

**TULIA CITY COUNCIL
TUESDAY FEBRUARY 11, 2025
AT 6:00 P.M.
TULIA CITY HALL, CITY COUNCIL CHAMBERS**

1. Call to Order and Quorum Call

_____ Dusty George, Mayor	_____ City Manager
_____ Israel ‘Bibo’ Ramirez	_____ City Secretary
_____ Jay Smith	_____ City Attorney
_____ Jed Owens	_____ Electric Director
_____ Greg Needham	_____ Public Works Director
	_____ Chief of Police

2. Presentations and Public Comment (Public Comments is limited to 3 minutes per speaker.)

3. Consider action on the Consent Agenda (usually approval of council meeting minutes will be placed under consent agenda along with non-controversial items that may have already been discussed or routinely handled in the past. This may include resolutions but not ordinances. A council member may remove an item from the consent agenda and place it on the Discussion and Action agenda before a vote on the Consent Agenda items.)

- CONSIDER AND APPROVE MINUTES FROM THE JANUARY 14, 2025 MEETING
- POLICE CHIEF’S ANNUAL REPORT ON RACIAL PROFILING

4. Items for Discussion and Action

- a. DISCUSS AND TAKE ACTION ON JOINT ELECTION AGREEMENT
- b. CONSIDER AND TAKE ACTION REGARDING CALL FOR ELECTION FOR DISTRICT I AND DISTRICT II
- c. PRESIDENT AND CEO LAUREN GARDUNO TO GIVE UPDATE ON PORTS TO PLAINS
- d. DISCUSS AND TAKE ACTION ON ORDINANCE 2025-01 AMENDMENT TO ANIMAL CONTROL IMPOUNDMENT

- e. EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.072 (Deliberation about Real Property)
- f. TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

5. Announcements

- TULIA POWER & LIGHT
- PUBLIC WORKS
- POLICE DEPT
- CITY HALL

6. Adjournment

The City Council of the City of Tulia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development)

This agenda was posted on or before February 7, 2025 by 5:00 p.m.

STATE OF TEXAS X

COUNTY OF SWISHER X

CITY OF TULIA X

ON the 14th day of January, 2025, the City Council of the City of Tulia met in the City Council Chambers at 6:00 p.m.

Present were:	Dusty George	Mayor
	Israel 'Bibo' Ramirez	Mayor ProTem
	Gregory Needham	Council Member
	Jed Owens	Council Member
	Jay Smith	Council Member

Also present were:	BJ Potts	City Manager
	Kristina Solomon	City Secretary
	Paul Brown	Chief of Police
	Brian West	Electric Director

Absent was:	Russell Proctor	Public Works Director
	Courtney White	City Attorney

1. Call to Order and Quorum Call Work Session

Dusty George called the meeting to order at 6:00 p.m. in the City Council Chambers.

2. Presentations and Public Comment (Public Comment is limited to 3 minutes per speaker.)

No comments at this time

3. Consider action on the Consent Agenda (usually approval of council meeting minutes will be placed under consent agenda along with non-controversial items that may have already been discussed or routinely handled in the past. This may include resolutions but not ordinances. A council member may remove an item from the consent agenda and place it on the Discussion and Action agenda before a vote on the Consent Agenda items.)

- CONSIDER AND APPROVE MINUTES FROM THE DECEMBER 17, 2024 MEETING

Bibo Ramirez made a motion to approve the minutes as presented. A second was made by Greg Needham and passed with a 5-0 vote.

4. Items for Discussion and Action

a. PRESENTATION TULIA ANIMAL CONTROL ADVOCATES

Dede Montague spoke about the proposed addendum to the current Ordinance. She is hoping to find ways to prevent having to euthanize the animals. She will continue to try and get as many animals adopted or fostered to prevent euthanasia.

b. DISCUSS AND CONSIDER ACTION TO ADD ADDENDUM TO CHAPTER 2, ANIMAL CONTROL ORDINANCE, ARTICLE 2.03 TO INCLUDE “ADDITIONAL 10 DAYS AT THE DISCRETION OF POLICE CHIEF AND OR ANIMAL CONTROL BEFORE DOG OR CAT IS DESTROYED”

Greg Needham made a motion to approve an addendum to Chapter 2, Animal Control Ordinance, article 2.03 to include an additional 11 days at the discretion of Police Chief and or Animal Control before dog or cat is destroyed and to allow an additional 10 days if the animal gets tagged during the 14 days. A second was made by Jay Smith and passed with a 4-1 vote.

c. PRESENTATION BY SWISHER COUNTY SHERIFF, KYLE SCHMALZRIED REGARDING POTENTIAL PLANNING FOR NEW LAW ENFORCEMENT FACILITY.

Sheriff Kyle Schmalzried presented to the council the idea of building a new jail to replace the current one that is 107 years old.

5. Announcements

- TULIA POWER & LIGHT
- PUBLIC WORKS
- POLICE DEPT
- CITY HALL

6. Adjournment

With no further business to discuss the meeting was adjourned at 7:34 p.m.

Mayor, Dusty George

ATTEST:

City Secretary, Kristina Solomon

JOINT ELECTIONS AGREEMENT

This agreement is entered into by and between SWISHER COUNTY, TEXAS, CITY OF TULIA, CITY OF KRESS, TULIA INDEPENDENT SCHOOL DISTRICT, KRESS INDEPENDENT SCHOOL DISTRICT and SWISHER MEMORIAL HOSPITAL DISTRICT acting by and through their governing bodies. The Joint Elections Administrator will function under the supervision of the Joint Elections Commission and Swisher County will operate as the fiscal agent.

NOW, THEREFORE, in consideration of the premises, the county and political subdivisions do agree as follows:

1. All political subdivisions agree to reimburse the county each year for the Elections Administrator's salary, DS200 Extended Warranty with Annual Maintenance and Firmware License, Electionware Reporting Only Renewal License Fee, ExpressVote BMD Extended Warranty with Biennial Maintenance and Firmware License, Bond, and Joint Elections Administrator's attendance at the annual election law seminar in Austin.
2. All political subdivisions further agree to pay, in addition to the annual amount set out above, all expenses of each election they hold, including, but not limited to, election judges/clerks, ballots, software programming, supplies, newspaper publication(s), postage to send voting media to the vendor to code, and lease of voting machines. Each political subdivision agrees to pay their pro-rata share directly to the election judges/clerks for working during early voting and/or election day. All other expenses will be paid by the county then invoiced to each of the political subdivisions.
3. The Joint Elections Administrator will be the Early Voting Clerk for political subdivisions holding an election. Voting by mail will be conducted by the Early Voting Clerk. The Elections Administrator will also procure and distribute all necessary election supplies.
4. In the event one or more of the political subdivisions cancels an election, the Joint Elections Administrator will be notified and the political subdivision will provide the "ORDER OF CANCELLATION" form to the Joint Elections Administrator.
5. In the event that an election is postponed by the political subdivision(s), any expenses incurred prior to the date the Election Administrator is informed of the postponed election will be the responsibility of the political subdivision(s).
6. Voting equipment (ES&S D200 Precinct Scanner and ExpressVote BDM), which are compliant with Section 61.012 of the Texas Election Code, will be leased to the political subdivision by the County. The voting equipment will be tested by the Joint Elections Administrator prior to each election. The Joint Elections Administrator and appointed central counting personnel will accumulate and tabulate the votes after the election and the results will be provided to each political subdivision for canvassing.

7. The Annual Voting System Filing Report will be completed by the Elections Administrator.
8. This agreement will be approved on an annual basis.

We, the undersigned, hereby approve the Joint Elections Agreement on this the _____ day of _____, 20____, which will be effective January 1, 2025.

SWISHER COUNTY, TEXAS

By: _____
County Judge

CITY OF TULIA

By: _____
Dusty George, Mayor

JOINT ELECTIONS ADMINISTRATOR

By: _____
Maridel Montgomery, Joint Elections Administrator

Attachment: Estimate of expenses

Estimate of Annual Fees for 2025

Election Administrator's salary (04/24 – 03/25)	\$ 23,000.00
Annual election seminar attendance in Austin	\$ 0.00
Election equipment maintenance and license fees	\$ 9,056.12
Bond	<u>\$ 50.00</u>
Total Annual Cost (shared among 6 entities: Swisher County, City of Tulia, City of Kress, Tulia ISD, Kress ISD and Swisher Memorial Hospital District)	\$ 32,106.12/6

**Estimate of total annual costs which will be billed
In May 2025.**

\$ 5,351.02

Estimate of expenses for any elections held by any political subdivision:
(Amount will be less if multiple entities have a joint election.)

Election worker pay (Early Voting & Election Day)	\$ 2,500.00
Leasing of Equipment (1 for Early Voting & 1 for Election Day) \$332.50 x 2	\$ 665.00
Testing of Equipment published in newspaper	\$ 90.00
Notice of Election published in newspaper	\$ 232.00
Postage to send media to vendor to code	\$ 20.00
Coding, Audio, Layout for voting machines	\$ 2,250.00
 Ballots	 <u>\$ 132.00</u>
 Total Estimate:	 \$ 5,889.00

ORDER OF ELECTION FOR CITY OF TULIA

An election is hereby ordered to be held on May 3, 2025 for the purpose of filling the elected positions of:

Council Member Dist. I

Council Member Dist. II

Early voting by personal appearance will be conducted each weekday in the basement of the Swisher County Courthouse. Early voting hours are from 8:00 am to 5:00 pm beginning April 22, 2025 until April 29, 2025.

Applications for ballot by mail shall be mailed to:

Maridel Montgomery
119 S. Maxwell Ave
Tulia, TX 79088

All applications for ballots by mail must be received no later than April 22, 2025 at 5:00 pm.

Issued this date the 11th of February, 2025.

Mayor

Signature of Councilperson

Signature of Councilperson

Signature of Councilperson

Signature of Councilperson

ORDINANCE NO. 2025-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF TULIA, CHAPTER 2, "ANIMAL CONTROL", TO REPLACE THE TERM "ANIMAL WARDEN" WITH THE TERM "ANIMAL CONTROL OFFICER", AND TO UPDATE THE CITY'S ANIMAL RESCUE POLICY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Tulia, Texas, pursuant to the constitution and laws of the State of Texas including, but not limited to, Article 11, Section 5 of the Texas Constitution as a home rule city, has the authority to set forth ordinances and regulations and exercise its police powers for the public health, safety, morals, or general welfare of the citizens of the City of Tulia; and

WHEREAS, the City of Tulia, Texas, has previously adopted animal control ordinances, codified in Chapter 2 of the Code of Ordinances, City of Tulia, which, among other thing, create the office of "animal control warden"; and

WHEREAS, the office of "animal control warden" has been replaced with the office of "animal control officer"; and

WHEREAS, the City of Tulia, Texas, has experienced a drastic increase in the number of dogs and cats impounded by the animal control officer; and

WHEREAS, the City Council has met with interested animal rescue organizations and other stakeholders in an effort to collect data and information so as to provide better outcomes for impounded dogs and cats; and

WHEREAS, the City Council has determined the necessity to preserve the health, safety, and welfare of the citizens of Tulia by amending the Code of Ordinances to provide a longer opportunity for animal rescue organizations to rescue impounded dogs and cats.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF TULIA, TEXAS:

SECTION 1. The Code of Ordinances, City of Tulia, Texas, Chapter 2, is hereby amended as follows:

ARTICLE 2.01 GENERAL PROVISIONS

§ 2.01.001. Animal control officer.

Animal control officer shall refer to the animal control officer, animal control authority, [~~animal warden,~~] police chief or his/her designees.

§ 2.01.002. Office of animal [~~warden~~][control officer] created.

There is hereby created the office of animal [~~warden~~][control officer]. The animal [~~warden~~][control officer] shall be appointed by the city manager and shall perform such duties and receive such compensation as shall be prescribed by the city council and this chapter. He shall work under the supervision and direction of the chief of police, and shall be responsible to the chief of police, for the performance of his duties as animal [~~warden~~][control officer].

§ 2.01.003 City manager designee.

[NO TEXT CHANGE]

§ 2.01.004. Running at large.

It shall be unlawful for any owner of any animal in its natural state or any animal usually confined to cages, pens, or restrained by [~~lease~~][leash], to permit any such animal to run at large or in any public place.

§ 2.01.005. Nondomestic animals, fowl, and reptiles.

[NO TEXT CHANGE]

§ 2.01.006. Failure to restrain as nuisance.

Any owner who shall willingly or negligently fail to restrain by cage, [~~lease~~][leash], pen or other manner any animal shall be guilty of maintaining a nuisance.

§ 2.01.007. Livestock.

[NO TEXT CHANGE]

§ 2.01.008. Dangerous wild animals.

[NO TEXT CHANGE]

ARTICLE 2.02 DOGS, CATS AND OTHER ANIMALS

DIVISION 1 Generally

§ 2.02.001. Definitions

[NO TEXT CHANGE]

§ 2.02.002. Running at large.

[NO TEXT CHANGE]

§ 2.02.003. Dangerous dogs.

(a) Definitions.

Animal control authority. The city ordinance control officer, ~~animal warden,~~ [or] the police chief or his designee.

Dangerous dog. [NO TEXT CHANGE]

Dog. [NO TEXT CHANGE]

Owner. [NO TEXT CHANGE]

Secure enclosure. [NO TEXT CHANGE]

(b) [NO TEXT CHANGE]

(c) [NO TEXT CHANGE]

(d) Attack by dangerous dog.

(1) [NO TEXT CHANGE]

(2) [NO TEXT CHANGE]

(3) If a person is found guilty of an offense under this subsection the court may order the dangerous dog ~~[destroyed]~~ [euthanized] by the animal control authority.

(4) [NO TEXT CHANGE]

(e) [NO TEXT CHANGE]

(f) [NO TEXT CHANGE]

§ 2.02.004. Barking dog declared a nuisance.

[NO TEXT CHANGE]

§ 2.02.005. Number of animals restricted.

[NO TEXT CHANGE]

§ 2.02.006. Kennels.

[NO TEXT CHANGE]

§ 2.02.007. Inhumane treatment.

[NO TEXT CHANGE]

§ 2.02.008. Unlawful restraint; tethering dogs.

[NO TEXT CHANGE]

§ 2.02.009. through § 2.02.030. (Reserved)

DIVISION 2 Licensing

§ 2.02.031. Vaccination tag and license tag.

[NO TEXT CHANGE]

§ 2.02.032. Appointment of deputy tax collector.

[NO TEXT CHANGE]

§ 2.02.033. Accounting by deputy tax collector.

[NO TEXT CHANGE]

§ 2.02.034. License fee.

[NO TEXT CHANGE]

§ 2.02.035. Commercial license fees; kennels.

[NO TEXT CHANGE]

§ 2.02.036. Exemptions from licensing.

[NO TEXT CHANGE]

§ 2.02.037. Issuance of tags.

[NO TEXT CHANGE]

§ 2.02.038. Rabies vaccination certificate required.

[NO TEXT CHANGE]

§ 2.02.039. Tags not transferable.

[NO TEXT CHANGE]

§ 2.02.040. Vaccination in another city.

[NO TEXT CHANGE]

ARTICLE 2.03 IMPOUNDMENT

§ 2.03.001. Animal [~~warden~~][control officer] or police officers.

It shall be the duty of the [~~animal warden~~][animal control officer] or any of his deputies or any police officers on duty to seize or impound, subject to the provisions of this article, dogs or cats found running at large in violation of this article, whether in the immediate presence of the owner or custodian or otherwise.

§ 2.03.002. Taking up by private citizen.

Any dog or cat found trespassing or running at large on any person's private property may be taken up by that person and delivered to the animal [~~warden~~][control officer] or his deputies; but no such person is authorized hereby to [~~destroy~~][euthanize] such dog or cat, said authority for the [~~destruction~~][euthanization] of any dog or cat being hereby

specifically reserved to the animal ~~[warden]~~[control officer] or any of his deputies or any police officer.

§ 2.03.003. Delivery by private citizen to animal ~~[warden]~~[control officer].

Every person, other than a police officer, the animal ~~[warden]~~[control officer], or his deputies, who takes up any dog or cat under the provisions of this article shall immediately thereafter give notice thereof to the animal ~~[warden]~~[control officer]; and every such person, or any person in whose custody the animal may in the meantime be placed, shall deliver such dog or cat to the animal ~~[warden]~~[control officer] without fee or charge. The animal ~~[warden]~~[control officer] shall thereupon hold and ~~[dispose of]~~[handle] such dog or cat as though such dog or cat had been found running at large and impounded by him.

§ 2.03.004. Entry upon unfenced property.

The animal ~~[warden]~~[control officer], his deputies, and police officers, are authorized to enter upon any unfenced lot, tract, or parcel of land for the purpose of chasing and impounding any dog or cat running at large thereon.

§ 2.03.005. Registry.

The animal ~~[warden]~~[control officer] or his designated deputies, upon receiving any dog or cat, shall make a complete registry entering the breed, color, and sex of such dog or cat and whether licensed and the place and time of taking into custody. If the dog or cat has been licensed, he shall enter the name and address of the owner and the number of the license tag and shall place a written notice in the mail to the owner thereof.

§ 2.03.006. Licensed dog or cat.

It shall be the duty of the animal ~~[warden]~~[control officer] or any other person designated by him to keep a licensed dog or cat for a period of not less than five (5) days from the date of mailing notice to the owner as provided in section 2.03.005 hereof. If, at the expiration of said five (5) days, such dog or cat has not been redeemed by the owner, it may be ~~sold or destroyed.~~adopted out, made available for rescue by a third-party animal rescue organization, or euthanized as provided for in this article. An additional eleven (11) days may be granted, at the discretion of the police chief or the animal control officer, before the dog or cat is euthanized. If a third-party animal rescue organization selects the dog or cat for rescue, an additional ten (10) days will be granted for pickup by the third-party animal rescue organization. If on the eleventh (11th) day the dog or cat has not been picked up by the third-party animal rescue organization, it will be euthanized.]

§ 2.03.007. Nonlicensed dog or cat.

It shall be the duty of the animal ~~[warden]~~[control officer] to keep a nonlicensed dog or cat for a period of not less than three (3) days from the date of impounding. If, at the expiration of said three (3) days from the date of impounding, such dog or cat has not been redeemed, it shall be ~~destroyed or sold~~adopted out, made available for rescue by a third-party animal rescue organization, or euthanized] as provided for in this article.[An additional

eleven (11) days may be granted, at the discretion of the police chief or the animal control officer, before the dog or cat is euthanized. If a third-party animal rescue organization selects the dog or cat for rescue, an additional ten (10) days will be granted for pickup by the third-party animal rescue organization. If on the eleventh (11th) day the dog or cat has not been picked up by the third-party animal rescue organization, it will be euthanized.]

§ 2.03.008. Redemption of licensed dog or cat.

The owner of any licensed dog or cat impounded may redeem such dog or cat at any time prior to ~~[sale or destruction]~~[adoption, transfer to a third-party animal rescue organization, or euthanization] by the payment of thirty-five dollars (\$35.00) per animal pickup. In addition, before such animal is released, there shall be paid to the city the total cost of boarding such animal while so impounded.

§ 2.03.009. Redemption of nonlicensed dog or cat.

The owner of any nonlicensed dog or cat impounded may redeem such dog or cat at any time prior to ~~[sale or destruction]~~[adoption, transfer to a third-party animal rescue organization, or euthanization] by payment of the licensing fee and the payment of an impounding (redemption) fee of thirty-five dollars (\$35.00). Also, before such animal is released, there shall be paid to the city the total cost of boarding such animal while so impounded. In addition, the owner shall purchase a voucher from the city for twenty dollars (\$20.00) redeemable for a rabies vaccination from a licensed veterinarian. The owner shall have seventy-two hours (excluding weekends and holidays) to redeem the voucher and vaccinate the animal. The owner shall then return proof of rabies vaccination to the animal control officer, who shall issue a license. Failure to comply with the provisions of this section regarding vaccination and licensing of the animal shall be deemed a violation of this section.

§ 2.03.010. Boarding fee.

[NO TEXT CHANGE]

§ 2.03.011. ~~[Sale (adoption) or destruction]~~[Adoption, transfer to third-party animal rescue organization, or euthanization].

At any time after the expiration of the period for redemption of an impounded dog or cat as set forth in this article, the animal ~~[warden]~~[control officer], or any other person designated by him, may without further notice and without advertising in any manner, ~~[sell]~~[make the animal available] for adoption[or transfer to a third-party animal rescue organization] according to the ~~[adoption]~~ requirements and policies adopted by the police department consistent with this chapter and state law, for a pickup fee of thirty-five dollars (\$35.00), a spay/neuter fee of eighty dollars (\$80.00), and a fee of twenty dollars (\$20.00) for a rabies shot. The new owner shall also pay a license fee as provided by section 2.02.034 if the dog or cat is to be kept, harbored or maintained by the new owner in the corporate limits of the city. All dogs and cats not redeemed, claimed~~[,]~~ ~~[or sold]~~[adopted out, or made

available for transfer by a third-party rescue organization] after the period of time for redemption has expired shall be [~~destroyed~~][euthanized] by the animal [~~warden~~][control officer] or any person designated by him as may be in accordance with state law.

§ 2.03.012. Records of impounded animals.

The animal [~~warden~~][control officer] or any person designated by him shall keep such records as are required to show in detail the disposition of all animals impounded and the money collected by him and such other records as are required by the city council. All money collected shall be delivered as required to the city tax collector, who shall deposit it to the general fund.

§ 2.03.013. Interference with animal [~~warden~~][control officer] or police officer.

Any person who shall interfere with or attempt to prevent the animal [~~warden~~][control officer] or any of his deputies or any police officer from catching or impounding any dog or cat running at large, whether on public or private property, shall be guilty of a misdemeanor.

§ 2.03.014. Refusing to deliver unlicensed or unvaccinated dog or cat.

Any person who shall refuse to deliver any unlicensed or unvaccinated dog or cat to the animal [~~warden~~][control officer] or any of his deputies or any police officer upon demand for impounding shall be guilty of a misdemeanor.

ARTICLE 2.04 RABIES CONTROL

§ 2.04.001. Animals showing symptoms of rabies.

When any dog, cat, or other animal displays symptoms commonly associated with rabid dogs, cats, or other animals, such condition of the animal shall constitute good cause for the animal [~~warden~~][control officer] or his deputies or any police officer to reduce such animal to possession or cause the same to be done for observation.

§ 2.04.002. Impounding of animals biting persons.

Whenever any person has been bitten by any dog, cat, or other animal, the animal [~~warden~~][control officer] or the chief of police is fully authorized to order such animal to be impounded and/or quarantined for observation at such place as may be selected by the animal [~~warden~~][control officer] or chief of police.

§ 2.04.003. Observation for rabies.

When any animal suspected of being rabid has been impounded by the animal [~~warden~~][control officer] or the chief of police, the animal [~~warden~~][control officer] or the chief of police or any person designated by them shall make such observations as are deemed necessary to determine whether such animal is infected with rabies. Domestic dogs, cats or domestic ferrets shall be kept for the purpose of observation for a period of

not less than ten (10) days from the date of confinement. Other animals shall be quarantined or confined for a thirty-day observation period.

§ 2.04.004. Destruction of animals showing certain symptoms.

If any animal impounded or reduced to the supervision of the animal ~~[warden]~~[control officer] or the chief of police or any person designated by them under the provisions of this article, becomes restless, irritable, or shows signs of paralysis, it shall be ~~[killed]~~[euthanized] under the direction of the animal ~~[warden]~~[control officer], chief of police, or any person designated by them and ~~[the head-]~~sent to a proper laboratory for diagnosis.

§ 2.04.005. Release of animals after observation.

[NO TEXT CHANGE]

§ 2.04.006. Notice of suspected rabid animal; interference.

Whenever the animal ~~[warden]~~[control officer] or his deputies or any police officer has good reason to believe that any dog or cat or other animal is infected with rabies, he shall notify the keeper, harborer, or person claiming any such animal of his belief. It shall thereafter be unlawful for any person having such notice to in any manner interfere with such officer or his authorized representative in taking possession of the animal for the purpose of examination to determine if such animal is in fact infected with rabies or any other disease.

§ 2.04.007. Delivery of suspected rabid or diseased animals to animal ~~[warden]~~[control officer].

When any person has been notified by the animal ~~[warden]~~[control officer] or his deputies or any police officer that any dog, cat, or animal in such person's possession or custody or control is infected with rabies or is reasonably suspected of being infected with rabies or any other disease, it shall be the duty of such person to immediately deliver such animal to the animal ~~[warden]~~[control officer] or to any person designated by him for the purpose of quarantining and observing such animal.

§ 2.04.008. Keeping of rabid animal.

It shall be unlawful for any person to knowingly keep, harbor, or maintain any dog, cat, or other animal within the corporate limits of the city which is infected with rabies, or to keep, harbor, or maintain any dog, cat, or other animal after having been notified by the animal ~~[warden]~~[control officer] or his deputies or any police officer that such animal is infected with rabies, unless the animal is kept under directions and conditions required by the animal ~~[warden]~~[control officer] or the chief of police.

ARTICLE 2.05 OUTSIDE AGENCIES

§ 2.05.001. Definitions.

[NO TEXT CHANGE]

§ 2.05.002. Boarding Fees.

[NO TEXT CHANGE]

§ 2.05.003. Quarantine fees.

[NO TEXT CHANGE]

SECTION 2. Effective Date. This ordinance shall take effect on March 1, 2025.

SECTION 3. Repealer. All other terms and provisions of the Code of Ordinances of the City of Tulia, not in conflict herewith and not hereby amended shall remain in full force and effect.

SECTION 4. Savings. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 5. Publication. The City Secretary of the City of Tulia is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

PASSED AND APPROVED this 11th day of February, 2025.

Dusty George, Mayor

ATTEST:

Kristina Solomon, City Secretary