

ORDINANCE NO. 982

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE CITY OF KYLE, TX CODE OF ORDINANCES; AMENDING PART II, CHAPTER 26, ARTICLE IV, SECTION 26-80 DEFINITIONS TO ADD DOG PARK AND SECTION 26-84 PARK RULES, TO AMEND ANIMALS IN PARKS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council has established park rules and regulations;

WHEREAS, the City wishes to add the definition of a designated dog park;

WHEREAS, the health, safety and welfare of the citizens of Kyle and their pets are preserved with the adoption of these rules; and

WHEREAS, the City wishes to amend prohibited activities by adding rules within designated dog parks,

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Amendment of Part II, Chapter 26, Article IV, Section 26-80 Definitions. City of Kyle, Texas, Code of Ordinances is hereby amended insofar, and insofar only, as is herein set forth, and in no other respect whatsoever.

The following words, phrase and definition be inserted into the list of definitions:

Dog Park means a designated area within a public park set aside for dogs to be off-leash. The typical boundaries of the dog park are within the fenced areas marked for off-leash dogs.

The following subsection shall be removed and replaced by:

Section 26-84 Prohibited Activities

(1) Animals in Parks.

- a. It shall be unlawful for any person exercising ownership, care, custody, or control of a pet or animal to allow such pet or animal, which animal has not been licensed as required by law, upon any public property, playground, or park area located within the city. City leash laws apply within the confines of all city parks. Pets and/or animals are not permitted within the playscape areas, or any play areas that are designed for children. It shall also be unlawful for any person exercising

ownership, care, custody or control of a pet or animal to allow such animal knowingly, intentional or negligently to deposit feces on any city property, unless said person removes the feces once deposited. Failure to carry feces removal supplies will be a violation of this section.

- b. City Ordinance #657, Rules for Lake Kyle, are not repealed or amended with the adoption of these revised park rules.
- c. Dog Park Rules are:
 - 1. Use of dog park is at your own risk. Bring your children at your own risk. The City of Kyle assumes no liability or responsibility for damages and/or injuries at the dog park.
 - 2. Dog park hours are from dawn to dusk.
 - 3. No more than 2 dogs per adult allowed. Never leave a dog unattended.
 - 4. All dogs using the park must be at least four (4) months of age or older.
 - 5. Dogs in heat are not permitted within the dog park.
 - 6. The small dog area is for dogs weighing less than 25 pounds. The large dog area is for dogs weighing 25 pounds or more. Small dogs are allowed in the large dog area at their own risk.
 - 7. Dogs showing aggressive behavior shall leave, or may be removed, from the park immediately.
 - 8. Dogs shall be supervised by an adult at least 18 years or older at all times.
 - 9. Dogs shall be leashed to and from the parking area and in the transition zone. Owners shall carry a leash, for each dog, at all times within the dog park.
 - 10. Dogs shall wear a collar with a City of Kyle registration/license tag and current vaccination tags at all times. For health and safety of all dogs in the park, all dogs must be free of contagious diseases and parasites.
 - 11. Owners shall clean up pet waste after their dogs and dispose of the pet waste properly.
 - 12. Not permitted within the dog park are the following: Food (human or pet), use of tobacco, smoking, alcohol consumption, glass containers, bicycles, rollerblades, skateboards, other animals or toys, including but not limited to dog play toys.
 - 13. Commercial/professional dog training and/or fundraising is not allowed in the park unless a permit is first obtained through the City of Kyle Parks and Recreation Department.
 - 14. Violators will be subject to removal from the park and possibly suspended of park privileges.
 - 15. Bites and/or scratches to a person shall be reported to Kyle Animal Control at 512-268-3232 as per Chapter 5 Article VI Sec. 5-188 of the City of Kyle Ordinance, 826.041 of the Texas Health and Safety Code, and 169.25 of the Texas Administrative Code.

Section 3. Amendment of Ordinances. The City of Kyle, Texas Code of Ordinances is hereby amended to the extent of any conflict or inconsistency herewith only and all ordinances or parts

thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the city, the terms and provisions of this Ordinance shall govern.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

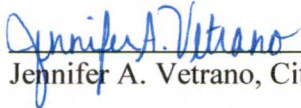
Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 16th day of January, 2018.


FINALLY PASSED AND APPROVED on this the 16th day of January, 2018.

ATTEST:

The City of Kyle, Texas



Jennifer A. Vetrano, City Secretary



Travis Mitchell, Mayor