

## **ORDINANCE NO. 783**

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING CHAPTER 14, "PARKS AND RECREATION", BY AMENDING CITY-OWNED PARK REGULATIONS FOR CLYDE PITTMAN AND JOHNSON PARKS, PROVIDING REGULATIONS, PROVIDING THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES, PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY FOR VIOLATIONS; PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Everman, is a Home Rule municipality located in Tarrant County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and its City Charter; and

**WHEREAS**, Pursuant to Texas Local Government Code Section 51.001, the City of Everman has authority to adopt an ordinance that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality, and is necessary or proper for carrying out of a power granted to the city by law; and

**WHEREAS**, the City of Everman has previously adopted ordinances regulating City Parks; and

**WHEREAS**, the City Council deems it to be in the best interest of the health, safety, and general welfare of the citizens of the City of Everman, and of the general public to amend those regulations governing the city parks within the City of Everman

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

### **SECTION 1: FINDINGS OF FACT**

The statements made in the foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

### **SECTION 2: ENACTMENT**

**Chapter 14. Parks and Recreation** of the Code of Ordinances of the City of Everman, Texas is modified as follows, unchanged provisions otherwise to remain in full force and effect:

## **SECTION 14-21. – Rules and Regulations.**

The following regulations and restrictions are prescribed for the use of City parks:

...

(23) *Pets prohibited.* Except as otherwise specifically provided, it shall be unlawful for any person to bring any animal considered a pet in any city park. Pets shall include all dogs, cats, snakes, monkeys, and all other animals except for animals that are used for service of the disabled.

(27) *Exceptions to enforcement.*

(a) Dogs are allowed within Clyde Pittman Park and Johnson Park, if:

(i) Dogs are on leashes,

(ii) Owners collect/remove pet waste, and

(ii) Dogs have current rabies vaccination

(b) Except as provided by (27)(a), all pets are strictly prohibited from Memorial Park, All Sports Fields or within 100 feet of any concession stand.

## **SECTION 3: REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein. The provisions in Chapter 14 Parks and Recreation, of the Everman Code, and the provisions in any other section of the said Code affected by this Ordinance, are hereby modified to reflect the above enactments, otherwise to remain in full force.

## **SECTION 4: SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

## **SECTION 5: PUBLICATION**

Following its adoption, the City Secretary is hereby directed to publish a caption of this Ordinance that summarizes its purpose, as provided in Section 52.013 of the Texas Local Government Code. The City Secretary is further directed to cause the relevant language of Chapter 14 Parks and Recreation and of any other section of the Everman Code affected and amended by this Ordinance, to be published in the appropriate location in said Code.

## **SECTION 6: EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and publication, as provided in Section 3.10 D of the City Charter.

## **SECTION 7: PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by law.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2022, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of the City of Everman, Texas.

by: \_\_\_\_\_  
Mayor Ray Richardson

ATTEST:

\_\_\_\_\_  
Mind Parks, City Secretary