

## ORDINANCE NO. 1462-2025

**AN ORDINANCE AMENDING CHAPTER 2 "ANIMAL CONTROL" SPECIFICALLY IN ARTICLE 2.05 "HEALTH REGULATIONS" INCORPORATING SECTION 2.05.005 "ANIMAL WASTE CONTROL" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS ADOPTED AND AS AMENDED; PROVIDING DEFINITIONS, REQUIREMENT TO REMOVE ANIMAL FECES, PROPER DISPOSAL, EXEMPTIONS AND THAT THIS ORDINANCE SHALL BE KNOWN AS THE "CITY OF RIVER OAKS ANIMAL WASTE CONTROL ORDINANCE"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the purpose of this Ordinance is to promote the public health, safety, and general welfare of the citizens of River Oaks by requiring all owners of animals to properly dispose of their animal's feces. This Ordinance seeks to maintain sanitary conditions on public and private property, prevent the spread of disease, and preserve the aesthetic quality of the community; and

**WHEREAS**, the legislature has codified many statutes that authorize municipalities to adopt regulations and procedures for the control of animals in the city; and

**WHEREAS**, the City Council of the City of River Oaks has previously adopted regulations and procedures to control animals in the city; and

**WHEREAS**, the City Council of the City of River Oaks has determined that it is in the best interest of the City to amend and update these regulations and procedures; and

**WHEREAS**, the City Council finds that in order to protect the public health, safety and general welfare of the citizens, it is their duty to seek to maintain sanitary conditions on public and private property by preventing the spread of disease and preserving the aesthetic quality of the community and concurs with the City Staff that by adopting this ordinance, it will help to achieve that commitment.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:**

### **SECTION 1.**

That with the adoption of this Ordinance Chapter 2 "Animal Control" specifically in Article 2.05 "Health Regulations" is hereby amended by incorporating Section 2.05.005 "Animal Waste Control" of the River Oaks Code of Ordinances (2020) as amended to now read as follows:

"Section 2.05.005 Animal Waste Control

#### **(a) Definitions:**

1. **Animal:** Any domesticated animal, including but not limited to dogs, cats, or other common household pets.
2. **Owner:** Any person who owns, possesses, or controls an animal. This includes, but is not limited to, the person who allows the animal to be on their property or under their control, and the parents or legal guardians of any minor who owns an animal.
3. **Public Property:** Any publicly owned or maintained property, including streets, sidewalks, parks, trails, and public recreational areas.
4. **Private Property:** Any property not designated as public property.

- (b) **Requirement to Remove Feces** It shall be unlawful for any owner of an animal to permit their animal to defecate on any public property, or on any private property not belonging to the owner, without immediately removing and properly disposing of the feces.
- (c) **Proper Disposal** For the purposes of this Ordinance, "proper disposal" shall mean the removal of feces from the property and its placement in a sealed bag or container, which is then deposited in a public waste receptacle or a private waste container. The use of a pooper scooper or similar device is acceptable for removal, provided the feces are then placed in a sealed container as described herein.
- (d) **Exemptions** This Ordinance shall not apply to an animal that is assisting a person with a disability, as defined by applicable state or federal law, provided the person is unable to remove the feces due to their disability."

## **SECTION 2. CUMULATIVE CLAUSE**

This Ordinance shall be Cumulative of all provisions of Ordinances and of the River Oaks Code of Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances or Code, in which case the conflicting provisions of such Ordinances or Code are hereby repealed.

## **SECTION 3. SEVERABILITY CLAUSE**

It is hereby declared to be the intentions of the City Council that the phrases, clauses, sentences, paragraphs and sections 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.

## **SECTION 4. SAVINGS CLAUSE**

All rights and remedies of the City of River Oaks are expressly saved as to any and all violations of the provisions of the City of River Oaks Code of Ordinances (2020), as amended, or any other ordinances affecting Animal Waste Control which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 5. PENALTY CLAUSE**

In accordance to Section 1.01.009, "General penalty for violations of code; continuing violations", of the City of River Oaks Code of Ordinances (2020) as adopted and as amended; whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine not exceeding five hundred dollars

(\$500.00). Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense.

**SECTION 6.  
PUBLICATION CLAUSE**

The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, savings clause, penalty clause, publication clause and effective date clause of this ordinance one (1) time after the adoption of this ordinance as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

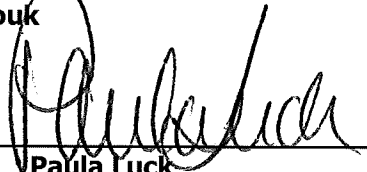
**SECTION 7.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED THIS 16<sup>TH</sup> DAY OF SEPTEMBER 2025.**

  
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**Mayor Darren Houk**

**ATTEST:**

  
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**Paula Luck  
City Secretary**