

## 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.

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- 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.

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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.

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- 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.*

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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

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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.

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**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.



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*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;

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- (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.

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- (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)

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**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))

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**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)

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**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.

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- (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.



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- (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)

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**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.

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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)

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### **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:

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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)

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**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;



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- (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.

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(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.**