

**Sec. 1.11.034 Prohibited acts**

(a) It shall be unlawful for any person to knowingly do any of the acts specified in this section in or upon any park facility, except as otherwise specifically provided:

(1) Weapons and other hazardous devices.

(A) To carry a concealed handgun in a city park, except those persons who are duly licensed by the state to carry a concealed handgun in accordance with the provisions of the Texas Concealed Weapons Act.

(B) To carry or discharge firearms, fireworks, air guns, bows and arrows, 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 with written approval of the city manager.

(2) Glass. To carry on or about his or her person any type of glass, which if broken could cause injury to themselves or any other person or persons in any park area.

(3) Obstruction of use. To prevent any person from using any park, or any of its facilities, or interfere with such use in compliance with this division and the rules applicable to such use.

(4) Disturbances. To interfere with any park facility scheduled activities, including but not limited to picnics, meetings, classes, games, practices, meets, tournaments, exhibitions, camps, special events, or other such activities.

(5) Restroom use. To enter, remain or linger in, near, or about a public restroom located at or in a park facility for the purpose of engaging in or soliciting any lewd and lascivious or criminal activity. Any person over the age of six (6) years shall not use the restrooms and washrooms designated for the opposite sex. It is a defense, however, for any person, regardless of age, to enter an otherwise unoccupied restroom or washroom of the opposite sex for the purpose of assisting a disabled person of the opposite sex.

(6) Tobacco use. To use or consume any tobacco products:

(A) While seated in or within twenty (20) feet of a bleacher provided for spectators at outdoor athletic events or activities.

(B) While on or within twenty (20) feet of an outdoor amphitheater seating area.

(C) Inside any building located on park land, including, but not limited to, restrooms, concessions, bathhouses, offices, meeting rooms, kitchens, storerooms, and equipment rooms.

(D) In baseball/softball field plaza areas.

(E) Inside the enclosure fence of a municipal pool.

(F) Inside the border of a playground.

Use or consumption of tobacco products is allowed in all other outdoor areas of a park facility unless otherwise prohibited.

(7) Controlled access. To enter any controlled access portion or any specially designated area of any park facility, except for authorized city personnel.

(8) Environmental disturbance. To destroy, damage, deface or remove shrubbery, trees, soil, grass, turf or other vegetation, rock, or minerals.

(9) Swimming. To swim in, wade in, or bathe in any fountain, pond, lake or stream.

(10) Damaging facilities. To willfully mark, deface, disfigure, injure, tamper with, displace or remove any structure, sign, equipment, net, trash receptacle, water fixture, electrical device, light, table, bench, grill, railing, paving or park property or appurtenances.

(11) Pollution. To throw, discharge or otherwise place or cause to be placed in the waters of any fountain or drain any substance, liquid or solid, which will or may result in the obstruction or pollution of said drain; or to discharge or otherwise place or cause to be placed on the surface or ground of a park or park facility any liquid or solid waste, oil, fuel, trash or other unwholesome or undesirable material.

(b) The provisions of this section do not apply to city employees, its agents or contractors in the performance of authorized maintenance, construction or repair duties for any park facility.

(Ordinance 25-03, sec. 58-4, adopted 2/24/03)

### **Sec. 1.11.035 Restricted activities; activities allowed with permit**

It shall be unlawful for any person to do any of the acts specified in this section in or upon any park facility except with a permit issued by the city manager. If a permit is issued under this section, the city manager may limit the activity to a designated park facility.

- (1) Park hours. To enter or remain in any park facility between the hours of 10:30 p.m. and 5:00 a.m. unless different hours for the park facility have been designated.
- (2) Alcohol. To sell, possess, or consume alcoholic beverages, except as may be allowed by appropriate city zoning and state permit at city municipal golf courses.
- (3) Solicitation. To charge fees or solicit donations or contributions for any activity unless for a city sponsored or permitted event.
- (4) Sale of goods and services. To sell or offer for sale any food, drinks, confections, merchandise, or services unless provided through a city concessions contract or permit.
- (5) Group activities. To use a park or its facilities for a particular purpose, other than informal sports, by any group.
- (6) Commercial or business activities. To conduct any commercial or business activities of any kind for which any participation or admission fee is charged or revenue is otherwise derived.
- (7) Amusement for gain. To conduct amusement for gain or for which a charge is made.
- (8) Advertising. To distribute, post, place or erect any advertising, handbill, circular, bill, notice, billboard, paper or other advertising device.
- (9) Fires. To make or kindle a fire except in public stoves, grills, fire pits, or designated areas provided for that purpose. Fires shall not be left unattended and must be extinguished prior to departure.
- (10) Golfing. To hit golf balls of any type in a park facility, except in areas specifically designated for this purpose.
- (11) Hunting. To hunt, trap, kill, remove or release any animal; provided, however, that fishing shall be permitted subject to state parks and wildlife rules and regulations.
- (12) Animals. To ride, drive, lead or let loose any animal, reptile or fowl of any kind, except in designated areas. These restrictions shall not apply to dogs or cats when restrained by a cord or chain not more than six (6) feet long. Dogs and other animals are not permitted inside park facility buildings, swimming facilities or playground areas. Any person accompanying a dog or other animal shall immediately clean up any feces left by such animal. Animals that are trained to assist the handicapped are permitted in all park facilities.
- (13) Disturbing vegetation or landscaping. To willfully cut, trim, remove or relocate any trees, shrubs, ornamental plants or flowerbeds within park property or adjacent rights-of-way.
- (14) Camping. To camp overnight in or upon any park facility.

(15) Boats. To operate a boat on any body of water.

(16) Aircraft. To ascend, descend, operate, or launch any aircraft, including but not limited to hot air balloons, airplanes, paraplans, ultralights, helicopters, and gliders.

(17) Models. To launch or operate model rockets, model airplanes, model gliders, model boats, or model vehicles. These restrictions shall not apply to nonpowered model gliders or electric powered model vehicles operated exclusively within the C-Town Raceway.

(18) Sound amplification. To use any type of sound amplification devices, which include but are not limited to loudspeakers, amplifiers or microphones.

(19) Use of vehicles. The regulations specified in this subsection govern the use of vehicles in outdoor areas and facilities owned, leased, or otherwise controlled by the city; outdoor areas and facilities include, but are not limited to, parks, athletic fields, tennis courts, golf courses, swimming pools, playgrounds, pavilions, medians, improved and unimproved rights-of-way and parking facilities and recreational trails:

(A) Unlicensed motorized vehicles. To operate, drive or ride any unlicensed motorized vehicle, except for city vehicles or other authorized vehicles, within any outdoor area or facilities owned, leased, or controlled by the city, including park roads, streets and parking lots. However, this provision does not apply to golf carts being operated on a city-maintained golf course.

(B) Licensed motor vehicles. To operate, drive or ride any licensed motor vehicle, except for city vehicles or other authorized vehicles, within a park facility upon a surface other than a road, street or parking lot.

(C) Speed limit. To operate a motor vehicle or bicycle within a park facility at a speed greater than fifteen (15) miles per hour except where otherwise posted.

(D) Overnight parking. To park a vehicle within a park facility overnight. Vehicles in violation of this subsection may be towed and stored at the owner's or operator's expense in accordance with state law.

(E) Freight vehicles. To operate or park a vehicle or trailer that is designed for transporting freight, merchandise, brick, stone or gravel within a park facility, including parking lots. This provision does not apply to vehicles or trailers performing city construction, repair or maintenance. Vehicles in violation of this subsection may be towed and stored at the owner's or operator's expense in accordance with state law.

(F) Parking in unauthorized area. To park a vehicle, other than a city vehicle, within a park facility at any place not designated as a parking area. This includes parking on unimproved surfaces such as grass and dirt or any other nonpaved surface that has not been designated as a parking area. Vehicles in violation of this subsection may be towed and stored at the owner's or operator's expense in accordance with state law.

(20) Use of bicycles. To operate a bicycle within any outdoor area or facility owned, leased, or controlled by the city, including park roads, streets and parking lots, that has posted signage stating bicycle use is prohibited.