

**ORDINANCE NO. 1878**

**AN ORDINANCE AMENDING CHAPTER 10, "ANIMALS", OF THE EULESS CODE OF ORDINANCES BY AMENDING ARTICLE I, "IN GENERAL", SECTION 10-2, "DEFINITIONS", SECTION 10-4 "AUTHORITY TO DESTROY CERTAIN ANIMALS", AND SECTION 10-7 "PROHIBITED ANIMALS"; AMENDING ARTICLE II, "ADMINISTRATION", SECTION 10-36, "ANIMAL CONTROL OFFICER-DUTIES"; AMENDING ARTICLE III, "CARE AND CONTROL", SECTION 10-65, "ANIMAL CARE"; AMENDING ARTICLE III, "CARE AND CONTROL", BY RENUMBERING EXISTING SECTIONS 10-72, 10-73 AND 10-74 AS SECTIONS 10-73, 10-74 AND 10-75; AMENDING ARTICLE III, "CARE AND CONTROL", BY THE DELETION OF SECTION 10-71, "VICIOUS ANIMALS" AND BY THE ADDITION OF SECTION 10-71, "DOGS OR ANIMALS THAT ATTACK PERSONS OR DOMESTIC ANIMALS", AND SECTION 10-72 "DANGEROUS DOGS"; AMENDING ARTICLE III, "CARE AND CONTROL", BY THE ADDITION OF SECTION 10-76, "BEES"; AMENDING ARTICLE VI "IMPOUNDMENT", SECTION 10-168 "ADOPTION OF DOGS OR CATS" TO INCLUDE CONFIDENTIALITY PROVISIONS; AMENDING CHAPTER 30 "FEES", SECTION 30-4, "ANIMALS" TO ADD A NEW SUBSECTION FOR "DANGEROUS DOG REGISTRATION FEES"; PROVIDING A PENALTY FOR VIOLATION THEREOF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Euless has the legal authority to revise the Euless Code of Ordinances; and

**WHEREAS**, the City Council of the City of Euless, Texas, finds that the public safety, health and general welfare will be better protected by the following revisions to the Code of Ordinances; and

**WHEREAS**, the City Council of the City of Euless, Texas desires to amend the Euless Code of Ordinances in the manner hereinafter set forth.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS;**

## SECTION I

**THAT** Chapter 10, “Animals”, Article I, “In General” Section 10-2, “Definitions”, of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended by the addition of the following definitions:

*Dog* means a domesticated animal that is a member of the canine family.

*Dangerous Dog* means a dog that (a) makes an unprovoked attack on a person or an animal 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 (b) 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 or his animal.

*Serious bodily injury* means an injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization without regard to whether the person actually sought medical treatment.

*Bodily injury* has the meaning assigned under Section 1.07 of the Texas Penal Code.

## SECTION II

**THAT** Chapter 10, “Animals”, Article I, “In General” Section 10-4, “Authority to Destroy Certain Animals”, of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended to hereafter be and read as follows:

### **Sec. 10-4. Authority to Destroy Certain Animals.**

Any peace officer, health officer, licensed veterinarian or animal control officer may kill any dog, cat or other animal suspected of having rabies and any vicious animal.

## SECTION III

**THAT** Chapter 10, “Animals”, Article I, “In General” Section 10-7, “Prohibited Animals”, subsection 1 “*Class reptilia*” of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended to hereafter be and read as follows:

(1) *Class reptilia*:

- a. Family helodermatidae (the venomous lizards) and all varanidae (monitor).
- b. Order ophidia, family biodae (boas, pythons, anacondas); family hydrophiidae (marine snakes); family viperidae (rattlesnakes, pit vipers and true vipers); family elapidae (coral snakes, cobras and mambas); family colubridae-dispholidus typus (boomslang); bioga dendrophila (mangrove snake) and kirtlandii (twig snake) only.
- c. Order crocodilia (such as crocodiles and alligators).
- d. Order Testudines (all turtles).

**SECTION IV**

**THAT** Chapter 10, “Animals”, Article II, “Administration”, Section 10-36, “Animal Control Officer--Duties”, of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended to hereafter be and read as follows:

**Sec. 10-36. Animal control officer--Duties.**

It shall be the duty of each animal control officer under the supervision of the City Manager to carry out all applicable provisions of this chapter and to pick up and impound all animals found to be in violation of this chapter.

**SECTION V**

**THAT** Chapter 10, “Animals”, Article III, “Care and Control”, Section 10-65, “Animal Care”, of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended by amending subsection (4) thereof, and by the addition of a new subsection (9) to hereafter be and read as follows:

- (4) A person shall willfully wound, trap, maim or cripple by any method any animal, bird or fowl. It shall also be unlawful for a person to kill any animal, bird or fowl within the city.
- \* \* \* \* \*
- (9) A person leaves an animal in a vehicle for more than two (2) hours or less than two (2) hours if, in the opinion of the Animal Control Officer on the scene, the ambient humidity and temperature conditions create a danger to the animal’s health and welfare. Animal Control

shall remove the animal from the vehicle after notifying the Euless Police Department. Any costs associated with such removal shall be assessed against the owner of the animal, and must be paid before the animal will be released to the owner. A notice to the operator of the vehicle shall be placed in the vehicle advising the operator of the vehicle that the animal has been impounded and the location where the animal is impounded.

## **SECTION VI**

**THAT** Chapter 10, "Animals", Article III, "Care and Control," of the Code of Ordinances of the City of Euless, Texas, as amended, be amended by renumbering existing Section 10-72 "Guard dogs" to Section 10-73; renumbering existing Section 10-73 "Defecation of animals on public and private property; failure to remove and dispose of excreta" to Section 10-74, and renumbering existing Section 10-74 "Registration of dogs and cats" to Section 10-75, and further amending Chapter 10, "Animals", Article III, "Care and Control," of the Code of Ordinances of the City of Euless, Texas, as amended, by the deletion of Section 10-71, "Vicious Animal" and by the addition of a new Section 10-71, "Dogs or Animals That Attack Persons or Domestic Animals" and a new Section 10-72 "Dangerous Dogs", to hereafter be and read as follows:

### **Section 10-71. Dogs or Animals That Attack Persons or Domestic Animals.**

#### **(a) Determination that a Dog or Animal Has Attacked a Person or Domestic Animal**

- (1) Upon receipt of a sworn complaint by any person to the Municipal Court that a dog or animal has caused the death of or serious bodily injury to a person or domestic animal by attacking, biting or mauling the person and on the showing of probable cause to believe that the dog or animal caused the death of or serious bodily injury to the person as stated in the complaint, the Municipal Court shall issue a warrant authorizing Animal Control to seize the dog or animal in question.
- (2) Upon receipt of the warrant from the Municipal Court, Animal Control shall seize the dog or animal and impound the dog or animal in secure and humane conditions until the Municipal Court orders the disposition of the dog or animal.
- (3) The Municipal Court shall set a time for a hearing to determine whether the dog or animal caused the death of or serious bodily injury to a person or domestic animal by attacking, biting or mauling the person or domestic animal. The hearing must be held not later

than the 10<sup>th</sup> day after the date on which the warrant for seizing the dog or animal was issued. The Municipal Court shall give written notice of the time and place of the hearing to:

(A) The owner of the dog or animal or the person from whom the dog or animal was seized.

(B) The person who made the sworn complaint.

(4) Any interested party may present evidence at the hearing.

(5) The Municipal Court may make any determination regarding the disposition of the dog or animal that is permitted under Chapter 822 of the Texas Health and Safety Code which includes determining that the dog or animal is not a dangerous dog or animal, determining that the dog or animal is a dangerous dog or animal and should be released to the owner and the owner be ordered to comply with the requirements for the owner of a dangerous dog as contained in Section 822 of the Texas Health and Safety Code and this Code, determining that the dog or animal is a dangerous dog or animal and must be removed from the City of Euless, or determining that the dog or animal caused the death of or serious bodily injury to a person or domestic animal by attacking, biting or mauling the person or domestic animal and that the dog or animal must be destroyed.

**(b) Defenses.** The Municipal Court shall consider the applicable defenses contained in Section 822 of the Texas Health and Safety Code.

**(c) Attack by a Dog or Animal**

(1) A person commits an offense if the person is the owner of a dog or animal and, with criminal negligence, fails to secure the dog or animal and the dog or animal makes an unprovoked attack on another person or animal that occurs at a location other than the owner's real property or in or on the owner's motor vehicle or boat and that causes serious bodily injury or death to the other person or animal.

(2) A person commits an offense if the person is the owner of a dog or animal that the Municipal Court has determined is a dangerous dog or animal, or otherwise been designated a dangerous animal under Chapter 822, Texas Health and Safety Code or this Chapter, and the dog or animal makes an unprovoked attack on another person or animal that occurs at a location other than a secure enclosure in which the dog is restrained in accordance with Section 10-72 and

that causes serious bodily injury or death to the other person or animal.

- (3) An offense under this section is a Class C misdemeanor if the attack is on another animal. If the attack is on a person, such offense is a felony in the third degree unless the attack causes death, in which event the offense is a felony of the second degree, and such felony offense shall be prosecuted by the Tarrant County District Attorney in the Criminal Courts of Tarrant County, Texas, at the discretion of said District Attorney.
- (4) If a person is found guilty of any offense under this section, the Municipal Court may order the dangerous dog or animal destroyed.
- (5) The Municipal Court may consider the defenses to prosecution contained in Section 822.006 of the Texas Health and Safety Code.

## **Sec. 10-72. Dangerous Dogs.**

### **(a) Requirements for owners of dangerous dogs.**

- (1) Not later than the 30th day after a person learns that the person is the owner of a dangerous dog, the person shall:
  - (i) Register the dangerous dog with the Euless Animal Control Department;
  - (ii) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure, as defined by Section 822.041, Texas Health and Safety Code;
  - (iii) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control officer for the area in which the dog is kept; and
  - (iv) Comply with all applicable City or State regulations, requirements, or restrictions on dangerous dogs.
  - (v) In addition to or in lieu of the foregoing, the Animal Control Officer may order that the dog be permanently removed from the City within said 30 day period.

- (2) The owner of a dangerous dog who does not comply with subsection (1) shall deliver the dog to the animal control officer not later than the 30th day after the owner learns that the dog is a dangerous dog.
- (3) If the municipal court finds, after notice and hearing provided by subsection (d), that the owner of a dangerous dog has failed to comply with subsection (1) or (2), the court shall order the animal control officer to seize the dog and shall issue a warrant authorizing the seizure. The animal control officer shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.
- (4) The owner shall pay any cost or fee assessed by the City related to the seizure, acceptance, impoundment, or destruction of the dog.
- (5) The court shall order the animal control officer to humanely destroy the dog if the owner has not complied with subsection (1) before the 11th day after the date on which the dog is seized or delivered to the animal control officer. The court shall order the animal control officer to return the dog to the owner if the owner complies with subsection (1) before the 11th day after the date on which the dog is seized or delivered to the authority.
- (6) The court may order the humane destruction of a dog if the owner of the dog has not been located before the 15th day after the seizure and impoundment of the dog.
- (7) For purposes of this Subsection, a person learns that the person is the owner of a dangerous dog when:
  - (i) the owner knows of an attack described by the definition of *Dangerous Dog* as contained in this Chapter;
  - (ii) the owner received notice that a justice court, county court, or municipal court has found that the dog is a dangerous dog; or
  - (iii) the owner is informed by the animal control officer that the dog is a dangerous dog under this section.

**(b) Determination that dog is dangerous.**

- (1) If a person reports an incident described by the definition of *Dangerous Dog* as contained in this Chapter, the animal control officer may investigate the incident. If the animal control officer determines the dog is a dangerous dog, the officer shall notify the owner of that fact. The animal control officer, at his discretion, may also notify the owner that the owner must comply with the requirements for the owner of a dangerous dog as contained in Section 822 of the Texas Health and Safety Code, or that dog must be permanently removed from the City, or that it be humanely destroyed, within 15 days of the date of said notice unless the owner appeals the determination under subsection (2).
- (2) An owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control officer to the municipal court.

**(c) Reporting of incident.**

- (1) A person may report an incident described by the definition of *Dangerous Dog* as contained in this Chapter to the Municipal Court. The owner of the dog shall deliver the dog to the animal control officer not later than the fifth day after the date on which the owner receives notice that the report has been filed. The animal control officer may provide for the impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog.
- (2) If the owner fails to deliver the dog as required by subsection (1), the court shall order the animal control officer to seize the dog and shall issue a warrant authorizing the seizure. The animal control officer shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog. The owner shall pay any cost incurred in seizing the dog.
- (3) The court shall determine, after notice and hearing as provided in subsection (d), whether the dog is a dangerous dog.
- (4) The court, after determining that the dog is a dangerous dog, may order the animal control officer to continue to impound the dangerous dog in secure and humane conditions until the court orders disposition of the dog under subsection (a) and the dog is returned to the owner, ordered to be permanently removed from the City, or destroyed.

- (5) The owner shall pay any cost or fee associated with the continued impoundment under subsection (c)(4).
- (6) The City of Euless, by the adoption of this subsection, hereby elects to be governed by Section 822.0422 of the Texas Health and Safety Code.

**(d) Hearing.**

- (1) The court, on receiving a request for a dangerous dog hearing shall set a time for a hearing to determine whether the dog is a dangerous dog or whether the owner of the dog has complied with subsection (a). The hearing must be held not later than the 10th day after the date on which the dog is seized or delivered.
- (2) The court shall give written notice of the time and place of the hearing to:
  - A. the owner of the dog or the person from whom the dog was seized, and
  - B. the person who made the complaint.
- (3) The owner or other person from whom the dog was seized must open the evidence and present competent evidence that the dog is not a dangerous dog under the ordinance.
- (4) Any interested party, including the city attorney, is entitled to present evidence at this hearing.
- (5) Appeal. The owner of a dog or the person making the complaint may appeal the decision of the Municipal Court in the manner provided for the appeal of cases from the Municipal Court.

**(e) Registration.**

- (1) The animal control officer shall annually register a dangerous dog if the owner presents proof of:
  - A. liability insurance or financial responsibility, as required by subsection (a);
  - B. current rabies vaccination of the dangerous dog; and
  - C. the secure enclosure in which the dangerous dog will be kept; and

D. payment of an annual registration fee as set forth in Section 30-4 of this Code.

- (2) The animal control officer shall provide to the owner registering a dangerous dog a registration tag. The owner must place the tag on the dog's collar.
- (3) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the animal control authority for the area in which the new address is located. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee as set forth in Section 30-4 of this Code, the animal control officer shall issue a new registration tag to be placed on the dangerous dog's collar.
- (4) An owner of a registered dangerous dog shall notify the office in which the dangerous dog was registered of any attacks the dangerous dog makes on people.

**(f) Attack by dangerous dog.**

- (1) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person or domesticated animal outside the dog's enclosure and causes bodily injury to the other person or domesticated animal.
- (2) An offense under this section is a Class C misdemeanor, unless the attack causes serious bodily injury or death, in which event the offense shall be prosecuted under Section 10-71 of this Chapter.
- (3) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a person listed in Section 822.004, Texas Health and Safety Code.

**(g) Violations.**

- (1) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with subsection (a) or (c)(1).
- (2) Except as provided by subsection (3), an offense under this section is a Class C misdemeanor.

- (3) An offense under this section is a Class B misdemeanor if it is shown on the trial of the offense that the defendant has previously been convicted under this section.

**(h) Defenses.**

- (1) It is an affirmative defense to prosecution under subsection (f) or (g) that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position.
- (2) It is an affirmative defense to prosecution under subsection (f) or (g) that the person is an employee of the institutional division of the Texas Department of Criminal Justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes.
- (3) It is an affirmative defense to prosecution under subsections (f) and (g) that the person is a dog trainer or an employee of a guard dog company under Chapter 1702, Occupations Code.

**(i) Authority to Impound or Destroy not Impaired.**

Nothing contained in this Section or in this Chapter 10 shall impair, restrict or remove the authority of an animal control officer or a peace officer to immediately impound, or to destroy if impoundment cannot be done safely, any animal whose behavior or condition presents an immediate danger to a person or domestic animal, and such authority is hereby preserved and confirmed.

**(j) Additional Authority Concerning Animals That Bite Persons.**

In addition to any other authority conferred by this Code or other law, an Animal Control Officer or a Peace Officer shall have the authority to immediately seize and impound any animal that bites a person. If the animal is a dog, and the Animal Control Officer determines that it should be designated as a Dangerous Dog, the Officer shall notify the owner of such designation as provided in subsection (b) of this section. In addition to or in lieu of designating the dog a Dangerous Dog, the Officer, in his discretion, may also notify the owner that the dog must be permanently removed from the City, or that it must be humanely destroyed, within 15 days of the date of said notice unless the owner appeals the determination under subsection(b) (2) and (d). If the animal is not a dog, the Officer, in his discretion, may also notify the owner that the animal must be permanently removed from the City, or that it must be humanely destroyed,

within 15 days of the date of said notice unless the owner appeals the determination under subsection(b) (2) and (d).

## **SECTION VII**

**THAT** Chapter 10, "Animals", Article III, "Care and Control", of the Code of Ordinances of the City of Euless, Texas, as amended, be amended by the addition of Section 10-76, "Bees", to hereafter be and read as follows:

### **Section 10-76. Bees.**

- (a) It shall be unlawful to keep bees in such a manner as to deny any person the reasonable use and enjoyment of adjacent property or endanger the personal health and welfare of the inhabitants of the City of Euless.
- (b) Upon receipt of a sworn complaint by any person, including the City Attorney or a peace officer, to the Municipal Court that bees are being kept in a manner that denies the reasonable use and enjoyment of adjacent property or endangers the personal health and welfare of the inhabitants of the City of Euless, the Municipal Court shall set a time for a hearing to determine whether the bees are being kept in violation of this ordinance. The hearing shall be held not later than the 15th day after the Judge of the Municipal Court receives and reviews the complaint.
- (c) The Municipal Court shall give written notice of the time and place of the hearing to:
  - (1) The owner of the bees or the person maintaining the bees.
  - (2) The person who made the sworn complaint.
- (d) Any interested party, including the City Attorney, may present evidence at the hearing.
- (e) If the Municipal Court determines that the bees deny to any person the reasonable use and enjoyment of adjacent property or endanger the personal health and welfare of the inhabitants of the City of Euless, the Municipal Court shall order the bees removed from the property. Upon receipt of such order, the owner or person maintaining the bees shall remove the bees within 10 calendar days of the order. Failure to comply with the Municipal Court order shall constitute a separate violation of this Code for each day of non-compliance, and in addition,

the City of Euless may contract for the removal of the bees and charge the owner or person maintaining the bees for such removal.

- (f) A violation of this Section shall be considered a violation of an ordinance governing public health and safety, and the enhanced remedies provided for such violations in Section 1-12 of this code shall apply, and no person shall ever acquire a vested right to use his property in violation hereof.

## SECTION VIII

**THAT** Chapter 10, "Animals", Article VI, "Impoundment", Section 10-168, "Adoption of Dogs or Cats", of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended by the repeal and replacement of subsections (2) and (4) thereof, and by the addition of a new subsection (7) "Confidentiality" thereto, to hereafter be and read as follows:

- (2) All dogs and cats which are adopted through the city animal shelter shall be surgically altered to prevent reproduction in that animal. The fee for spaying or neutering animals will be collected according to the fee schedule (Sec. 30-4). The animal(s) will be transported by City of Euless Animal Shelter personnel to a local veterinarian. The animal to be adopted may be claimed at the local veterinarian office. Should a person wanting to adopt an animal desire to take the adopted animal to a veterinarian of their choice, a refundable deposit will be required (Sec. 30-4). Proof of surgical alteration must be returned to the City of Euless Animal Shelter, at which time a request to refund the deposit will be submitted to the City of Euless Finance Department. Failure to provide proof of surgical alteration will result in loss of the deposit and issuance of a citation. Immature dogs and cats shall be altered by the date designated in the adoption agreement or a citation will be issued.

\* \* \* \* \*

- (4) The adoption fee will be as set forth in Section 30-4(j). In addition to the adoption fee, if a dog or cat is not currently rabies vaccinated, the adopting person shall be charged for a rabies vaccination as set forth in Section 30-4(c) for the issuance of a receipt, which the adopting person shall present to a veterinarian in the county within three (3) days for vaccination of the adopted dog or cat. The veterinarian may present the receipt with a statement verifying the vaccination to the animal control officer for reimbursement of the prepaid fee for administering the rabies vaccination.

\* \* \* \* \*

- (7) Confidentiality. It is expressly provided that the personal information about any individual that executes a sterilization and vaccination agreement and/or adoption agreement with the City shall remain confidential and shall not be subject to public disclosure. This personal information shall include the identity of the adopting person or new owner, that person's address, telephone number, driver's license number, or other personally identifying information. Further, such other information as may be declared confidential by state or federal law including the provisions of Chapter 826 of the Texas Health and Safety Code, as amended, shall not be subject to public disclosure.

### SECTION IX

**THAT** Section 30-4 "Animals" of Chapter 30, "FEES" of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended by the addition thereto of a new subsection (l) "Dangerous Dog Registration", which new subsection shall hereafter be and read as follows:

(l) Dangerous Dog Registration:

Dangerous Dogs kept within City, per year.....\$50.00

Dangerous Dogs sold to or moved to another address  
within the City, per move.....\$25.00

### SECTION X

**PENALTY FOR VIOLATION.** Any person, firm or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with Chapter 1, Section 1-12, Euless Code of Ordinances. Each day that such violation exists or continues shall be deemed a separate offense and shall be punishable as such hereunder.

### SECTION XI

**SEVERABILITY CLAUSE.** That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or 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 invalid or unconstitutional phrase, clause, sentence, paragraph or sections.

**SECTION XII**

**SAVING CLAUSE.** That Chapters 10 and 30 of the Code of Ordinances, City of Euless, Texas, as amended, shall be in full force and effect, except as expressly amended hereby.

**SECTION XIII**

**EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication by the City Charter and the laws of the State of Texas.

**PRESENTED AND GIVEN FIRST AND FINAL READING AND APPROVED** at a regular meeting of the Euless City Council on the \_\_\_\_ day of \_\_\_\_\_ 2010 by a vote of \_\_\_\_ ayes, \_\_\_\_ nays, and \_\_\_\_ abstentions.

**APPROVED:**

\_\_\_\_\_  
Mary Lib Saleh, Mayor

**ATTEST:**

\_\_\_\_\_  
Susan Crim, TMRC, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bob McFarland, City Attorney