

ARTICLE 16.02. PARKS AND RECREATION

DIVISION 2. PARK RULES

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Sec. 16.02.034. Definitions.

(a) Rules of interpretation. Words and phrases used in this division shall have the meanings set forth in this section. Words and phrases that are not defined below, but are defined elsewhere in this code, shall be given the meanings set forth in those other ordinances. Words and phrases not defined in this code shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

(b) Specific definitions.

Alcoholic beverage : Alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

Business activities : The provision of services, instructions, training, or support to another person or to a group in exchange for payment.

Charro Ranch Park : the city park located at 22690 Ranch to Market Rd 150.

City : The City of Dripping Springs, an incorporated municipality located in Hays County, Texas, and includes any official, agent or employee acting on behalf of the city.

Commercial Activity : Providing goods or services for sell or rent or providing a class or instruction for compensation or as an inducement or advertisement for paid classes or instruction.

Commercial fitness trainer : A for profit trainer providing physical fitness training expertise to clients in a city park.

Commission : The city parks and recreation commission (aka, "parks and rec") or any successor entity.

Dangerous animal : An animal that:

(1) Makes an unprovoked attack on a person or another animal that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own;

(2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person; or

(3) Park personnel deems to be uncontrollable and a danger to those around it.

Department : The City of Dripping Springs and parks and community services department.

Dripping Springs Ranch Park: the park and event center located at 1042 Event Center Drive, Dripping Springs, Texas.

Farmers market committee : The board created under article 6.05 of this code supports the market and serves as an advisory body to the city council.

Firearm : A device defined in accordance with Texas Penal Code section 46.01.

For profit groups : Individuals or organizations that are not nonprofit groups as determined by state and/or federal law.

Founders Memorial Park: the city park located east of RM 12 on Founders Park Road.

Glass container : Any glass receptacle.

Market manager : The city employee designated by the city administrator to manage the operations of the farmer's market.

Motorized/electric toys: includes any motor powered object including, but not limited to, remote control cars, motorized scooters or bikes, or any motorized or electric wheeled vehicle.

Multi-use trail : Trails designated for pedestrian, bicycle, and equestrian use.

Nonpark waste : Trash, refuse, litter or other solid waste that is not created or generated on-site at a park, but is transported from a person's home, business or other location to a park for disposal purposes. This term includes construction debris, office waste, municipal solid waste, and any form of hazardous waste. This term excludes waste generated on park premises during the course of lawful use of the park for recreational purposes.

Park : Any or all of the parks and facilities under the management and control of the city, including any land now or hereafter dedicated by the city as a municipal park.

Park attendant : A city employee who has been designated by the city council or city administrator to oversee and enforce the rules at a city park.

Park facility : Any building or structure intended for a specific type of use within a park including, but not limited to, a building, sports field, recreational facility, parking lot, covered pavilion, designated camping site, skatepark, or other specific use area within a park.

Person : An individual, corporation, organization, government agency, business, trust, partnership, association, or any other legal entity, other than the city.

School-related activity : An event or activity on or off school property sponsored and/or sanctioned by the Dripping Springs Independent School District. Examples include, but are not limited to, sporting events and performances, such as theatrical, etc.

Skatepark: the city park designed for skating, skateboarding, biking, and other non-motorized wheeled equipment that is located at Founders Memorial Park.

Sports and Recreation Park : the city park located at 27148 Ranch Rd 12, Dripping Springs, TX 78620.

Tobacco product : Includes, but is not limited to, a cigarette, cigar, and any smokeless tobacco product such as chewing and dipping tobaccos.

Vehicle : A device that can be used to transport persons or property including, but not limited to a moped, power-driven bicycle, motorcycle, motor scooter, automobile, truck, golf cart, tractor, aircraft, gliders, paragliders, and all-terrain vehicle.

Weapon : Anything that in the manner of its use or intended use is capable of causing death, personal injury, or serious bodily injury, including (but not limited to) air guns, clubs, axes, pellet or BB guns, bows and arrows, or projectile devices.

Sec. 16.02.035. - Enforcement; penalties.

(a)Enforcement. The city shall have the power to administer and enforce the provisions of this division as may be authorized by governing law. Any person violating any provision of this division is subject to suit for injunctive relief as well as prosecution for criminal violations to the extent permitted by applicable law.

(b)Criminal penalty. An offense under this division is a misdemeanor. Any person violating any of said provisions of this division shall, upon conviction, be subject to a fine not to exceed \$500.00 for each offense.

(c)Civil remedies. Nothing in this division shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this division and to seek all remedies as allowed by law.

(d)Nothing in this section limits which individuals are authorized to issue notices of violation, warnings, or citations under state law.

Sec. 16.02.036. - Issuance of warningsand citations.

~~(a)Any park attendant, as well as any city officer or city employee, is authorized to issue warnings to any person or persons violating any rules or regulations applicable to the parks, swimming pools, skatepark, or other park facilities.~~

~~(b)Any city officer authorized to issue citations may issue them to any person or persons violating any rules or regulations applicable to the parks, swimming pools, skatepark, or other city-owned facilities.~~

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Sec. 16.02.065. Special rules for specific park facilities.

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(d) Skatepark

- (1) Hours are Dawn to Dusk: This skatepark is not equipped with lighting and is closed once the sun goes down.
- (2) Protective safety equipment that properly fits is strongly encouraged to be worn while using the skatepark.
- (3) The skatepark is unsupervised; and users ride at their own risk.
- (4) Parents/Guardians are responsible for their children; children under the age of 10 must be accompanied by an adult.
- (5) The skatepark is open to bikes, skateboards, scooters, in-line skates, and other non-motorized wheeled vehicles.
- (6) Animals, other than service animals, are not allowed on the skatepark surface.
- (7) Motorized and electric toys, equipment, ramps, boxes or user-placed obstacles are not allowed.
- (8) No modifications to existing ramps or additional obstacles or materials allowed.
- (9) Competitive events, demonstrations or private lessons require prior approval of the Parks & Community Services Department as required by Division 4. – Commercial Activity on Park Property.
- (10) No graffiti or defacing the property.

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- (11) No gum, food or drinks on the skatepark surface.
 - (12) The skatepark is considered closed during inclement weather (rain, lightning, sleet, snow, etc.).
 - (13) The City reserves the right to close the skate park at any time, including for programmed events.
 - (14) All other City of Dripping Springs Park rules apply.
 - (15) A violation of (d)(1); (d)(6); (d)(7); or (d)(8) is considered an offense under this Article.