

ORDINANCE NO. 952

AN ORDINANCE OF THE TOWN OF HOLLYWOOD PARK, TEXAS, AMENDING CHAPTER 10 ANIMALS, ARTICLE VII, DEER MANAGEMENT, BY REVISING SECTION 10-175 TO MODIFY THE DEER MANAGEMENT PROGRAM

WHEREAS, the City Council of the Town of Hollywood Park adopted Ordinance #887 on August 17, 2010 to establish a citizen committee, implement reporting requirements and alter feeding restrictions in the Town of Hollywood Park; and

WHEREAS, the City Council of the Town of Hollywood Park desires to modify various aspects of the Deer management program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS that Chapter 10, Animals, Article VII, Deer Management, of the Code of Ordinances of the Town of Hollywood Park is hereby amended as follows:

1. Section 10-175. Deer management program subsection (a) is amended to read as follows:

“(a) The town establishes a deer management program designed to control and manage the deer population within the town. The city council shall determine the number of deer to be controlled within its corporate boundaries by this program.”

2. Section 10-175. Deer management program subsection (b) is repealed.

2. Section 10-175. Deer management program subsection (c) is renumbered to subsection (b) and is amended to read as follows:

“(b) The mayor is hereby authorized to designate, upon the advice and consent of the city council, a person to implement and execute the town deer management program. The person so designated shall be known as the Deer Project Manager. The Deer Project Manager shall be experienced in the field of managing deer populations within municipalities. The Deer Project Manager shall serve at the will of the mayor, who may, with or without cause, terminate the service of the Deer Project Manager. The compensation for the Deer Project Manager shall be set by the city council.”

3. Section 10-175. Deer management program subsection (d) is renumbered to subsection (c) and is amended to read as follows:

“(c) The Deer Project Manager shall be supervised on a day to day basis by the Deer Committee. The Deer Project Manager’s duties shall include, but not be limited to:

(1) The preparation of all Texas Parks and Wildlife Division related documentation;

(2) Identifying TTT, TTP, or contraception sites within the town;

(3) Coordinating all phases of the deer management plan within the town;

(4) Planning seminars and lectures on deer management;

(5) Preparation and presentation of progress reports to the Deer Committee and to the city council upon request;

(6) Cause an annual census of the deer population to be conducted using current methodology for any such census that is acceptable by the Texas Parks and Wildlife Division. The census shall be for informational purposes only and shall not be construed as an actual or accurate deer population tally. The town may utilize the deer census as a matrix to determine what effect its deer management plan is having on the deer population of the town;

(7) From time to time cause additional censuses of the deer population when requested by the Deer Committee;

(8) Implement and execute the town's deer management program through trapping, transporting and transplanting (hereinafter TTT) or trapping, transporting and processing (hereinafter TTP), or a program of contraception that is approved by the Texas Parks and Wildlife Division. TTP is to be utilized only so far as necessary to obtain transporting and release permits, or absent the need for transporting and release permits, only in extreme circumstances where public health and safety are an immediate concern. TTT, TTP, depredation, or contraception of deer within the town shall conform to all current regulations and guidelines promulgated by the Texas Parks and Wildlife Division; and

(9) Submit an annual report to the Deer Committee which will then, after review, submit it to the city council. The annual report shall include, but not be limited to, a review of negative effects the deer population is having on the town (including changes in browse lines, deer trails, negative deer-human contacts, deer struck by vehicles); the number of deer the Deer Project Manager requests to be removed or managed each year, if any; the number of deer removed under a state permit the prior year; and a recommendation for the coming years deer management strategy.

4. Section 10-175. Deer management program subsections (d), (e) and (f) are repealed.

5. Section 10-175. Deer management program subsection (g) is renumbered to subsection (d) and the introductory line is amended to read as follows:

“The Deer Project Manager, upon advice and consent of the Deer Committee, shall:”

6. Section 10-175. Deer management program subsection (h) is renumbered as subsection (e).

7. Section 10-175. Deer management program subsection (i) is renumbered as subsection (f).

8. Section 10-175. Deer management program subsection (f) (1) (f) is adopted as follows:

“Supervise the day to day activities of the Deer Project Manager.”

This Ordinance shall become effective upon its adoption.

The restated version of Section 10-175 of Chapter 10 is attached hereto as Exhibit “A”.

PASSED, APPROVED and ADOPTED by the City Council of Hollywood Park, Texas, on this 21st day of October, 2014.


Chris Fails, Mayor

ATTEST:


Janice Alamia, City Secretary

APPROVED AS TO FORM:

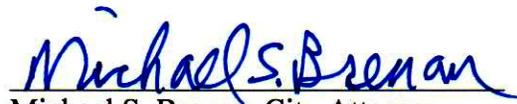

Michael S. Brennan, City Attorney

EXHIBIT "A"

ARTICLE VII. DEER MANAGEMENT

Sec. 10-175. Deer management program.

(a) The town establishes a deer management program designed to control and manage the deer population within the town. The city council shall determine the number of deer to be controlled within its corporate boundaries by this program

(b) The mayor is hereby authorized to designate, upon the advice and consent of the city council, a person to implement and execute the town deer management program. The person so designated shall be known as the Deer Project Manager. The Deer Project Manager shall be experienced in the field of managing deer populations within municipalities. The Deer Project Manager shall serve at the will of the mayor, who may, with or without cause, terminate the service of the Deer Project Manager. The compensation for the Deer Project Manager shall be set by the city council.

(c) The Deer Project Manager shall be supervised on a day to day basis by the Deer Committee. The Deer Project Manager's duties shall include, but not be limited to:

(1) The preparation of all Texas Parks and Wildlife Division related documentation;

(2) Identifying TTT, TTP, or contraception sites within the town;

(3) Coordinating all phases of the deer management plan within the town;

(4) Planning seminars and lectures on deer management;

(5) Preparation and presentation of progress reports to the Deer Committee and to the city council upon request;

(6) Cause an annual census of the deer population to be conducted using current methodology for any such census that is acceptable by the Texas Parks and Wildlife Division. The census shall be for informational purposes only and shall not be construed as an actual or accurate deer population tally. The town may utilize the deer census as a matrix to determine what effect its deer management plan is having on the deer population of the town;

(7) From time to time cause additional censuses of the deer population when requested by the Deer Committee;

(8) Implement and execute the town's deer management program through trapping, transporting and transplanting (hereinafter TTT) or trapping, transporting and processing (hereinafter TTP), or a program of contraception that is approved by the Texas Parks and Wildlife Division. TTP is to be utilized only so far as necessary to obtain transporting and release permits, or absent the need for transporting and release permits, only in extreme circumstances where public health and safety are an immediate concern. TTT, TTP, depredation, or contraception of deer within the town shall conform to all current regulations and guidelines promulgated by the Texas Parks and Wildlife Division; and

(9) Submit an annual report to the Deer Committee which will then, after review, submit it to the city council. The annual report shall include, but not be limited to, a review of negative effects the deer population is having on the town (including changes in browse lines, deer trails, negative deer-human contacts, deer struck by vehicles); the number of deer the Deer Project Manager requests to be removed or managed each year, if any; the number of deer removed under a state permit the prior year; and a recommendation for the coming years deer management strategy.

(d) The Deer Project Manager, upon advice and consent of the Deer Committee, shall:

(1) Determine the number of deer to be trapped, transported, trapped, transported and processed or subjected to a program of contraception approved by the Texas Parks and Wildlife Division within the town.

(2) Select the personnel approved by the Texas Parks and Wildlife Division that are qualified to administer the deer control programs within the town.

(3) Determine the proper time to TTT, or TTP, under the deer management program to reduce the number of deer within the town, or to control the reduced population of deer within the town through the application of a contraception program approved by the Texas Parks and Wildlife Division.

(4) Select a recipient qualified by the Texas Parks and Wildlife Division to receive the deer. The selected recipient shall be subject to the following condition: Except as otherwise provided herein, the recipient must pay all the expenses associated with the trapping, transporting and transferring (TTT program) of the deer from the town to the qualified release site. Qualified governmental entities are exempted from the provisions of this subsection.

(e) The city council shall annually review the deer management program and determine its efficacy and the necessity of continuing the deer management program.

(f) The city council hereby creates a Deer Committee. The Deer Committee shall be made up of ten (10) citizens of the Town of Hollywood Park.

(1) The purpose of the Deer Committee is to:

(a) Provide community input on the citizens' desire for more or less deer control methods;

(b) Research and provide information to the city council, mayor, and Deer Project Manager on deer management methods, tools, and options;

(c) Participate in any deer census called by the Deer Project Manager or mayor;

(d) Develop recommended procedures for accurate record keeping and reporting for the deer management program;

(e) Assist with community interaction between the City and the citizens;
and

(f) Supervise the day to day activities of the Deer Project Manager.

(2) Appointment and Removal:

(a) Each councilmember may appoint two citizens to sit on the Deer Committee for one year terms;

(b) All committee members serve at the will of the city council and can be removed at any time, with or without cause, consistent with state law.

(3) The Deer Committee must abide by the Texas Open Meetings Act.