CITY OF MISSION

CITY COUNCIL SPECIAL MEETING
MISSION CITY HALL
NOVEMBER 25, 2026 at 10:00 AM

AGENDA

Pursuant to V.T.C.A. Gov. Code Section 551.001 et. seq., the City Council of the City of Mission, Texas will hold a special meeting on **Wednesday, November 25, 2026** at **10:00 a.m**. at the Mission Council Chambers, 1201 E. 8th Street, Mission, Texas to consider the following matters.

At any time during the course of the posted meeting, the Mission City Council may retire into Executive Session under Texas Government Code 551.071 to confer with legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Council under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during this meeting, the City Council may retire to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more exceptions to the Texas Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

SPECIAL MEETING

CALL TO ORDER AND ESTABLISH QUORUM

DISCLOSURE OF CONFLICT OF INTEREST

CITIZEN'S PARTICIPATION ON SPECIFIC AGENDA ITEMS

AGENDA ITEMS

1. Discussion and possible action on matters related to Ordinance # 5894 amending Chapter 14, “Animals” of the City of Mission Code of Ordinances - Garcia

ADJOURNMENT

C E R T I F I C A T E

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 19th day of November, 2026 and will remain posted continuously for at least three business days preceding the scheduled date of said meeting, in compliance with Chapter 551 of the Government Code.

Anna Carrillo

Anna Carrillo, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations for a disability must be made 48 hours prior to this meeting. Please notify the City Secretary’s Office at 580-8668.

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MISSION

Notice is hereby given that on the **25th day of November, 2026** the City Council of the City of Mission will hold a special meeting at 10:00 a.m. at 1201 E. 8th Street, Mission, Texas to consider the following matters. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

If, during the course of the meeting covered by this Notice, the City Council should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Council may conveniently meet in such closed or executive meeting or session concerning any and all purposed permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

551.071(1) (2)	Consultation with Attorney.
551.072	Deliberation regarding real property.
551.073	Deliberation regarding prospective gifts.
551.074	Personnel matters.
551.076	Deliberation regarding security devices or security audits.
551.0785	Deliberations involving medical or psychiatric records of individuals.
551.084	Investigation; exclusion of witness from hearing.
551.087	Deliberation regarding economic development negotiations
551.088	Deliberation regarding test item.

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

(a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
(b) at a subsequent public meeting of the City Council upon notice thereof; as the Council shall determine.

On this the **19th day of November, 2026** this Notice was emailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street and will remain posted continuously for at least three business days preceding the scheduled date of said meeting, in compliance with Chapter 551 of the Government Code.

Anna Carrillo

Anna Carrillo, City Secretary

CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: November 25, 2026

PRESENTED BY: Andy Garcia, Co-Interim City Manager

AGENDA ITEM: Discussion and possible action on matters related to Ordinance # 5894 amending Chapter 14, "Animals" of the City of Mission Code of Ordinances - Garcia

NATURE OF REQUEST:

The purpose of this request is to review the City's recently approved Ordinance and consider potential amendments to further clarify enforcement requirements, promote responsible animal ownership, protect public health and safety, and enhance the administration and enforcement of the City's animal regulations.

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: $_____ **EST. COST:** $_____ **CURRENT BUDGET BALANCE:** $_____

BID AMOUNT: $_____

STAFF RECOMMENDATION:

Discussion

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Discussion *AG*

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING_____

ORDINANCE NO. 5894

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING CHAPTER 14 - "ANIMALS" OF THE CITY OF MISSION CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mission, Texas is a home-rule municipality with the full power of local self-government; and

WHEREAS, the City Council of the City of Mission finds it necessary to update its Chapter 14 - Animals; and

WHEREAS, upgrading the established animal chapter serves the public interest and promotes efficient municipal administration;

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

SECTION 1: That the Code of Ordinances of the City of Mission, Chapter 14 - Animals, is hereby amended by adding the language that is underlined (added) and deleting the language that is stricken (~~stricken~~) to read as follows. The remaining sections are to remain in force.

ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandonment means the leaving of an animal unattended, releasing the animal upon public highways or public or private lands, or failure to provide proper or adequate food, water, exercise, shelter or medical care. Returning an ear-tipped cat to the location where it was trapped after assessment, sterilization and vaccination shall not be considered abandonment under this chapter.

Animal care officer or *animal control officer* means the animal care services division manager, employees of the animal care services division, or authorized agents of animal care services.

Animal care services means a division of the City of Mission responsible for enforcing state and local laws, ordinances, rules, and regulations regarding the care and keeping of animals, including the provisions of this chapter.

Animal rescue organization means a non-profit organization incorporated under the law of any state and exempt from federal taxation under Section 501(c)(3) of the Federal Internal Revenue Code (IRS), as amended, and whose principal purpose is the prevention of cruelty to animals and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good homes. "Animal rescue organization" shall not include any entity that breeds animals or that: (1) is located on the same premises as; (2) has any personnel in common with; (3) obtains, in exchange for payment or any other form of compensation, dogs or cats from; or (4) facilitates the sale of dogs or cats obtained from a person that breeds animals.

At large means not under the control of the owner either by a leash, chain, cord or other suitable material attached to a collar or harness; not restrained securely within an enclosure or fence; or in the case of dogs, not under such personal presence and attention as will reasonably control the actions and conduct of such dog.

Boarding kennel means a business or other establishment, other than a veterinary hospital or clinic or the city animal shelter, where more than four dogs or cats owned by other persons are boarded or otherwise kept for a fee or other compensation.

Breeding means the intentional or unintentional mating of animals resulting in a litter.

Caged bird means any caged bird legally propagated and raised in captivity for the purpose, but does not include birds captured in the wild.

Collar or harness means a band of leather, nylon, rope, or similar material, excluding chain if utilized for training purposes, that is commonly used on an animal to aid in control of movement of the animal, by the animal's owner, and to which a leash or lead can be attached.

Community cat means any free roaming cat without visibly discernible evidence of ownership or microchip identification that may be cared for by one or more residents in the area, known or unknown. Community cats that are ear tipped indicate an unowned cat that is sterilized and vaccinated against rabies at least one time.

Community cat caretaker means a person who provides care to a community cat such as food, water, shelter and veterinary care, while not being considered the owner, custodian, harborer, possessor, or keeper of a community cat under this chapter.

Community cat program means a program pursuant to which community cats are sterilized, vaccinated against rabies, tipped, and returned to the location where they were found.

Dangerous dog and *dangerous or vicious dog* mean a dog described by section 14-76(a).

Department means animal care services.

Dog means either a male or female of the canine species, whether altered or not.

Domestic fowl means chicken (Gallus gallus), domestic turkey (Meleagris gallopavo), domestic mallard [duck] (Anus Platyrhynchos), domestic Muscovy duck (Cairina moschaeta), domestic goose (Anser anser), Chinese goose (Anser cygnoides), swans (Cygnus spp.), helmeted guineafowl (Numida meleagris), ring-necked pheasant (Phasianus colchicus), common peafowl (Pavo cristatus), domestic pigeon (Colombia livia), ostrich (Struthio camelus), emu (Dromaius novaehollandiae), greater rhea (Rhea americana), peacocks and peahens of every class whatever and guineas of every class whatever or other domesticated fowl.

Excluded species means domestic fowl, legally caged birds, and nonnative birds whether naturalized or not. Excluded species are not covered by this section. For some species, domesticated individuals are excluded as private property while wild individuals are included as native birds.

Kennel means a pen, run, cage, crate, or similar structure or enclosure, whether fixed or portable, that is used to confine one or more dogs or cats on an owner's premises. The term means the structure or enclosure itself and does not include: (1) the lot, tract, parcel, or yard on which the structure or enclosure is located; (2) a dwelling; (3) a fence or wall that encloses the perimeter of a yard; (4) a dog house or similar shelter that does not confine the animal; or (5) a boarding kennel.

Livestock means cattle, horses, asses, mules, sheep, swine, llamas and other camelids and goats of every class whatever, or the young of any such animals.

Microchip means an identification chip implanted under the skin of an animal for the purpose of identifying its owner or keeper which has been registered with a microchip registration company with current ownership information to include the current owner or keeper's name, address and telephone number, and the description of the animal.

Native bird means a bird belonging to a species naturally occurring or residing in or migrating through the city without benefit of current or past transport by humans.

Nonnative birds means feral rock dove (Columba livia), European starling (Sturnus vulgaris), house sparrow (Passer domesticus), any member of the parrot family (Psittacidae) not native to the states of Nuevo Leon and Tamaulipas, Mexico, or Texas, and any other birds transported by humans to North America and released. Naturalized nonnative birds are those birds which have established themselves and are reproducing in the wild after transport by humans, usually from another continent.

Outdoor kennel means a kennel that is located outside of a dwelling or other fully enclosed building.

Owner, *keeper*, or *owner/keeper* means any person owning or harboring one (1) or more animals. An animal is deemed to be harbored if it is fed or provided with water or if the person otherwise has custody or control of the animal. An animal is deemed to be kept if it is fed or provided with water and sheltered or restrained except upon the authorization of the animal care services manager. If the owner of an animal is a minor, the parent or guardian of that minor shall be responsible for compliance with animal care related ordinances and shall be identified as the legal owner of said animal.

Owner's premises means any lot, tract or parcel of land, whether or not under common ownership, including all buildings thereon and appurtenances, which are owned or leased by an owner, as well as any vehicle, travel trailer, or motor home owned or leased by an owner.

Prohibited animal means any animal, other than a common household pet, such as a canary, finch, cockatiel, hamster, guinea pig, gerbil, rabbit, ferret, fish, or small nonpoisonous reptiles, that poses a potential physical or disease threat to the public or that is protected by international, federal or state laws or regulations, and includes, but is not limited to, the following:

(1) Within the class Reptilia: family Helodermatidae (venomous lizards); family Varanidae (monitors); order Ophidia, family Boidae (boas and anacondas); family Pythonidae (pythons); family Hydrophiidae (marine snakes); family Viperidae (rattlesnakes, copperheads, cottonmouths, pit vipers and true vipers); family Elapidae (coral snakes, cobras, and mambas); family Colubridae, Dispholidus typus (boomslang), Cyclagras gigas (water cobra), Boiga dendrophila (mangrove snake) and Thelotornis kirtlandii (twig snake) only; order Crocodilia (crocodiles, alligators, caimans and gavials);

(2) Within the class Aves: order Falconiformes (hawks, eagles and vultures) and subdivision Ratitae (ostriches, rheas, cassowaries and emus);

(3) Within the class Mammalia: order Carnivora, family Felidae (such as cougars, tigers, lions, bobcats and ocelots) except domesticated cats, family Canidae (such as wolves, dingos, coyotes and jackals) except domesticated dogs, family Mustelidae (such as weasels, skunks, martens, mink and badgers), family Procyonidae (such as raccoons), and family Ursidae (such as bears); order Marsupialia (such as kangaroos and opossums); order Chiroptera (bats); order Edentata (such as sloths, anteaters and armadillos); order Primates (such as chimpanzees and gorillas); order Rodentia (such as porcupines); and order Ungulata (such as deer, bison, and camels); and

(4) Within the class Amphibia: poisonous frogs, toads and salamanders.

Provocation means any purposeful act that causes an animal to scratch, bite, or attack in protection of itself, the owner, or the owner's premises. Entrance, in any manner, into an area where an animal is properly under restraint in compliance with this chapter is considered provocation, irrespective of the reason for the entrance.

Rabies vaccination means a protective inoculation by a licensed veterinarian with a rabies vaccine recognized and approved by the United States Department of Agriculture given in an amount sufficient to provide an immunity that satisfies the requirement of state law.

Registration/license means a privilege granted, upon compliance with the terms of this chapter, to lawfully own, keep, harbor, or have custody or control of a dog or cat within the city.

Trap, neuter and return (TNR) program means a non-lethal, humane alternative to deal with the stray cats which are captured, altered and returned back to their location in order to encourage the stabilization of the free-roaming cat population in the city.

ARTICLE II. KEEPING REQUIREMENTS

Sec. 14-31. Livestock.

Unless otherwise provided in the agricultural open zoning districts in the zoning ordinance, it shall be unlawful for any person to raise, keep, pen or harbor any livestock within 300 feet from any residential building, hotel, church, school or store, or any other building frequented or inhabited by human beings, within the corporate limits of the city. This section shall not apply to any person operating a commercial slaughterhouse or to the Our Lady of Guadalupe properties in the downtown area.

Sec. 14-32. Domestic fowl.

It shall be unlawful for any person to raise, keep, pen, or harbor any domestic fowl within ~~100~~25 feet from any residential building, hotel, church, school or store, or any other building frequented or inhabited by human beings, within the corporate limits of the city as such corporate limits are now, or may hereafter be constituted. Not more than four chickens may be kept on any premises, and no roosters may be kept.

Sec. 14-35. Carnivorous and wild animals; prohibited animals.

It shall be unlawful for any person to raise, pen, keep or harbor any animal from a species which is carnivorous and normally a wild animal, ~~which when full grown normally weighs more than five pounds~~or any prohibited animal, within the corporate limits of the city.

ARTICLE III. DOGS, CATS, OTHER DOMESTIC, CAPTIVE ANIMALS

DIVISION 1. GENERALLY

Sec. 14-71. ~~Definitions~~Reserved.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Dog* means either a male or female of the canine species, whether altered or not.~~

~~*Owner* means any person owning, harboring or in any way keeping a dog within the limits of the city.~~

Sec. 14-74. Running at large; dogs not permitted at large.

~~It shall be unlawful for any keeper or owner of any dog to permit such dog to run at large within the city. As used in this section, the term "to run at large" means to be free of restraint beyond the boundaries of the premises of the keeper. Any such dog when not upon the premises of its owner and which is controlled by a leash held by a competent person shall not be deemed running at large.~~

(a) *Public property.* It shall be unlawful for any owner of any dog to permit or allow such dog to run or be at large upon any public highway, street, alley, court, square, park, sidewalk or any other public grounds or public property within the city.

(b) *Other property.* It shall be unlawful for any owner of any dog to permit or allow such dog to run or be at large upon any unfenced lot, tract or parcel of land within the city.

(c) *Confining of female dogs in heat.* Every female dog in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such a manner that another dog cannot come in contact with it, except for controlled breeding purposes.

Sec. 14-75. Barking dogs.

It shall be unlawful to keep any dog in the city which by loud, frequent or habitual barking or howling shall cause annoyance and disturb the peace and quiet of any person between the hours of 10:00 p.m. and 6:00 a.m. Any such person who believes that there has been a violation of this section may file a complaint against the owner or keeper of such dog with the animal control officer or a police officer.

Sec. 14-76. Dangerous and vicious dogs.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Dangerous or vicious dog means any dog that~~ is capable of or by past record or performance has bitten, injured, scratched or disturbed a person or another animal.~~:

(1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or

(2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

(b) *Restraint.* It is hereby made the duty of any and all persons owning or having in their possession in the city a dangerous or vicious dog to restrain such dog safely on or within their own premises at all times except as provided for in this section.

(c) *Muzzling required.* If any dog of a dangerous or vicious character is, by the owner or one in possession thereof, permitted to appear upon the streets, alleys, public ways or private

property in the city, it shall be the duty of such owner or one in possession of such dog to secure and maintain properly upon such dog a good or sufficient muzzle or muzzles to prevent and preclude such dog from biting, attacking or otherwise injuring any person, dog or other animal.

(d) *Dogs confined to premises of owner.* It is hereby made the duty of any person owning or having in possession in the city a dog of such character that cannot be restrained by the use of a muzzle or of such character as to still be dangerous and vicious, in spite of such muzzle, to keep such dog within his own premises absolutely and at all times.

(e) *Impoundment.* Any dog of dangerous and vicious character hereafter found upon the streets, alleys, public ways or private property of individuals of this city without a muzzle as provided for in subsection (c) of this section, or which in spite of such muzzle shall still be dangerous, shall be impounded in some place provided for such purpose by the city.

Sec. 14-77. Kennels.

(a) *Kennel is a structure, not a property.* A kennel, as defined in section 14-1, is the structure or enclosure in which a dog or cat is confined and is not the property on which the structure or enclosure is located. Keeping dogs or cats on an owner's premises does not make the premises a kennel, and a fenced yard is not a kennel merely because a dog or cat is kept or allowed in the yard.

(b) *Number of kennels.* An owner/keeper may maintain more than one kennel on the owner's premises. The number of outdoor kennels on any one owner's premises shall not exceed one kennel for each dog or cat more than four months of age lawfully kept on the premises, and in no event shall there be more than six outdoor kennels on any one owner's premises.

(c) *Size of kennels.* The combined ground area of all outdoor kennels located in a yard shall not exceed 25 percent of the area of that yard. For purposes of this subsection, a "yard" is the front yard, a side yard, or the rear yard of the owner's premises, and the area of a yard is its open ground area not occupied by a building.

(d) *Maintenance and security.* Each kennel shall be properly maintained and secured so as to prevent the animal from escaping the premises. Each outdoor kennel shall provide the proper shelter described in section 14-85(a), and each kennel shall be kept in the condition required by section 14-85(g).

(e) *Kennel not required.* This section does not require an owner/keeper to keep a dog or cat in a kennel. A dwelling or a securely fenced yard is a suitable enclosure for purposes of section 14-85(g). Subsections (b) and (c) of this section apply only to outdoor kennels.

(af) ~~*Location*~~*Boarding kennels*. No ~~dog~~boarding kennel shall be located within 200 feet of any residence within the city. Notwithstanding the foregoing, the residence of the owner of the property upon which the boarding kennel is located or of the operator of the boarding kennel may be located within 200 feet of the ~~dog~~boarding kennel. Such distance shall be determined from the fence area, or if none the property line of the property owned by or leased by the operator of the ~~dog~~boarding kennel.

~~(b) *Definition.* The term "dog kennel" shall be any property upon which more than four adult (more than six months old) dogs are maintained at the location.~~

(g) *Exceptions.* Subsections (b) and (c) of this section and section 14-85(e) do not apply to the city animal shelter, a veterinary hospital or clinic, or a boarding kennel.

Sec. 14-78. Investigation, seizure and confinement of alleged dangerous dog and determination of a dangerous dog.

(a) Upon receipt of a sworn affidavit of complaint, signed by one (1) or more individuals before an individual authorized by law to make sworn statements, the department shall investigate the complaint. The complaint shall contain a description of the incident involving an alleged dangerous dog, as defined in section 14-76, the date and location of the incident, the name of the owner of the dog, the address of the owner, and a description of the dog(s) involved in the incident. Said investigation may include discussing the incident with the owner/keeper of the dog. The owner/keeper of the dog shall have the right to provide an affidavit or statement concerning his own dog.

(b) After receiving a sworn affidavit of complaint and upon deciding that seizure is a reasonable precaution to ensure the health and safety of people nearby, the animal care

services manager may order the immediate seizure and impound of the dog. An administrative search warrant shall be obtained from any municipal court magistrate to enter private property to search for a dog which is allegedly dangerous or has been previously determined to be dangerous, if permission to enter the subject premises is denied by a person in lawful possession. If the dog cannot be safely approached, a tranquilizer projector may be used by department personnel. The cost of securing said dog(s) shall be borne by the owner. If a dog is determined to be dangerous, it will remain in confinement as directed by the animal care services manager. A dog that has been determined to be dangerous cannot be released back to the owner until the owner is able to demonstrate his ability to comply with all the requirements for dangerous dogs; if compliance is not demonstrated, the animal may be humanely euthanized.

(c) An animal care officer may impound an alleged dangerous dog if the officer has cause to believe that a dog is dangerous as defined in section 14-76.

(d) The department shall determine whether a dog is dangerous. Within five (5) working days after the dog is deemed dangerous, the department will notify the owner of the dog of the dangerous dog determination and appeal right by written notice. The notice shall include the reason for the allegation, and all requirements for owners of a dog determined to be dangerous as set out in this chapter.

Sec. 14-79. Requirements of dangerous dog owners.

An owner of a dog determined to be dangerous must comply with all of the following nine (9) requirements before the subject dog can be released to the owner by the department. The department must, however, release the dog to the owner if a state licensed veterinarian with a facility located within the city verifies, upon being contacted by a city veterinarian or the department, that the owner has arranged for the required surgery of the dangerous dog to comply with this article, and if necessary, a city veterinarian has implanted the required registered microchip in the dog, has inspected the residence where the dog is to be kept, and is satisfied that the following requirements which could have already been complied with have been complied with by the owner:

(1) The dog must be registered with the department and shall annually obtain a dangerous dog permit.

(2) The dangerous dog shall at all times wear a collar approved by the department visible at twenty-five (25) feet so that the dog can be identified as a dangerous dog.

(3) The dangerous dog must be kept in a secure enclosure as defined by V.T.C.A., Health and Safety Code § 822.041.

(4) The owner must present to the department a certificate of public liability insurance in the amount of one hundred thousand dollars ($100,000.00) to cover any injuries caused by the dangerous dog. The insurance shall be kept in effect continuously and shall not be cancelled unless the dog is no longer kept by the insured owner.

(5) The dangerous dog, when taken outside the enclosure, must be securely muzzled in a manner that will not cause injury to the dog nor interfere with its vision or respiration, but shall prevent it from biting any person or animal; and the dangerous dog must be restrained by a sturdy leash three (3) feet in length.

(6) The owner shall post a sign on his premises warning that there is a dangerous dog on the property. This sign shall be visible and capable of being read from the public street or highway.

(7) If the dog does not have a registered microchip, the owner shall authorize the department to implant a registered microchip beneath the skin of the dangerous dog for positive identification of the animal.

(8) At the owner's expense, the dangerous dog must be spayed or neutered either by the department or, at the discretion of the department, by a veterinarian approved by the department prior to being released back to its owner.

(9) If the owner of a dog determined to be dangerous is unable or unwilling to comply with the ownership requirements listed above at any time, the dog must be euthanized by an animal shelter, animal care agency, licensed veterinarian or the department.

Sec. 14-80. Use of tranquilizer guns and drugs.

(a) The animal control officer, his agents and any police official shall be able to use a tranquilizer gun or any other drug to bring an animal at large under control.

(b) In order to use a tranquilizer gun or other drugs, the animal must be at large and pose a threat or danger to the public or to the city officer trying to bring the animal under control.

(c) If it becomes necessary for the animal control department or the police department to use a tranquilizer gun or other drugs to bring an animal at large under control, the city shall not be held responsible for any damage done to the animal by the use of the tranquilizer gun or other drugs.

(d) The owner of the animal that needs sedation to bring it under control shall pay for the costs of the sedation and for the care and feeding while the animal is under control of the city animal welfare.

Sec. 14-81. Tethering dogs and other animals.

(a) It shall be unlawful for any person to tie any animal, excluding livestock, to a stationary object. All animals that are tethered must be on a running line, pulley system or trolley.

(b) No person may tether an animal in a manner that permits the animal to reach any alley, sidewalk, public street, or property not belonging to the owner or keeper.

Sec. 14-82. Regulation of sale of animals and poultry or fowl; sale of pets; prohibitions; applications.

(a) It shall be unlawful for any person to sell, offer for sale or display for purposes of sale, any animal, including poultry or fowl, in, on or adjacent to any public roadway, unimproved parcel of land or in any public or private parking lot, or at any open air or enclosed flea market, farmer's market, or similar operations where stalls are rented on a temporary basis.

(b) It shall be unlawful to sell or to allow the sale of pets in flea markets, or on the roadside or any other outdoor or unenclosed location.

Sec. 14-83. Cruelty to animals prohibited.

(a) It is unlawful for anyone to beat, cruelly ill-treat, torment, overload, or overwork or otherwise abuse an animal, or cause, instigate or permit any dog fight, cockfight, bullfight, or other combat between animals or between animals and humans.

(b) It is unlawful for anyone to breed or train an animal for fighting with any other animal.

(c) Failure to provide acceptable standards of housing and care constitutes animal cruelty.

(d) It is unlawful for anyone to intentionally or knowingly leave a pet in a motor vehicle for longer than five minutes, knowing that the animal is not attended by an individual in the vehicle who is 14 years of age or older.

(e) This section is not intended to contravene the provisions for animal cruelty contained in the Texas Penal Code.

Sec. 14-84. Duty to remove dead or decaying animal carcasses.

(a) It is unlawful for any owner, occupant, or other person in control of premises to knowingly suffer, permit or maintain the presence of a dead or decaying animal carcass upon any such premises within the city, whether public or private, for more than six (6) hours.

(b) The presence of dead or decaying animal carcasses in violation of this section is hereby deemed a public nuisance.

(c) Dogs, cats or any other small dead animals shall not be placed in garbage containers nor collected as solid waste. The city animal control staff will, upon request, remove such dead animals from residences without charge between 7:00 a.m. and 3:00 p.m., Monday through Friday only, if such small dead animals are bagged and placed at the curbside. The city may remove small dead animals at other times if such animals create a traffic hazard. Service is to be charged in accordance with the following schedule:

(1) From residences, or other nonveterinary clinic: free up to 70 pounds during the hours of 7:00 a.m. to 3:00 p.m., Monday through Friday.

(2) For all animals over seventy (70) pounds, the charge is fifty dollars ($50.00) per animal.

(3) No livestock over 50 pounds will be picked up by a city animal control officer; it shall be the responsibility of the animal owner to properly dispose of the animal.

Sec. 14-85. Violations.

(a) It shall be unlawful for any owner/keeper or person to maintain a dog or cat in inhumane conditions, which shall include no food or water, injured or sick animals not receiving medical care, tethering in unsafe or extreme conditions, abandonment of animals, and no proper shelter. Proper shelter is shelter that: (1) provides protection from inclement weather; (2) allows the animal to avoid standing water; (3) is large enough for the animal to sit, stand, turn around and lie down normally; and (4) protects the animal from direct sunlight, extreme heat, rain, and cold temperatures and is properly ventilated.

(b) It shall be unlawful for any owner/keeper or person to allow dogs to roam or run at large without restraint in public areas or neighboring private properties.

(c) It shall be unlawful for any owner/keeper or person to fail to vaccinate a dog or cat for rabies or to fail to register the dog for rabies registration with the City of Mission Animal Shelter.

(d) It shall be unlawful for any owner/keeper or person to allow a dog to bark excessively or habitually during the hours stated in section 14-75.

(e) It shall be unlawful for any owner/keeper, person, tenant, or landowner to keep or maintain more than six dogs or cats, in any combination, older than four months on any one premises within the City of Mission limits, except as provided in section 14-77(g).

(f) It shall be unlawful for any owner/keeper, person, tenant, or landowner to abandon or relocate any animal within the City of Mission limits.

(g) Any dog or cat permitted to be kept within the City of Mission limits shall be kept in a suitable kennel or enclosure which shall be maintained and kept in such manner as not to become unsanitary, offensive or disagreeable to persons residing in the vicinity thereof, nor shall it be so maintained or kept as to breed flies, or in any manner cause any injury to the health of the public or any person residing in the vicinity of such kennel or enclosure.

(h) All owners/keepers or persons are required to immediately and properly collect and dispose of said animal's/pet's solid waste that is deposited on private properties in the vicinity.

(i) It shall be unlawful for any owner/keeper or person to fail to surrender a dog after a bite.

(j) It shall be unlawful for any owner/keeper or person to keep breeding dogs or cats, intentionally or unintentionally, resulting in a litter.

(k) It shall be unlawful for any person to feed any strays on public property or city right-of-way, including feeding bread to the ducks at Bannworth Park.

Secs. ~~14-78~~14-86—14-100. Reserved.

DIVISION 2. LICENSE

Sec. 14-101. Required.

(a) Any owner who shall maintain or keep a dog or cat more than four months of age on any premises within the city which has not been licensed and rabies vaccinated as required by this division shall be guilty of a misdemeanor.

(b) Prior to the issuance of a cat or dog license, pet owners applying for the same other than through the vaccinating veterinarian must present a certificate from a veterinarian licensed in any state or territory of the United States showing the animal has been vaccinated for rabies in compliance with the requirements of this article, and must apply on such form as may be required by an animal control officer. The owner shall state their name, address, and telephone number along with the breed, color, age, name and sex of the dog or cat to be licensed.

(c) The animal license tag issued shall not be transferable from one dog or cat to another and it shall be unlawful for the owner or person having control over or custody of any dog or cat to transfer such license tag from the dog or cat for which such tag was issued to any other dog or cat.

Sec. 14-103. When fee due.

Every license fee required by this division shall be due when ~~the rabies clinics are held in the city~~a new rabies vaccination is given to the dog or cat. Rabies vaccinations and license registration shall be done yearly.

Sec. 14-104. Application.

Any person desiring a dog or cat license shall make application therefor to the city animal control officer upon printed forms provided for such purpose, which applications shall state the name, telephone number, email, and address of the owner or keeper of such dog or cat and the name, breed, color and sex of the dog or cat being licensed.

Sec. 14-105. ~~Vaccination prerequisite to issuance~~Reserved.

~~The city animal control officer shall not issue any license or license tag for any dog until the owner or person in charge of such dog shall have obtained and presented to the animal control officer a certificate from a veterinarian licensed to practice veterinary medicine in the state that such dog has been vaccinated for rabies during the calendar year for which the license is applied for.~~

Sec. 14-106. Issuance.

Dog and cat licenses shall be issued by the city animal control officer upon application therefor, proof of vaccination against rabies and payment of the required fee.

Sec. 14-107. Issuance of tag.

Upon issuance of the license certificate, the animal control officer shall issue to the owner a tag for each dog or cat so licensed. The tag shall have ~~stamped thereon the year for which it was issued and~~ the number corresponding with the number on the certificate.

Sec. 14-108. Duplicate tags.

In case a dog or cat tag is lost or destroyed, a duplicate will be issued by the animal control officer upon presentation of the receipt showing the payment of the license fee for the calendar year and the payment of a ~~$2.00~~$5.00 replacement fee ~~for such duplicate~~.

Sec. 14-109. ~~Transfer of tag~~Reserved.

~~It shall be unlawful for the owner or person having control over or custody of any dog to transfer such license tag from the dog for which such tag was issued to any other dog.~~

Sec. 14-110. No refund of fee.

No refunds shall be made for any dog or cat license fee because of death or surrender of the dog and/or cat or the owner's leaving the city before the expiration of the license period.

Sec. 14-111. Collar and tags must be worn.

It shall be unlawful for any person to maintain or keep a dog and/or cat more than four months of age on any premises within the city unless the dog and/or cat wears a collar or harness securely attached to its body to which shall be securely attached a tag issued for the dog and/or cat by a licensed veterinarian, licensed to practice veterinary medicine in the state, showing that the dog and/or cat has been, within the current calendar year, vaccinated against rabies, and also securely attached to the collar or harness a license tag showing the dog and/or cat has been licensed by the city animal control officer for the current year.

ARTICLE IV. IMPOUNDMENT

Sec. 14-143. Time for redemption.

Any owner or person entitled to possession of a dog who appears at the city animal shelter within ~~five~~three (3) days after date of such notice, shall have the right to pick up such dog by paying an impoundment fee as provided in section 14-144, if such dog is licensed. If such dog is not licensed, the owner, upon proof of his ownership or right to possession, may repossess such dog by having the dog vaccinated and licensed in accordance with the requirements of the City of Mission ordinance, and by paying the impoundment fee. Failure of any such owner or person entitled to possession to repossess such dog shall entitle the animal control department to dispose of such dog in a humane manner.

Sec. 14-145. Unclaimed animals.

Any animal not claimed by its owner after being held for three (3) days, excluding the day the animal is impounded and any day the animal care services facility is not open, shall become the property of the city. The selection of an animal for adoption or rescue during the reclamation period or thereafter shall not confer any ownership right or right of possession to the animal. Due to their immature immune system, any abandoned animal under four months of age shall immediately become the property of the city, for humane disposition, and may be offered for adoption.

Sec. 14-146. Euthanasia.

The animal care services manager, a licensed veterinarian, or the animal care services manager's designee may direct the immediate euthanization of any animal determined to be seriously injured or diseased under the rules, guidelines, or procedures established by the animal care services manager. Impounded animals not redeemed or adopted as provided for in this article must be humanely euthanized at the city animal shelter under the direction of a person trained and certified in humane euthanasia as outlined in the Texas Health and Safety Code. The carcasses must be disposed of as directed by the animal care services manager.

Secs. ~~14-145~~14-147—14-170. Reserved.

SECTION 2. SAVINGS AND REPEALER.

All ordinances or parts of ordinances not amended by this Ordinance shall remain in full force and effect.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions, which shall remain in full force and effect.

SECTION 4. CODIFICATION.

The City Secretary is authorized to codify this Ordinance in the City of Mission Code of Ordinances and to make non-substantive formatting and numbering changes necessary for codification.

SECTION 5. PUBLICATION.

The City Secretary is authorized and directed to publish this Ordinance as required by law.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon adoption and publication as required by law.

PASSED, APPROVED, AND ADOPTED this 10th day of November, 2026.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

City Attorney

ARTICLE III. DOGS, CATS, OTHER DOMESTIC, CAPTIVE ANIMALS

DIVISION 1. GENERALLY

Sec. 14-71. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dog means either a male or female of the canine species, whether altered or not.

Owner means any person owning, harboring or in any way keeping a dog within the limits of the city.

(Code 1976, § 7-16)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 14-72. Enforcement of article.

It shall be the duty of the chief of police, all police officers, the health department official and animal control officers of the city to enforce the provisions of this article.

(Code 1976, § 7-17)

Sec. 14-73. Right of entry.

It shall be unlawful for any person to refuse permission to, or refuse to permit any police officer, health department official and animal control officer to go in or upon any premises occupied or used by such person, when such officer is engaged in the enforcement of this article in any manner and while engaged in the discharge of his duties under this article.

(Code 1976, § 7-18)

Sec. 14-74. Running at large.

It shall be unlawful for any keeper or owner of any dog to permit such dog to run at large within the city. As used in this section, the term "to run at large" means to be free of restraint beyond the boundaries of the premises of the keeper. Any such dog when not upon the premises of its owner and which is controlled by a leash held by a competent person shall not be deemed running at large.

(Code 1976, § 7-19)

Sec. 14-75. Barking dogs.

It shall be unlawful to keep any dog in the city which by loud, frequent or habitual barking or howling shall cause annoyance and disturb the peace and quiet of any person. Any such person who believes that there has

been a violation of this section may file a complaint against the owner or keeper of such dog with the animal control officer.

(Code 1976, § 7-20)

Cross reference(s)—Noise, § 42-231 et seq.

Sec. 14-76. Dangerous and vicious dogs.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Dangerous or vicious dog means any dog that is capable of or by past record or performance has bitten, injured, scratched or disturbed a person or another animal.

(b) *Restraint.* It is hereby made the duty of any and all persons owning or having in their possession in the city a dangerous or vicious dog to restrain such dog safely on or within their own premises at all times except as provided for in this section.

(c) *Muzzling required.* If any dog of a dangerous or vicious character is, by the owner or one in possession thereof, permitted to appear upon the streets, alleys, public ways or private property in the city, it shall be the duty of such owner or one in possession of such dog to secure and maintain properly upon such dog a good or sufficient muzzle or muzzles to prevent and preclude such dog from biting, attacking or otherwise injuring any person, dog or other animal.

(d) *Dogs confined to premises of owner.* It is hereby made the duty of any person owning or having in possession in the city a dog of such character that cannot be restrained by the use of a muzzle or of such character as to still be dangerous and vicious, in spite of such muzzle, to keep such dog within his own premises absolutely and at all times.

(e) *Impoundment.* Any dog of dangerous and vicious character hereafter found upon the streets, alleys, public ways or private property of individuals of this city without a muzzle as provided for in subsection (c) of this section, or which in spite of such muzzle shall still be dangerous, shall be impounded in some place provided for such purpose by the city.

(Code 1976, § 7-21)

State law reference(s)—Dangerous dogs, V.T.C.A., Health and Safety Code § 822.001 et seq.

Sec. 14-77. Kennels.

(a) *Location.* No dog kennel shall be located within 200 feet of any residence within the city. Notwithstanding the foregoing, the residence of the owner of the property upon which the kennel is located or of the operator of the kennel may be located within 200 feet of the dog kennel. Such distance shall be determined from the fence area, or if none the property line of the property owned by or leased by the operator of the dog kennel.

(b) *Definition.* The term "dog kennel" shall be any property upon which more than four adult (more than six months old) dogs are maintained at the location.

(Code 1976, § 7-22)

Secs. 14-78—14-100. Reserved.

DIVISION 2. LICENSE

Sec. 14-101. Required.

Any owner who shall maintain or keep a dog more than four months of age on any premises within the city which has not been licensed and vaccinated as required by this division shall be guilty of a misdemeanor.

(Code 1976, § 7-27)

Sec. 14-102. Fee levied.

There is hereby levied upon the owner or person entitled to possession of each and every dog and cat more than four months of age, which is kept, harbored or maintained by the owner or person in possession thereof in the corporate limits of the city, an annual license fee of $5.00 per dog and $5.00 per cat.

(Code 1976, § 7-28; Ord. No. 5692, § 1, 8-11-2025; Ord. No. 5709, § 1, 9-9-2025)

Sec. 14-103. When fee due.

Every license fee required by this division shall be due when the rabies clinics are held in the city.

(Code 1976, § 7-29)

Sec. 14-104. Application.

Any person desiring a dog license shall make application therefor to the city animal control officer upon printed forms provided for such purpose, which applications shall state the name and address of the owner or keeper of such dog and the name, breed, color and sex of the dog being licensed.

(Code 1976, § 7-30)

Sec. 14-105. Vaccination prerequisite to issuance.

The city animal control officer shall not issue any license or license tag for any dog until the owner or person in charge of such dog shall have obtained and presented to the animal control officer a certificate from a veterinarian licensed to practice veterinary medicine in the state that such dog has been vaccinated for rabies during the calendar year for which the license is applied for.

(Code 1976, § 7-31)

Sec. 14-106. Issuance.

Dog licenses shall be issued by the city animal control officer upon application therefor, proof of vaccination against rabies and payment of the required fee.

(Code 1976, § 7-32)

Sec. 14-107. Issuance of tag.

Upon issuance of the license certificate, the animal control officer shall issue to the owner a tag for each dog so licensed. The tag shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate.

(Code 1976, § 7-33)

Sec. 14-108. Duplicate tags.

In case a dog tag is lost or destroyed, a duplicate will be issued by the animal control officer upon presentation of the receipt showing the payment of the license fee for the calendar year and the payment of a $2.00 fee for such duplicate.

(Code 1976, § 7-34)

Sec. 14-109. Transfer of tag.

It shall be unlawful for the owner or person having control over or custody of any dog to transfer such license tag from the dog for which such tag was issued to any other dog.

(Code 1976, § 7-35)

Sec. 14-110. No refund of fee.

No refunds shall be made for any dog license fee because of death of the dog or the owner's leaving the city before the expiration of the license period.

(Code 1976, § 7-36)

Sec. 14-111. Collar and tags must be worn.

It shall be unlawful for any person to maintain or keep a dog more than four months of age on any premises within the city unless the dog wears a collar or harness securely attached to its body to which shall be securely attached a tag issued for the dog by a licensed veterinarian, licensed to practice veterinary medicine in the state, showing that the dog has been, within the current calendar year, vaccinated against rabies, and also securely attached to the collar or harness a license tag showing the dog has been licensed by the city animal control officer for the current year.

(Code 1976, § 7-37)

Secs. 14-112—14-120. Reserved.

DIVISION 3. PET/ANIMAL WASTE DISPOSAL REGULATIONS

Sec. 14-121. Purpose.

The purpose of this division is to establish requirements for the proper disposal of animal/pet solid waste in any public or city owned property located in the City of Mission, so as to protect the public's health, safety and general welfare, and to prescribe penalties for failure to comply herewith. Any animal/pet owner and/or keeper is responsible for disposing in a sanitary manner of all animal/pet waste that such animal/pet deposits on any public or city owned property.

(Ord. No. 3803, § I, 7-23-2012)

Sec. 14-122. Definitions.

For the purpose of this division, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this division clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not discretionary.

(1) *Immediate* means that the animal's/pet's solid waste is to be removed at once, and without delay.

(2) *Owner/keeper* means any person who shall possess, maintain, house or harbor any pet or otherwise have custody or control of any animal/pet, whether or not that person is the owner of such animal/pet.

(3) *Person* means any individual, corporation, company, partnership, firm, association, and/or political subdivision of this state subject to municipal jurisdiction.

(4) *Pet* means an animal kept for amusement and/or companionship.

(5) *Pet solid waste* means waste and fecal matter and/or excrement expelled from the bowels of an animal/pet.

(6) *Proper disposal* means placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for its proper treatment and disposal.

(Ord. No. 3803, § II, 7-23-2012)

Sec. 14-123. Requirement for disposal.

All animal/pet owners and/or keepers are required to immediately and properly collect and dispose of said animal/pet owners' animal's/pet's solid waste that is deposited on any public or city owned property.

(Ord. No. 3803, § III, 7-23-2012)

Sec. 14-124. Exemptions.

Any owner or keeper who requires the use of a disability-assistance animal/pet shall be exempt from the provisions of this section while such animal/pet is being used for that purpose. If accompanied by an able-bodied person, however, then such person shall be deemed to be an extension of responsibility of the disabled owner/keeper for any solid waste deposited by the animal/pet.

(Ord. No. 3803, § IV, 7-23-2012)

Sec. 14-125. Enforcement.

The provisions of this division shall be enforced by the City of Mission's parks department and/or city police department.

(Ord. No. 3803, § V, 7-23-2012)

Sec. 14-126. Violations and penalty.

Any person(s) who is found to be in violation of the provisions of this division shall be subject to a fine not to exceed $50.00 per each individual violation.

(Ord. No. 3803, § VI, 7-23-2012)

Secs. 14-127—14-140. Reserved.

ARTICLE IV. IMPOUNDMENT

Sec. 14-141. Authority.

It shall be the duty of the animal control officer to seize and impound, subject to the provisions of this article, all animals, whether domesticated or undomesticated, found in violation of the provision of this chapter within this city, whether such animal shall be in the immediate presence of its owner or custodian or otherwise.

(Code 1976, § 7-49)

Sec. 14-142. Notice.

If any dog has been picked up and impounded, the following notice requirement shall be complied with. If such dog bears a city license, the animal control department shall check the records to determine who is the owner or keeper of such dog. If such dog is unlicensed, the animal control department shall make reasonable efforts to determine who is the owner or keeper of such dog and in either event a written notice shall be sent through the United States mail addressed to such owner or keeper at his address which shall constitute notice to such owner or keeper that said dog is impounded.

(Code 1976, § 7-50; Ord. No. 5692, § 1, 8-11-2025; Ord. No. 5709, § 1, 9-9-2025)

Sec. 14-143. Time for redemption.

Any owner or person entitled to possession of a dog who appears at the city animal shelter within five days after date of such notice, shall have the right to pick up such dog by paying an impoundment fee as provided in section 14-144, if such dog is licensed. If such dog is not licensed, the owner, upon proof of his ownership or right to possession, may repossess such dog by having the dog vaccinated and licensed in accordance with the requirements of the City of Mission ordinance, and by paying the impoundment fee. Failure of any such owner or person entitled to possession to repossess such dog shall entitle the animal control department to dispose of such dog in a humane manner.

(Code 1976, § 7-51; Ord. No. 5692, § 1, 8-11-2025; Ord. No. 5709, § 1, 9-9-2025)

Sec. 14-144. Fees.

The following fees shall be charged for the impoundment of any animal under the provisions of this article:

Whenever any animal is impounded, an additional fee of $10.00 per day shall be charged for each day, or fraction thereof, of impoundment, for feeding and caring for such animal. This also applies to quarantined animals at the shelter for a ten-day period.

Optional microchip will be as follows: $10.00 per dog or cat.

Adoption fee of a dog or cat will be as follows: $50.00.

Dog wash fee will be as follows: $15.00.

(Ord. No. 5692, § 1, 8-11-2025; Ord. No. 5709, § 1, 9-9-2025)

Secs. 14-145—14-170. Reserved.