



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 05/06/2025

PRESENTER: Tiffany Bull, Deputy City Attorney

TITLE: Ordinance Amending Chapter 18, Sections 18-12, “Protection of Wild Animals” and Section 18-14 “Swimming”, of the Grand Prairie Code of Ordinances of the City of Grand Prairie, Texas and Adding Section 18-29.3 “Water Use Restrictions for Epic Central Illuvia Pond” to the Code of Ordinances of the City of Grand Prairie, Texas to clarify that boating, fishing, swimming, bathing, and wading are not permitted in Epic Central Illuvia Pond; Providing a Penalty Clause, Making the Ordinance Cumulative; and Providing an Effective Date After Publication

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 04/21/2025)

PURPOSE OF REQUEST:

Swimming, fishing and boating are not permitted in the Epic Central Illuvia Pond. Signs are properly posted by the pond to provide notice to all individuals present that swimming, fishing, and boating are not allowed. However, a review of the existing Code of Ordinances showed the current wording of sections 18-12 and 18-14 is ambiguous or incomplete making criminal enforcement of the ordinance more challenging. This change will correct the language of these sections to remove ambiguity and clarify that swimming, fishing, and boating are not legally permitted in the Epic Central Illuvia Pond.

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING CHAPTER 18, SECTIONS 18-12, “PROTECTION OF WILD ANIMALS” AND 18-14 “SWIMMING”, OF THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE, TEXAS AND ADDING SECTION 18-29.3 “WATER USE RESTRICTIONS FOR EPIC CENTRAL ILLUVIA POND” TO THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE, TEXAS TO CLARIFY THAT BOATING, SWIMMING, BATHING, AND WADING ARE NOT PERMITTED IN THE EPIC CENTRAL ILLUVIA POND; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; MAKING THIS ORDINANCE CUMULATIVE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION

WHEREAS, Texas Parks and Wildlife Code Section 31.092 authorizes the governing body of a municipality to restrict swimming and fishing, and make regulations restricting the operation of boats as necessary for public safety; and

WHEREAS, The Epic Central Illuvia Pond contains a water show which may cause boats in the vicinity of the water show to fill with water, posing a danger to the boat's occupants; and

WHEREAS, although the equipment installed in the Epic Central Illuvia Pond has been installed in a safe manner, such equipment may not be visible and cause challenges for swimmers and boaters; and

WHEREAS, this ordinance will further public safety and help prevent drownings or other water related injuries, in addition to protecting property.

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

SECTION 1. That Section 18-12(c) of Chapter 18, "Parks, Arts, and Recreation," of the Code of Ordinances of the City of Grand Prairie, Texas, is hereby amended to read as follows:

"(c) Any person under the age of eighteen (18) or with a valid fishing license shall be permitted to fish for and remove from the creeks and lakes in public parks any fish that they may catch on a fishing line unless such area or body of water has been designated as a no fishing area by the director."

SECTION 2. That Section 18-14 of Chapter 18, "Parks, Arts, and Recreation," of the Code of Ordinances of the City of Grand Prairie, Texas, is hereby amended to read as follows:

"Sec. 18-14 Swimming.

No person in any park shall:

- (1) Swim, bathe, or wade in any water or waterway in or adjacent to any park, except in an area designated for such purpose in accordance with the terms of this chapter and the regulations.
- (2) Swim, bathe, or wade except during those hours established for such activities.
- (3) Dive or jump from bridges or other structures which cross the project waters or reservoir."

SECTION 3. That Section 18-29.3 of Chapter 18, "Parks, Arts, and Recreation," of the Code of Ordinances of the City of Grand Prairie, Texas, is hereby added to read as follows:

"Sec. 18-29.3. – Water Use Restrictions for Epic Central Illuvia Pond.

- (a) Notwithstanding any other provision of this Chapter, bathing, fishing, swimming, and boating are strictly prohibited in the Epic Central Illuvia Pond.
- (b) This section does not apply to:
 - (1) Police or fire personnel who are providing emergency response services or conducting a criminal investigation in their official capacity, or
 - (2) Individuals who are engaging in activity prohibited by this Section with the authorization of the director."

SECTION 4. That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 5. That Chapter 18, “Parks, Arts, and Recreation,” of the Code of Ordinances of the City of Grand Prairie, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 7. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 8. That this Ordinance shall be and become effective immediately upon and after its passage and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS ON THIS THE 6TH DAY OF MAY 2025.