

ORDINANCE NO. 1465-2025

AN ORDINANCE AMENDING CHAPTER 2, "ANIMAL CONTROL", OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED; AMENDING THE REGULATIONS OF ANIMALS; ARTICLE 2.06 "MISCELLANEOUS PROVISIONS"; SECTION 2.06.005 "FEEDING STRAY OR FERAL ANIMALS" REVISING THE PROVISIONS REGARDING THE FEEDING OF STRAY OR FERAL ANIMALS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the legislature has codified many statutes that authorize municipalities to adopt regulations and procedures for the control of animals in the city; and

WHEREAS, the City Council of the City of River Oaks has previously adopted regulations and procedures to control animals in the city; and

WHEREAS, the City Council of the City of River Oaks has determined that it is in the best interest of the City to amend and update these regulations and procedures; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS, TEXAS:

SECTION 1.

That Chapter 2, "Animal Control" of the City of River Oaks Code of Ordinances is amended to read as follows:

"CHAPTER 2 – ANIMAL CONTROL

Article 2.06 Miscellaneous Provisions

"2.06.005 Feeding Stray or Feral Animals

No person shall intentionally place or leave any food or edible item on any public or private property for consumption by stray or feral animals, unless that person is:

- (1) An employee of a governmental agency acting in an official capacity; or
- (2) A person or agency relocating and/or removing wildlife from public or private property at the city's request.
- (3) A person or organization authorized by the City Manager to trap stray and or feral cats for the purpose of spaying/neutering the cats, immunizing the cats from rabies, and identifying the cat in some way as being immunized and spayed/neutered before returning the cat to the general vicinity where it was found, commonly referred to as "TNR".
 - (a) A person or organization must receive written permission from the owner of the property where the TNR activity is to take place.
 - (b) A person or organization must operate in a manner that does not create a condition contrary to the public health, safety, and welfare of the community."

SECTION 2.

This Ordinance shall be cumulative of all provisions of the City of River Oaks, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

All rights and remedies of the City of River Oaks, Texas, are expressly saved as to any and all violations of the provisions of the Code of Ordinances of the City of River Oaks, Texas or any other ordinances affecting animal control, feeding of stray or feral animals which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

In accordance to Section 1.01.009, "General penalty for violations of code; continuing violations", of the City of River Oaks Code of Ordinances (2020) as adopted and as amended; whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine not exceeding five hundred dollars (\$500.00). Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense.

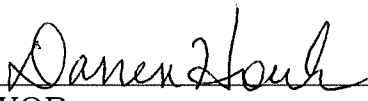
SECTION 6.

The City Secretary is directed to publish in the official newspaper of the City, the caption, penalty clause, savings clause, publication clause and effective date clause of this ordinance one time as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

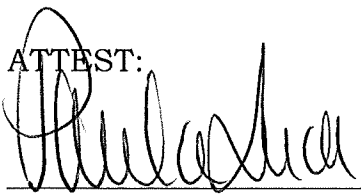
SECTION 7.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 4th DAY OF NOVEMBER 2025.



MAYOR

ATTEST:


CITY SECRETARY