

ORDINANCE NO. 12-041

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING CHAPTER 26, "PARKS AND RECREATION", ARTICLE I, "IN GENERAL" OF "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED" BY AMENDING SECTION 26-27, "OFF LEASH AREA, DOG PARK"; ESTABLISHING AN "OFF LEASH AREA" OR DOG PARK AT MENARD PARK LOCATED AT 2222 28TH STREET; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, citizens and residents of Galveston desire safe and enjoyable places for their dogs to exercise and socialize while off their leashes; and

WHEREAS, the City of Galveston has constructed an area, located at 600 Holiday Drive, and commonly known as Lindale Dog Park, for an "off leash area" or "dog park"; and

WHEREAS, citizens and residents desire additional safe and enjoyable places for their dogs to exercise and socialize, while off their leashes. In response to this request, the Parks and Recreation Department (staff) recommends designating a certain section of Menard Park as an "off leash area" or "dog park"; and

WHEREAS, the "off lease area" or "dog park", will be located at 2222 28th Street, in a sectioned off, fenced in area on the 28th street side, in close proximity to the tennis courts. Staff will install an irrigation system, trees and benches along with the fencing; and

WHEREAS, the new "dog park" will be commonly known as the "Menard Dog Park"; and

WHEREAS, staff recommends amending Chapter 26, "Parks and Recreation" Article I, "In General" of "The Code of the City of Galveston 1982, as amended" by amending Section 26-27, "Off Leash Areas, Dog Park"; establishing the Menard Dog Park; and

WHEREAS, the City Council of the City of Galveston, Texas, finds it to be in the best interest of the health, safety, and welfare of the public to amend Chapter 26, "Parks and Recreation" Article I, "In General" of "The Code of the City of Galveston 1982, as amended" by amending section 26-27, "Off Leash Areas, Dog Park"; establishing the Menard Dog Park.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Chapter 26, "Parks and Recreation" Article I, "In General" of "The Code of the City of Galveston 1982, as amended" is hereby amended by amending Section 26-27 and shall be read to provide as follows:

Section 26-27. Off Leash Areas, Dog Parks.

(d) Designated Areas

(1) The area currently designated for an "off leash area" or dog park, is located at 600 Holiday Drive and is a sectioned off, fenced in area located in Lindale Park. The "off leash area" or dog park at this location, will be known as the Lindale Dog Park.

(2) The area designated for an "off leash area" or dog park area is located at 2222 28th Street and is a sectioned off, fenced in area located in Menard Park. The "off lease area" or dog park at this location, will be known as the Menard Dog Park.

(a) The City may from time to time designate other "off leash" or dog park areas.

(b) This section establishes the rules and regulations of current and future "off leash" or dog park areas within the City.

(de) Hours of operation: The designated Lindale Dog Parks shall normally be open to the public from 6:00 a.m. to 10:00 p.m. daily. The Parks and Recreation Department may expand the hours, restrict public access, or close the Park during these hours if and when it deems doing so appropriate.

SECTION 3. 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 should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 5. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City

Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 6. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:




DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Douglas Godinich, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 9th day of August, 2012, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 13th day of August, 2012.





Secretary for the City Council
of the City of Galveston