

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2025-___

AN ORDINANCE AMENDING CHAPTER 16: PUBLIC WAYS AND PLACES, ARTICLE 16.02, SECTIONS 16.02.034, 16.02.055, AND 16.02.065 IN THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES.

WHEREAS, the City Council of the City of Dripping Springs ("City Council") seeks to have specific rules for the use of electric bicycles at City parks;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the Parks and Recreation Commission had a meeting on December 18, 2024, and recommended approval of the rules; and

WHEREAS, the City Council had a meeting and a public hearing on January ___, 2025, and approved the rules; and

WHEREAS, the City Council finds that the amendment proposed is reasonable, necessary, and proper for the good government of the City of Dripping Springs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs, Texas:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Article 16.02, Sections 16.02.034, 16.02.055, and 16.02.065 as currently adopted are amended so to read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication of caption.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the ___ day of _____ 2025, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of the City of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Diana Boone, City Secretary

CODE OF ORDINANCES

CHAPTER 16-PUBLIC WAYS AND PLACES

ARTICLE 16.02. PARKS AND RECREATION

DIVISION 2. PARK RULES

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.

Class 1 electric bicycle: [A bicycle with pedal assist, no throttle, and a top speed of up to 20 miles per hour.](#)

Class 2 electric bicycle: [A bicycle with pedal assist, a throttle, and a maximum speed of up to 20 miles per hour.](#)

Class 3 electric bicycle: [A bicycle with pedal assist, a throttle, and a maximum speed of up to 28 miles per hour.](#)

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.

(Ord. No. 2023-09, § 2, 3-7-2023; Ord. No. 2023-34, § 2, 10-17-2023)

Sec. 16.02.055. Trail use.

(a) It is an offense for any person to:

(1) Operate or use a motor vehicle, including a motorcycle, motorbike, mini-bike, or a bicycle on a trail or path not designated for the use with such vehicles;

[\(1.1\) Operate or use a Class 1 electric bicycle, Class 2 electric bicycle, or Class 3 electric bicycle in a park or on a designated trail except and in accordance with section 16.02.065;](#)

(2) Operate or use a bicycle on any pedestrian trail; or

(3) Ride, drive, leads or keep a horse on any pedestrian trail.

(b) On multi-use trails, bicyclists shall yield to joggers, joggers to walkers. All trail users must yield to horses.

(c) Trail users on multi-use trails should not be more than two abreast when this action will impede other traffic on the trail. Trail users should leave ample room on the trail for other users to pass safely.

(d) Bicyclists should maintain bicycles in good condition and should operate them in a safe, manner at a reasonable and prudent speed. All bicycles shall be equipped with properly functioning brakes.

(Ord. No. 2023-09, § 2, 3-7-2023)

Sec. 16.02.065. Special rules for specific park facilities.

- (a) Each park facility may develop additional rules and regulations that address problems specific to that facility, which shall be in writing and approved by the city administrator or designee. Patrons shall comply with all rules and regulations posted at individual facilities or for special events.
- (b) Dripping Springs Ranch Park Rules:
- (1) It is an offense for any person to swim or boat at this park.
 - (2) Only members of the Dripping Springs Ranch Park or patrons who pay a daily fee are permitted to have their horses at this park.
 - (3) It is an offense for any farrier to provide services at this park without approval by the ranch park manager or the parks and community services director.
 - (4) Quiet hours for RV spots are from 10:00 p.m. to 6:00 a.m. unless approved in writing.
 - (5) All waste must be disposed of in the dumpster located on site at the park. Littering on the property will result in a fine.
 - (6) All wastewater, including gray water, must be disposed of in the dump station, located on site at the park. Any dumping of waste/sewage on pavement, dirt or vegetation will result in eviction.
 - (7) No swimming pools are to be set upon the property.
 - (8) Rowdiness, abusive language, fighting, lewd conduct, reckless driving/speeding, drunkenness, and possession of or use of illegal drugs will not be tolerated at any time. Amplified sound, firearms, or weapons shall not be allowed unless otherwise allowed by law or authorized by the city by written agreement.
 - (9) Parents are responsible for the conduct of their children and financially responsible for any damages caused by their children. Children under the age of 13 must be accompanied by an adult at all times.
 - (10) The city, the department, and Dripping Springs Ranch Park, as well as their officials, agents, and employees are not responsible for property or personal injury damages arising out of, or in any way connected to use of the park, including, but not limited to loss or damage by fire, wind, theft, accident, or Acts of God.
 - (11) Registered guests and visitors are liable for all personal injury or property damages and assume any and all risks associated with use of the park to their person, property, animals and vehicles.
 - (12) No vehicles are allowed within the park without a permit or written permission after 11:00 p.m.
 - (13) [No power assisted modes of transportation are allowed anywhere in the park except for motor vehicles operated or parked in accordance with sections 16.02.053 or 16.02.054.](#)
- (c) Farmers market. The following section applies to farmers market operations. The market manager has the authority to control the use of the park premises for purposes of Texas Penal Code section 42.03 (obstruction of passageways), issue warnings, provide notice per

Texas Penal Code section 30.05 (criminal trespass), and take appropriate action against any person who violates the rules and regulation for market operations, any section of this division, and any other regulation or law. Additional regulation related to the farmers is in article 6.05 of this code. Farmers market rules include:

- (1) All market participants must complete the appropriate application, pay the applicable fees, and be approved by the market manager or the farmers market committee prior to participation.
- (2) Producers, prepared-food producers, artists and craftspeople, service providers, entertainers, and community organizations that fulfill the mission of the market as listed in section 6.05.003 of this code, may be approved to participate in the market.
- (3) The farmers market and all vendors must comply with the Americans with Disabilities Act and with state accessibility requirements. All common areas and vendor booths must be accessible to individuals with disabilities whenever the booth is open to the public.
- (4) All vendors must agree to and assist in the inspection of their operation by representative of the market at any time to ensure compliance with these rules and state health rules, as applicable.
- (5) Market booth fees will be determined annually by the farmers market manager and approved by the city council. Fees will be assessed to participants weekly.
- (6) All selling and promotion must be contained within the ten feet wide by ten feet deep booth space.
- (7) Any vendor cancellations must be communicated with the market manager by 2:00 p.m. on day prior to the market or late notice fees will be assessed.
- (8) Smoking or other tobacco use, including vaping or electronic cigarettes, is not allowed in market area.
- (9) All market complaints should be sent to the market manager for review by the farmers market committee.
- (10) Violation of farmers market or park rules may result in verbal warning, written warning, suspension or expulsion from the market. The market manager shall have discretion to enact any or all of the above options based on the severity of the violation.
- (11) Community organizations that fulfill the mission of the market and seek to fundraise or educate at the market can submit an application to the farmers market manager for approval to perform such activities.
- (12) All vendors must wait for the sound of the opening bell to commence sales to the public.
- (13) Public dissemination of information is regulated on market days during market hours. Those seeking to disseminate information must do so only in the area designated by the market manager.
- (14) Each vendor is responsible for his or her own sales tax collections and payments.

- (15) A scale certified by the Texas Department of Agriculture must be used at the market for all products sold by weight.
- (16) Food samples must be distributed in accordance with the rules set forth by the city's farmers market food sampling rules and Texas Department of State and Health Services.
- (17) Home-canned processed foods and baked goods can be sold but must comply with the Texas Cottage Food Laws as defined by the Texas Department of State Health Services and Texas Health and Safety Code.
- (18) All vendors must obtain any and all permits and licenses required by the state and the county as applicable to sell each product.
- (19) All items sold at the market must be raised, prepared, processed, or crafted by the vendor within a 150 mile radius of the city and meet the mission of the market.
- (20) No live animals may be sold or given away at the market.
- (21) No vendor, attendee, or participant in the market may impede pedestrian or vehicular traffic or interfere or disrupt normal market operations.

(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 ten 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.
- (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 park rules apply.

(15) A violation of (d)(1), (d)(6), (d)(7), or (d)(8) is considered an offense under this article.

(e) Charro Ranch Park

(1) No power assisted modes of transportation are allowed anywhere in the park except for vehicles parking in authorized parking areas.

(f) Founders Memorial Park (excluding Skatepark)

(1) Class 1 electric bicycles may not be used on trails at a speed greater than 10 miles per hour.

(2) Class 2 electric bicycles and class 3 electric bicycles may not be used with throttle or on trails at a speed greater than 10 miles per hour.

(g) Sports and Recreation Park

(1) Class 1 electric bicycles may not be used on trails at a speed greater than 10 miles per hour.

(2) Class 2 electric bicycles and class 3 electric bicycles may not be used with throttle or on trails at a speed greater than 10 miles per hour.

(Ord. No. 2023-09, § 2, 3-7-2023; Ord. No. 2023-34, § 2, 10-17-2023)