

**City of West University Place
Harris County, Texas**

ORDINANCE NO. 3082

**AN ORDINANCE AMENDING SECTION 14-16, PROHIBITED
ON PARKS AND PLAYGROUNDS, ETC., OF CHAPTER 14,
ANIMALS, TO ALLOW AN EXCEPTION FOR CITY-
SPONSORED EVENTS; CONTAINING FINDINGS AND
PROVISIONS RELATING TO THE SUBJECT; AND
PROVIDING FOR SEVERABILITY.**

WHEREAS, Section 14-16, Prohibited on parks and playgrounds, etc., of Chapter 14, Animals, of the City's Code of Ordinances prohibits any person from causing or allowing any animal to enter certain parks, perimeter sidewalks, and the recreation center within the City; and

WHEREAS, Section 58-50, Commercial Activities and Concessions Prohibited; regulations, of Chapter 58, Parks and Recreation, states, in part, "the city's parks and recreation director is hereby delegated the authority to, and directed to, establish uniform rules and regulations relating to the use and reservation of the city's parks, playgrounds and park facilities"; and

WHEREAS, Section 66-25, Responsible Officers, of Chapter 66, Public Facilities, indicates that the Parks and Recreation Director is the official assigned the responsibility of all parks, WUP Recreation Center, Colonial Park Pool, Community Center, Senior Center, Scout House, and HISD Licensed Area (on the West University schoolyard); and

WHEREAS, the Director of the City's Parks and Recreation Department desires to provide the opportunity for the City's residents to use certain parks and facilities with their pets; and

WHEREAS, the City Council finds that it is in the best interest of the public and would generally contribute to the value and well-being of the residents;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS:

Section 1. That the facts and matters set forth in the preamble to this resolution are hereby found to be true and correct.

Section 2. Section 14-16, Prohibited on parks and playgrounds, etc., Chapter 14, Animals, of the City's Code of Ordinances shall be amended by addition of the language below underlined:

"Sec. 14-16. – Prohibited on parks and playgrounds, etc.

(a) *Prohibition.* It shall be unlawful for any person to cause or allow any animal to enter (or remain within) any of the following areas:

- (1) The area within the perimeter fencing at Judson Park;
- (2) The area within the perimeter fencing at Wier Park;
- (3) The area within the perimeter fencing at Whitt Johnson Park;

- (4) The area within the inside edge of the perimeter pathway at Colonial Park (such pathway being formed by the sidewalk along Byron, West Point and Case Streets and the concrete track segments parallel to Byron, Academy and Case Streets);
- (5) The HISD Licensed Area, as defined in section 58-1;
- (6) The area within the perimeter fencing at the West University Recreation Center (formerly the YMCA property);
- (7) The area within the perimeter sidewalk along Milton Street and College Avenue at Huffington Park;
- (8) The area within the perimeter sidewalk along Rice Avenue and Auden Street at Friends Park;
- (9) The area within the perimeter fencing at Jennie Elizabeth Hughes Park; or
- (10) The area designated as Liberty Hill Park at the intersection of College Avenue and Bissonnet Street.

This section applies to any animal the person owns, possesses, controls, directs, harbors or accompanies, and it applies to all parts of the above-described areas, including any street areas, park areas and other areas within such above-described areas.

- (b) *Certain defenses.* It shall be an affirmative defense in any proceeding to enforce this section that, at the time of the offense, the animal was a service animal (such as, for example, a seeing-eye dog), identified as such (for example, by an orange leash) and assisting a person who is disabled.
- (c) *Certain Exceptions.* It shall be an exception to this section that certain animals be allowed as indicated to accompany a person during a city-sponsored, parks and recreation director designated event, but only at the location and for the time of the event. The type of animal allowed will be indicated as part of the event."

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 4. If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section, or other part of this ordinance to any other persons or circumstances, shall be affected thereby.

PASSED, APPROVED, AND ADOPTED ON FIRST READING on the 14th day of April, 2025.

PASSED, APPROVED, AND ADOPTED ON SECOND READING on the 28th day of April, 2025.

SIGNED:

ATTEST:

/s/ Susan Sample
Susan Sample, Mayor

/s/ Tracylynn Garcia
Tracylynn Garcia, City Secretary

RECOMMENDED:

REVIEWED:

/s/ Dave Beach
Dave Beach, City Manager

/s/ Loren Smith
Olson & Olson, LLP, City Attorney
By Loren Smith