

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.

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- (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.

(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)