

CITY OF ANNA, TEXAS ORDINANCE NO. 837-2019

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDINANCES BY AMENDING CHAPTER 10, STREETS, PARKS AND OTHER PUBLIC WAYS AND PLACES; ARTICLE 10.02, PARKS, RECREATION AND SPECIAL EVENTS; DIVISION 2, GENERAL PARK REGULATIONS OF THE ANNA CITY CODE OF ORDINANCES AND ADDING SECTION 10.02.047, OFF LEASH AREAS, PAW PARK PROVIDING FOR A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE NOT TO EXCEED \$2,000; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Anna, Texas (the "City") is a home rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health safety and welfare; and

WHEREAS, Anna neighbors desire safe and enjoyable places for their dogs to exercise and socialize while off their leashes; and

WHEREAS, the City of Anna has constructed an area, located in Natural Springs Park, for an "off leash area" or "paw park"; and

WHEREAS, the City of Anna does not have rules or regulations pertaining to "off leash areas" or "paw parks"; and

WHEREAS, the City Council of the City of Anna, Texas (the "City Council") finds and determines that rules and regulations are necessary for the City's off-leash areas or paw parks to prevent or minimize injuries, keep the parks safe, clean and well maintained; and

WHEREAS, staff recommends amending Chapter 10, "Streets, Parks and Other Public Places"; Article 10.02, "Parks Recreation and Special Events", Division 2, "General Park Regulations" of the "Anna City Code of Ordinances" by adding section 10.02.047, "Off Leash Areas, Paw Park"; establishing for rules and regulations; and

WHEREAS, The City Council of the City of Anna finds it to be in the best interest of the health, safety and general welfare of the public to amend Chapter 10, "Streets, Parks and Other Public Places", Article 10.02, "Parks, Recreation and Special Events", Division 2, "General Park Regulations" of the "Anna City Code of Ordinances" by adding section 10.02.047, "Off Leash areas, Paw Park"; to establish rules and regulations as set forth below.

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

Section 1. Recitals Incorporated.

The above-referenced recitals are incorporated herein as if set forth in full for all purposes.

Section 2. Amendment to Chapter 10, "Streets, Parks and Other Public Places", Article 10.02, "Parks Recreation and Special Events", Division 2, "General Park Regulations"

In accordance with The Anna City Code of Ordinances ("Anna Code"), the following amendments are made to Chapter 10, "Streets, Parks and Other Public Places", Article 10.02, "Parks, Recreation and Special Events", Division 2, "General Park Regulations" of the "Anna City Code of Ordinances" by adding section 10.02.047, "Off Leash Areas, Paw Park" to establish rules and regulations to read as follows:

Section 10.02.047 Off Leash Areas, Paw Park

- (a) "Animal Control Officer" means the person designated by the city to represent and act for the city in the impoundment of animals, in the controlling of stray animals, and all other matters as otherwise required by this section.
- (b) "Dog" means a domesticated animal that is a member of the canine family.
- (c) "Off-Leash Paw Park" means the confines of a fenced recreation area that is owned and operated by the City of Anna and designated as an area for off-leash canines to exercise and play in a controlled environment under the supervision, possession or control of their owner(s).
- (d) "Owner" means any person who supervises, controls or possesses any dog confined in a dog park.
- (e) Rules and Regulations
 1. All dogs shall have current rabies, distemper and parvo vaccinations
 2. Dogs shall wear a collar with a current rabies tag while in the paw park
 3. Dogs shall be healthy and free of contagious diseases and parasites while in the paw park
 4. Sick dogs or dogs with open wounds are not permitted inside the paw park
 5. Female dogs in heat are not permitted inside the paw park
 6. Puppies (under four months of age) are not permitted inside the paw park
 7. Dogs exhibiting aggressive behavior are not permitted inside the paw park

8. If a dog exhibits aggressive behavior inside the paw park, owners shall remove the dog immediately
9. All dogs shall be supervised by a person at least 16 years of age
10. There is a 3-dog maximum per visitor allowed
11. Owners shall control their dogs at all times
12. Owners shall clean up after their dogs
13. Owners shall dispose of all their dog's waste in appropriate receptacles
14. Agility equipment is for dogs only
15. No human food or dog food is permitted inside the paw park
16. Dog treats may be used for training purposes only
17. No glass containers are permitted inside the paw park
18. Shoes shall be worn inside the paw park at all times
19. The paw park gate shall remain closed at all times
20. Owners shall leash their dogs when they are outside the paw park
21. The paw park is subject to closure upon a determination by the City that there is a reason deemed to be in the public's interest, safety or for maintenance.
22. All other general park rules and ordinances shall be obeyed while using the paw park.

(f) Enforcement

1. Law enforcement officers and animal control officers are authorized to enforce the provisions of this section.
2. Any person violating the rules of this section may be subject to removal and suspension from the paw park.
3. It is an offense to violate any provision of this section.
4. Any person found guilty of violating this section shall be punished by fine not to exceed \$2,000.

Section 3. Penalty.

Any violation of any of the terms of this ordinance, whether denominated in this

ordinance as unlawful or not, shall be deemed a misdemeanor. Any person convicted of any such violation shall be fined in an amount not to exceed \$2,000 for each incidence of violation. Each violation is considered a separate offense and will be punished separately.

Section 4. Savings, Severability and Repealing Clauses.

All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof. The City declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

Section 5. Publication of the Caption Hereof and Effective Date.

This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS ON THIS THE 10TH DAY OF DECEMBER 2019.

APPROVED:



Mayor Nate Pike

ATTESTED:


City Secretary Carrie Smith