include the daily operation of the Humane Society of New Braunfels Area, one representative from an animal welfare organization, represented by a board member of the Humane Society of New Braunfels Area, one citizen who resides either within the city or city's extra-territorial jurisdiction, and one currently permitted commercial animal establishment facility owner or operator. With the exception of the appointed municipal official, the county official, and the representatives of the Humane Society of New Braunfels Area, all other members shall be appointed by the city council for staggered terms of three years.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-90. Meetings.

The board shall meet at least three times per year and any additional meetings as may be called. Special meetings may be called by the chair or by written request sent to the chair or vice-chair by two members of the board.

¹Editor's note(s)—At the discretion of the editor, sections 6-87—6-94 as enacted by Ord. No. 2013-51, § II, adopted September 9, 2013, have been designated as division 2, "Animal services advisory board" of this article.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-91. Vacancies.

When vacancies occur on the board, the city council shall appoint, by majority vote, a replacement to serve the remainder of the term.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-92. Removal.

Each board member serves at the pleasure of the city council and may be removed at the discretion of the city council. Board member absences shall be controlled by article III, section 2-56 of this Code.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-93. Quorum; voting.

Four board members shall constitute a quorum of the board for the purpose of conducting its business, exercising its powers, and for all other purposes. No action of the board shall be valid or binding unless adopted by the affirmative vote of a majority of those board members present and voting.

(Ord. No. 2013-51, § II, 9-9-13)

Sec. 6-94. Powers and duties.

- (a) The board shall act in an advisory capacity to the city staff and the city council in any matter pertaining to compliance with V.T.C.A., Health and Safety Code § 823.001 et seq.
- (b) The board shall operate under bylaws approved by the city council. The set of bylaws shall govern rules of procedure, board operations, conduct and other such activities in compliance with Robert's Rules of Order, newly revised edition.
- (c) The board shall elect such officers as the members deem necessary to conduct their business affairs. The board, through its representatives, shall make an oral and/or written report annually to the city council concerning its activities during the past year and its proposals for the coming year.
- (d) The board shall not have the power to obligate the city for funds and/or expenditures or incur any debt on behalf of the city.
- (f) All powers and duties prescribed and delegated herein are delegated to the board, as a unit, and all action hereunder shall be of the board acting as a whole. No action of an individual board member is authorized, except through the approval of the board or city council. The board shall have any other power and/or duty as prescribed and authorized by the city council.
- (g) The board's authority shall not extend to the direction, supervision, employment or termination of the city employees. No supervisory power of the board is created.

(Ord. No. 2013-51, § II, 9-9-13)

Secs. 6-95—6-105. Reserved.

DIVISION 18. ANIMAL SHELTER ADVISORY COMMITTEE

Sec. 2.366. Established; appointment; terms.

The animal shelter advisory committee is established, in accordance with state law. The committee will consist of one licensed veterinarian, one city official, one person whose duties include the daily operation of an animal shelter, one representative from an animal welfare organization, one resident of the city or the city's extraterritorial jurisdiction, one person appointed by the City of Kyle, one person appointed by the City of Buda, and one person appointed by Hays County. With the exception of the persons appointed by the county, Buda, and Kyle, the committee will be appointed by the city council for staggered terms of three years.

(Ord. No. 2002-57, § 1, 8-26-02; Ord. No. 2004-75, § 1, 11-8-04; Ord. No. 2006-59, § 1, 11-21-06; Ord. No. 2013-11, § 1, 3-5-13)

Sec. 2.367. Powers and duties.

The committee will serve in an advisory capacity to the director of environmental health on matters involving compliance with state laws that regulate animal shelters.

(Ord. No. 2002-57, § 1, 8-26-02)

Sec. 2.368. Meetings.

The committee will meet at least three times a year.

(Ord. No. 2002-57, § 1, 8-26-02)

Sec. 6-132. Members; terms; offices.

- (a) The committee shall consist of six members, which membership positions shall be designated as positions one through six. The members in positions one through four shall be appointed by the city council in accordance with rule 19 of the city council's rules of procedure as codified in section 2-2 of this Code. The members in positions five and six shall be appointed by the mayor and confirmed by the city council. The following membership criteria shall apply:
 - (1) Position one shall be filled by a veterinarian.
 - (2) Position two shall be filled by a municipal or county official.
 - (3) Position three shall be filled by a person whose duties include the daily operation of an "animal shelter" as that term is defined in § 823.001 of the Health and Safety Code.
 - (4) Position four shall be filled by a person who is an officer or employee of an animal welfare organization.
 - (5) Positions five and six shall be filled by residents of the city.
- (b) The members of the committee shall serve for two-year terms commencing on the first day of each even-numbered calendar year and ending on the last day of each odd-numbered calendar year, or until such time as their successors are appointed and qualified, whichever event shall occur later.
- (c) At the first meeting of each calendar year, the members of the committee shall select a chairperson. The member serving in position two of the committee shall be the ex officio, non-voting secretary of the committee.
- (d) Positions 1 through 4 need not be occupied by residents of the city, provided they reside in the Houston-Sugar Land-Baytown metropolitan statistical area, as defined by the Office of Management and Budget within the Executive Office of the President of the United States.

(Ord. No. 2022-44 , § 2(Exh. A), 1-19-2022)

Sec. 5-32. Board composition.

The animal welfare board shall consist of one licensed veterinarian, one person whose duties include the daily operation of an animal shelter, two representatives from an animal welfare organization, a city official who shall be appointed by the city council, one McLennan County commissioner, one board member from the entity contracting with the city at the animal shelter, one appointee from each council district, and a member of the city council to total 13 members. A quorum for meetings shall be a majority of the members qualified and serving on said board. The term of each board member shall be two years, except that the initial appointments shall be staggered terms so that two positions expire after one year. The persons appointed to this board shall be persons who are interested in animal welfare or who have knowledge or training about animal behavior, health, or care. The board shall be composed of residents of the city and of the surrounding communities.

(Ord. No. 2013-478, § 1, 8-20-13; Ord. No. 2016-260 , § 1, 4-5-16; Ord. No. 2019-197 , § 1, 3-19-19; Ord. No. 2019-905 , § 1, 11-19-19)

Sec. 14-253. Composition of the committee.

- (a) The committee shall consist of five active members (the "members") appointed by the mayor and approved by vote of the Seguin City Council to fulfill the following composition:
 - (1) A veterinarian licensed to practice in the State of Texas;
 - (2) A City of Seguin municipal official;
 - (3) A person who is employed as the director of the Seguin Animal Services;
 - (4) A person who is a representative from an animal welfare organization; and
 - (5) A citizen who resides within the Seguin city limits.
 - (b) Except for the director of the Seguin Animal Services, the term for each member shall be three years. A member's service shall be limited to two consecutive terms, but may be reappointed after sitting out at least three years. If no other veterinarian is willing to serve, the current veterinarian may serve more than two terms. Vacancies shall be filled by the Seguin City Council.
 - (c) The voluntary absence of a member from two consecutive regular meetings of the committee or any four regular meetings within one year will result in automatic resignation of the member from the committee. A voluntary absence means an absence other than an excused absence. An excused absence means an absence that results from a medical reason of a member or a relative of the member. The chair shall make the initial determination as to whether or not an absence is excused; however, a member may appeal that decision to the committee as a whole.
- (Ord. No. 2012-04, § 1, 1-3-12; Ord. No. 2016-15, § 6, 2-2-16)

Sec. 14-33. Advisory committee duties.

- (a) The Schertz Animal Care Advisory Committee shall consist of four members appointed by the city manager. The members of this committee shall include a licensed veterinarian, a municipal official, a shelter operator and one member of an animal welfare organization.
- (b) The advisory committee shall meet at least three times a calendar year and shall assist in complying with the requirements of state and local laws.
- (c) The advisory committee shall visit the animal shelter at times selected by the committee and make recommendations to the city manager concerning animal care services and shelter operating procedures.

(Ord. No. 15-H-27 , § I, 8-25-2015)

Sec. 5-25. Creation; composition; term of service.

- (a) There is hereby created the animal care services advisory board, which shall consist of fourteen (14) members. Eleven (11) of the members of this board shall be appointed by the city council, one (1) from each city council district and one (1) by the mayor. Each of these appointees shall serve on said board for a term of two (2) years in accordance with the city's boards and commissions rules codified in chapter 2, article IX of this Code. The health department director, the animal care services department director and the city manager or designees shall be ex-officio non-voting members of the board.
- (b) The animal care services advisory board shall include among its membership at least one (1) licensed veterinarian; one (1) city official; one (1) person whose duties include the daily operation of an animal shelter; and one (1) representative from an animal welfare organization.
- (c) The animal care services advisory board shall meet at least three (3) times a year.

(Ord. No. 2010-06-17-0555, § 1, 6-17-10)