



**City of McAllen Health, Code Compliance
&
Animal Care Services**
311 North 15th Street, McAllen, TX 78501
(956) 681-1919

Excess Animal Permit

EXCESS ANIMAL PERMIT APPLICATION

APPLICANT'S COMPLETE LEGAL NAME:

ADDRESS:

ZIP:

TELEPHONE NUMBER:

EMAIL: _____

ADDRESS WHERE ANIMAL(S) WILL BE HOUSED:

10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								

RECOMMENDATION:

APROVED WITH CONTINGENCY

APPROVED DENIED

PERMIT NUMBER: _____

Comments:

Officer's Printed Name: _____

Officer's Signature: _____

Date: _____

APPLICANT CERTIFICATION

I certify that the information provided in this application is true and correct and that any false statement may:

- result in the denial or future revocation of the Animal Permit, if approved. I also agree to abide by all conditions of approval and municipal code requirements if this application is approved.

I further understand that any violation of the City of McAllen Municipal Code and/or to the Excess Animal Permit.

And, that conditions of approval shall constitute grounds for the revocation of an approved Animal Permit.

Applicant
Signature _____ Date _____

NOTE: By signing this application, you are certifying that all requirements have been met.

FINAL ACTION

Approved by: _____ **Date:** _____

Nancy P. Trevino, MS, CPS, ICPS - Director
Health, Code Compliance and Animal Care Services

*** The Facilities at the residence shall be subject to inspection by the department ***

Approved with Contingency – There are minor requirements that need to be met by the date indicated by the Animal Care Officer. Another inspection will be required.

Approved – Meets requirements

Denied – If denied, you are required to come into the compliance with the City Ordinance or penalties will apply. A new application will need to be submitted to Animal Care Services for further consideration.

PLEASE READ COMPLETELY AND RETAIN THIS PORTION

ORDINANCE NO. 2024-83

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 14 ("ANIMALS") ESTABLISHING REGULATIONS RELATING TO THE HARBORING OF ANIMALS WITHIN A RESIDENCE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of McAllen regulates animals under Chapter 14 of the Code of Ordinances of the City of McAllen,

WHEREAS, the City Commission finds that it is in the public interest to amend the McAllen Code of Ordinances to adopt rules and standards regarding the harboring of dogs and cats within a residence,

WHEREAS, the City of McAllen seeks to preserve the health, peace and safety of the City for the welfare of its citizens and visitors,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances, City of McAllen, Chapter 14 ("Animals"), Article II ("Dogs and Cats"), Division 2 ("License") is hereby renamed "Limits and Permits" and is amended to read as follows:

Division 2. "Limits and Permits" Sec. 14-

51. Animal Limits.

- (a) No residence within the city shall harbor more than eight (8) adult dogs, eight (8) adult cats, or a combination of eight (8) adult dogs and cats at any given time.
- (b) Adult dog or adult cat means an animal as defined in section 14-1 which is over the age of

eight (8) weeks.

- (c) No residence within the city shall harbor more than one litter of puppies or one litter of kittens at any given time.
- (d) A violation of this section is a Class C Misdemeanor and is punishable pursuant to section 1-14.
- (e) It shall be an affirmative defense to prosecution pursuant to this Chapter that the defendant was fostering an animal through a 501(c)(3) nonprofit animal organization.

Sec. 14-52. Excess Animal Permit.

- (a) In order to have more animals in a residence than this chapter allows, an owner must apply for an excess animal permit.
- (b) The Director of Health and Code Compliance may issue the permit if deemed appropriate based on criteria including, but not limited to:
 - 1) There have been no enforcement actions at the residence within the preceding 12 months;
 - 2) An inspection by the Health and Code Compliance Department is conducted and said Department confirms:
 - i. Facilities shall be of sufficient size as to allow each animal to move about freely. Size of the facility shall be in proportion to the size of the individual animal's height and weight.
 - n. Adequate food, water, and shelter must be provided so that each and all animals kept shall be maintained in good health and free of malnutrition and/or dehydration and protected from the elements.
 - iii. The said premises shall be kept in a sanitary condition and reasonably free of animal waste, parasites, insects, and flies that could be harmful to the animal's

health and/or to the health of the general public.

- iv. The animals must be maintained in a manner which does not pose a danger to the health of the animals themselves or nearby persons, animals or property.
- v. The animals must not cause noise which is offensive or disturbing to a person of ordinary sensibilities on adjacent premises.
- vi. All animals must be vaccinated and must wear current tags at all times in accordance with this chapter.

- (c) An excess animal permit shall be valid for one (1) year and must be renewed annually.
- (d) If an owner that possesses an excess animal permit changes addresses or if the ownership of the underlying residence is altered, the owner of the animals must submit a new excess animal permit application.
- (e) The City Manager may set reasonable fees for the issuance of an excess animal permit to cover administrative costs.
- (f) The Director of Health and Code Compliance may revoke an excess animal permit prior to its expiration if:
 - 1) The conditions at the premises are no longer reasonably adequate to maintain the number of animals allowed by the permit;
 - 2) The owner fails to comply with conditions, limitations, and restrictions specified in the permit or contained in this chapter; or
 - 3) A persistent nuisance occurs.
- (g) If an owner's excess animal permit is either revoked or denied, the owner may appeal that decision, in writing, to the McAllen City Manager within ten (10) days of the revocation or denial.

Section II: The City Secretary of the City of McAllen is hereby authorized and directed to

cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 14 of the McAllen Code of Ordinances, as amended by Section I, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor or Mayor Pro Tem.

SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this 12th day of August 2024, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present, and which was held in accordance with Chapter 551 of the Texas Government Code.