

AN ORDINANCE AMENDING CHAPTER 19, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, BY AMENDING SECTION 19-26 DEFINITIONS; AMENDING SECTION 19-31 RECREATIONAL ACTIVITIES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the City of Killeen seeks to regulate the parks under its control in the interest of health, safety and welfare of its residents; and

WHEREAS, park rules help ensure that all guests are able to enjoy the city's parks;

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

SECTION I. That Chapter 19, Article II is hereby amended as follows:

ARTICLE II. PARK RULES

Sec. 19-26. 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:

Park shall mean a park, playground, baseball field, beach, hike and bike trail, dog park or recreation center within the city, if owned or used by the city.

Sec. 19-31. Recreational activities.

It shall be unlawful for any person in a park to:

(8) (a) Bring, take, carry, or transport any animal to any public event, any sporting field such as, but not limited to, baseball, softball or soccer field, recreational centers, city sponsored outdoor concerts, or any organized sporting or recreational event that is held on a playing field. It is not a defense that the animal was restrained by a leash, chain, rope, cage, or any other means.

(b) Paragraph (a) above shall not apply to dogs or any other animals that are used as assistance animals.

(c) Animals are allowed in city parks that do not have a sporting or recreational field if the animal is under the complete control of the owner or caretaker by means of a leash, cord, chain, or other means.

(d) The restrictions of this subsection shall not apply to dogs within the fenced area of a dog park.

(14) Disregard any official signage posted in a park by city officials.

SECTION II: That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

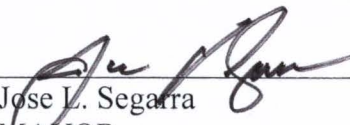
SECTION III: That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV: That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V: That this ordinance shall be effective upon publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, on this the 24th day of January, 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, § 551.001 *et. seq.*

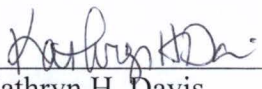
APPROVED:



Jose L. Segarra
MAYOR

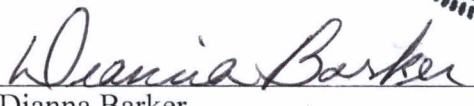


APPROVED AS TO FORM:



Kathryn H. Davis
CITY ATTORNEY

ATTEST:



Dianna Barker
CITY SECRETARY

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

Amend Chapter 19, Article II of the Code of Ordinances as it pertains to enforcement of dog park rules.

ORIGINATING DEPARTMENT

Community Services

BACKGROUND INFORMATION

Parks and Recreation opened the Mickey's Convenience Stores Dog Park in June of 2015. The dog park is governed by a set of rules put together by staff utilizing research of other municipalities and how they govern their dog parks. Parks and Recreation has received complaints regarding violators of the rules governing the dog park.

In consultation with the Police Department, staff was apprised of the need to amend the ordinance to allow the Police Department to have the authority to enforce rules of the park via ordinance. Legal also advised that the ordinance needed to be amended to provide for an exception for dogs to be allowed off leash within the dog park.

DISCUSSION/CONCLUSION

The attached ordinance adds dog park to the list of parks as outlined by ordinance, provides an exception for dogs to be off leash within the dog park, and makes it a violation for any visitor to the dog park to disregard / violate any signage posted in a park by city officials.

The proposed amendments to the ordinance will allow for the Police Department to enforce the rules of the park when calls are received by the department concerning violations at the dog park. The amendment also revises the ordinance by adding dog park to the list of parks as defined by city ordinance.

Staff is recommending that City Council amend the ordinance as presented to add dog park to the list of parks, allow for a provision to allow dogs off leash within confines of the dog park, and make it a violation to disregard official signage posted in a park.

FISCAL IMPACT

No fiscal impact is anticipated by this amendment.

RECOMMENDATION

Staff recommends City Council approve amending Chapter 19, Article II of the code of ordinances.