

ORDINANCE NO. 2188

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, AMENDING SECTION 15: PARK REGULATIONS OF THE CITY OF TERRELL CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

ARTICLE I.

THAT Section 15: Park Regulations be amended to include the following sub-sections:

(s) Pets prohibited in designated areas within city parks.

- (a) When signs are posted giving notice to such effect, it shall be unlawful for any person owning or having control or custody of pets to permit or allow such pets to enter upon any portion of a city park, including city/school district park sites, designated as an area prohibited to pets.
- (b) The city manager shall have the authority to designate any portion of a city park, including city/school district park sites, as an area prohibited to pets by posting signs on one or more of the zone's boundaries.
- (c) It is an exception to subsection (a) if:
 - 1.) The dog is a police service animal under the supervision of a police officer in the performance of his official duties; or
 - 2.) The dog is a "service pets" performing duties of assisting the disabled.

(t) Bicycle riding in city parks.

Bicycle riding in parks shall be governed further by safe riding practices and consideration for use of park areas by others. Where special provisions have been made for bicycles, parking shall be limited to that area. Bicycle riding shall be prohibited in playgrounds, special display areas, on tennis and athletic courts, in pavilion or other monument type structures, or in any area where other activities are in progress.

(u) Hitting golf balls in city parks prohibited.

When signs are posted giving notice to such effect, it shall be unlawful and an offense for any person to hit or drive golf balls in and upon public parks within the city. Any person, firm, or corporation violating any of the provisions or terms of this section shall be deemed to be guilty of a class C misdemeanor and upon conviction in the municipal court shall be punished by a fine not to exceed one hundred dollars (\$100.00) for each offense.

(v) Projectiles Prohibited

No person shall throw, shoot, propel or discharge any stone, arrow, rocket or any object which could create a hazard or danger to the public at any park.

ARTICLE II.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV.

This ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED THIS 5th day of August, 2003.
PASSED AND ADOPTED THIS 19th day of August, 2003.

E. Rick Carmona, Mayor Pro tem

Attest:

John Rounsavall, City Secretary

Approved as to Form:

Mary Gayle Ramsey, City Attorney