



**CITY OF ANGLETON**  
**CANCELLED PARKS AND RECREATION BOARD AGENDA**  
**120 S. CHENANGO STREET, ANGLETON, TEXAS 77515**  
**MONDAY, JULY 08, 2024 AT 5:30 PM**

**Chair** | Clara Dannhaus

**Members** | Blaine Smith, Mindy Burch, Jessica Norris, Erin Boren, Luis Leija, David Heinike, Abbie Jo Ortiz

**NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PARKS AND RECREATION BOARD FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON MONDAY, JULY 8, 2024, AT 5:30 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.**

**DECLARATION OF A QUORUM AND CALL TO ORDER**

**REGULAR AGENDA**

1. Discussion and possible action to approve the minutes of the Parks & Recreation Board meeting of April 8, 2024.
2. Discussion and possible action on Chapter 17 – Parks and Recreation, Article 3. – Use of Public Parks, Section 17-57 Parking.
3. Discussion and possible action on Reuben Welch Park use, design, and development.
4. Discussion and possible action on revising Chapter 17 – Parks and Recreation, Article III. – Use of Public Parks.

**ADJOURNMENT**

**CERTIFICATION**

I, Megan Mainer, Executive Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, [www.angleton.tx.us](http://www.angleton.tx.us), in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Friday, July 5, 2024, by 5:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

*Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability, or family status. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Angleton ADA Coordinator, Colleen Martin, no later than seventy-two (72) hours prior to the meeting, at (979) 849-4364 ext. 2132, email: [cmartin@angleton.tx.us](mailto:cmartin@angleton.tx.us).*



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** 7/8/2024

**PREPARED BY:** Jason O'Mara, Assistant Director of Parks & Recreation

**AGENDA CONTENT:** Discussion and possible action to approve the minutes of the Parks & Recreation Board meeting of April 8, 2024.

**AGENDA ITEM SECTION:** Regular Agenda

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**BUDGETED AMOUNT:** NA **FUNDS REQUESTED:** NA

**FUND:** NA

**EXECUTIVE SUMMARY:**

Discussion and possible action to approve the minutes of the Parks & Recreation Board meeting of April 8, 2024.

**RECOMMENDATION:**

Staff recommends the Parks & Recreation Board approve the minutes of the Parks & Recreation Board meeting of April 8, 2024.



**CITY OF ANGLETON**  
**PARKS AND RECREATION BOARD MINUTES**  
**120 S. CHENANGO STREET, ANGLETON, TEXAS 77515**  
**MONDAY, APRIL 08, 2024 AT 5:30 PM**

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON PARKS AND RECREATION BOARD IN THE ORDER THEY OCCURRED DURING THE MEETING. THE PARKS AND RECREATION BOARD CONVENED IN A MEETING ON MONDAY, APRIL 8, 2024, AT 5:30 PM., AT THE CITY OF ANGLETON COUNCIL CHMABERS AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

### DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Clara Dannhaus called the Parks and Recreation Board Meeting to order at 5:30PM.

#### PRESENT

Erin Boren  
 Clara Dannhaus  
 David Heinicke  
 Luis Leija  
 Jessica Norris

### REGULAR AGENDA

1. Discussion and possible action on a Parks & Recreation Board chair.

**Upon a motion made by Member Norris and seconded by Member Boren the motion to nominate and elect Clara Dannhaus as Board chair was passed on a 4-0 vote.**

2. Discussion and possible action to approve the minutes of the Parks & Recreation Board meeting of February 12, 2024.

**Upon a motion made by Member Boren and seconded by Member Leija the motion to approve the February 12, 2024 Board minutes as presented was passed on a 5-0 vote.**

3. Discuss and possible action on CIP priorities for the Angleton Recreation Center and Parks and Right-of-Way divisions for fiscal year 2024-2025.

**Megan Mainer, Director of Parks & Recreation, presented information to the Board regarding Capital Improvement Plan priorities for the Angleton Recreation Center and Parks and Right-of-Way Divisions for fiscal year 2024-2025 based on the Department's Master and Strategic Plans. Member Dannhaus asked for clarification on the current funding requests. Megan Mainer provided additional information on the CIP process and how the current priority order was determined by staff, noted the previously appropriated funds, and potential recommendations or requests City Council may**

provide. Member Leija requested clarification on future years' funding column to which Megan Mainer outlined how these numbers were determined based on previous master plans and funding requests.

Upon a motion made by Member Boren and seconded by Member Norris the motion to approve the CIP priority list for the Angleton Recreation Center and Parks and Right-of-Way divisions for fiscal year 2024-2025 was passed on a 5-0 vote.

**ADJOURNMENT**

The meeting was adjourned at 5:51PM.

**These minutes were approved by the Angleton Parks and Recreation Board on the 8th day of July 2024.**

CITY OF ANGLETON, TEXAS

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Megan Mainer  
Director of Parks and Recreation



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/8/2024

**PREPARED BY:** Megan Mainer, Director of Parks & Recreation

**AGENDA CONTENT:** Discussion and possible action on Chapter 17 – Parks and Recreation, Article 3. – Use of Public Parks, Section 17-57 Parking.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** NA

**FUNDS REQUESTED:** NA

**FUND:** NA

### EXECUTIVE SUMMARY:

On April 8, 2024, the Parks & Recreation Department received a work order from an Angleton citizen regarding parking on either side of Bates Road into Bates Park. Staff reference our code of ordinances. Our ordinance states the following regarding parking:

#### Sec. 17-57. - Parking.

- (a) No person shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there or any attendant who may be present.
- (b) No person shall full-park on the road or driveway at any time. In order to enjoy some special natural scenic feature, vehicles may be parked with the two left wheels near the right edge of the paving.
- (c) No person shall leave any vehicle anywhere in the park with one or more wheels chained, or with motor set in gear and doors locked, or in any manner fixed or arranged so that such vehicle cannot readily be moved by hand in a park.
- (d) No person shall fail to immediately notify an attendant of an emergency in the nature of a breakdown requiring the assistance of a tow-truck, mechanic or other person in a park.
- (e) No person shall double-park any vehicle on any road or parkway unless directed by a park official.
- (f) No person shall park a motor vehicle for the purpose of making mechanical repairs other than under emergency conditions in a park.

Staff contacted Angleton Girls Softball Association (AGSA) and requested that the association inform parents, coaches, and board members there should no parking along Bates Road and instead the designated parking lot should be used for parking per our city ordinance outlined.

While designated parking is currently available for Bates Park, parking is often insufficient for park activities.

The City Manager directed staff to refrain from putting up no parking signs along Bates Road and following our current ordinances until revisions, if any, are vetted through the Parks & Recreation Board and City Council.

AGSA representatives have expressed concerns to Angleton Parks & Recreation Department staff regarding parking along Bates Road due to the size of the street and the blind spots created for walkers when vehicles are parked along the street.

**RECOMMENDATION:**

Staff recommends the Parks & Recreation Board discuss the core issue regarding parking within Bates Park, review the current ordinance, and provide a recommended solution for the City Council to consider.

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**Sec. 17-57. Parking.**

- (a) No person shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there or any attendant who may be present.
- (b) No person shall full-park on the road or driveway at any time. In order to enjoy some special natural scenic feature, vehicles may be parked with the two left wheels near the right edge of the paving.
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- (d) No person shall fail to immediately notify an attendant of an emergency in the nature of a break-down requiring the assistance of a tow-truck, mechanic or other person in a park.
- (e) No person shall double-park any vehicle on any road or parkway unless directed by a park official.
- (f) No person shall park a motor vehicle for the purpose of making mechanical repairs other than under emergency conditions in a park.

(Code 1965, § 15-35(6))



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/8/2024

**PREPARED BY:** Megan Mainer, Director of Parks & Recreation

**AGENDA CONTENT:** Discussion and possible action on Reuben Welch Park use, design, and development.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** NA

**FUNDS REQUESTED:** NA

**FUND:** NA

### EXECUTIVE SUMMARY:

Staff is moving forward with various action items within the Comprehensive Parks and Recreation Master and Strategic plan including addressing low scoring park components, increase programming and revenue, as well as renovating substandard facilities. One of the parks in need of attention is Reuben Welch Park.

**Reuben Welch Park - ACTION 4.1.c.** - Consider site specific Master Plan for Rueben Welch to address additional fields as demand increases or for use as a large gathering space (amphitheater). Diamond fields - Generally overgrown, rusty fence, does not appear to be in use; currently unusable due to lack of fencing, concessions - abandoned and recently demolished Brushy Bayou Park, Reuben Welch Park, and Veterans Park are the least-used facilities. Site-specific plans should be developed for Rueben Welch Park to address more programming space and improving level of service for residents.

On June 15, 2020, staff proposed the demolition of obsolete park elements including field fencing, restrooms, and a concession building at Reuben Welch Park so the park could be repurposed for another park use. Since these components were funded by the Texas Parks & Wildlife Department (TPWD), the City received approval to deem these components as obsolete so they could be demolished. The Parks & ROW Division maintains the grounds, but all utilities are currently cut off at the road.

Staff researched the possibility of converting Reuben Welch Park into a BMX/Bike pump course. However, on June 14, 2021, the Parks & Recreation Board recommended other opportunities other than a BMX/bike pump course be considered due to utility constraints that would be required for restroom facilities.



Staff addressed the need to develop a concept plan within the 2021-2022 budget. City Council's direction was to consider pursuing a public-private agreement to develop the site with public access.

On August 9, 2021, staff presented the idea of advertising a public-private Request for Proposals for Reuben Welch Park. The Parks & Recreation Board noted they would like this park to be a more passive and natural park but agreed to advertise a public-private Request for Proposals to consider all options. Staff published the RFP in the fall of 2021 and did not receive any submissions.

TPWD has provided state funds for the development of Reuben Welch Park. Funding received from the state requires park sites to be maintained as public parkland in perpetuity. As a result, staff engaged TPWD to determine restrictions related to public-private agreements for Reuben Welch Park. TPWD reiterated the park must be a public facility and if a fee is charged, a portion of the fee should come back to the City of Angleton's Parks & Recreation Department.

Due to severe weather events like Hurricane Nicholas and the high winds in March 2024, the City of Angleton has used Reuben Welch Park as a tree debris management site. Staff is seeking clarification from TPWD regarding public park access and closures for emergencies and special event events. Tree debris remains onsite, and the Angleton Office of Emergency Management is working on a plan for removal.

Additionally, staff was directed to work toward a park concept for Reuben Welch Park. On May 22, 2024, staff contacted a landscape architect to review possible uses of Reuben Welch Park but required additional information regarding TPWD-approved uses and space needed during emergencies.

Currently, funding has not been allocated for Reuben Welch Park design or development. Staff plans to initiate the park design process by developing a public survey regarding desired park uses.

#### **RECOMMENDATION:**

Staff recommends the Parks & Recreation Board discuss park uses as well as questions to be included in a public survey regarding the design and development of Reuben Welch Park.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/8/2024

**PREPARED BY:** Megan Mainer, Director of Parks & Recreation

**AGENDA CONTENT:** Discussion and possible action on revising Chapter 17 – Parks and Recreation, Article III. – Use of Public Parks.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** NA

**FUNDS REQUESTED:** NA

**FUND:** NA

### EXECUTIVE SUMMARY:

Article III of Chapter 17 – Parks and Recreation of the City of Angleton’s code of ordinances is cited as the “Park Ordinance Regulating Conduct in Public Parks.” Most codes set for the in Article III were adopted in 1965, while some have been revised.

Staff began revising Article III of the code of ordinances in 2022 in preparation for new park amenities like fishing and paddle sports coming on board.

Staff would like to address new or revised ordinances and formatting revisions to Article III of Chapter 17 – Parks and Recreation of the City of Angleton’s code of ordinances.

Staff has included a copy of Article III of Chapter 17 – Parks and Recreation of the City of Angleton’s code of ordinances and other resources used to assess current ordinances. Staff would like the Parks & Recreation Board to review the current ordinance and other resources and discuss the format and organization of current ordinances in place.

At future Parks & Recreation Board meetings, board members will review each section to recommend revisions and additions.

### RECOMMENDATION:

Staff recommends the Parks & Recreation Board review Article III of Chapter 17 – Parks and Recreation of the City of Angleton’s code of ordinances and other resources and recommend a proposed format and organization of current ordinances in place.

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## Chapter 17 PARKS AND RECREATION<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 17-1. Recreation center fees.

The Angleton Recreation Center shall charge membership and daily rates for the categories and items as listed in the fee schedule of the City of Angleton.

(Ord. No. 2010-O-9E, § 1, 9-28-10; Ord. No. 20210810-009, § 37, 8-10-21)

#### Sec. 17-2. Obstruction of walking paths.

All trees, shrubs, or other vegetative material upon a walking path located in a public park shall be maintained so as to provide a minimum clearance, measured from the surface of the walking path to the lowest limb, branch, or part thereof, extending over the walking path of not less than nine feet.

( Ord. No. 20201027-008 , § 2, 10-27-20)

#### Sec. 17-3. Standards of care for youth recreational programs.

The following standards of care have been adopted by the City Council of the City of Angleton, Texas to comply with V.T.C.A., Human Resources Code, § 42.041(b)(14). The standards of care are intended to be minimum standards by which the City of Angleton will operate the city's youth programs. The programs operated by the city are recreational in nature and are not licensed by the State of Texas as certified day care programs.

The standards of care for youth recreational programs are intended to be minimum standards by which the City of Angleton's Parks and Recreation Department will operate its youth recreational programs. The Texas Human Resources Code provides an exception to licensure for elementary-age (ages five through 13) recreation program operated by a municipality. The programs operated by the city are for elementary aged (ages five through 13) children, recreational in nature, and are not daycare programs. This allows the city to qualify as being exempt from the requirements of the Texas Human Resources Code. The city is not licensed by the State of Texas to offer daycare programs.

- (1) *Definitions.* As used in this section, and in accordance with V.T.C.A., Human Resources Code § 42.002, "Definitions," the following terms and phrases shall have the meanings ascribed to them in this section, unless the context requires otherwise.
  - a. "*Child*" means a person under 18 years of age.

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<sup>1</sup>Cross reference(s)—Administration, ch. 2; alcoholic beverages, ch. 3; sales and consumption of alcoholic beverages on the premises of municipal buildings prohibited, § 3-4; animals, ch. 4; garbage and refuse, ch. 9; health and sanitation, ch. 10; housing, ch. 11; junked, abandoned, wrecked property, ch. 12; peddlers, itinerant merchants and solicitors, ch. 18; public amusements, ch. 21; subdivisions, ch. 23, art. II; traffic and motor vehicles, ch. 25; use of coasters, roller skates and similar devices restricted, § 25-2; zoning, ch. 28.

- b. *"Department"* means the Parks and Recreation Department of the City of Angleton, Texas.
  - c. *"Director of parks and recreation"* means the full-time City of Angleton departmental employee who performs the functions responsible for administration and implementation of the youth recreational programs.
  - d. *"Parent"* means one parent, both parents, or other adult with legal custody and authority to enroll their child in a youth recreational program.
  - e. *"Participant"* means a child, age five to 13, whose parent has completed all required registration procedures and has been determined eligible to participate in a youth recreational program.
  - f. *"Program manual"* means the notebook of policies, procedures, required forms, and organizational and programming information relevant to the City of Angleton's youth recreational programs.
  - g. *"Program site"* means the physical location where the youth recreational program is being conducted.
  - h. *"Program staff"* means the person or persons who have been hired or have volunteered to work for the City of Angleton and have been assigned responsibilities for managing, administering, or implementing some or all portions of a youth recreational program.
  - i. *"Recreational facility/recreation center"* means a building, which is open to the public, where meetings are held, sports are played, and there are activities available for all ages.
  - j. *"Site(s)"* means Angleton Recreation Center at 1601 N Valderas, Angleton, TX 77515.
    - 1. The City of Angleton may, from time-to-time, designate other site areas.
    - 2. This section establishes the standards of care for youth recreational programs of current and future site areas within the City of Angleton.
  - k. *"Site superintendent" or "site assistant superintendent"* means the person who has been hired to directly administer and oversee the daily operations of the youth recreational program to include, but not be limited to, the supervision of staff, safety of participants, and programming.
  - l. *"Youth recreational program" or "program"* means:
    - 1. The City of Angleton's recreational programs and activities which are either a non-fee-based or fee-based children's program or activity offered and supervised by the department that requires a participant to enroll or register in order to participate.
- (2) *Organization.*
- a. The governing body of the youth recreational program is the City Council of the City of Angleton, Texas.
  - b. Implementation of the youth recreational program's standards of care for youth recreational programs is the responsibility of the director of parks and recreation and program staff.
  - c. Each program site will have a current copy of the standards of care for youth recreational programs available for the public and program staff to review.
  - d. Parents will be provided a copy of the current standards of care for youth recreational programs during the registration process.
- (3) *Inspection, monitoring, enforcement.*
- a. The site superintendent or site assistant superintendent will perform weekly inspections of the program to confirm adherence to the standards of care for youth recreational programs.

1. Inspection reports will be kept on record in accordance with the City of Angleton's record retention policy.
  2. The director of parks and recreation will review the inspection report and establish deadlines and criteria for compliance with the standards of care for youth recreational programs.
- b. Complaints regarding enforcement of the standards of care for youth recreational programs will be directed to the site superintendent or site assistant superintendent. The site superintendent or site assistant superintendent will be responsible for taking the necessary steps to resolve the reported complaints. The site superintendent or assistant superintendent will record complaints regarding enforcement of the standards of care for youth recreational programs and their resolution. The director of parks and recreation will address serious complaints regarding enforcement of the standards of care for youth recreational programs. Complaints and related resolutions will be noted.
  - c. The director of parks and recreation shall make a report during the annual budget process to the City Council of the City of Angleton on the overall status of the youth recreational program.
- (4) *Registration and enrollment.* Before a child may become a youth recreational program participant, the parent must complete and sign registration forms that contain information pertaining to the participant and their parent. The following information must be provided:
- a. Name, address, and home telephone number;
  - b. Name, address, and telephone number of parent during program hours;
  - c. In case of emergency, contact names and telephone numbers during program hours;
  - d. Disclosure of disability or required special care;
  - e. Emergency medical authorization; and
  - f. A liability release that encompasses all personal injury claims, including death and property damage resulting from participation in the program.
- (5) *Suspected abuse.* Program staff will receive basic training related to child abuse prevention and how to report suspected abuse.
- (6) *Staffing responsibilities and training.*
- a. Program site superintendent and site assistant superintendent qualifications.
    1. Must be an employee of the City of Angleton;
    2. Must be at least 19 years of age;
    3. Must have a high school diploma, GED, or equivalent;
    4. Must have two years' experience planning and implementing recreational activities;
    5. Must have previous experience in supervising children and possess knowledge of recreational games, crafts, and activities;
    6. Must be skilled in supervising children of varying age levels in a group setting;
    7. Must pass a background investigation, including a test for illegal substances;
    8. Must have a current certification in first aid cardiopulmonary resuscitation ("CPR") based on either American Heart Association or American Red Cross standards; and
    9. Must have a valid Texas State driver's license or identification.

- b. *Program site superintendent and program assistant superintendent responsibilities.*
1. Program site superintendent or program assistant superintendent administers the daily operations of the program in compliance with the adopted standards of care for youth recreational programs.
  2. Program site superintendent or program assistant superintendent recommends for hire, supervises, and evaluates program coordinators, part-time employees, and other program staff as needed.
  3. Program site superintendent or program assistant superintendent plans, implements, and evaluates the daily activities of programs.
- c. *Program staff.*
1. Program staff may be full-time, part-time, or temporary employees of the City of Angleton's Parks and Recreation Department.
  2. Program staff working with children must be 16 years of age or older; however, each site will have at least one employee, 18 years or older, present at all times.
  3. Program staff must pass a background investigation, including a test for illegal substances.
  4. Full-time program staff must have successfully completed a course in first aid and CPR based on either American Heart Association or American Red Cross standards. An exception can be made for no more than one staff person at each site and that person shall successfully complete a first aid and CPR course within four weeks of his or her first date of employment.
- d. *Program staff responsibilities.*
1. Program staff must be able to consistently exhibit competency, tolerance, and patience.
  2. Program staff must relate to children with courtesy, respect, tolerance, and patience.
  3. Program staff will provide participants with an environment in which they can feel safe, can enjoy wholesome recreational activities, and can participate in appropriate social opportunities with peers.
  4. Program staff will be responsible to know and follow all City of Angleton departmental and program standards, policies, and procedures that apply to City of Angleton programs.
  5. Program staff shall not be responsible for those participants who voluntarily leave the program site, whether or not the participant has signed out.
- e. *Training/orientation.*
1. The parks and recreation department will provide orientation and training to program staff in working with participants and for specific job responsibilities.
  2. Program staff will be trained in appropriate procedures to handle emergencies.
  3. Full-time program staff are required to receive a training course to include City of Angleton departmental and program policies and procedures, provision of recreational activities, safety issues, and city organization.
  4. Program staff will be required to sign an acknowledgment that they received the required training and are expected to conduct activities in accordance with training and the standards of care for youth recreational programs.

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- (7) *Staff-participant ratio.* In a youth recreational program, the standard ratio of participants to program staff will be a maximum of ten participants to one program staff member. In the event a program staff member is unable to report to the program site, a replacement program staff member will be assigned.
- (8) *Discipline.*
- a. Program staff will implement discipline and guidance in a consistent manner based on the best interests of program participants.
  - b. There shall be no cruel, harsh, or unreasonable punishment or treatment.
  - c. Corporal punishment shall not be utilized, under any circumstances, even at a parent's request.
  - d. Program staff may use brief supervised separation from the group if necessary.
  - e. As necessary, program staff will initiate discipline reports to the parents of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
  - f. A significant number of discipline reports or repeated instances of severe or aggressive behavior may result in a participant being suspended from the program.
  - g. In instances where there is a danger to participants or staff, the offending participant will be removed from the program site as soon as possible.
- (9) *Programming.* Program staff will attempt to provide activities for each group according to the participants' ages. The activities must be appropriate to participants' health, safety, and well-being. The activities also must be flexible and attempt to promote the participants' emotional, social, and mental growth. Programs will include indoor and outdoor activities.
- (10) *Communication.*
- a. The program site will have a mobile phone or radio to allow the site to be contacted by department personnel, and each site will have access to a telephone or radio for use in contacting the municipal complex or making emergency calls.
  - b. A participant is not allowed to use the telephone unless it is an emergency. In the case of an emergency, program staff should make the call for the participant.
  - c. The program site superintendent or program assistant superintendent will post the telephone numbers of the following organizations, adjacent to a telephone accessible to all program staff, at each site:
    1. The City of Angleton's ambulance or emergency medical services;
    2. The City of Angleton Police Department's dispatch and emergency telephone numbers;
    3. The fire department;
    4. The City of Angleton's Parks and Recreation Department; and
    5. The telephone number for the site itself.
- (11) *Transportation.* The program does not offer transportation to or from the program site(s) to participants. The program does and will transport participants to and from any off-site or between-site event or activity.
- (12) *Facility standards.*
- a. *Safety.*

1. Program staff will inspect program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.
  2. Buildings, grounds, and equipment at the program site will be inspected, cleaned, repaired and maintained to protect the health and safety of the participants.
  3. Program equipment and supplies must be safe for participant use.
  4. Program staff must have first aid supplies and a guide to first aid and emergency care readily available at each site.
- b. *Fire.*
1. In case of fire, danger of fire, explosion, or other emergency, the first priority of program staff is to evacuate the participants to a designated safe area.
  2. Emergency evacuation and relocation plans will be posted at each program site.
- c. *Health.*
1. *Illness or injury to participant.*
    - i. A participant who is considered to be a health or safety concern to other participants or program staff will not be admitted to the program.
    - ii. Illnesses and injuries will be handled in a manner to protect the health of all participants and program staff.
    - iii. Program staff will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the program manual.
  2. Program staff will follow the recommendation of the state department of health concerning the admission or readmission of any participant after a communicable disease.
  3. *Medication.*
    - i. Program staff will not administer medication except in the case of emergency.
- d. *Toilet facilities.*
1. The program site(s) will have inside toilets located and equipped so participants can use them independently, and program staff can supervise as needed.
  2. There shall be at least one toilet for every 15 females and one toilet for every 15 males. In each male toilet facility, up to 70 percent of the toilets required may be urinals. In facilities with more than one toilet, some means of privacy must be provided for each toilet.
  3. Exceptions to the toilet-to-participant ratio may be adjusted when program activities take place at primitive or outdoor park locations.
- e. *Sanitation.*
1. The program site(s) must have adequate light, ventilation, and heat.
  2. The program must have an adequate supply of water, meeting the standards of the state department of health, for drinking water and ensure that the water will be supplied to the participants in a safe and sanitary manner.
- (13) *Personal assistance.* Participants requiring personal assistance (e.g., feeding themselves, dressing themselves, using the restroom) must provide an attendant for the duration of the program. Program



staff cannot provide personal assistance. The participant's attendant will be admitted to the program free of charge.

( Ord. No. 20210413-010 , § 3, 4-13-21; Ord. No. 20230613-006 , § 2(Exh. A), 6-13-23)

Ord. No. 20210413-010 , § 3, set out provisions intended for use as 17-2. To avoid duplication of section numbering, and at the editor's discretion, these provisions have been included as § 17-3.

**Secs. 17-4—17-15. Reserved.**

***ARTICLE II. PARK AND RECREATION BOARD<sup>2</sup>***

**Sec. 17-16. Appointment of park and recreation board; composition; qualifications of members.**

The city council shall appoint a city park and recreation board, consisting of seven members, who shall be residents of the city, owning real property within the city and who shall not be employees of the city. In addition to the seven members, the city council shall also appoint one youth member (minimum of 16 years of age), who shall be a resident of the city, who shall be an active high school student in good standing, and who shall not be an employee of the city.

(Code 1965, § 15-11; Ord. No. 20210309-007 , § 2, 3-9-21)

**Sec. 17-17. Term of office.**

Of the seven members, three members shall be appointed in each even-numbered year and four members shall be appointed in each odd-numbered year, within 30 days after each regular city election to serve terms of two years each. The additional youth member must be of eligible age at time of appointment to the board position, and the youth member shall serve a term of one year commencing and ending on the first day of May.

(Code 1965, § 15-12; Ord. No. 20210309-007 , § 3, 3-9-21)

**Sec. 17-18. Absences; filling vacancies.**

Active participation on the parks and recreation board is required. Any member who is absent from three consecutive meetings of the board without valid excuse, as determined by the board, shall automatically be dismissed from membership. The board shall at once notify the city council that a vacancy in the board exists. Vacancies occurring in the board, for whatever reason, shall be filled within 30 days by appointment by the city council for the remainder of the unexpired term.

(Code 1965, § 15-13)

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<sup>2</sup>Cross reference(s)—Administration, ch. 2; board, committees, commissions, § 2-66 et seq.; parks and recreation department, § 2-153 et seq.

### **Sec. 17-19. Rules of procedure; quorum; open meetings; records.**

The park and recreation board shall elect annually at the first meeting of the fiscal year one of its members, that is not the youth member, as chair and shall establish its own rules of procedure. A quorum shall consist of a majority of the members of the board and an affirmative vote of a majority of those present shall be necessary to pass upon pending questions. The chair shall be entitled to vote upon any question. The youth member position shall not be a voting position, but rather a position to offer input and opinion as a youth representation for the city. Regular meetings shall be held not less than twice a year and one of the meetings shall occur in the beginning of the fiscal year. Such meetings shall be open to the public and a record of all proceedings shall be kept. The record shall be filed with the city secretary and shall be a public record.

(Code 1965, § 15-14; Ord. No. 20210309-007 , § 4, 3-9-21; Ord. No. 20230215-018 , § 2, 2-15-23)

### **Sec. 17-20. Powers.**

The parks and recreation board shall have the following powers and duties:

- (1) The parks and recreation board shall review and make recommendations to the parks director;
- (2) Submit annually to the parks director, not less than 60 days prior to the beginning of the budget year, a list of recommendations for parks and recreation. Such list shall be arranged in order of priority; and
- (3) Perform such duties and be vested with such other powers as the city council shall from time to time authorize.

(Code 1965, § 15-15; Ord. No. 20230215-018 , § 3, 2-15-23)

### **Sec. 17-21. Liaison with city council.**

The city council shall appoint a representative to attend the meetings of the park and recreation board and serve as liaison between the board and the city council.

(Code 1965, § 15-16)

### **Secs. 17-22—17-35. Reserved.**

## ***ARTICLE III. USE OF PUBLIC PARKS***

### **Sec. 17-36. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director* is a person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

*Park* is a park, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation.

*Vehicle* is any wheeled conveyance, whether motor-powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description. An exception is made for baby carriages and vehicles in the service of the city parks.

(Code 1965, § 15-32)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

### **Sec. 17-37. Title.**

This article shall be known and may be cited as the "Park Ordinance Regulating Conduct in Public Parks."

(Code 1965, § 15-31)

### **Sec. 17-38. Permits and reservations.**

- (a) The Bates Park Pavilion shall not be reserved, except by the city.
- (b) A permit shall be obtained from the parks director by any person wishing to reserve any city park facility other than the Bates Park Pavilion.

(Code 1965, § 15-39(d); Ord. No. 2214, § 3, 5-15-90)

### **Sec. 17-39. Permit application.**

A person seeking issuance of a permit shall file an application with the appropriate director. The application shall state:

- (1) The name and address of the applicant;
- (2) The name and address of the person, persons, corporation or association sponsoring the activity, if any;
- (3) The day and hours for which the permit is desired;
- (4) The park or portion thereof for which the permit is desired;
- (5) An estimate of the anticipated attendance;
- (6) Any other information which the director shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

(Code 1965, § 15-39(d)(1))

### **Sec. 17-40. Standards for issuance of permit.**

The director shall issue a permit hereunder when he finds:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (3) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;

- (4) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city;
- (5) That the facilities desired have not been reserved for other use at the day and hour required in the application.

(Code 1965, § 15-39(d)(2))

#### **Sec. 17-41. Effect of permit.**

A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in the permit.

#### **Sec. 17-42. Refusal of permit; appeal.**

Within seven days after receipt of an application, the director shall apprise an applicant in writing of his reasons for refusing a permit. Any aggrieved person shall have the right to appeal in writing within seven days to the park and recreation board, which shall consider the application under the standards set forth in section 17-40 and sustain or overrule the director's decision within 30 days. The decision of the board shall be final.

(Code 1965, § 15-39(d)(3))

#### **Sec. 17-43. Liability of permittee.**

The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.

(Code 1965, § 15-39(d)(5))

#### **Sec. 17-44. Revocation of permit.**

The director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

(Code 1965, § 15-39(d)(6))

#### **Sec. 17-45. User fees and obligations.**

- (a) The members of each athletic team using any city park for league play will sign a co-sponsorship agreement with the City of Angleton Parks and Recreation Department. Agreements will be signed prior to marketing distribution and prior to registration. Co-sponsorship agreements are valid for one season only and must be renewed every season unless an annual contract has been approved by city council. This agreement includes tournaments that are included in the schedule under subsection (f) and that involve only teams in the league.
- (b) The sponsor, organizer, or person using any city park for tournament play, other than a tournament described in subsection (a), will deliver to the parks and recreation director at least two weeks prior to such tournament beginning, the fees as listed in the fee schedule of the City of Angleton. Fees not received two weeks in advance will be denied or not considered.

- (1) Any organization using a city building, structure, office space, or equipment shall be responsible (while in use by them) for all repairs and routine maintenance deemed necessary by the parks and recreation board or city code enforcement officer. If the requests for upkeep are not taken care of within a reasonable amount of time, the parks and recreation board has the authority to order the parks and recreation director to notify any such organizations that the facility and equipment will no longer be made available for use.
  - (2) Any organization that has not submitted a co-sponsorship agreement prior to marketing distribution and prior to registration is expelled from future use of city facilities until arrangements have been made with the parks and recreation director.
  - (3) The organization using a city facility shall not be responsible for damages caused exclusively by natural disasters.
- (c) Any athletic team, other than league or tournament teams who are included under subsections (a) or (b), wishing to use any city park for practice of games will pay, per usage, the fee as listed in the fee schedule of the City of Angleton to the parks and recreation department. Payment must be made at least one week prior to desired use. Payments submitted without at least one week's notice will be void and usage denied. Practices of games that are not able to be held due to inclement weather, will be issued a refund, by check, or rescheduled, if available, when the responsible party contacts the recreation specialist within the first business day. Athletic teams will be contacted by the parks and recreation department staff if practices or games need to be cancelled due to fields being too wet or unsafe to play on.
- (d) Any league, team, group, or person using a city park under this section 17-45, and who fail to leave it clean of litter to the satisfaction of the parks and recreation department, will pay a fee as listed in the fee schedule of the City of Angleton for every hour used to clean the facility. Failure to make such a payment will be grounds to bar such league, team, group, or person from use of the facility until the fee is paid. Each league, group, person, or team will be responsible for the litter of all persons using the facility during the league's, group's, person's, or team's designated hours.
- (e) During seasonable play, each league shall be responsible for mowing and maintaining the fields used and the immediate surrounding areas. The parks and recreation director is authorized, but not required, to arrange for the city to mow a field or fields for a league in exchange for a fee.
- (f) Each league shall submit a schedule of field use to the parks and recreation director at least two weeks prior to the first game of the season. The schedule shall include all games, practices and tournaments for the entire season. Leagues that have submitted their schedules and paid the fees hereunder shall have first priority for field use during the season. The schedules shall be submitted for approval to the city parks and recreation board, which will resolve conflicts in schedules. If a schedule is submitted after the two-week deadline, consideration will be denied and agreement void.

(Code 1965, § 15-39; Ord. No. 2180, §§ 3, 4, 7-18-89; Ord. No. 2214, § 2, 5-15-90; Ord. No. 2243, § 2, 3-19-91; Ord. No. 2002-O-4B, § 2, 4-16-02; Ord. No. 2005-O-01D, § 2, 1-25-05; Ord. No. 2011-O-2B, §§ 2, 3, 2-8-11; Ord. No. 2014-O-2B, § 2, 2-25-14; Ord. No. 20210810-009, § 38, 8-10-21)

### **Sec. 17-46. Enforcement.**

- (a) The director and park attendants shall enforce the provisions of this article.
- (b) The director and any park attendant shall have the authority to eject from the park any person acting in violation of this article.

(Code 1965, § 15-40)

**Sec. 17-47. Violation.**

- (a) Violation of any of the terms or provisions of this article by any corporation or association shall subject the officers and agents actively in charge of the business of such corporation or association to the penalty herein provided.
- (b) Conviction under the provisions of this article shall be deemed just cause for the revocation of any license or permit which said person, firm, corporation or association may have and/or hold for the use of the parks in this city.

(Code 1965, § 15-41)

**Sec. 17-48. Lost and found articles.**

The findings of lost articles by park attendants shall be reported to the director who shall make every reasonable effort to locate the owners. The director shall make every reasonable effort to find articles reported as lost.

(Code 1956, § 15-39(c))

**Sec. 17-49. Park operating policy.**

- (a) Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information.
- (b) Any section or part of any park may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals, daily or otherwise, and either entirely or merely to certain uses, as the director shall find reasonably necessary.

(Code 1965, § 15-39(a), (b))

**Sec. 17-50. Injuring park property.**

No person in a park shall wilfully mark, deface, disfigure, injure, tamper with or displace or remove, any building, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts of appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(Code 1965, § 15-33(1)(a))

**Sec. 17-51. Restroom and washrooms.**

No person shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of five years shall use the restrooms and washrooms designated for the opposite sex.

(Code 1965, § 15-33(1)(b))

**Sec. 17-52. Natural resources; structures.**

- (a) No person shall dig or remove any soil, rock, stones, trees, shrubs or plants, down-timber or other wood or materials, or make an excavation by tool, equipment, blasting or other means or agency.
- (b) No person shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.

(Code 1965, § 15-33(1)(c), (d))

**Sec. 17-53. Trees, shrubbery, lawns.**

- (a) No person shall damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds, of any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.
- (b) No person shall climb, walk, stand or sit upon monuments, vases, fountains, railing, fences or gun-carriages or upon any other property not designated or customarily used for such purposes.

(Code 1965, § 15-33(2))

Cross reference(s)—Damaging of trees prohibited, § 13-10.

**Sec. 17-54. Wild animals, birds.**

- (a) No person shall molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird. No person shall remove or have in his possession the young of any wild animal, or the eggs or nest or young of any reptile or bird. No person shall collect, remove, have in his possession, give away, sell or offer to sell, or buy or offer to buy, or accept as a gift, any specimen, alive or dead, of any of the group of tree snails. Exception to the foregoing is made in that snakes known to be deadly poisonous, such as rattlesnakes, moccasins, coral snakes, or other deadly reptiles, may be killed on sight.
- (b) No person shall give or offer or attempt to give to any animal or bird any tobacco, alcohol or other known noxious substances.

(Code 1965, § 15-33(3))

**Sec. 17-55. Sanitation.**

- (a) No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- (b) No person shall leave or deposit trash, refuse or litter of any nature or description upon the premises of any city park except in a container designated by the city for the disposal thereof. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(Code 1965, § 15-34; Ord. No. 2115, § 2, 8-18-87)

**Sec. 17-56. Traffic.**

- (a) No person in a park shall fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this article and other ordinances.
- (b) No person shall fail to obey all traffic officers and park employees, such persons being thereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the director.
- (c) No person shall fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking, and all others posted for proper control and to safeguard life and property.
- (d) No person shall ride or drive a vehicle at a rate of speed exceeding 15 miles per hour, except upon such roads as the director may designate, by posted signs, for speedier travel.
- (e) No person shall drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the parks director. However, this subsection shall not apply to vehicles while being used in connection with the maintenance of a city park, or while being used in connection with the transportation of concession equipment in a city park.

(Code 1965, §§ 15-35(1), (5); Ord. No. 2115, § 3, 8-18-87; Ord. No. 2214, § 5, 5-15-90)

Cross reference(s)—Operation of motor vehicle in parks, parkways, easements, sidewalks, etc., § 25-8.

**Sec. 17-57. Parking.**

- (a) No person shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there or any attendant who may be present.
- (b) No person shall full-park on the road or driveway at any time. In order to enjoy some special natural scenic feature, vehicles may be parked with the two left wheels near the right edge of the paving.
- (c) No person shall leave any vehicle anywhere in the park with one or more wheels chained, or with motor set in gear and doors locked, or in any manner fixed or arranged so that such vehicle cannot readily be moved by hand in a park.
- (d) No person shall fail to immediately notify an attendant of an emergency in the nature of a break-down requiring the assistance of a tow-truck, mechanic or other person in a park.
- (e) No person shall double-park any vehicle on any road or parkway unless directed by a park official.
- (f) No person shall park a motor vehicle for the purpose of making mechanical repairs other than under emergency conditions in a park.

(Code 1965, § 15-35(6))

**Sec. 17-58. Bicycles.**

- (a) No person in the park shall ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.



- (b) No person in the park shall ride a bicycle other than on the right-hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting.
- (c) No person in the park shall ride a bicycle without proper rider safety accessories such as baby riding seat, passenger carrier seat, etc.
- (d) No person in the park shall leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.
- (e) No person in the park shall leave a bicycle lying any place or position where other persons may trip over or be injured by it.
- (f) No person in the park shall ride a bicycle on any road between 30 minutes after sunset or before 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front of, and without a red tail-light or red reflector plainly visible from at least 200 feet from the rear of such bicycle.

(Code 1965, § 15-35(7))

### **Sec. 17-59. Bathing and swimming.**

- (a) No person in a park shall swim, bathe or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the director upon a finding that such use of the water would be dangerous or otherwise inadvisable.
- (b) No person shall frequent any waters or places designated for the purpose of swimming or bathing, or congregate thereat, except between such hours of the day as shall be designated by the director for such purposes for each individual area.
- (c) All bathing costumes shall conform to commonly accepted standards.
- (d) No person shall dress or undress on any beach, or in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

(Code 1965, § 15-36(1))

### **Sec. 17-60. Hunting and firearms.**

- (a) *Prohibited.* It shall be unlawful for any person to carry a trapping device or carry or discharge any firearm, pneumatic weapon, including, but not limited to, a BB gun or pellet gun, spring-gun, cross-bow, bow and arrow or slingshot on or over any park.
- (b) *Exception.* Except as otherwise provided by law, it is an exception to subsection (a) if a person:
  - (1) Carries in a park:
    - a. A concealed handgun; or
    - b. A handgun in a shoulder or belt holster; and
  - (2) Is licensed under V.T.C.A., Government Code Ch. 411, Subch. H (Handgun Licensing Law).

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- (c) *Exception.* It is an exception for subsection (a) if a City of Angleton Animal Control Officer is carrying a trapping device when acting within the scope of the employee's duties.

(Code 1965, § 15-36(2); Ord. No. 2115, § 1, 8-18-87; Ord. No. 2016-O-2D, § 1, 2-9-16)

### **Sec. 17-61. Picnic areas and use.**

- (a) No person in a park shall picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- (b) No person in a park shall violate the regulation for use of the individual fireplaces, together with tables and benches which follows generally the rule of first come first served except that handicapped persons have first priority over handicap tables.

(Code 1965, § 15-36(3))

### **Sec. 17-62. Recreation.**

- (a) No person in a park shall camp in other than organized camping areas provided by the director and used by groups of persons under adequate supervision.
- (b) No person in a park shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins or model airplanes, except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and quoits is prohibited when interfering with other activities; roller-skating and/or skateboards be confined to those areas specifically designated for such pastimes.
- (c) No person in a park shall ride a horse, except on designated roads and bridle trails. Where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care, and shall not be allowed to graze or go unattended.

(Code 1965, §§ 15-36(4)—(6))

### **Sec. 17-63. Alcoholic and intoxicating beverages.**

- (a) No person shall possess, consume, use or drink alcoholic beverages in any city park.
- (b) No person shall possess, consume, use or drink alcoholic beverages at an event in a city park.
- (c) No person in a city park shall possess any beverage in a glass container at any time within a city park.
- (d) No person shall enter upon or be at any city park under the influence of intoxicating liquor or beverages.
- (e) An exception may be granted hereto by the parks and recreation director, or their designee, in connection with the issuance of a permit issued for the use of any park and recreation facility operated by the City of Angleton, pursuant to section 17-38, Permits and reservations, of this Code of Ordinances. Any such exception shall only be issued if the permit or reservation clearly designates the name and contact information of the person(s) who will be responsible to conduct the event, shall specify the date and time period for which the permit or reservation shall be in effect, and the precise location where the possession or consumption of alcoholic beverage pursuant to the permit shall be located. The city may request a hold harmless indemnification agreement for such an event at the discretion of the city.

- (f) Persons aggrieved by the decision of the director with respect to subsection (e) above, may file an appeal with the city secretary of such decision within ten days of the director's decision to request city council consideration of the request for an exception.

(Code 1965, § 15-37(1); Ord. No. 2115, § 7, 8-18-87; Ord. No. 2440, § 1, 3-16-99; Ord. No. 5-06-2018, § 4, 6-26-18)

Cross reference(s)—Alcoholic beverages, Ch. 3.

#### **Sec. 17-64. Drugs.**

- (a) No person shall possess or use any substance which would be a violation of the controlled substance act.  
 (b) No person shall enter upon or be at any park under the influence of drugs.

(Code 1965, § 15-37(2))

Cross reference(s)—Controlled substances, dangerous drugs, etc., § 13-81 et seq.

#### **Sec. 17-65. Going upon closed park property prohibited; exceptions.**

- (a) No person shall be upon or remain upon any city park property within the city between 11:00 p.m. and 5:00 a.m.  
 (b) No person shall enter an area posted as "Closed to the Public" or "Authorized Personnel Only," nor shall any person use or abet the use of any area in violation of posted notices.  
 (c) Exceptions to this provision may be granted by the city administrator, in his/her discretion, upon the filing of a written application for such exception with the parks director, with a copy to be forwarded to the police department.

(Code 1965, §§ 15-37(3), (4); Ord. No. 2115, § 4, 8-18-87; Ord. No. 2214, § 6, 5-15-90; Ord. No. 2440, § 2, 3-16-99)

#### **Sec. 17-66. Glass containers.**

No person shall possess or use any glass container in a park, including, but not limited to soft drinks or beer in glass containers.

(Code 1965, § 15-37(5))

#### **Sec. 17-67. Fireworks and explosives.**

- (a) No person shall participate in any fireworks display in the city, without first obtaining a permit as provided in sections 17-38 through 17-44.  
 (b) Except as part of a lawfully permitted fireworks display as provided in subsection (a), no person shall bring or have in his possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedoes, rockets, or other fireworks or explosives in a city park, or discharge them or throw them into any city park from any land or highway adjacent thereto. This prohibition includes any substance, compound, mixture, or article that, in conjunction with any other substance or compound, could present any of the same dangers as the substances hereby prohibited.

(Code 1965, § 15-37(6); Ord. No. 2214, § 4, 5-15-90)

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**Sec. 17-68. Domestic animals.**

No person shall bring a dog or other domestic animal into areas other than automobile parking concourses and walks immediately adjacent thereto and in such other areas as may be clearly marked by signs bearing the words "Domestic Animals Permitted in this Area." Nothing herein shall be construed as permitting the running of dogs at large. All dogs in those areas where such animals are permitted shall be restrained at all times on adequate leashes not greater than six feet in length.

(Code 1965, § 15-37(7))

**Sec. 17-69. Conduct in park.**

- (a) No person shall occupy any seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the park and recreation board.
- (b) No person shall appear at any place in other than proper clothing.
- (c) No person shall solicit alms or begging for any purpose, whether public or private.

(Code 1965, §§ 15-37(8)—(10))

**Sec. 17-70. Fires.**

No person shall build or attempt to build a fire except in such areas and under such regulations as may be designated by the director. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material, within any park area or on any highway, road or street abutting or contiguous thereto.

(Code 1965, § 15-37(11))

**Sec. 17-71. Games of chance.**

No person shall gamble or participate in or abet any game of chance in a park.

**Sec. 17-72. Sleeping, loitering and boisterousness.**

No person shall sleep or protractedly lounge on the seats, or benches, or other areas when the park is closed or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace.

(Code 1965, § 15-37(13))

**Sec. 17-73. Exhibit permits.**

No person shall fail to produce and exhibit any permit from the director he claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.

(Code 1965, § 15-37)

**Sec. 17-74. Interference with permittees.**

No person shall disturb or interfere with any person or party occupying any area, or participating in any activity, under the authority of a permit.

(Code 1965, § 15-37(15))

**Sec. 17-75. Merchandising and advertising.**

- (a) No person shall expose or offer for sale any article or thing, nor shall he station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regulation of the director.
- (b) No person shall announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(Code 1965, § 15-38)

**Sec. 17-76. Bates Park Pavilion.**

- (a) No person shall use any skateboard, skates, bicycles, or other wheeled devices within the fenced area around the pavilion in Bates Park.
- (b) The Bates Park Pavilion is principally a basketball court, and basketball playing shall have priority over other uses of the pavilion.

(Ord. No. 2115, § 5, 8-18-87; Ord. No. 2214, § 7, 5-15-90)

Editor's note(s)—Being not specifically amendatory of the Code, the provisions of § 5 of Ord. No. 2115, passed and adopted Aug. 18, 1987, have been included herein as a new § 17-76 at the editor's discretion.

**Sec. 17-77. Use of city parks by athletic teams.**

The members of each athletic team using any city park for league play shall deliver to the city administrator a fee as listed in the fee schedule of the City of Angleton, per team, per season before the beginning of such athletic season. The members of each athletic team using any city park for tournament play shall deliver to the city administrator a fee as listed in the fee schedule of the City of Angleton, per team, per tournament before such tournament begins. The members of each athletic team using any city park for practice shall deliver to the city administrator a fee as listed in the fee schedule of the City of Angleton, per team, per day of use, before such use.

(Ord. No. 2115, § 6, 8-18-87; Ord. No. 20210810-009, § 39, 8-10-21)

Editor's note(s)—Section 6 of Ord. No. 2115, adopted Aug. 18, 1987, was nonamendatory of the Code; hence, codification herein as § 17-77 was at the discretion of the editor.

**Sec. 17-78. Use of Welch Park by activities exceeding one week in length.**

All activities in Welch Park exceeding one week in length, including tournaments and season schedules, shall be approved by the city parks board and scheduled prior to the opening date thereof. The Angleton Baseball Association and the Angleton Soccer Association shall have priority in reserving fields during the normal playing season. All schedules must be presented for approval to the city parks board at a regularly scheduled meeting prior to opening date of any such schedule. Any conflicts in use of Welch Park shall be resolved by the city parks board.

Use of Welch Park by organized leagues shall be contingent upon participation by members of such leagues in the preparation and maintenance of the playing fields and proper use of the facilities by such members and their compliance with all of the rules contained in this chapter. All persons using the facilities at Welch Park shall, upon departure from the park, turn off the lights, close and lock all doors, and lock all gates.

(Ord. No. 2115, § 8, 8-18-87)

Editor's note(s)—Ordinance No. 2115, § 8, adopted Aug. 18, 1987, enacted the provisions codified as § 17-78, above. Since said ordinance did not expressly amend the Code, the manner of codification has been at the editor's discretion.

### **Sec. 17-79. Rental and deposit rates for pavilion and park rental facilities.**

- (a) The rental and deposit rates for the pavilion and park rental facility soccer complex pavilion, per day, shall be as listed in the fee schedule of the City of Angleton.
- (b) The city and its agents, officers, employees, attorneys, and contractors shall have no liability of any nature to any person, as a direct or indirect result of this section or of any action, omission, or condition in any way related, directly or indirectly, to this section or the subject matter hereof.

(Ord. No. 2332, §§ 1, 2, 8-16-94; Ord. No. 20210810-009 , § 40, 8-10-21)

### **Secs. 17-80—17-103. Reserved.**

## **ARTICLE IV. CITY PARKS AND FACILITIES POLICIES<sup>3</sup>**

### **DIVISION 1. PARKS AND FACILITY NAMING POLICY**

#### **Sec. 17-104. Definitions.**

*Major facility:* Major city-owned buildings, parks and trails built for permanent use.

*Sub-facility:* Minor city-owned structures within a major facility, including but not limited to, swimming pools, pavilions, tennis courts, large water features, bridges, trail sections, athletic fields, or meeting rooms.

(Ord. No. 20220125-007 , § 2, 1-25-22)

#### **Sec. 17-105. General naming criteria and guidelines.**

- (a) To be considered a qualifying name, the proposed name must meet one of the following criteria:
  - (1) Be descriptive of geographic location, a significant natural feature in or near the facility, or an adjoining subdivision, street, or school.

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<sup>3</sup>Editor's note(s)—Ord. No. 20220125-007 , § 2, adopted Jan. 25, 2022, set out provisions intended for use as Art. I, Divs. 1, 2, §§ 17-4—17-12. For purposes of classification, clarity and to allow the subject matter future expansion of the Code, at the editor's discretion, these provisions have been included as Art. IV, Divs. 1 and 2, §§ 17-104—17-132.

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- (2) Commemorate historical events, groups or exceptional individuals that are of continued importance to the city, region, state, or nation.
- (3) Individuals who are deceased and have a history of performing exceptional community service or contributions to the facility's best interest may be recognized with a named facility under the following conditions:
- a. Involvement in a leadership role in civic organizations which are devoted to community improvement.
  - b. Assistance to the underprivileged as well as people with physical or intellectual disabilities.
  - c. Actively promoted and directed effective programs for youth or senior citizens within the community.
  - d. Actively promoted and directed community events and activities which have enriched the quality of life within the community.
  - e. Actively promoted and directed efforts to improve the aesthetic appearance and environmental quality of the community.
  - f. Led efforts to collect, promote and retain the historical heritage of the community.
- (4) Individuals who made significant contributions or major gifts to facilitate the acquisition or development of the facility.
- a. If a facility is named to commemorate or honor an individual or group, the scale of the facility to be named should match the stature, characteristics, and contributions of the individual. The threshold for considering the naming of a facility after a donor, benefactor or group will include one or more of the following:
    1. Land for most of the facility was deeded to the city.
    2. Contribution of a minimum of 50 percent of the capital construction costs associated with developing the facility.
    3. Provision of an endowment for at least 50 percent of a facility's estimated useful life for the continued maintenance and/or programming of the facility.
    4. The city council may alter these guidelines if deemed necessary.
  - b. The city reserves the right to utilize criminal background checks as part of the vetting process to establish an honoree's good character.
  - c. Names that will not be considered would include:
    1. Any elected or appointed official currently serving in that capacity;
    2. Any individual(s) currently employed by the city or municipal entity.
- (5) Recognize organizations involved in a public-private partnership with the City of Angleton that have made significant financial or capital contributions to the acquisition or development of the facility. This includes any naming rights agreements approved by the city council.
- (6) Have historical, cultural, or social significance for future generations.
- (7) Research indicates that the area around the facility, or the facility itself, has been commonly named in an unofficial capacity by residents.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Sec. 17-106. Corporate naming rights.**

The city council may also select the naming rights of a major facility, sub facility or major feature. The city council may issue a request for proposals (RFP) process or by other means solicit proposals for corporate naming of a major facility, sub facility or other feature. Corporate logos, brands, and insignias shall be allowed as part of the naming rights so long as it does not result in the over commercialization of the public asset. The city council will evaluate the proposals based on:

- (1) The reputation of the corporation;
- (2) The alignment of the corporation's products or services with the city park, facility, building, other feature; and
- (3) The duration and revenues specified for the naming rights.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Sec. 17-107. Restrictions on the naming of major facilities and sub-facilities.**

- (a) Duplication of other facility names in the city will not be considered.
- (b) To minimize confusion, facilities will not be subdivided beyond the level of sub-facilities for the purpose of naming unless there are readily identifiable physical divisions such as roads or waterways.
- (c) Facility names that might be considered discriminatory or derogatory names relating to age, race, religion, creed, national origin, sex, color, marital status, disability, sexual orientation, political affiliation or other similar categories will not be considered.
- (d) Facility names will not advocate a current political figure, political affiliation, ideology, or religion.
- (e) Cumbersome, corrupted or modified names, or any profane name or language will not be considered.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Sec. 17-108. Guidelines for naming process.**

- (a) *Naming of major facilities.*
  - (1) The naming process for a major facility will automatically be initiated with the city council's approval for the design, construction, or acquisition of the facility.
  - (2) The city will utilize city council to facilitate the naming of major facilities.
  - (3) A permanent name for the major facility should occur no later than the 50% completion mark in the construction or acquisition process.
    - a. Prior to the permanent naming of a major facility, the location will be referred to by its address or location designation until such a time as the major facility is given an official name.
  - (4) The city council is to conduct the naming of a major facility according to the following process:
    - a. The major facility naming process is initiated with the approval of the design, construction, or acquisition of the major facility.
    - b. A person or group may submit a suggestion for naming by submitting a letter to the city manager, parks director or the mayor. The letter should include:



1. The proposed name;
  2. A short explanation of why the facility should be named or renamed; and
  3. A description of the proposed namesake's contributions to the community or other justification for naming a street, facility, park or feature that name.
- c. The city manager shall direct staff to review the naming request. Staff shall evaluate:
1. The requestor's proposal in consideration of this policy;
  2. The impact on existing facilities;
  3. The financial impact for changing signs, plaques, and markers or initiation new signs, plaques, and markers; and
  4. The appropriateness of the name based on this policy.
- d. Requests to name individual features with a value of less than \$5,000.00 such as park benches, fountains, furniture, or other small items shall be referred to city staff and shall not require the approval of the park board or city council.
- e. All names for major facilities will be approved by a majority city council vote regardless of the source of the name's recommendation.
- (b) *Naming of sub-facilities.*
- (1) All requests for the naming or renaming of a sub-facility must be made in writing to the director of the responsible department of the sub-facility, or to the city manager. Written requests for the changing of a sub-facility's name should contain the following minimum information:
    - a. The proposed name.
    - b. Reasons for the proposed name.
    - c. Written documentation indicating community support for the proposed name (if applicable).
    - d. If proposing to name a sub-facility within a park, include a description/map showing the location of the sub-facility.
    - e. If proposing to name a sub-facility after an individual, group, donor, or benefactor, include documentation of that person or group's significance and good reputation in the city's, state's, or nation's history. Please refer to the commemorative naming conditions for an individual found in this policy.
  - (2) Upon receipt of a naming request, the director of the responsible department or city manager will:
    - a. Review the proposed request for its adherence to the policies of the City of Angleton.
    - b. Ensure that supporting information has been authenticated, particularly when an individual's name is proposed.
  - (3) When deemed appropriate, the city manager will recommend city council review sub-facility renaming suggestions.
  - (4) City council will have the prerogative of accepting or rejecting the final proposal.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Sec. 17-109. Guidelines for re-naming process.**

- (a) The renaming of major or sub-facilities is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical of examinations so as not to diminish the original justification for the name or discount the value of the prior contributors.
  - (1) Parks or other facilities named by deed restriction will not be considered for renaming.
  - (2) Parks and facilities named after individuals will not be changed unless it is found that the individual's personal character is or was such that the continued use of the name for a facility would not be in the best interest of the community.
    - a. Exceptions may be granted for changes in use of facilities or for facility demolitions.
- (b) If it is decided that it is in the best interest of the city to rename a major or sub-facility, it must be renamed in accordance with the criteria and guidelines outlined in the procedures of this policy.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Sec. 17-110. Plaques, markers and memorials.**

- (a) Plaques, pavers, and memorials may be incorporated into a facility or sub-facility during the design phase of the project. Plaques, pavers, and memorials that are incorporated into the design of a facility will be subject to the same oversight and controls inherent to the project.
- (b) Plaques, pavers, and memorials added to a facility or sub-facility after its completion and opening will be designed and installed according both this policy and to the city's park memorial policy.
- (c) All plaques and memorials must follow the policy as set forth in section 17-12.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Sec. 17-111. Accountability.**

The city council shall have the authority to name city-owned major facilities, as well as all city-owned sub-facilities, according to the procedure and criteria established by this policy.

(Ord. No. 20220125-007 , § 2, 1-25-22)

### **Secs. 17-112—17-131. Reserved.**

## *DIVISION 2. PARKS MEMORIAL POLICY*

### **Sec. 17-132. Parks memorial policy.**

- (a) *The city's parks and recreation department shall consider and confirm reservations in the following priority:*
  - (1) Memorial request;
  - (2) Types of memorials;
  - (3) Plaques or markers;

(4) Installation.

(b) *Memorial requests:*

- (1) Memorial requests can only be submitted for a loved one who has passed away and must be in writing to the Angleton Parks and Recreation Director. All requests must have the written consent of the family involved. The request should provide all information requested on the memorial application and must include the type of memorial (see below), and preferred location.

(c) *Types of memorials:*

- (1) *Bench.* The style and type of the bench is a Champion Bench - Premium Wood Grain TBN-154 (black frame, recycled walnut slats), or other bench approved by parks and recreation department, that is consistent with other standard benches installed in the City of Angleton Parks. At the applicant's request, the bench can have a cast bronze plaque TPQ-02 mounted on the bench with memorial wording. (Plaque specifications and wording choices detailed below.) Benches will be installed adjacent to common area/park sidewalks or trails.
- (2) *Tree.* A 30-gallon tree from the approved tree list found on the memorial application maybe selected by the applicant. The tree's exact location will be determined by city staff to conform to surrounding area landscaping. These trees are selected for their durability. Trees will only be installed where adequate irrigation and spacing is present. Donors will be notified once a tree has been planted and will be made aware of its location. The city cannot guarantee a specific planting date.

(d) *Plaques:*

- (1) Plaque requests can only be made in conjunction with a bench or service project. Standalone plaques are not permitted. A standard plaque style has been chosen by Angleton Parks and Recreation staff for bench memorials and service projects. Plaque specifications are:

- a. Bench plaques are approximately eight inches w × two inches h in size, bronze, has up to three lines of text and 18 characters/spaces maximum per line and will be mounted on the front of the bench.
- b. Specific wording for a plaque is required. Additional inscriptions, religious symbols, and extraneous content is not permitted. Inscriptions will appear in the following format:

IN MEMORY OF/IN LOVING MEMORY/IN HONOR OF  
BOB SMITH  
7/5/1942—1/7/2010

- c. Service project plaques are approximately eight inches w × two inches h in size, bronze, has up to three lines of text and 18 characters/spaces maximum per line and will be mounted on the project. Parks and Recreation staff will designate the location of the plaque on the service project.

GROUP NAME  
INDIVIDUAL NAME  
MM/DD/YYYY

(e) *Installation:*

- (1) Parks and recreation staff, or designated vendor, will be responsible for the final site selection and installation of the memorial or service project. The date of the tree planting and installation or bench installation cannot be guaranteed. Requests are processed in the order they are received. Trees are planted between November 1 and March 1 due to climate conditions. Benches may be installed at any time during the year.

- (f) *Applicant's responsibility:*
- (1) The applicant will be responsible for the cost and installation of the memorial. Parks and recreation staff will provide the requesting applicant the cost of the memorial, with installation, and the applicant will be responsible for paying the City of Angleton. Full payment is required prior to ordering any memorial.
- (g) *Ownership:*
- (1) Angleton Parks and Recreation Department holds ultimate ownership over all memorials and service projects, and it is prohibited for applicants to decorate, personalize, or add adornment to any memorials or service projects.
- (h) *Maintenance and installation:*
- (1) The city will not replace or be responsible for trees, or service projects, that become damaged or die.
  - (2) Special maintenance requests for specific benches, or service projects, will not be granted except in cases of safety concerns, or damage. If a memorial bench, or service project, is vandalized or damaged by an act of God, the parks and recreation department will make every effort to repair the bench, or service project, within the limits of its available funding. If the bench, or service project, cannot be repaired or replaced, and if the bench, or service project, is a hazard or is unsightly, the parks and recreation department may remove the bench, or service project.
  - (3) In the event that a memorial plaque is stolen from a bench, or service project, the donor will be given the option to purchase a replacement. Written efforts will be made and documented to contact the donor. If the donor cannot be reached, the Angleton Parks and Recreation Department reserves the right to forego replacement, move or abandon the plaque, bench or other marker. Angleton Parks and Recreation Department is not responsible for any theft of memorials or service projects.
  - (4) Any memorial, or service project, which is installed without the approval of the Angleton Parks and Recreation Department may be removed at the expense of the party who installed the memorial, or service project.
  - (5) All benches, or service projects, will be installed and maintained by the parks and recreation department staff or contractors. Memorial benches, or service projects, will remain in place for the duration of the structure's lifespan. At the end of this period, the parks and recreation department may at its own discretion replace or remove the bench, or service project.
  - (6) Angleton Parks and Recreation Department reserves the right to relocate the bench, or service project, for safety, environmental, or land management reasons. In the event that this occurs, the donor will be notified of the new location of the bench, or service project.
- (i) The parks and recreation board of directors requires a minimum of 30 business day to review and follow-up on all memorial and service project requests. Location determination and payment process will begin after that. The City of Angleton reserves the right to reject or decline any donation.

(Ord. No. 20220125-007 , § 2, 1-25-22)

**Secs. 17-133—17-155. Reserved.**

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## Chapter 50 PARKS AND RECREATION<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 50-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director* means a person so designated and in charge of the parks and recreation department and its divisions.

*Disrupt* means to interrupt the orderly course of, by action or noise.

*Disturb* means to throw into disorder; to move from a state of rest or regular order; to interrupt a settled state of, to throw out of course or order; to cause annoyance, disquiet, agitation or derangement to any person or group of persons, or interrupt his or their peace, or to interfere with him or them by the use of loud or vociferous or obscene, vulgar or indecent language, or by the use of yelling or shrieking or any other loud, unreasonable or otherwise disruptive action or noise.

*Park* means a playground, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation, including all planted expressways, parkways and traffic circles maintained by the city, except the parkway strips between curb and sidewalks along the several streets and expressways of the city.

*Smoking* means the combustion of any cigar, cigarette, pipe or other similar article, using any form of tobacco or other combustible substance in any form. This includes the carrying or holding of a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment or device, and the lighting or emitting or exhaling the smoke of a pipe, cigar, or cigarette of any kind.

*Tobacco products* mean any cigar, cigarette, chewing tobacco, snuff or other tobacco derivative.

*Vehicle* means any wheeled conveyance, whether motor-powered or drawn. Exception is made for baby carriages, bicycles and tricycles on designated paths, and vehicles in the service of the city.

(Code 1969, § 18-2; Ord. No. 98-094, § 3, 9-21-1998)

Cross reference(s)—Definitions generally, § 1-2.

#### Sec. 50-2. Enforcement of chapter.

- (a) *Officials*. The director and park attendants shall in connection with their duties imposed by law, diligently enforce the provisions of this chapter with the limitations described in this section.

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<sup>1</sup>Charter reference(s)—Power of city to acquire land for parks, playgrounds, etc., § 1.08; notice of damage or injury required prior to suit, § 9.04.

Cross reference(s)—Streets, sidewalks and other public places, ch. 70.

- (b) *Ejection.* The director and any park attendant shall have the authority to order from the park any person acting in violation of this chapter. If such person refuses to leave, then the director or park attendant shall contact the police for ejection.
- (c) *Seizure of property.* The director and any park attendant shall have the authority to seize and confiscate any property, thing or devices in the park, or used in violation of this chapter unless the violator refuses to voluntarily relinquish such property in which case the director or attendant shall contact the police for involuntary confiscation.
- (d) *Issuance of permits.* The director is authorized to issue all permits and other consents with respect to the reservation and use of the city parks and recreation facilities for events including, but not limited to, permits related to the service of alcoholic beverages in city parks.

(Code 1969, § 18-3; Ord. No. 3054, § 1, 11-3-2009)

### **Sec. 50-3. Penalty for violation of chapter.**

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished according to the provisions of section 1-14.

(Code 1969, § 18-4)

### **Secs. 50-4—50-33. Reserved.**

## **ARTICLE II. RULES AND REGULATIONS**

### **Sec. 50-34. Use of tobacco products.**

Smoking and the use of tobacco products at any city-owned or city-operated athletic complex or Don Showman Park, including but not limited to those listed in section 50-35, shall be prohibited at all times.

(Ord. No. 98-094, § 4, 9-21-1998)

### **Sec. 50-35. Signs posted.**

Signs will be posted at all city-owned or city-operated athletic complexes and at Don Showman Park stating that smoking and tobacco use is prohibited. This will include Cox, Farmers Branch, Jaycee, Oran Good, Pepper, and Don Showman parks; leased facilities located at Dallas Christian College; and Carrollton-Farmers Branch Independent School District property utilized as part of Oran Good and Cox parks. The ban includes athletic fields, dugouts, team benches, spectator areas, restrooms, concession stands, and all of Don Showman Park including the areas surrounding the recreation center and swimming pool. The absence of such signage shall not be an affirmative defense to an offense under this section.

(Ord. No. 98-094, § 5, 9-21-1998)

### **Sec. 50-36. Prohibited acts within city parks.**

Within the limits of any of the parks, it shall be unlawful for any person, except as otherwise provided, to:

- (1) Hitch, fasten, lead, drive or let loose any animal of any kind. Dogs shall be permitted if they are kept on a leash by a cord or chain not to exceed six feet in length. On special occasions and under special situations, the director of the parks and recreation department shall be authorized to issue a special permit to allow other animals in the park.
- (2) Discharge any firearms, firecrackers, rockets, torpedoes, or any other fireworks, or airguns or slingshots or any device which would or could project any object which would or could create a fire hazard or any hazard or danger to the public, except for special circumstances and occasions when under specific supervision, the director shall be authorized to issue written permission.
- (3) Damage, cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property, or to pluck, pull up, cut, take or remove any shrub, brush, plant or flower, or to mark or write upon, paint, or deface in any manner any building, monument, fence, bench, or other structure without written permission of the parks and recreation director, except for city employees engaged in city work.
- (4) Swim, bathe or pollute the water of any fountain, pond or stream.
- (5) Make or kindle a fire, except in picnic stoves, braziers or fire pits provided for that purpose without written consent of the parks and recreation director.
- (6) Leave garbage, cans, bottles, papers or other refuse elsewhere than in receptacles provided for such refuse.
- (7) Participate in any activity on any public park area when such activity may create a danger to the public or may be considered a public nuisance. The director of parks and recreation may designate particular locations within areas for specific activities. Overnight camping is prohibited on any park property except by written permission issued by the director of parks and recreation.
- (8) Sell or offer for sale any food, drinks, confections, merchandise or services unless the person has a written agreement or permit issued by the parks and recreation director.
- (9) Remain, stay, or loiter in any public park between the hours of 10:00 p.m. and 5:00 a.m. of the following day, unless a written authorization has been issued by the director of parks and recreation.
- (10) Use the restrooms and washrooms designated for the opposite sex if the person is over the age of six years.
- (11) Consume or possess an alcoholic beverage; provided, however, it shall be an affirmative defense if the person is consuming or possessing an alcoholic beverage obtained from a person authorized to serve or sell the alcoholic beverage at an event being held in the park pursuant to a permit approved by the director of parks and recreation in accordance with authority granted to the director of parks and recreation by the city council.
- (12) Use any type of sound amplification system without the written consent of the director of parks and recreation.
- (13) Ride or drive any horse or other animal without the written consent of the director of parks and recreation.
- (14) Ride, drive or go at a rate of speed faster than speed limits as posted on standard traffic signs, upon any bicycle, motorcycle or any other vehicle whatsoever, upon any drive or street in any park of the city, or to ride or drive any wheeled vehicle upon any walk except baby carriages, bicycles or tricycles on designated bicycle or tricycle paths at the posted speed limits and except for special occasions and under special situations, the director may be authorized to issue written permission.
- (15) Cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer without written permission of the director of parks and recreation.

- (16) Play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit or any other representative of value, or to maintain or exhibit any gambling table or other instrument of gambling or gaming without written permission of the director of parks and recreation.
- (17) Use or speak any threatening, abusive, insulting, or indecent language in any of the public parks, and no person shall commit, in any such parks, any obscene, lewd or indecent act or create any nuisance.
- (18) Disturb or disrupt, as defined in section 50-1, any picnic, meeting, service, concert, exercise or exhibition.
- (19) Distribute, post, place or erect any advertising, handbill, circular, bill, notice, paper or other advertising device without written consent of the director of parks and recreation.
- (20) Capture, maim, destroy, kill, poison or injure any animal, except city employees who are permitted to capture at-large animals.

(Code 1969, § 18-5; Ord. No. 3054, § 2, 11-3-2009)

### **Sec. 50-37. Commercial vehicles prohibited in parks; exception.**

All vehicles used for the purpose of transporting freight and merchandise, or brick, stone or gravel, and all those commonly known as floats, moving wagons and express or delivery wagons are prohibited from entering upon or being driven through any of the public parks of the city, except by special permission of the director of parks and recreation, subject to appropriate conditions and safeguards.

(Code 1969, § 18-6)

### **Sec. 50-38. Parking of vehicles in city parks.**

Where vehicle parking lots or areas have been set aside in public parks in the city, no vehicle shall be driven over or across the curbs, sidewalks, grass or lawn within such park, but shall be parked on such lots within and between the lines designating a single vehicle parking space and not otherwise. Where parking lots or areas within public parks of the city have been designated for head-in parking to front on a visible parking line without delineated single vehicle spaces, the front of the vehicle shall be placed on the parking line and as near as practicable to the side of the last parked vehicle in line. No vehicle shall be parked or left behind any other vehicle in the parking line or back of such parking line in any manner so as to obstruct, block or hinder ingress or egress from the line. Officers of the police department of the city shall issue to violators of this section traffic tickets or notices to answer to charges in the manner prescribed by the applicable ordinances and the case shall proceed in accordance with such applicable sections. Where a vehicle is parked or left in violation of this section in such a manner as to obstruct or block traffic, and the owner or operator of the vehicle refuses to or will not move such vehicle or cannot be found, police officers of the city may move or impound the vehicle so that traffic will not be impeded.

(Code 1969, § 18-7)

### **Sec. 50-39. Certain rules and regulations to be posted.**

The director of parks and recreation shall recommend to the city manager such rules and regulations as he deems best for the management of the public parks, and where such rules have been adopted for a specific park area and posted within the specific park so regulated, any person found guilty of violating such rules or any rules in this article shall be guilty of a misdemeanor.

(Supp. No. 30)

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(Code 1969, § 18-8)

### **Sec. 50-40. Skateboards, roller skates, in-line skates, and similar devices.**

No person shall knowingly skate by means of roller skates, roller blades, skateboard, or similar devices upon the sidewalks, areas, or streets of the city designated by the city manager as provided for herein. Upon recommendation of the director of parks and recreation, the city manager is authorized to designate locations that skateboards, roller skates, in-line skates, and similar devices should be prohibited for the protection of city-owned/operated facilities. Where this is deemed necessary, signs will be posted prohibiting such activities. Any person found in violation of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed \$500.00. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

(Ord. No. 2665, § 1, 5-7-2002)

### **Sec. 50-41. Parks and recreation user fees.**

User fees for use of parks and recreation services are hereby established and approved as delineated in appendix A.

- (1) *Fees; generally.* User fees are established as those fees charged for the use of parks and recreation services, rentals, facilities, membership fees and other recreational uses as specified in this section and listed in appendix A as amended with said amendment being attached hereto.
- (2) *Collection; disposition.* All user fees listed in appendix A shall be collected and credited to the appropriate funds of the city.
- (3) *Fees for residents and nonresidents.* Different user fee amounts may be established for residents and nonresidents as recommended by the parks and recreation board and approved by the city council.
- (4) *Fee reductions.* User fees may be reduced for residents of the City of Farmers Branch who demonstrate a limited income. Procedures for said reductions, including amount of the reduction and eligibility criteria, have been established by the city council and are administered by the director of parks and recreation.
- (5) *Fee adjustments.* The city manager or his/her designee may establish and adjust individual class, activity, user and special event fees not listed in appendix A.
- (6) *Compliance.* Any individual or organization not in compliance with this section and appendix A shall be denied use of the city's parks and recreation facilities or shall be denied participation in a program sponsored by the parks and recreation department.

(Ord. No. 2780, § 1, 9-20-2004)

### **Sec. 50-42. Policy regarding service of alcoholic beverages in public parks adopted.**

The "Policy Regarding Service of Alcoholic Beverages in Public Parks in the City of Farmers Branch," attached to Ordinance 3054 as Exhibit "A" and incorporated herein by reference, is hereby adopted as an official policy of the City of Farmers Branch.

(Ord. No. 3054, § 3, 11-3-2009)

**Secs. 50-43—50-70. Reserved.**

### ***ARTICLE III. YOUTH PROGRAMS***

#### ***DIVISION 1. GENERALLY***

**Secs. 50-71—50-90. Reserved.**

#### ***DIVISION 2. STANDARDS OF CARE<sup>2</sup>***

**Sec. 50-91. Adopted.**

The Farmer's Branch Youth Programs' Standards of Care, attached to 3761 as Exhibit "A" and on file in the city secretary's office, is hereby adopted and included herein as if set out in its entirety.

(Ord. No. 2696, §§ 1, 2, 10-28-2002; Ord. No. 2750, §§ 1, 2, 12-15-2003; Ord. No. 2798, § 2, 12-6-2004; Ord. No. 2849, §§ 1, 2, 12-5-2005; Ord. No. 2890, §§ 1, 2, 11-13-2006; Ord. No. 2928, §§ 1, 2, 9-18-2007; Ord. No. 3065, § 1, 11-17-2009; Ord. No. 3449, § 1, 6-21-2017; Ord. No. 3536, § 1 (Exh. A), 11-6-2018; Ord. No. 3604, § 1 (Exh. A), 11-12-2019; Ord. No. 3648, § 1 (Exh. A), 8-10-2020; Ord. No. 3713, § 1 (Exh. A), 11-16-2021; Ord. No. 3761, § 1 (Exh. A), 11-15-2022)

**Secs. 50-92—50-143. Reserved.**

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<sup>2</sup>Editor's note(s)—Ord. No. 2696, §§ 1, 2, adopted Oct. 28, 2002, repealed Div. 2, §§ 50-91—50-95, 50-106—50-112, 50-126—50-130, and 50-141—50-143, and enacted a new Div. 2 as set out herein. The former Div. 2 pertained to similar subject matter and derived from Ord. No. 2631, § 2, adopted Sept. 24, 2001. See the Code Comparative Table for further information.

State law reference(s)—Exemption of certain youth programs from child care licensing, annual adoption of standards of care, V.T.C.A., Human Resources Code § 42.041(b)(14).

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## **ARTICLE 9-11. PARKS AND RECREATION CODE<sup>1</sup>**

### **Sec. 9-11-1. Name of code.**

This article shall be commonly known and cited as the "Parks and Recreation Code."

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-2. Definitions.**

For the purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future and words in the plural number include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-3. General regulations.**

Within the limits of any park, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, except as may be otherwise provided:

- A. To hitch, fasten, lead, ride, drive, or let loose any horse or other animal, reptile, or fowl of any kind, provided that this shall not apply to dogs or cats when led by a chain, cord, or leash.
- B. To carry or discharge any firearm except as permitted by Chapter 46 of the Texas Penal Code.
- C. To carry or discharge any firecrackers, torpedoes, or any other fireworks, air guns, BB guns, paintball guns or slingshots.
- D. To operate any model airplane, helicopter drone or any other type of radio controlled device, rocket, or to discharge any bow and arrow, except in such areas as may be specifically designated for such purposes by the director of parks and recreation.
- E. To damage, cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property; or to mark or write upon, paint, or deface any building, monument, fence, bench, or other structure.
- F. To swim, bathe, wade in or pollute the water of any fountain, pond, lake, or stream.
- G. To make or kindle a fire, except in picnic stoves or fire pits in areas designated for that purpose.
- H. To wash dishes, empty salt water or otherwise discharge any noxious liquids or solids on any grounds or waterways, ponds, fountains, or streams.

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<sup>1</sup>Editor's note(s)—Ord. No. 2017-1460 , § 1, adopted Feb. 28, 2017, repealed the former Art. 9-11, §§ 9-11-1—9-11-12, and enacted a new Art. 9-11 as set out herein. The former Art. 9-11 pertained to similar subject matter. See the Code Comparative Table for complete derivation.

- I. To leave garbage, cans, bottles, papers, or other refuse elsewhere than in refuse containers provided for such purpose.
- J. To participate or engage in any activity on any public park area when such activity will create a danger to the public or may be considered a public nuisance. The director of parks and recreation or a duly authorized representative of the director, may designate particular locations within park areas for specific activities by issuing a special permit for specific user.
- K. Overnight camping on any park property, except by special permit issued by the parks and recreation director.
- L. To disrupt or disturb in any manner any picnic, meeting, service, concert, exercise, or exhibition.
- M. To distribute, post, place, or erect any advertising handbill, circular, bill, notice, paper, or other advertising device without special permit issued by the director of parks and recreation.
- N. To sell or offer for sale any food, drinks, confections, merchandise, or services, except a concession operated by the city, sports association under a licensing agreement, or a city authorized special event, unless authorized in writing by special permit by the director of parks and recreation or a duly authorized representative of the director.
- O. To practice, carry on, conduct, or solicit for any trade, occupation, business, or profession, except as provided in Section 9-11-7 (G).
- P. To loiter or remain in any city park at a time when the park is closed. Signs indicating time for closure shall be posted at conspicuous places to give notice thereof, which shall be as follows:
  - 1. All city parks and athletic facilities, except as provided herein, shall be closed from 30 minutes after sunset until 30 minutes before sunrise the next day, unless such facilities are scheduled under a license and use agreement with the city or by a special permit issued by the director of parks and recreation or a duly authorized representative of the director. Lighted trails and/or otherwise posted areas shall be closed every day from 10:00 p.m. to 5:00 a.m. Athletic facilities, which are scheduled under such agreements, may remain open until no later than 11:00 p.m., except as otherwise provided herein.
  - 2. The CORE and Wagon Wheel Tennis Center hours of operation shall be established by the park and recreation director and such hours shall be posted in accordance herewith.
- Q. No person, firm, corporation or business entity of any kind shall sell, store, possess or consume an alcoholic beverage in any city park except as permitted in Article VI, Section 6-16-4 of the Code of Ordinances.
- R. Use or operate any motorboat, boat or watercraft propelled by motor, on the waters of any lake, pond, or reservoir within any city park or other area designated as a city park.
- S. To drive or hit golf balls.
- T. To operate a motor assisted scooter, as defined in Section 8-6-1 of this Code, with the exception to ADA compliant, personal mobility vehicles, anywhere within the limits of any park or the designated hike and bike trail system, except on paths set aside for the exclusive operation of bicycles.
- U. It shall be unlawful for any person to knowingly or intentionally climb or walk on any bridge railing, structural support or abutment. Likewise, it shall also be unlawful for any person to knowingly or intentionally leap or jump from any bridge, structural support, abutment, or public right-of-way in the city.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### Sec. 9-11-4. Vehicular regulations.

Within the limits of any park, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, except as may be otherwise provided:

- A. To drive a vehicle at a rate of speed faster than 15 miles per hour upon any drive or street in any park of the city unless otherwise posted on standard traffic signs.
- B. To exhibit any unnecessary acceleration of a vehicle such as to cause gravel to be thrown, tires to squeal, or the vehicle to spin in an unsafe or hazardous manner.
- C. To drive a vehicle over or across the curbs, sidewalks, grass, or lawn within any park area unless signs permit, except by special permit issued by the director of parks and recreation or a duly authorized representative of the director.
- D. For any vehicle used for the purpose of transporting freight and merchandise, or brick, stone, or gravel, and all those commonly known as express or delivery vans to enter upon or drive through any public park, except by special permit issued by the director.
- E. To park in areas other than those designated for this purpose. In areas designated as no parking areas, all parking will take place outside of the boundary or curb-line, where existing.
- F. Where parking stalls have been designated, all vehicles shall be parked within and between the lines designating a single vehicle parking space and not otherwise.
- G. Where parking lots or areas within parks have been designated for head-in parking to front on a visible parking line without delineated single vehicle spaces, the front of the vehicle shall be placed on the parking line.
- H. No vehicle shall be parked or left behind any other vehicle in the parking line or back of such parking line in any manner so as to obstruct, block, or hinder ingress or egress from the line.
- G. Where a vehicle is parked or left in violation of this section in such a manner as to obstruct or block traffic and the owner or operator of the vehicle cannot be found or refuses to remove such vehicles, police officers or other authorized representative of the city may move the vehicle so that traffic will not be impeded. No variation to the requirements of this paragraph shall be allowed, except by special permit issued by the director of parks and recreation.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### Sec. 9-11-5. Enforcement.

- A. *Officials.* The director of parks and recreation or a duly authorized representative of the director and any member of the police department shall, in conjunction with their duties imposed by law, diligently enforce the provisions of this article.
- B. *Ejectment.* The director of parks and recreation or a duly authorized representative of the director and any member of the police department shall have the authority to demand that any person acting in violation of this article leave the park. "Demand" as that term is used in this subsection, shall mean the giving of an order to the person in violation of this article, instructing that such person leave and depart from the premises of the park. It shall be unlawful for any person to remain within the park premises after receiving such an order. Such failure shall constitute criminal trespass.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-6. Damage to park property.**

If any person damages or defaces any real or personal property under the control or responsibility of the parks and recreation department, such violators shall be held responsible for the actual costs to repair or replace such damaged item or items.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-7. Facility scheduling.**

- A. Requests for reservations for any of the facilities in any of the parks must be made through the parks and recreation department. Such reservations must be requested no later than seven business days prior to the date for which the reservation is requested. Such requests must state the facility for which the reservation is requested, the time or times and date or dates for which the reservation is requested, the person or persons who intend to utilize such facilities, and the person or persons requesting such reservations. The director of parks and recreation or a duly authorized representative of the director should make every effort to act upon the request within two working days of receipt of such request.
- B. The director has the right to refuse or deny any request for reservation for reasonable cause. The director further has the right and obligation to cancel or suspend any such reservation previously issued if, in the opinion of the director, such cancellation or suspension is in the best interests of the citizens of Coppell and/or is necessary for the maintenance and control of facilities under the responsibility of the parks and recreation department.
- C. At the conclusion of the reservation of any facility, the facility must be left in a clean and orderly condition. All applicants agree, as a condition of receiving such reservation, to pay the cost of repairing any damage to park property incurred by the group using the facility as determined by the parks and recreation department.
- D. All non-athletic facilities, or athletic facilities not under a license or use agreement, that are not reserved are available for use by the general public on a first come, first served basis in accordance with this section. A listing of reserved facilities, including the time of reservation and the part holding such reservation, will be maintained by the secretary of the parks and recreation department and will be available for inspection during regular working hours.
- E. Park pavilions. Park pavilions can be rented only by Coppell residents or for business functions sponsored by a business located or licensed within Coppell. Rentals will be granted for a pavilion between the hours of 7:00 a.m. and sunset. Rentals will only be accepted for a reasonable increment of time.
- F. Athletic facilities. Field assignments for games or practices at city park athletic facilities that have been licensed can only be made by a licensed association, group or other entity. Such requests must be made by and through such person in accordance with the guidelines of the licensed facility and use agreement. The person making the field assignment request may be required to produce a list of members, including their residence, for determination of eligibility. The field assignment for a playing athletic facility may be granted for a reasonable period of time during those times when the parks are open.
- G. The director of parks and recreation or a duly authorized representative of the director may grant a license or permit, for use of facilities for city sponsored community activities, events and for specific activities related to improving the fitness of the adult community.
- H. No fee shall be charged for reservation of park facilities or for the use of such facilities unless specifically authorized by the City Council of Coppell.
- I. The director of parks and recreation or a duly authorized representative of the director has the authority to cancel or suspend use of any athletic facility or passive park land if, in the opinion of the director of parks and

recreation or a duly authorized representative of the director, such cancellation or suspension is in the best interest of the citizens and/or is necessary for the safety, maintenance and management of the facilities.

J. Game fields and passive park land designations.

1. The director of parks and recreation or a duly authorized representative of the director is authorized to post a sign designated as game fields or passive park land. Passive park land uses mean common and customary uses of a park but does not include organized groups and/or team athletic activities.
  - a. Such signs shall state:
    - "Game Field—No unauthorized practice or games."
    - "Passive Park Land—Organized groups and/or team use prohibited."
2. It shall be unlawful for any person to conduct, sponsor or participate in any unauthorized game, tournament, practice or athletic event on any designated game field or passive park land.

K. Closed fields or closed passive park land; designations.

1. The director of parks and recreation or a duly authorized representative of the director is authorized to post a sign on fields or passive park land designated as closed for purpose of maintenance or to protect the surface of the playing field or passive park land. Such sign shall state:
  - "Field Closed for Public Use."
  - "Turf Area Closed for Public Use."
2. It shall be unlawful for any person to go upon any field or park land which has been designated as a closed except for the purpose of performing maintenance.

(Ord. No. 2017-1460 , § 1, 2-28-17)

**Sec. 9-11-8. Special permits.**

- A. Special permits as required by this article must be applied for no later than seven business days prior to the date for which the permit is requested. However, in no event shall a special permit be issued for provisions contained in subsection 9-11-3 (P), of this Code. Such requests must clearly, concisely, and accurately state the purpose for which the permit is requested, the time or times and dates for which the permit is requested, the person or persons who intend to utilize such permit, and the person or persons requesting such permit. The director of parks and recreation or a duly authorized representative of the director should make every effort to act upon such request within two working days of receipt of such request.
- B. The person or persons utilizing such permit must have the permit in their possession or, if possible, posted in a conspicuous location, and available for inspection by the director of parks and recreation or a duly authorized representative of the director, or any member of the police department.
- C. The director of parks and recreation or a duly authorized representative has the right to refuse or deny any request for special permit for reasonable cause and location, use, traffic flow and safety will be considerations for approval of request. Further, the director of parks and recreation or a duly authorized representative has the right and obligation to cancel or suspend any such special permit previously issued if such cancellation or suspension is in the best interests of the citizens of Coppell and/or is necessary for the maintenance and control of facilities under the responsibility of the parks and recreation department.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-9. Procedures for naming park lands and facilities.**

- A. The chairman of the park board shall name a committee that will be responsible for recommending a name for park lands and facilities to the park board.
- B. The committee shall be responsible for research, study and recommendation of a proposed name to the park board. Rationale for the section of the recommended name shall be given in writing.
- C. The park board shall approve or disapprove the name recommended by the committee:
  - 1. If the committee's recommendation is disapproved by the park board, then the matter may be referred back to the committee for further action.
  - 2. If approved, the recommended name will be forwarded to the city council for their consideration and approval.
- D. Park lands and facilities shall be named within 60 days after acquisition, construction completion, or at the earliest possible date.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-10. Guidelines for naming park lands and facilities.**

Park names should be familiar to the majority of citizens, easy to recall, unique and lasting. The following guidelines are listed in order of importance:

- A. Park lands shall be named:
  - 1. By outstanding and/or predominate physical characteristics of the land such as:
    - a. Streams, rivers, lakes and creeks;
    - b. Landmark significance;
    - c. Historical significance;
    - d. Street name identity.
  - 2. In honor of a deceased community leader.
  - 3. In honor of a deceased national or state leader.
  - 4. Based on the activity, event, or function of the park.
- B. If a name is applied to park facilities such as recreational buildings, swimming pools, sports fields, and play structures, those shall be named either:
  - 1. By identification with the park in which it lies; or
  - 2. In honor of an individual or group when contributions of 50 percent or more of the total cost of the facilities are donated to the City of Coppel.

(Ord. No. 2017-1460 , § 1, 2-28-17)

### **Sec. 9-11-11. Reserved.**



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**Sec. 9-11-12. Roller skates, roller blades, in-line skates, skateboards, coasters, and bicycles.**

- A. The use of roller skates, roller blades, in-line skates, skateboards, coasters, scooters, bicycles or similar device upon any sidewalk, pathway, park trail in the city is permitted, except as provided in this section.
- B. No person shall ride or use any roller skates, roller blades, in-line skates, skateboards, coasters, scooters or similar device upon any sidewalk, pathway, monument, amphitheater, stairway, handrail, wall, fountain, roadway and other structures as posted in the following:
- (1) Anywhere in the Town Center Complex defined as the city-owned property area East of Town Center Blvd., West of Hartz Road, North of the YMCA property, and South of Parkway Blvd;
  - (2) Anywhere within MacArthur Park;
  - (3) Within 100 feet of Andrew Brown East pavilions/restrooms or buildings;
  - (4) Within 25 feet of Andrew Brown East Kid Country;
  - (5) Within 100 feet of The CORE;
  - (6) Within 100 feet of the Wagon Wheel Park Soccer Complex concession stand;
  - (7) Within 400 feet of the Wagon Wheel Park Baseball concession stand;
  - (8) Within 100 feet of the Wagon Wheel Park Baseball field 6 concession stand;
  - (9) Any area designated as a playground within any city park; for the purposes of this section, playground shall be defined as any publicly owned area for recreational use primarily by children.
  - (10) Within 25 feet of Andrew Brown Park Central restroom/concession stand;
  - (11) Anywhere at the Wagon Wheel Park Tennis Center;
  - (12) Within 500 feet of the Andrew Brown West Park concession stands;
  - (13) Within any city-owned parking lot or parking facility; or
  - (14) Within 100 feet of the Old Town interactive splash pad.

(Ord. No. 2017-1460 , § 1, 2-28-17)

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## Chapter 70 PARKS AND RECREATION<sup>1</sup>

### Sec. 70-1. Park hours.

- (a) *Offenses.* A person commits an offense if he enters or remains:
- (1) In the Baytown Nature Center during hours in which the park is closed, which hours, periods and days of closure are posted at the park's entrance and include:
    - a. Between 30 minutes after sunset and 30 minutes before sunrise as determined monthly by the director of parks and recreation;
    - b. All times during inclement weather conditions as determined by the director of parks and recreation; and
    - c. Between 12:01 a.m. and 12:00 p.m. on December 25; or
  - (2) In any other municipal park, between 10:00 p.m. and 5:00 a.m., when such hours are posted at the park.
- (b) *Exception.* It is an exception to the application of this section, if:
- (1) The person is conducting official city business as an authorized municipal employee, an on-duty law enforcement, fire suppression or emergency medical service officer; or
  - (2) The person enters or remains in the Wayne Gray Sports Complex during the prohibited hours specified in subsection (a)(2).
- (c) *Defense.* It is a defense to prosecution under subsection (a)(2) herein that:
- (1) The person holds a valid permit authorizing the individual to be in the park between the hours of 10:00 p.m. and 5:00 a.m. issued by the director of parks and recreation;
  - (2) The person is launching or recovering a boat from a park boat ramp; or
  - (3) The person is actively engaged in fishing activities on piers, docks or bulkheads designed, in whole or in part, for such activities.

(Code 1967, § 17-4.1(b); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10,101, § 1, 7-14-05)

### Sec. 70-2. Vehicle operations.

- (a) *Motor vehicles.* It shall be unlawful for any person to drive, propel or park any motor vehicle over, through or on any park, other than along or upon public streets or designated park drives and parking spaces and parking areas, except by permit.

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<sup>1</sup>Cross reference(s)—Department of parks and recreation, § 2-161 et seq.; parks and recreation board, § 2-281 et seq.; environment, ch. 34; recreational area for mobile home parks, § 58-139; natural resources, ch. 62; waterways, ch. 106.

- (b) *Bicycles.* It shall be unlawful for any person to ride, propel or park any bicycle or any other similar vehicle over, through or on the natural areas of the Baytown Nature Center, other than along trails designated for bicycle and pedestrian traffic if the person is at least 18 years of age or accompanied by an adult.

(Code 1967, § 17-4.1(a)(1); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10,101, § 2, 7-14-05)

Cross reference(s)—Traffic and vehicles, ch. 94.

### **Sec. 70-3. Riding horses.**

It shall be unlawful for any person, other than a peace officer while conducting official city business, to ride any horse or other animal or animal-drawn vehicle over or through any park, except in areas or on paths or trails so designated.

(Code 1967, § 17-4.1(a)(2); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

Cross reference(s)—Animals generally, ch. 14.

### **Sec. 70-4. Golf.**

- (a) *Offense.* Except as provided in subsection (b), it shall be unlawful for any person:

- (1) Within the Baytown Nature Center to hit golf balls or to play or participate in any form of golf, or
- (2) Within any other public park, or a parkway, playground or any other public place used or designated for public recreation to hit golf balls, other than floating-type practice balls that are incapable of doing injury to persons or objects.

- (b) *Exception.* Subsection (a) shall not apply to a person who is playing golf in designated golfing areas at Evergreen Park.

(Code 1967, § 17-4.1(a)(3); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10,101, § 3, 7-14-05; Ord. No. 13,770, § 1, 5-10-18)

### **Sec. 70-5. Shooting arrows.**

It shall be unlawful for any person to shoot any arrow on or over any park.

(Code 1967, § 17-4.1(a)(4); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

Cross reference(s)—Weapons generally, § 66-26 et seq.

### **Sec. 70-6. Firearms or fireworks.**

It shall be unlawful for any person to carry or discharge any firearm, firecracker, rocket, torpedo or any other firework, airgun, BB gun or slingshot on or over any park.

(Code 1967, § 17-4.1(a)(5); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

Cross reference(s)—Fireworks generally, § 38-191 et seq.; weapons generally, § 66-26 et seq.

### **Sec. 70-7. Pets.**

- (a) It shall be unlawful for any person to permit any dog owned or possessed by him to run at large or permit any such dog in a park unless it shall at all times be kept on a leash. No dog shall be permitted, in any manner whatsoever, in any park in the proximity of any athletics/sports facilities during practice sessions or league or tournament activities. Additionally, no pet, including, but not limited to, dogs, shall be permitted, in any manner whatsoever, in the Baytown Nature Center.
- (b) The provisions of subsection (a) shall have no application to a support dog guiding or otherwise aiding a totally or partially blind or otherwise incapacitated person while such person is in such park.

(Code 1967, § 17-4.1(a)(6); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10,101, § 4, 7-14-05)

Cross reference(s)—Animals generally, ch. 14.

### **Sec. 70-8. Alcoholic beverages.**

It shall be unlawful for any person to possess or consume alcoholic beverages in city parks except at:

- (1) Bayland Park;
- (2) Evergreen Park;
- (3) Town Square;
- (4) Baytown Nature Center;
- (5) Eddie V. Gray Wetlands Education and Recreation Center;
- (6) Gene and Loretta Russell Park; and
- (7) Wayne Gray Sports Complex;

and there only at times and under conditions and requirements designated by the director of parks and recreation in consultation with the city manager and other city staff.

(Code 1967, § 17-4.1(a)(7); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10031, § 1, 3-10-05; Ord. No. 10,120, § 1, 8-11-05; Ord. No. 13,950, § 1, 11-19-18; Ord. No. 14,102, § 1, 6-27-19)

Cross reference(s)—Alcoholic beverages generally, ch. 6.

### **Sec. 70-9. Glass containers.**

It shall be unlawful for any person within any public park, parkway, playground or any other public place for public recreation to possess glass containers.

(Code 1967, § 17-4.1(a)(8); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

**Sec. 70-10. Litter.**

It shall be unlawful for any person within any public park, parkway, playground or any other public place for public recreation to dump, deposit or leave any litter, including but not limited to paper boxes, cans, rubbish, waste, garbage, refuse, brush, leaves, tires or any other trash.

(Code 1967, § 17-4.1(a)(9); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

Cross reference(s)—Solid waste generally, ch. 86.

**Sec. 70-11. Camping.**

It shall be unlawful for any person to camp overnight in any park, except by permit.

(Code 1967, § 17-4.1(a)(10); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

**Sec. 70-12. Fires.**

It shall be unlawful for any person to start or maintain any outdoor fire:

- (1) In the Baytown Nature Center other than a fire for vegetation control as authorized by the director of parks and recreation and the fire chief, except by permit; or
- (2) In any other park, other than a cooking fire that is started and maintained only in a stove or barbecue pit, except by permit.

(Code 1967, § 17-4.1(a)(11); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10,101, § 5, 7-14-05)

Cross reference(s)—Fire prevention and protection, ch. 38.

**Sec. 70-13. Model cars, boats and airplanes.**

- (a) It shall be unlawful for any person to operate motor-driven model cars or airplanes on or over park drives or parking areas.
- (b) It shall be unlawful for any person to operate motor-driven model cars, boats or airplanes or any other remote-controlled devices within the Baytown Nature Center.

(Code 1967, § 17-4.1(a)(12); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91; Ord. No. 10,101, § 6, 7-14-05)

**Sec. 70-14. Bicycles and skateboards on tennis courts.**

It shall be unlawful for any person to ride bicycles and skateboards on any park tennis court.

(Code 1967, § 17-4.1(a)(13); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

Cross reference(s)—Traffic and vehicles, ch. 94.

### **Sec. 70-15. Sales of merchandise.**

It shall be unlawful for any person to merchandise, advertise or post signs announcing or calling the public's attention to articles or services for sale or hire in any city park, unless done pursuant to a permit.

(Code 1967, § 17-4.1(a)(14); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

### **Sec. 70-16. Signs or decorations.**

It shall be unlawful for any person within any public park, parkway, playground or any other public place for public recreation to tack or otherwise place any sign, placard, inscription or decoration on any tree, building, equipment or facility, unless done pursuant to a permit.

(Code 1967, § 17-4.1(a)(15); Ord. No. 974, § 1, 5-7-69; Ord. No. 1142, § 1, 12-7-71; Ord. No. 5288, § 1, 6-22-89; Ord. No. 5474, § 1, 2-22-90; Ord. No. 5515, § 1, 4-26-90; Ord. No. 5576, § 1, 7-12-90; Ord. No. 5853, § 1, 5-9-91)

### **Sec. 70-17. Fishing.**

It shall be unlawful for any person to fish:

- (1) In any natural area or freshwater ponds within the Baytown Nature Center;
- (2) From the shoreline of the marina basin at Bayland Island, including the fuel docks, as shown in Exhibit "A;"
- (3) From any dock, pier, ramp or boat launch at Bayland Park that is associated with the boat ramp; and
- (4) From any dock, pier, ramp or boat launch at Roseland Park that is associated with the boat ramp.

(Ord. No. 10,101, § 8, 7-14-05; Ord. No. 12,900, § 1, 7-9-15)

Editor's note(s)—Exhibit "A" as referenced above is located at the end of this chapter.

### **Sec. 70-18. Swimming.**

It shall be unlawful for any person to swim or dive from areas:

- (1) Within the Baytown Nature Center or
- (2) Where signs are posted prohibiting the same.

(Ord. No. 10,101, § 9, 7-14-05)

### **Sec. 70-19. Boating.**

- (a) Boating, including, but not limited to canoeing and kayaking, is prohibited within the Baytown Nature Center.
- (b) It shall be unlawful for any person to launch or recover a boat from within the natural area Baytown Nature Center, except by permit.

(Ord. No. 10,101, § 10, 7-14-05)

**Sec. 70-20. Validity of permits.**

All permits referenced in this chapter shall be valid only if issued by the director of parks and recreation and then only in accordance with the terms specified in the permit.

(Ord. No. 10,101, § 7, 7-14-05)



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## Chapter 18 PARKS, ARTS AND RECREATION<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 18-1. Definitions.

For the purposes of this chapter, the following terms shall have the respective meanings ascribed to them:

*Amplified sound:* Music or speech projected or transmitted by artificial means, including, but not limited to, amplifiers, loudspeakers, or any similar devices.

*Department:* The city department of parks and recreation.

*Director:* The director of the department of parks and recreation or the director's authorized representative.

*Licensee:* The person to whom the city issues a license or sublease, their heirs, successors or assigns.

*Marina:* A basin, pier, floating structure, boat dock, or any other structure used for the storage of boats.

*Park:* Any land selected, obtained or acquired by the city for use as a public park, or recreation or playground area, and any building or facility thereon, owned and maintained by the city as a public park, or recreation or playground area, whether or not such areas have been formally dedicated to such purpose.

*Parking area:* Any designated portion of any park or any park road or drive, that is set aside for the parking of vehicles.

*Permit:* Written permission from the park director to carry out a give activity in a park.

*Project:* The area commonly known as Joe Pool Lake Recreation Project a.k.a. Lake Parks and in which the city has a property or regulatory interest for any purpose including, but not limited to, Lynn Creek Park, Loyd Park, Estes Park, Britton Park, Pleasant Valley Park and Low Branch Park.

*Project lands:* Any land in which the city has a property or regulatory interest pursuant to the novation between the city, TRA and USACOE and all amendments and supplemental agreements thereto.

*Pollution:* The contamination or other alteration of the physical, chemical, or biological properties of park waters and lands, including changes in the temperature, taste, color turbidity, or odor of the water, or such discharge of any liquid, gas, solid, radioactive or other substance into park waters or lands harmful, detrimental, or

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<sup>1</sup>Editor's note(s)—Ord. No. 6586, § 1, adopted March 5, 2002 amended Ch. 18 to read as herein set out. Formerly, said chapter pertained to similar subject matter and derived from Code 1964; as amended. See the Code Comparative Table for a detailed analysis of inclusion. Ch. 18 was further amended by Ord. No. 10868-2020, in which the title was amended from "Parks and Recreation" to "Parks, Arts and Recreation," as herein set out.

Charter reference(s)—Jurisdiction and control, Art. III, §§ 4, 10, 11, 20.

Cross reference(s)—Division of parks and recreation, § 2-83; perennial landscaping in public right-of-way by neighborhood organizations, § 9-8; discharge of firearm in park, § 17-50; motorcycle driving in parks, § 25-71.



injurious to the public health, safety, or welfare, or to domestic, recreational, or other beneficial uses, or to wild animals, birds, fish or other aquatic life.

*Reservoir:* The body of water impounded by Joe Pool Dam which will occupy lands below and up to elevation five hundred twenty-two (522) feet mean sea level, and the project lands there above which will from time to time be inundated by floods, including any alteration of shoreline which expands the surface thereof.

*Vehicle:* Includes any wheeled device of conveyance propelled by motor, engine or human power. The term shall include any trailer of any kind, size, or description. Exception is made for vehicles in the service of the city.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-2. Park board—Created.**

There is hereby created a park board for the city which shall consist of nine (9) members who shall serve as an advisory board which shall make recommendations to the city council related to the management and maintenance of parks, facilities, parkways, lakes, waterways and municipal squares and make general recommendations for the beautification of municipal grounds; it shall also make recommendations concerning the institution of condemnation proceedings whenever it deems that private property should be acquired for park property.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-3. Same—Term of office.**

Each member of the park board shall serve for two (2) years, except for three (3) of the initial members appointed whose terms shall be for one (1) year, and whose replacements shall be for two (2) years.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-4. Same—Meetings.**

The park board shall meet monthly when necessary and at such other times as needed. Five (5) members of the board shall constitute a quorum. At its first meeting in September of each year, the board shall select from among its members a chairperson.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-5. Park hours.**

- (a) All public parks located within and/or leased outside the city limits by the city and which are owned and/or managed by the city shall be open to the public only during the posted park hours. If no park hours are posted, the park shall be open from 6:00 a.m. to midnight.
- (b) It is an offense for any person or persons to remain or be found in any park or facility outside of the designated hours which said park or facility is open to the public.
- (c) This section shall not apply to the following parks and recreation sponsored/sanctioned functions:
  - (1) Park closing times do not apply to parks and recreation sanctioned athletic events, leagues or tournaments.
  - (2) Any activity properly permitted through the office of the director.

(3) Permitted camping at Loyd Park.

(Ord. No. 6586, § 1, 3-5-02; Ord. No. 10868-2020 , § 1, 8-4-20)

Editor's note(s)—Formerly entitled "Curfew," which was amended by Ord. No. 10868-2020 .

### **Sec. 18-6. Joe Pool Lake recreation project.**

- (a) All terms and provisions of the Texas Water Safety Act shall be applicable to the reservoir and, where appropriate, to project lands.
- (b) All rules and regulations promulgated by the Texas Parks and Wildlife Department pursuant to the Texas Water Safety Act shall likewise be applicable to the reservoir, and, where appropriate, to project lands.
- (c) All appropriate rules and regulations of the U.S. Army Corps of Engineers including Title 35, Code of Federal Regulations Chapter 111, Part 327, and any amendments or revisions thereto, shall be applicable to project lands.
- (d) Children below the age of thirteen (13) years will be admitted to the project lands and patrons of the reservoir regulated by the city only if accompanied by a parent, legal guardian, or person of age eighteen (18) years in a designated role of responsible care. Overnight camping by anyone under eighteen (18) years of age may not occur unless the individual is accompanied by parent, legal guardian or as part of an approved, permitted group.
- (e) No person shall modify the natural conditions of topography and terrain of project lands, as such conditions existed when said project lands were acquired by the city by excavating, filling, dredging or any other means unless the city has issued a license authorizing such modification.
- (f) No person shall bring or allow horses, cattle or other livestock on project lands or that portion of the reservoir regulated by the city except in areas designated by the director.
- (g) Ranging, grazing, watering or allowing livestock on project lands is prohibited except when authorized by lease, license or other written agreement from the director.
- (h) The city shall have the right to revoke, to suspend, or to refuse to reissue the license of any licensee upon violation or rules, contract terms, regulations, standards or ordinances of the city, United States, State of Texas or other local government entity.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-7. Vehicle and traffic laws.**

All applicable state and local vehicle and traffic laws and ordinances shall be in full force and effect in all parks.

(Ord. No. 6586, § 1, 3-5-02)

Cross reference(s)—Operation of trucks in parks, § 25-171.

### **Sec. 18-8. Direction of traffic.**

All law enforcement officers shall have the authority to limit traffic whenever needed in a park in accordance with the provisions of this chapter or any other applicable laws and ordinances, in order to control pedestrian and vehicular movement and park capacity.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-9. Special provisions applicable to motorcycles, motor scooters and minibikes.**

The director may, in such officer's reasonable discretion, through park rules and regulations, set aside or designate areas, paths, trails or roads in a park where operating motorcycles, motor scooters, and minibikes shall be allowed. Only such vehicles shall be operated in such designated areas.

(Ord. No. 6586, § 1, 3-5-02)

Cross reference(s)—Operation of motorcycles in parks, § 25-71.

### **Sec. 18-10. Operating or parking vehicles.**

- (a) No person shall operate or park a vehicle over, through or on any park ground except along or upon park roadways and designated parking areas as set forth in park rules and regulations.
- (b) No person shall operate a vehicle on project lands between the hours of 10:00 p.m. and 6:00 a.m. except for emergency purposes or in conjunction with special activities permitted by the director.
- (c) No person shall park or place an inoperable motor vehicle, or allow an inoperable motor vehicle to remain on project lands for a period of more than twenty-four (24) continuous hours.
- (d) The director may prohibit parking in park facilities at times when the park is closed.
- (e) The director may designate parking areas located in or near parks, recreation centers, or other properties operated or managed by the parks, arts, and recreation department as being restricted for the use of said facility's patrons.
- (f) Vehicular towing from property operated or managed by the parks, arts, and recreation department may be conducted in accordance with state law.

(Ord. No. 6586, § 1, 3-5-02; Ord. No. 10868-2020 , § 1, 8-4-20)

### **Sec. 18-11. Buildings and other property.**

No person, in any city park, shall do or cause to be done any of the following without first obtaining a permit from the director:

- (1) Mark, deface, injure, displace, remove or tamper with any park property or any park grounds.
- (2) Construct or erect any building or structure of any kind, whether permanently or temporarily.
- (3) Store or stockpile any equipment, material or product on park property, within any structure or compound located in a park.
- (4) Cut or gather trees or parts of trees shall not be removed from any park without written approval of the director.
- (5) Construct, place, or operate any pier, bulkhead, wharf, boathouse, dock, barge, building, boatship, boat stall, fixture or other structure or facility of any kind or character upon, in or over the project lands or the portion of the reservoir shall be regulated by the city unless a lease has been issued by the city.
- (6) The construction, placement or existence of any structure (including, but not limited to, roads, trails, signs or landscape features) of any kind under, upon, in or over the project lands or that portion of the

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reservoir regulated by the city is prohibited unless a permit or other appropriate written agreement has been issued by the director.

- (7) Subsections (4) and (5) shall not apply to bulkheads, rip rap or soil conservation measures, or other facilities constructed by or on behalf of the city or USACOE.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-12. Protection of wild animals.**

- (a) No person, in any city park, shall do or cause to be done any of the following without first obtaining a permit from the director: Capture, attempt to capture, hunt, molest, injure, trap or administer or set out any trap or harmful substance for any wild or domestic animal, reptile, bird or fish; or remove or have in possession the young, eggs, or nest of any animal, reptile, or bird, except as set out in subsections (b) and (c).
- (b) Any person may kill on sight a reptile known to be deadly or poisonous.
- (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.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-13. Sanitation.**

- (a) No person in any city park shall:
- (1) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park, any substance, matter of thing, liquid or solid, which will or may result in the pollution of said waters.
  - (2) Dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waster, garbage or refuse, or other trash.
  - (3) Spill, pump or otherwise discharge contaminants, pollutants or other wastes, including, but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products.
- (b) The owners and/or operators of all commercial ventures and operations, including but not limited to licensed marinas shall provide on-site facilities satisfactory to the city for the collection of all trash, rubbish and all other forms of waste.

(Ord. No. 6586, § 1, 3-5-02)

### **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 designated 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.

(Ord. No. 6586, § 1, 3-5-02)

**Sec. 18-15. Boating.**

- (a) No person shall bring into or operate any vessel upon any park waters, except at places designated for boating activities.
- (b) The use of waters considered to be state waters that lay within or adjacent to city parks shall be subject to the Texas Water Safety Act, V.T.C.A., Parks and Wildlife Code §§ 31.001—31.142.
- (c) No person shall leave any private vessel unattended on project lands or in the portion of the reservoir regulated by the city unless such vessel is securely moored or anchored and suitably flagged and lighted so as not to create a hazard, except in the case of an emergency.
- (d) No person shall anchor, moor or dock any vessel for a period exceeding twenty-four (24) hours anywhere on the project lands or in the portion of the reservoir regulated by the city except in a licensed marina or a facility which is currently licensed by the city.
- (e) Subsections (c) and (d) means all vessels other than vessels owned or operated by an agency or political subdivision of the State of Texas or an agency of the United States Government and engaged in the performance of its official duty.

(Ord. No. 6586, § 1, 3-5-02)

**Sec. 18-16. Camping.**

- (a) No person shall camp overnight in a park except in designated areas and without first obtaining a camping permit from the director or his designee.
- (b) Campers, picnickers and all other persons shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean their sites upon departure.
- (c) No person shall camp at one or more campsites for a period longer than fourteen (14) days during any thirty (30) consecutive day period without written permission from the director.
- (d) No person shall place camping equipment or other items on a campsite, nor physically occupy a campsite without overnight occupancy following the payment of appropriate fees. Likewise no person shall place another person, equipment, or other items at a campsite for the purpose of reserving a campsite for future occupancy.
- (e) No person shall alter any campsite, dig or level any ground, nor construct any structure on a campsite without written permission from the director.

(Ord. No. 6586, § 1, 3-5-02)

**Sec. 18-17. Fires.**

No person in any park shall:

- (1) Start or maintain any outdoor fire except for cooking fires which shall be started and maintained only in a stove, fireplace, barbecue pit, fire ring or in a portable camp stove.
- (2) Leave any fire started or maintained by such person unattended without first completely extinguishing the fire.
- (3) Gather firewood for use on or removal from any park.

- (4) Burn any material that produces toxic fumes, including but not limited to, tires, plastic or treated wood products.
- (5) Carry onto or store gasoline and other fuels, except that which is contained in storage trucks of vehicles, vessels, camping equipment, or hand portable containers designed for such purpose.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-18. Animals.**

- (a) It is an offense for any person to:
  - (1) Ride a horse or other animal in any park areas, paths, or trails not designated for such use by park rules and regulations.
  - (2) Permit a horse to use any park areas, paths, or trails when said horse has not successfully passed a Coggins test.
  - (3) Permit any dog or other pet owned or possessed by such person to be unrestrained or (run at large) in a park other than a designated pet park.
  - (4) Abandon or otherwise leave any animal in a park.
  - (5) Allow or permit any animal, other than a specially trained service/comfort animal in or on a swimming area, sanitary facility, playground, the playing fields and spectator area of athletic fields, or other area designated by signage as being closed to animals, whether on leash or not.
  - (6) Fail to properly remove and dispose of waste produced by the animals or pets brought or allowed into a park or other public area by said person.
- (b) Any animal ridden shall be properly restrained and ridden with due care and shall not be allowed to go unattended.

(Ord. No. 6586, § 1, 3-5-02; Ord. No. 10868-2020, § 1, 8-4-20)

### **Sec. 18-19. Games.**

No person in any park shall operate a motor-driven model airplane, shoot a bow and arrow, fire any type of firearms, or hit golf balls except in an area designated for that purpose by the director.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-20. Alcoholic beverages prohibited.**

- (a) No person shall sell alcoholic beverages in any public park, except when specifically permitted by the director. Said exception shall be limited to areas commonly used for adult athletic activities and events and special events.
  - (1) All such permitted sales shall be performed by approved concessionaires.
  - (2) All events selling alcoholic beverages shall also be required to obtain all appropriate city permits and licenses.
  - (3) All events at which alcoholic beverage sales are permitted shall be required to provide on-site law enforcement personnel during the hours of the event.

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- (b) No person shall bring into, consume or possess alcoholic beverages in any public park, except in designated pavilions, picnic areas, special event areas, adult athletic facilities and campgrounds as permitted by the director.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-21. Merchandising, advertising and signs.**

No person in any park shall:

- (1) Expose or offer for sale or hire any article, thing or service, nor station or place any stand, cart, or vehicle for the transportation, sale or display of any article, thing or service, unless a permit has been obtained from the director.
- (2) Announce, advertise or call the public's attention in any way to any article, thing or service for sale or hire, unless done pursuant to a permit obtained from the director.
- (3) Paste, glue tack or otherwise place any sign, placard, advertisement or inscription on park property, or erect or cause to be erected any sign on any public lands, highways, or roads adjacent to a park, unless done pursuant to a permit obtained from the director.
- (4) Provide and/or sell any food or drink based product to the public for free or at a fee without provider and dispenser obtaining a permit from the director and having obtained all applicable health code licenses and permits.
- (5) Construct, operate, or otherwise engage in any retail or wholesale sales or commercial operation including but not limited to marinas, piers, wharves, boathouses, docks or other installations of any kind, on project lands or that portion of the reservoir regulated by the city unless the city has granted a license and sublease for such operation.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-22. Interference with users or permittees.**

- (a) No person shall prevent, disturb or unreasonably interfere with any other persons occupying any area or participating in any lawful activity permitted within any park.
- (b) No person shall operate or use any audio or other noise producing device including, but not limited to, radios, televisions or musical instruments and motorized equipment in such a manner as to unreasonably annoy or endanger persons at any time or exceed state and local laws governing noise levels from motorized equipment.
- (c) No person shall disrobe in public or display public nudity in any city park.
- (d) No person shall use or operate rollerblades, skates, bicycles, scooters or skateboards in a public park unless such use is in an area designated for that use.
- (e) No person shall use or operate rollerblades, skates, bicycles, scooters or skateboards in and around concession areas, spectator seating, parking lots and adjacent walkways during athletic events, concerts or special events.
- (f) In addition to smoking prohibitions in Grand Prairie Code of Ordinances section 13-133 (Smoking prohibited in city facilities and grounds), no person shall make any use of any tobacco product within fifty (50) feet of the boundaries of youth athletic fields or concessions facilities located at youth athletic facilities.

(Ord. No. 6586, § 1, 3-5-02; Ord. No. 10868-2020 , § 1, 8-4-20)

### **Sec. 18-23. Permits for certain events required.**

In addition to any other provision of this chapter that requires the obtaining of a permit prior to engaging in a given activity, no person in any park shall conduct, operate, present, manage or take part in any of the following activities unless a permit is obtained from the director prior to the start of the activity:

- (1) Any organized sporting event using park ballgame facilities which are designated for permit use only;
- (2) Any exhibit, dramatic performance, play, motion picture, radio or television broadcast, fair, circus, carnival, musical event or any similar event;
- (3) Any public meeting, assembly, parade, ceremony, address, speech, political meeting or other gathering composed of one hundred (100) or more persons;
- (4) Any use of any park facility by a group of persons to the exclusion of others;
- (5) Any use involving amplified sound;
- (6) Any use involving firearms or guns as defined in section 18-29; or
- (7) Any use of parks and recreation facilities in violation of park curfew as defined in section 18-5.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-24. Permit application procedure.**

- (a) A person seeking the issuance of a permit to carry on an activity in a park shall file an application with the director. The application shall state:
  - (1) The name, address and telephone number of the person and organization and its officers applying for the permit;
  - (2) If the use or activity is to be conducted for, on behalf of, or by any person other than the applicant, the name, address and telephone number of that person;
  - (3) The exact nature of the use or activity for which the permit is being sought;
  - (4) The day and hours for which the permit is desired;
  - (5) The park and the portion of the park desired to be used to carry out the proposed use or activity;
  - (6) An estimate of the anticipated attendance;
  - (7) Any other information that the director finds to be reasonably necessary in order to determine whether to issue a permit.
- (b) Applications shall be filed with the director for consideration not less than thirty (30) days or more than three hundred sixty-five (365) days before the date of the proposed use or activity. Emergency hearings may be conducted at the director's discretion.
- (c) The director shall evaluate the application and render a decision in accordance with section 18-25.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-25. Standards for issuance of permit; procedures.**

- (a) A permit for an activity in or use of a park shall be issued unless it is found:



- (1) That the proposed activity or use of the park will unreasonably interfere with or detract from the general public use and enjoyment of the park; or
  - (2) That the proposed activity or use of the park will unreasonably interfere with or detract from the public health, safety or welfare; or
  - (3) That the conduct of the proposed activity or use is reasonably likely to result in or create a clear and present danger of violence by the applicant or by others to persons or property resulting in serious harm to the public;
  - (4) That the facilities desired have been reserved for another activity or use at the day and hour requested in the application;
  - (5) That false or misleading information is contained in the application or required information is omitted; or
  - (6) That the event would violate any federal, state or municipal law.
- (b) The director may impose reasonable conditions or restrictions on the granting of a permit, including, but not limited to, any of the following:
- (1) Restrictions on fires, fireworks, amplified sound, use of alcoholic beverages, dancing, sports, use of animals, equipment or vehicles, the number of persons to be present, the location of any bandstand or stage, or any other use which appears likely to create a risk of unreasonable harm to the use and enjoyment of the park property;
  - (2) A requirement that the applicant post a reasonable deposit of security for the repair of any damage to park property, or the cost of cleanup or both;
  - (3) A requirement that the applicant pay a reasonable fee to defray the cost of furnishing adequate security forces by the city at the proposed use or activity;
  - (4) A requirement that the permittee furnish additional sanitary and refuse facilities that might be reasonably necessary, based on the use or activity for which the permit is being sought.
  - (5) A requirement that the permittee also apply for and obtain a city special event permit.
- (c) Permits shall not be transferable without the written consent of the director.
- (d) Within four (4) days after submission of an application, the director shall apprise an applicant in writing of such director's approval or reasons for refusing a permit or of any conditions attached to the issuance of a permit, and any aggrieved person shall have the right to appeal in writing within six (6) days to the city manager, who shall consider the application, under the standards set forth in subsection (a) of this section or other reasons deemed by the city manager to be detrimental to the use of the public parks and sustain or overrule the director's decision.
- (e) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in such person's permit.
- (f) The person to whom a permit is issued shall be liable for any loss, damage or injury to any person or property whatever by reason of the negligence of the person to whom such permit was issued.
- (g) The director or his designee shall have the authority to revoke a permit upon a finding of violation of any rule, ordinance, state or federal law, or upon the violation of any condition or restriction under which the permit was issued.
- (h) The director or his designee shall have the authority to reject a permit for a special event if the director has determined that the infrastructure of the park would not support the event.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-26. Posting and exhibiting permits.**

Permits required by this chapter shall be posted in the area where the activity is conducted or produced and exhibited upon the demand of any law enforcement officer or authorized park employee.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-27. Closed areas.**

Any section or part of any park may be declared closed to the public by the director or a law enforcement officer at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the director or law enforcement officer shall find reasonably necessary.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-28. Fees for use of public buildings, swimming pools and park facilities.**

- (a) Fees shall be set in accordance with policies as approved by the city council.
- (b) Any person or persons occupying park space or using such facilities where that occupancy or use requires a fee but where said fee has not been paid shall be considered to be trespassing.

(Ord. No. 6586, § 1, 3-5-02)

#### **Sec. 18-28.1. Reserved.**

Editor's note(s)—Section 4 of Ord. No. 5632, adopted Aug. 20, 1996, repealed § 18-28.1 in its entirety. Formerly, § 18-28.1 pertained to fees for rental of barbecue pits and derived from Ord. No. 4415, § 1, adopted Sept. 20, 1988.

#### **Sec. 18-28.2. Fees for tournaments.**

There is hereby established a fee of ten dollars (\$10.00) for each team which participates in any tournament in which the city is either directly or indirectly connected; provided, however, that this section shall not alter or affect any of the fees which the city charges for participation in any organized athletic events as of August 1, 1988.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-29. Firearms and explosives.**

- (a) Unless authorized by permit pursuant to section 18-23, no person other than a peace officer shall possess, exhibit or display a firearm in or [a] recreation facility or park building in any park in the city. For the purpose of this section, the word "firearm" shall mean any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion, burning substance, compressed air, compressed gas, spring device, or any device readily convertible to that use.
- (b) No person shall discharge a rifle, sidearm, shotgun or any other hunting device within, across or on any park.

- (c) It shall be unlawful for any person to possess, discharge, fire, ignite or explode any explosive of any nature, including but not limited to, firecrackers, all types of fireworks and dynamite upon, across, into or on to any city park without prior written approval from the director.

(Ord. No. 6586, § 1, 3-5-02)

### **Sec. 18-29.1. Naming parklands, park roads, major improvements and facilities.**

- (a) A committee, appointed by the park board chairman, shall be responsible for research, study and recommendation to the board for proposed names. A resume stating the reason for the recommendation of a name shall be submitted in writing. The park board shall approve or disapprove of the name recommended by the committee. If the committee's recommendation is disapproved by the park board, the matter may be referred back to the committee for further action. Upon approval, the recommended name will be forwarded to the city council for consideration.
- (b) The park board's recommendation for naming parklands, park roads, major improvements and facilities shall be submitted to the city council within sixty (60) days after acquisition, construction completion or at the earliest possible time.
- (c) The naming of parklands and facilities shall permit ready identification and/or geographical association by the public. The following guidelines shall be considered:
- (1) Outstanding and/or predominate physical characteristics of the land.
  - (2) Contribution, fifty (50) per cent or better, of land and/or money by individuals or organizations.
  - (3) Outstanding community leaders, living or deceased.
  - (4) National, state or local historical leaders; heroes, both past and present.
  - (5) Predominate plant materials.
  - (6) Streams, rivers, lakes and creeks.
  - (7) Outstanding environmentalists and parks and recreation notables.
  - (8) No park site shall be given the same name as an existing school site or public facility except where sites abut one another.
  - (9) Subdivision names where parklands are adjacent to or lie within the subdivision.

Note: Proposed names of individuals shall be confidential insofar as the individual and/or family is concerned until city council action has been taken.

(Ord. No. 6586, § 1, 3-5-02)

## ***ARTICLE II. CITY-OWNED GOLF COURSES***

### **Sec. 18-30. Illegal acts.**

It shall be unlawful for any person in the city to:

- (1) Consume or possess any alcoholic beverage on the city-owned golf courses, except as authorized and permitted by ordinances and regulations of the city.

- (2) Enter upon the premises of the municipal golf courses, except at such times as the course is open and operating for play by the public.
- (3) Use any of the facilities of the golf courses without having first paid the fees for the use of such facilities as hereinafter set out.
- (4) Attend or be in attendance at or on the municipal golf courses without having on one's person a shirt or blouse, and trousers or pants not shorter than Bermuda or walking shorts.

(Ord. No. 6586, § 1, 3-5-02)

#### **Sec. 18-31. Fees.**

Fees for play and use of golf equipment and other concessions at the city-owned golf courses shall be set in accordance with policies approved by the city council.

(Ord. No. 6586, § 1, 3-5-02)

#### **Secs. 18-32—18-39. Reserved.**

### **ARTICLE III. CITY-OWNED CEMETERIES**

#### **Sec. 18-40. City manager duties.**

The Municipal Cemetery of the City of Grand Prairie shall be reserved for the burial of human remains and the city manager or his designee shall have the authority to promulgate rules and regulations for its use, set fee schedules for services, determine prices for the sale of burial rights, and control the use of the facility.

(Ord. No. 7017, § 1, 4-20-04)

#### **Sec. 18-41. Burial in accord with laws of the State of Texas.**

No person shall purchase or allow any cemetery lot or niche to be used for any purpose other than the burial of human remains in accordance with the laws of the State of Texas.

(Ord. No. 7017, § 1, 4-20-04)

#### **Sec. 18-42. Hours of visitation.**

No person, other than employees of the cemetery, shall visit or remain within the cemetery grounds except between the hours 8:00 a.m. to 8:00 p.m., Monday through Saturday from April 1 through October 31 and 9:00 a.m. to 8:00 p.m. on Sundays and holidays from April 1 through October 31. No person, other than employees of the cemetery, shall visit or remain within the cemetery grounds except between the hours 8:00 a.m. to 4:30 p.m., Monday through Saturday from November 1 through March 31 and 9:00 a.m. to 4:30 p.m. on Sundays and holidays from November 1 through March 31.

(Ord. No. 7017, § 1, 4-20-04)

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**Sec. 18-43. Parking and/or driving in gardens; speed limit.**

No person shall use the cemetery land as a thoroughfare and the right to use automobiles or other vehicles in the cemetery is authorized solely and exclusively for the purpose of transporting persons to visit burial plots. The speed limit within the cemetery is fifteen (15) miles per hour. Parking and/or driving on any gardens or grassy areas are prohibited for purposes other than those obtained from the cemetery.

(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-44. Prohibited vehicles; animals.**

No person shall use bicycles, skates, snowmobiles, motorcycles, horses, or other vehicles or conveyances within the cemetery, except with the approval of the cemetery. Dogs are not permitted except when kept on a leash or in a vehicle.

(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-45. Possession of drugs or alcohol in cemetery.**

No person shall possess alcoholic beverages or illegal drugs in the cemetery.

(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-46. Right of cemetery to enter upon lot.**

The cemetery shall have the right to enter upon or use any adjoining lot or lots to carry out its duties as to interments, erection of monuments or markers, etc., without prior notice to the lot owner.

(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-47. Advertisements prohibited.**

No person shall cause a sign, notice or advertisement of any kind to be placed or brought in the cemetery unless placed by the cemetery.

(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-48. Solicitation prohibited.**

No person shall peddle, sell, or solicit the sale of any goods or service within the cemetery, except with the written consent of the cemetery management.

(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-49. Decorative objects prohibited.**

No person shall cause decorative objects or photos to be affixed to the crypt fronts by tape or other means. No toys, glass containers, ceramic containers or like objects shall be permitted in the mausoleum. All such unauthorized items will be removed by the cemetery without notice.

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(Ord. No. 7017, § 1, 4-20-04)

**Sec. 18-50. Glass containers; open flames; prohibited.**

No person shall possess or cause to be place within the cemetery a glass container or decorative object or devotional light or any open flame device.

(Ord. No. 7017, § 1, 4-20-04)

**Secs. 18-51—18-75. Reserved.**

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## **ARTICLE III. PARK REGULATIONS**

### **DIVISION 1. GENERALLY**

#### **Sec. 25-76. Hours of operation for city parks and park facilities.**

- (a) The hours of operation for city parks shall be 5:00 a.m. until 12:00 midnight unless otherwise modified in the park use permit.
- (b) Hours for the public restrooms at any city park or city facility will be set by the parks and recreation manager. Persons, groups or organizations receiving a park use permit may request extended hours for access to the restrooms, as long as the request was first put in the application.

(Ord. No. 2010-014, § 7-3, 12-13-2010)

#### **Sec. 25-77. Excessive, disruptive noise.**

All events which will include loudspeaker, live music, or amplification equipment/devices of any kind shall not disrupt normal city business/operations, neighboring residential properties or park attendees. The city reserves the right to require that disruptive music be turned down or shut off.

(Ord. No. 2010-014, § 7-4, 12-13-2010)

#### **Sec. 25-78. Alcoholic beverages prohibited.**

It shall be unlawful for any person to possess or consume alcoholic beverages in city parks.

(Ord. No. 2010-014, § 7-5, 12-13-2010)

#### **Sec. 25-79. Use of tobacco products.**

Smoking and the use of tobacco products at any city park shall be prohibited at all times except in designated areas only.

(Ord. No. 2010-014, § 7-6, 12-13-2010)

#### **Sec. 25-80. Fishing.**

- (a) Fishing shall take place in designated areas and be conducted by rod and reel only.
- (b) A proper fishing license is required.
- (c) All fishing shall be catch and release except at designated special events established by the parks and recreation manager.
- (d) It shall be unlawful to place trot lines, throw lines, or jug lines in any area designated for fishing.

(e) Cleaning of fish must be done off site when associated with an event that permits keeping fish.

(Ord. No. 2010-014, § 7-7, 12-13-2010)

### **Sec. 25-81. Boating.**

Only nonmotorized boating to include kayaks, canoes, or inflatable boats shall be permitted and in designated areas only. All boats must be launched without the aid of a trailer. Boating may not interfere with normal park operations or special events. It shall be unlawful for any person to refuse to cease boating after being advised to do so by a city employee. Boating will only be permitted between daylight hours from sunrise to sunset.

(Ord. No. 2010-014, § 7-8, 12-13-2010)

### **Sec. 25-82. Prohibiting disruptive conduct.**

- (a) It shall be unlawful for any person to interfere with, disrupt or prevent the orderly conduct of persons utilizing the park facilities.
- (b) It shall be unlawful for any person to refuse to leave the park area after being advised by a city police officer or employee that his conduct is disruptive to others and being directed by such city officer or employee to leave the park area.
- (c) It shall be unlawful to conduct meetings or events which are detrimental to public health, safety and welfare or which create a nuisance within the parks. Examples of these activities are events which incite violence, riots, damage to persons or property and otherwise disturb the peace.

(Ord. No. 2010-014, § 7-10, 12-13-2010)

### **Sec. 25-83. Sports equipment lost.**

Any recreational items misplaced on city park grounds will become the property of the city after one week if not claimed at the utility billing office. The utility billing office is located at City Hall, 11607 Eagle Dr., Mont Belvieu, TX 77580.

(Ord. No. 2010-014, § 7-11, 12-13-2010)

### **Sec. 25-84. Picnic areas and use.**

- (a) The parks and recreation manager shall have the authority to regulate the activities in picnic areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- (b) No person in a park or playground shall use any portion of the picnic areas or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons without a permit.
- (c) No person shall relocate the picnic tables or benches from shelters or pavilions to accommodate any purpose at any time.

(Ord. No. 2010-014, § 7-13, 12-13-2010)



**Sec. 25-85. Skateboard park.**

- (a) No person under the age of five years may use the skateboard park.
- (b) All participants use the facility at their own risk.
- (c) All participants shall wear protective equipment, which shall include a helmet, elbow and kneepads and appropriate footwear. All protective gear and equipment should be in good condition.
- (d) No alcohol or tobacco products are permitted at the skateboard park.
- (e) No food or drink is allowed in the skate park.
- (f) No swearing or foul language shall be permitted.
- (g) The number of persons allowed in the skateboard park at any one time may be limited for safety reasons.
- (h) No person shall cause damage to city property, personnel or equipment or to the property or equipment of other skateboard participants.
- (i) No person shall operate any motor vehicle, including motorcycles, motor bikes, or go carts, or any motorized device with wheels, such as a motorized skateboard, within the skateboard park.
- (j) Failure to obey the rules set forth in subsections (a) through (i) of this section may result in:
  - (1) A verbal warning.
  - (2) Expulsion from the skateboard park for a period of time not less than six months.
  - (3) Filing of charges in municipal court.

(Ord. No. 2010-014, § 7-17, 12-13-2010)

State law reference(s)—V.T.C.A., Civil Practice and Remedies Code § 75.001 et seq.

**Sec. 25-86. City-sponsored special events.**

This article shall not be construed to limit the city-sponsored events as determined by the parks and recreation manager.

(Ord. No. 2010-014, § 7-14, 12-13-2010)

**Sec. 25-87. Violators required to leave park.**

If any person violates or fails to comply with any provision of this article, after having been advised by an authorized enforcement agent of the city to cease such violation or failure, the city may require that person to leave any public park or public recreation area.

(Ord. No. 2010-014, § 7-12, 12-13-2010)

**Sec. 25-88. Culpable mental state.**

A culpable mental state is not required for the commission of an offense under this article.

(Ord. No. 2010-014, § 7-2, 12-13-2010)

**Secs. 25-89—25-110. Reserved.**

## *DIVISION 2. PROHIBITED ACTIVITIES*

### **Sec. 25-111. Defacing, altering buildings and other property.**

It shall be unlawful to mark, deface, disfigure, injure, tamper with or displace or remove any building, bridge, table, bench, fireplace, railing, paving or paving material, water line or other public utility or part or appurtenance thereof, sign, notice or placard, whether temporary or permanent, monument, stake, post or other boundary marker, or other structure or equipment, facility or park property or appurtenance whatsoever, either real or personal.

(Ord. No. 2010-014, § 7-9(1), 12-13-2010)

### **Sec. 25-112. Littering restrooms, obstructing washroom facilities.**

It shall be unlawful to litter a restroom or washroom or do anything to stop up commodes or lavatories, or deface walls of restrooms or washrooms.

(Ord. No. 2010-014, § 7-9(2), 12-13-2010)

### **Sec. 25-113. Animals in parks.**

- (a) It shall be unlawful for any person exercising ownership, care, custody, or control of a pet or animal to allow such pet or animal, which animal has not been licensed as required by law, upon any public property, playground, or park area located within the city. Animal control ordinances apply within the confines of all city parks. Pets and/or animals are not permitted within the playscape areas, or any play areas that are designed for children. It shall also be unlawful for any person exercising ownership, care, custody or control of a pet or animal to allow such animal to deposit feces on any city property, unless such person removes the feces once deposited. Anyone exercising ownership, care, custody or control of an animal must carry feces removal supplies while in any city park.
- (b) It shall be unlawful to bring any dangerous animal, as defined in the animal control ordinances, into any park or playground.
- (c) It shall be unlawful for any person to ride any horse or other animal or animal-drawn vehicle over or through any park, except in areas or on paths or trails so designated.
- (d) This division is not applicable to service animals.

(Ord. No. 2010-014, § 7-9(3), 12-13-2010)

### **Sec. 25-114. Bicycles, skateboards, rollerskates and all other modes of transportation, motorized and nonmotorized.**

It shall be unlawful for any person to operate a bicycle, skateboard, rollerskates or any other mode of transportation, motorized or nonmotorized, in any city park upon any surface other than a vehicular road or path designed for that purpose. It shall also be unlawful to operate any mode of transportation described in this chapter with any wheels or tires off the surfaces. Bicyclists and skaters shall, at all times in any city park, operate their

machines with reasonable regard for the safety of others, signal all turns, pass to the right of any vehicle they are overtaking and pass to the right of any vehicle they may be meeting. A bicyclist shall be permitted to wheel or push a bicycle by and over any grass area or wooded trail or in any pathway reserved for pedestrian use. If an operator's license is required to operate the vehicle on public streets, it shall be required to have the same license to operate the vehicle on park roads. All wheeled modes of transportation must keep all wheels on park roads or specifically designed and marked paths for that purpose.

(Ord. No. 2010-014, § 7-9(4), 12-13-2010)

### **Sec. 25-115. Camping.**

It shall be unlawful for any person to camp in any city park or playground, or set up any RV, tent, shack, or other shelter, or lay out any bedroll or other sleeping equipment. A special permit may be granted by the parks and recreation manager for camping.

(Ord. No. 2010-014, § 7-9(5), 12-13-2010)

### **Sec. 25-116. Fires.**

It shall be unlawful for any person to build or attempt to build a fire except in BBQ grills installed by the city specially designed for outdoor use. All coals from BBQ grills must be cooled with water before being disposed of in trash receptacles. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes, cigars, tobacco paper or other flammable materials within any city park.

(Ord. No. 2010-014, § 7-9(6), 12-13-2010)

### **Sec. 25-117. Hunting and trapping.**

It shall be unlawful in any city park for any person to hunt, trap or pursue wildlife at any time. No person shall use, carry or possess any kind of trapping device in any city park. Animal control officers and their designees shall be excluded from this section when in the performance of their duties.

(Ord. No. 2010-014, § 7-9(7), 12-13-2010)

### **Sec. 25-118. Depositing, discarding waste in city parks or facilities, or adjacent bodies of water.**

- (a) It shall be unlawful in any city park or city facility for any person to place or deposit any garbage, trash, discarded vegetation of any kind, or any other refuse except in receptacles designated for such purpose by the city. It shall be unlawful to place or deposit any garbage, trash, discarded vegetation of any kind or any other refuse in any city park except that which was generated within the city park grounds. City trash receptacles shall never be used to discard trash, garbage, vegetation or other refuse which is brought to the park for the purpose of disposal.
- (b) It shall be unlawful in any city park or city facility to fail to deposit any rubbish, refuse, garbage, or other material in receptacles provided in any public park or recreation area; where receptacles are not provided, persons shall carry rubbish or waste away from the park, and properly dispose of it elsewhere.
- (c) It shall be unlawful to throw, discharge, or otherwise place, or cause to be placed, in the waters of any swimming pool, fountain, or body of water in or adjacent to any public park or recreation area any substance, matter or thing, liquid or solid, which will or may result in the pollution of the water.

(Supp. No. 9)

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(Ord. No. 2010-014, § 7-9(8), 12-13-2010)

### **Sec. 25-119. Golfing.**

It shall be unlawful to participate in any golfing activity within city parks including hitting and/or discarding golf balls.

(Ord. No. 2010-014, § 7-9(9), 12-13-2010)

### **Sec. 25-120. Glass containers.**

It shall be unlawful for any person to bring any glass beverage container into any city park within the city, or to possess any glass beverage container in any such park.

(Ord. No. 2010-014, § 7-9(10), 12-13-2010)

### **Sec. 25-121. Signs and advertisements.**

It shall be unlawful for any person to paste, glue, tack or otherwise post any signs, placard, advertisement or inscription whatsoever nor shall any person erect or cause to be erected any sign whatsoever on any public land or highway or roads adjacent to any park or within any park without permission from the parks and recreation manager. This provision shall not apply to traffic control devices and/or signs authorized by the city council.

(Ord. No. 2010-014, § 7-9(11), 12-13-2010)

### **Sec. 25-122. Swimming.**

It shall be unlawful for any person to swim in any body of water within a city park.

(Ord. No. 2010-014, § 7-9(12), 12-13-2010)

### **Sec. 25-123. Traffic.**

- (a) It shall be unlawful for any person to:
- (1) Drive or operate any type of motor vehicle in any city park at a speed greater than indicated by appropriate traffic signs.
  - (2) Operate a motor vehicle, recreational vehicle or motorcycle in any city park except on the roadway in such parks.
  - (3) Park any motor vehicle in any city park other than on the side of the roadway or in areas designated for parking.
- (b) It shall be unlawful to park vehicles or trailers upon the grass, lawn or anywhere else within a park, other than in those areas designated for that purpose.
- (c) It shall be unlawful to park vehicles or trailers anywhere but within and between the visible lines designating a single vehicle parking space of any parking lot of the city parks when such visible parking space lines have been placed upon the parking lots.
- (d) It shall be unlawful to park any vehicle or trailer in any parking lot or parking area so as to obstruct, block or hinder ingress or egress to or from such parking lot or parking area.

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- (e) This section shall not apply to the following persons if in the park or facility in their performance of their duties: peace officers, physicians responding to an emergency, ambulance operators and attendants, employees of the city and fire suppression personnel.

(Ord. No. 2010-014, § 7-9(13), 12-13-2010)

### **Sec. 25-124. All-terrain vehicles (ATVs) and golf carts.**

It shall be unlawful to operate any ATV or golf cart within any park at any time. City personnel will be exempt from this section when engaged in official capacity.

(Ord. No. 2010-014, § 7-9(14), 12-13-2010)

### **Sec. 25-125. Tent stakes, etc.**

~~Use of tent stakes or any items being inserted into the ground will be prohibited without express written permission from the parks and recreation manager.~~

~~(Ord. No. 2010-014, § 7-9(15), 12-13-2010)~~

### **Sec. 25-126. Jumping from bridges.**

It shall be unlawful for any person to leap or jump from any bridge, pier, abutment, or public right-of-way in the city into or toward a body of water or the ground below.

(Ord. No. 2010-014, § 7-9(16), 12-13-2010)

### **Sec. 25-127. Solicitation.**

It shall be unlawful to solicit any goods, merchandise, food, or beverages within the park without written approval from the Parks and Recreation Manager.

(Ord. No. 2010-014, § 7-9(17), 12-13-2010)