

## ORDINANCES- CITY OF GRAPELAND

Ordinance Number: 04001A

Amended: 09/10/19

AN ORDINANCE, UNDER THE AUTHORITY OF TEXAS HEALTH AND SAFETY CODE CHAPTERS 882 [REGULATION OF ANIMALS] AND 826 [RABIES], PROVIDING FOR THE CONTROL AND IMPOUNDMENT OF DOMESTIC ANIMALS, THE REGULATION THEREOF FOR HEALTH AND SAFETY PURPOSES AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

### SECTION 1: DEFINITIONS

When used in this article, the following words and terms, unless the context indicates a different meaning, shall be interpreted as follows:

**ANIMAL CONTROL AUTHORITY;** Shall mean the Grapeland Police Department or City designee.

**CAT;** means "Felis catus."

**DOG;** means "Canis familiaris."

**DANGEROUS ANIMAL;** Dangerous animal means an animal which;

- (1) Makes an unprovoked attack on a person or domestic animal that causes bodily injury and occurs in a place other than an enclosure in which the animal was being kept and was reasonably certain to prevent the animal from leaving the enclosure on its own; or,
- (2) Commits unprovoked acts in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to that person.

**DANGEROUS WILD ANIMAL;** a lion, tiger, an ocelot, a cougar, a leopard, a cheetah, a jaguar, a bobcat, a lynx, a serval, a caracal, a hyena, a bear, a coyote, a jackal, a baboon, a chimpanzee, an orangutan, a gorilla, or any hybrid of an animal listed in this subdivision.

**DOMESTIC ANIMAL;** Shall include the following species: dog, cat, horse, pig, sheep, and goat. Does not include hybrid individuals resulting from the crossing wild with domestic species.

**HARBORING;** The act of keeping and caring for an animal or of providing a premise to which the animal returns for a period of three (3) days.

**LIVESTOCK;** animals raised for human consumption, exhibition or equine animals.

**OWNER;** A person who has the right of property in an animal or who harbors any animal or allows an animal to remain about their premises for a period of three (3) or more days.

**PET ANIMAL;** Shall include dogs, cats, rabbits, rodents, birds, reptiles and any other species of animal which is sold or retained as a household pet, but shall not include any species of wild, exotic or carnivorous animal that maybe further restricted in this article.

**POLICE DEPARTMENT;** Shall mean the reporting agency for the purposes of this article, whose duties consist of the following;

- (1) Receiving all reports of animals at large, nuisance animals, animal attacks on other animals, animal attacks, and unprovoked acts which cause a person to reasonably believe that the animal will attack and cause bodily injury to that person.
- (2) Receiving all reports of suspected rabid animals.
- (3) Investigation of all reported animal bites and scratches and suspected rabid animals.
- (4) Order quarantine, if appropriate, of any animal which has exposed an individual or which may be rabid.
- (5) Other duties as entailed by the text of this article.

**PUBLIC NUISANCE;** Means any animal that unreasonably annoys humans, endangers the life or health of persons or other animals, or substantially interferes with the rights of citizens, other than the animal's owner, to enjoyment of life or property. The term "public nuisance animal" shall include, but is not limited to;

- (1) Any animal that is repeatedly found running at large;
- (2) Any animal that damages, soils, defiles, or defecates on any property other than that of its owner;
- (3) Any animal that makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
- (4) Any animal in estrus (in heat) that is not confined so as to prevent attraction or contact with other animals;
- (5) Any animal, whether or not on the property of its owner, that without provocation, molests, attacks, or otherwise interferes with the freedom of movement of persons in a public right-of-way;
- (6) Any animal that chases motor vehicles in a public right-of-way;
- (7) Any animal that attacks domestic animals;
- (8) Any animal that is being kept in unsanitary conditions in enclosures or surroundings that cause fouling of the air by noxious or offensive odors and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
- (9) Any animal that is offensive or dangerous to the public health, safety, or welfare by virtue of the number of animals maintained at a single location or the inadequacy of the facility;
- (10) Any animal tied or staked upon any open or unfenced lot or land within ten (10) feet of any public sidewalk, public passageway, or public building; or

(11) Any animal that is a wild animal.

**QUARANTINE;** Means strict confinement of an animal specified in an order under this ordinance or other applicable State Law.

**RABIES VACCINATION;** Shall mean the vaccination of a dog, cat or other domestic animal with anti-rabies vaccine approved by the United States Department of Agriculture and administered by a veterinarian licensed by the State of Texas.

**RUNNING AT LARGE;** Shall pertain to an animal off the premises of the owner and not under the physical control of the owner or his authorized representative. An animal intruding upon the property of another person other than the owner shall constitute "running at large." An animal within an automobile or other vehicle of its owner shall not be deemed "running at large."

**SERIOUS BODILY INJURY;** An injury characterized by severe bite wounds, severe ripping and tearing of muscle, or other injury that would cause a reasonably prudent person to seek treatment from medical professionals and would require hospitalization without regard to whether the person actually sought medical treatment.

**STRAY ANIMAL;** Any animal roaming with no physical restraint beyond the premises of its owner or keeper.

## **SECTION 2: ANIMAL RUNNING AT LARGE**

It shall be unlawful for any animal, owned, kept, or harbored to run at large, as defined in Section 1 of this article. The Police or animal control designee shall have the authority to impound such animals running at large. They shall furthermore be enabled by this article to enter onto privately owned property in pursuit of an animal so long as in doing so they do not violate a property owner's posted or no trespassing notice.

## **SECTION 3: NUISANCE DECLARED**

It shall be unlawful for any owner to harbor any animal which is determined to be a public nuisance as defined in Section 1 of this article.

## **SECTION 4: DANGEROUS ANIMALS**

**GENERALLY:** No person shall own or harbor a dangerous animal within the City of Grapeland. Such an animal shall be impounded as a public nuisance. If impoundment of said animal cannot be made with safety to the animal control authority, or other persons, the animal may be destroyed without notice to the owner or harborer. A dog falling under this provision shall fall under the provisions of HSC 822.0421.

**GUARD DOGS:** It shall be unlawful to place or maintain any dog which has been specifically trained to attack in any area for the protection of persons or property unless the dog is physically confined to a specific area or is under complete and absolute control. The area or premises in which a guard dog is

confined must be conspicuously posted with warning signs bearing letters not less than two (2) inches high.

#### **SECTION 5: IMPOUNDMENT; IMPOUNDMENT FEES**

- (1) Any animal found in violation of this ordinance shall be taken up and impounded.
- (2) The following shall be the fees charged for impoundment of an animal:
  - (a) For taking up and impounding per head:
    1. By a City Animal Control Authority or employee of the City- \$50.00.
    2. By any person authorized by the Animal Control Authority or the Municipal Court, the fee charged by the person doing so.
  - (b) For taking care of animals per head per day, exclusive of the date of impoundment, the fee charged by the person or veterinarian so doing.
  - (c) The amount of the charge made by any veterinarian, where required.

For the purposes of determining the fee in subparagraph (b) above, the date shall begin at 12:01 AM after the date of impoundment. The full fee shall be charged for all or any portion of that day and any day thereafter.

No animals shall be released to the owner until all of the above impoundment fees, in addition to any court ordered fines, court costs, fees and restitution, have been paid.

#### **SECTION 6: RESTRICTIONS ON KEEPING ANIMALS:**

**CATS:** No person shall keep on their premises more than five (5) cats at any one time.

**DOGS:** No person shall keep on their premises more than three (3) dogs at any one time.

**RABBITS:** No person shall keep on their premises more than ten (10) rabbits at any one time.

#### **SWINE:**

- (a) No person shall keep or have in their custody, possession or control more than two (2) swine.
- (b) The prohibition set forth in subsection (a) shall not apply to operators or licensed operators of slaughter houses, packing plants, livestock sales or auction businesses or places of business holding swine for the purposes of sale or slaughter, however it shall be unlawful for any such operator to have in their custody, control or possession any swine for a period in excess of forty-eight (48) hours.
- (c) It shall be unlawful for any person to keep any swine within five hundred (500) feet of any residence, other than the residence of the owner of the swine, or within five hundred (500) feet of any business establishment or facility [public park, school, church, etc.] which is regularly used by the general public.

#### **HOFFED ANIMALS:**

- (a) No person shall keep or have in their custody, possession or control more than one (1) hoofed animal [cow, horse, sheep, goat, etc.].
- (b) The prohibition set forth in subsection (a) shall not apply to operators or licensed operators of slaughter houses, packing plants, livestock sales or auction businesses or places of business holding hoofed animals for the purposes of sale or slaughter, however it shall be unlawful for any such operator to have in their custody, control or possession any hoofed animal for a period in excess of forty-eight (48) hours.
- (c) It shall be unlawful for any person to keep any hoofed animal within one hundred (100) feet of any residence, other than the residence of the owner of the hoofed animal, or within one hundred (100) feet of any business establishment [other than the business establishment of the owner keeping the animal for sale] or facility [public park, school, church, etc.] which is regularly used by the general public.

#### **MAINTENANCE OF PENS AND ENCLOSURES:**

- (a) All pens and enclosures wherein animals are kept shall be maintained and kept in such a manner as not to become unsanitary or offensive to persons residing in the vicinity thereof and so as not to breed flies or in any manner cause injury to the health and safety of the public residing in the vicinity of the pen or enclosure.
- (b) The determination that such a pen or enclosure is unsanitary or offensive to such person; that such pen or enclosure is being maintained or kept so as to breed flies; or, that such pen or enclosure is maintained in any manner so as to cause any injury to the health or safety of the public residing in the vicinity of the pen or enclosure, shall be made by the animal control authority, the public works supervisor, the city health officer, or the mayor or his authorized representative. Such determination shall be prima facie evidence of violation of this section.

#### **STAKING AND GRAZING:**

It shall be unlawful for any person to stake any livestock for the purpose of grazing upon or within reach of any public street, alley, sidewalk or public place within the limits of the City of Grapeland.

#### **SECTION 7: ANIMALS PROHIBITED**

- (a) **WILD, EXOTIC ANIMALS:** It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in the city any monkey, other non-human primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, other carnivorous animal or poisonous reptile.
- (b) **ENDANGERED SPECIES:** It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor, or permit in the city any endangered species of animal as defined by the United States Department of the Interior or the Texas Department of Parks and Wildlife Department.
- (c) **EXCEPTIONS:** This section shall not apply to:

1. A bona fide publicly or privately owned zoological park.
2. A bona fide research institution using animals for scientific research; or
3. A circus duly authorized to do business in the city.

#### **SECTION 8: EQUINE; RIDING OR LEADING WITHIN CITY LIMITS; REMOVAL OF WASTE REQUIRED**

It shall be unlawful for any person to ride, herd, lead, or walk an equine on any public sidewalk, street, roadway, or in any city park, without sufficient reflective equipment including but not limited to, vest and reflective tape or material on horse or riders legs, except in connection with communitywide parades or celebrations, between the hours thirty (30) minutes before sunset and thirty (30) minutes after sunrise. All persons riding, herding, leading, or walking animals in the city, or using animals as a means of pulling or conveying a wagon/ trailer/vehicle, shall pick up and remove from city streets or parks all fecal matter, waste and debris resulting from such use of the streets or parks. Any person violating this section shall be guilty of an infraction for a first offense and guilty of a misdemeanor for any second or subsequent offenses.

#### **SECTION 9: INHUMAN TREATMENT**

- (a) **CRUELTY TO ANIMALS:** It is hereby prohibited and it shall be unlawful for any person to commit or cause to be committed any act of cruelty, harassment, or torture to any animal or intentionally cause such animal to be mutilated or be inhumanly killed. Ownership, or the commission of such acts of cruelty on private property shall not be a justifiable defense for violation of this section.
- (b) **POISONING:** It is hereby prohibited and it shall be unlawful for any person to poison any domestic animal or to distribute poison or toxicants on public or private property in any manner whatsoever with the intent of poisoning any domestic animal.
- (c) **ABANDONING ANIMALS:** It is hereby prohibited and it shall be unlawful for any person to willfully abandon any animal; or, to withhold food or water from any animal such that its health is endangered, or it is caused to suffer unduly.
- (d) **DISPLAY OR SALE DYED OR IMMATURE ANIMALS:** It is hereby prohibited and it shall be unlawful for any person to possess, display, sell, barter, or give away dyed, colored or in any way artificially treated baby chicks, ducklings, fowl, rabbits or any animals as pets, playthings, novelties, gifts, or for any persons engaged in the business of selling such immature animals to be raised for food; but, no such hatcheries, stores, owners, dealers or persons shall sell or give away baby chicks, ducklings, or any other immature domestic fowl as pets, playthings, novelties or gifts.
- (e) **FIGHTING ANIMALS:** It is hereby prohibited and it shall be unlawful for any person to cause, instigate, or encourage any dog or any other animal to fight with another of its own species or with another of a different species. It shall be unlawful for any person to train any dog or other animal for the purpose of fighting. It shall be unlawful for any person to maintain a place where any dog or other animal is permitted to fight for exhibition or for wager or for sport.

**SECTION 10: INTERFERENCE WITH POLICE OFFICER, ANIMAL CONTROL AUTHORITY, OR THEIR AUTHORIZED REPRESENTATIVES:**

It shall be unlawful for any person to interfere with, molest, hinder, or prevent the police or control authority or their representative in the discharge of their duties as herein prescribed, or to violate any provisions of this article.

**SECTION 11: FINES; VIOLATIONS**

Violations of provisions of this ordinance, unless they fall under other provisions State Law shall be class C misdemeanors. Fines shall be assessed by the Municipal Court and shall not exceed five hundred dollars (\$500.00), in addition to applicable court costs and fees authorized by State Law, and shall be in addition to any other fees authorized by this ordinance. The fines shall be mandatory for each offense and each day of non-compliance shall constitute a separate offense. Each day of non-compliance may constitute a separate offense, to be determined by the Municipal Court.

**SECTION 12: KEEPING OF RECORDS**

It shall be the duty of the Police Department and Animal Control Authority of the City of Grapeland to maintain such records as deemed necessary to the enforcement of all provisions of this article and have those records available for display to the City Council, the Municipal Court, or to the public at any time during regular business hours of the Police Department.

**SECTION 13: LICENSE AND VACCINATION REQUIRED**

**GENERALLY:** All animals which are kept, harbored, or maintained by their owners within the corporate limits of the City of Grapeland shall be vaccinated in accordance to State Law. The owner of the animal must present a certificate from a licensed veterinarian showing that the animal has been vaccinated within the preceding twelve (12) months.

**SECTION 14: CERTIFICATE OF VACCINATION**

Upon vaccination, the veterinarian shall execute and furnish to the owner of the animal as evidence thereof, a certificate upon a form furnished by the veterinarian. The veterinarian shall retain a duplicate copy. Such certificate shall contain the following information:

- (a) Owner's name, address, and telephone number.
- (b) Animal identification: Species, age, sex, size (in lbs.), predominant breed, and colors.
- (c) Vaccine used, producer, expiration date, and serial number.
- (d) Date vaccinated.
- (e) Rabies tag number.
- (f) Veterinarian's signature and license number.

**SECTION 15: RABIES TAG**

- (a) Concurrent with the issuance and delivery of the certificate of vaccination referred to in Section 14, the owner of the animal, if a cat or dog, shall cause to be attached to the collar or harness of the vaccinated animal a metal tag, serially numbered to correspond with the vaccination certificate number and bearing the year of issuance and the name of the issuing veterinarian and his address.
- (b) In the event of the loss or destruction of the original tag provided in subsection (a), the owner of the animal shall obtain a duplicate tag.

#### **SECTION 16: PROOF OF VACCINATION**

It shall be unlawful for any person who owns or harbors a vaccinated animal to fail or refuse to exhibit his copy of the certificate of vaccination upon demand to any person charged with the enforcement of this article.

#### **SECTION 17: HARBORING UNVACCINATED ANIMALS**

It shall be unlawful for any person to harbor any animal which has not been vaccinated against rabies, as provided herein, or which cannot be identified as having a current vaccination certificate.

#### **SECTION 18: ANIMALS EXPOSED TO RABIES**

Any person having knowledge of the existence of any animal(s) known to have been or suspected of having been exposed to rabies must immediately report such knowledge to the Police Department, giving any information which may be required. For any animal known to have been, or suspected of being exposed to rabies, the following rules must apply:

- (a) Unvaccinated animals which have been bitten or directly exposed by physical contact with a rabid animal or its fresh tissues should be:
  - (1) Humanely killed; or,
  - (2) If sufficient justification for preserving the animal exists, the exposed should be immediately vaccinated against rabies, placed in strict isolation for six (6) months, and given a booster vaccination one month prior to release from isolation.
- (b) Vaccinated animals which have been bitten or otherwise significantly exposed to a rabid animal should be:
  - (1) Humanely killed; or,
  - (2) If sufficient justification for preserving the animal exists, the exposed animal should be immediately vaccinated against rabies and placed in strict isolation for three (3) months.
- (c) These provisions apply only to domestic animals for which an approved rabies vaccine is available.

#### **SECTION 19: REPORTING BITES FROM ANIMALS SUSCEPTIBLE TO RABIES; RELATED PROCEDURES**

- (a) **DUTY TO REPORT:** Any person having knowledge that an animal has bitten a human shall immediately report the incident to the Police Department. Every physician or other medical



practitioner who treats a person or persons for such bites shall, within twelve (12) hours, report such treatment to the local health authority or his agent, giving name, age, sex, and precise location of the bitten person or persons and such other information as the Police or Animal Control Authority may require.

- (b) **EXCLUSIONS:** Human bites from rodents, rabbits, birds, and reptiles are excluded from the reporting requirements of this section.
- (c) **SUSPECTED RABIES:** Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other domestic or wild animal shall immediately report the incident to the Police Department stating precisely where such animal may be found. If a known or suspected rabid animal bites or attacks a domestic animal, such incident shall also be reported as required above.
- (d) **CONFINEMENT OF ANIMALS:** Any animal which has bitten a person shall be observed for a period of ten (10) days from the date of the bite. The procedure and place of observation shall be designated by the Police Department. If the animal is not allowed an at-home quarantine, confinement shall be by impoundment in any veterinary hospital of the owner's choice in Houston County, Texas. Such confinement shall be at the expense of the owner. Stray dogs or cats whose owners cannot be located shall be confined in a local veterinary hospital. The owner of any animal that has been reported to have inflicted a bite on any person shall, on demand, produce said animal for impoundment as prescribed in this section. Refusal to produce said animal shall constitute a violation of this section, and each day of refusal shall constitute a separate and individual violation.
- (e) **REMOVAL OF ANIMALS FROM CONFINEMENT:** It shall be unlawful for any person to remove from any place of confinement any animal which has been confined as authorized, without the consent of the Police Department or Animal Control Authority.
- (f) **PROCEDURES FOR OTHER ANIMAL BITES:** Procedures concerning bites from other animals shall be discussed with the Animal Control Authority or the Texas Department of Health for proper disposition. Any wild animal which has been bitten a person should be caught and killed, and the brain immediately submitted to a qualified laboratory for rabies examination. An exception to this rule may be followed for large, exotic, or valuable zoo species, which by reason of their close confinement, would be unlikely rabies vendors. Rodents, rabbits, birds, and reptiles are not considered to be transmitters of the rabies virus and should not be submitted for laboratory examination for rabies.

## **SECTION 20: IMPOUNDMENT- GENERALLY**

Animals owned or harbored in violation of this article or any other ordinance or law of the State of Texas shall be taken into custody by the Animal Control Authority or other designated official and impounded. Stray animals shall be similarly impounded.

## **SECTION 21: INJURED ANIMALS**

Animals injured on public property may be impounded and given adequate veterinary medical treatment pending notification of the owner. If the injured animal is treated and / or impounded, the

owner of such animal shall be liable for all expenses of the treatment and / or impoundment, however, disposition may be made according to Section 21 of this ordinance.

#### **SECTION 22: DISPOSITION OF IMPOUNDED ANIMALS**

As soon as practicable after impoundment, if the owner of the impounded animal is known, immediate notice shall be given to said owner. Any impounded animal which has rabies tags may be redeemed by the owner upon payment of the impoundment fee, care and feeding charges and such other costs as set by the City Council. If such animal is not redeemed within three (3) days, and after reasonable effort has been made to locate its owner, it shall be considered abandoned and may be placed for adoption subject to payment of the impoundment fee, care and feeding charges, veterinary charges, and such other costs as set by the City Council, or the animal may be humanely euthanized (killed) or placed under the supervision of a licensed veterinarian.

#### **SECTION 23: DISPOSITION OF IMPOUNDED ANIMAL BEING HELD ON COMPLAINT**

If a complaint has been filed in Municipal Court in the City of Grapeland against the owner of an impounded animal for violation of this article, the animal shall not be released except on the order of the court which may also direct the owner to pay any penalties for violation of this article in addition to all impoundment fees. The Court may, upon making a finding that such animal is vicious or that it represents a clear and present danger or nuisance to the citizens or other animals in the community, order said animal to be euthanized in a humane manner. Surrender of an animal by the owner thereof to the Animal Control Authority does not relieve or render said owner immune from the decision of the court, nor to the fees and fines may result from a violation or violations of this article.

#### **SECTION 24: DISPOSITION OF DISEASED ANIMALS**

Any animal taken into custody by the Animal Control Authority, except animals which have inflicted human bites during the preceding ten (10) days and that are visibly affected with any sign or communicable disease other than rabies which are being held at impounding facility, may instead of being impounded, be humanely destroyed, provided;

- (a) That any animal which has inflicted any bite during the preceding ten (10) days have its head removed by the Animal Control Authority and submitted for rabies examination.
- (b) Any animal exhibiting symptoms of rabies must be handled in a manner prescribed by the local health authority.

#### **SECTION 25: REMOVAL OF BITING ANIMALS FROM CONFINEMENT**

The impoundment of animals that have inflicted a bite on humans shall be for a period of ten (10) days for observation and shall not be terminated without the consent of the Police Department.

#### **SECTION 26: REMOVAL OF ANIMALS FROM ANIMAL SHELTER**

It shall be unlawful for any person to remove any impounded animal from an animal shelter without the consent of the Animal Control Authority, or without order of the Municipal Court.

#### **SECTION 27: ADOPTIONS**

- (a) An individual may adopt an animal from the animal shelter under the following conditions:
1. The animal has been classified as adoptable by the supervisor of Animal Control;
  2. The prospective adopter has proper facilities to care for the animal;
  3. The prospective adopter pays the applicable fee of fifteen dollars (\$15.00) for a dog and ten dollars (\$10.00) for a cat; and,
  4. Agrees to have the animal neutered if a male, or spayed if a female within thirty (30) days after adoption, or else the Animal Control Authority shall have the right to immediately return the animal to the shelter. EXCEPTION: Additional time may be allowed for animals less than six (6) months of age.
- (b) The supervisor of animal control may allow a person to adopt a cat or dog of whom he has reason to believe the person adopting:
1. Would not have proper facilities to contain or care for the animal as required by this Code; or
  2. Wants the animal for the purpose of resale or for purposes other than pet ownership; or
  3. That the dog or cat would be a hazard to humans or other animals.

#### **SECTION 28: FEES**

The fees assessed shall be the fees as assessed under Section 5 of this ordinance, and/or those fines, court costs and fees set by order of the Municipal Court.

#### **SECTION 29: CUMULATIVE AND REPEAL OF CONFLICTING ORDINANCES**

The provisions of this ordinance shall be cumulative of all other ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency or conflict is apparent.

#### **SECTION 30: SEVERABILITY**

If any section, subsection, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Grapeland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

#### **SECTION 31: FORCE AND EFFECT:**

This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

**PASSED AND READOPTED** at a regular meeting of the City Council of the City of Grapeland, Texas, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF GRAPELAND**

BY:



Mitchell Woody, Mayor

ATTEST:



Niky Nivens