

ORDINANCE NO. 088-010

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 4, ANIMALS AND FOWL, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, PROHIBITING ANIMALS DEFECATING AND URINATING IN CERTAIN PLACES AND PROVIDING FOR REMOVAL OF EXCRETA; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Chapter 4 of the Code of Ordinances, Town of Addison, Texas, is hereby amended by adding Sec. 4-8.1 to read as follows:

Sec. 4-8.1. Animals Defecating and Urinating in Certain Places Prohibited; Removal of Excreta.

(1) Prohibited. It shall be unlawful for the person controlling to permit, either willfully or through failure to exercise due care or control, any dog or animal to urinate or defecate upon the sidewalk or Parkway of any public street, or upon the floor of any common hall in any entranceway, stairway or wall immediately abutting on a public office building or other buildings used in common by the public or upon the floor, stairway, entranceway, office, lobby, foyer, or patio used in common by the public. For the purpose of this section, the term "Parkway" shall mean the portion of a public street other than a roadway or a sidewalk.

(2) Removal of excreta. It shall be unlawful and an offense for any person to fail to promptly remove and dispose of, in a sanitary manner, feces left by a dog or cat or other animal being handled or controlled by that person upon public walks, parks, recreation areas, sidewalks, parkways or public streets or any other public areas specified in subparagraph (1) of this section; or upon any private property other than the premises of the Owner, handler or controller of such animal.

SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Two Thousand and no/100 Dollars (2,000.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of One Hundred and no/100 Dollars (\$100.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 6. The fact that the present code or Ordinances does not provide for prohibition of animals defecating and urinating in certain places and therefore, inadequate to properly safeguard the general public health and safety, creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, this the 9th day of February, 1988.

  
MAYOR

ATTEST:

  
ACTING CITY SECRETARY