

ORDINANCE NO. 639

"Wildlife Committee"

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS TO CREATE A COMMITTEE OF AT LEAST 5 AND NO MORE THAN 9 PERSONS TO CONSIDER AND STUDY THE DESIRABILITY AND FEASIBILITY OF MANAGING THE WILDLIFE POPULATIONS, PARTICULARLY WHITE-TAILED DEER, WITHIN THE CITY OF GRANITE SHOALS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING

WHEREAS, the City Council desires to provide for, protect and improve the health, safety and general welfare of the citizens of the City and to foster a sense of civic pride; and,

WHEREAS, when humans and wildlife live close to one another, an increase in human-wildlife conflict occurs; and

WHEREAS, the management of the wildlife is best conducted in a well-defined and orderly manner; and

WHEREAS, the orderly approach to management of the wildlife is best conducted in a step by step fashion, each step leading to and directing the next; and

WHEREAS, an over abundance of wildlife animals results in an increase of property damage from animal-vehicle collisions, increases in disease transmission between animals and humans, and ecological impact on lawns, gardens, flowerbeds and ornamental landscaping; and

WHEREAS, the Texas Parks and Wildlife Department (TPWD) is mandated by law to protect the State of Texas' natural resources; and

WHEREAS, section 8.01 of the City Charter provides the Council with the authority to create, establish, or appoint such boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City; and

WHEREAS, the City Charter provides that the Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability and tenure of each board, commission and committee where such are not prescribed by law or the Charter;

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

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Granite Shoals and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II. WILDLIFE COMMITTEE

A. COMMITTEE CREATED:

Pursuant to Article VIII, Section 8.01 of the City Charter, the City Council hereby creates a Wildlife Committee. This committee will serve in an advisory capacity only and will have no powers to establish policy, regulations or procedures for the city.

B. PURPOSE:

The Wildlife Committee is established to accomplish the following purposes:

1. Study the desirability and feasibility of managing the wildlife populations, with emphasis on white-tailed deer, within the City of Granite Shoals consistent with the laws and regulations of the State of Texas.
2. Gather information from and review documents and articles prepared by the Texas Parks and Wildlife Department (TPWD), the Texas Agrilife Extension Service, and other organizations knowledgeable in wildlife and wildlife management in Texas.
3. Conduct public hearings and surveys to obtain a consensus of the citizen's position on wildlife management with priority and emphasis on the management of white-tailed deer.
4. Estimate and monitor the wildlife populations of animals studied, particularly white-tailed deer.
5. Consider alternate approaches to wildlife management recognizing the advantages and disadvantages of each approach.

6. Develop both a short-term and long-term strategy to managing white-tailed deer and any other particular wildlife animal.
7. From time to time, prepare and present reports and recommendations to the City Council, City Manager, and City staff.

C. MEMBERS, ORGANIZATION AND MEETINGS

1. The Wildlife Committee shall consist of no fewer than 5 and no more than 9 property owners or residents who are appointed by the City Council. No more than one member of the City Council may be appointed to the Wildlife Committee.
2. Members appointed by the City Council shall serve indefinite terms. The appointed members serve at the pleasure of the City Council and may be appointed or removed at the discretion of the City Council.
3. Members of the Wildlife Committee shall serve without compensation but may be reimbursed for actual expenses with prior approval by the City Council.
4. The Wildlife Committee will adopt rules to govern its proceedings that are consistent with this ordinance, the City Charter, and state law.
5. The committee will elect from the appointed members a Chair, Vice Chair and Secretary.
6. All committee meetings will be open to the public and shall be posted and conducted in compliance with the Texas Open Meetings Act.
7. A quorum is four members.
8. All members present including the Chairman shall vote on every motion. A member who abstains from a vote, with or without cause or conflict, shall have their vote recorded as "abstained" but no vote will be counted for or against the motion as though that member were not present.
9. The Committee shall keep minutes of its proceedings which shall be filed with the City Secretary within fifteen (15) business days of the meeting.

SECTION III. SAVINGS CLAUSE.

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION IV. SEVERABILITY CLAUSE.

If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Granite Shoals in adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION V. REPEALER CLAUSE.

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance 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 is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE.

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

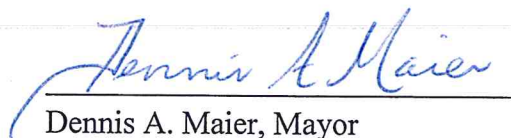
SECTION VII. NOTICE AND MEETING CLAUSE.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said


meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Passed and approved this 11th day of March, 2014.

APPROVED:


Dennis A. Maier, Mayor

ATTEST:


Elaine Simpson, City Secretary

APPROVED AS TO FORM:

Brad Young, City Attorney

