

ARTICLE IV. - PARK REGULATIONS

Sec. 32-67. - 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:

Alcoholic beverage means any beverage containing alcohol.

Illegal drugs means as defined by state and federal law.

Law enforcement security is defined as an officer holding a full time certified police officer commission from the State of Texas, but not a reserve officer.

Minor event permit means a permit issued at city hall for the consumption of alcohol at any park facility; however, does not reserve the park or pavilion. The use of park facilities is on a first-come first-serve basis. These permits may be obtained at the building permit counter located in city hall. The building official or his designee may approve this type of permit (i.e., family reunions, birthdays, etc.), where 50 or less people are expected to attend.

Overnight camping fees means the fees charged for overnight or extended camping at cabana areas, full hookup or partial hookup areas for motor homes, travel trailers or other camping vehicles at Lighthouse Beach Park only.

Park host means the person charged with collecting overnight camping fees at Lighthouse Beach RV parking area.

Public parks means all the properties now or hereafter owned or controlled by the city operated as parks or recreation areas available for use by the public.

Special event permit means a permit issued at the building permits counter for reserved usage of a park facility, pavilion or structure to include concession operation, after city council approval or if time does not permit council approval, then city manager or the city manager's designee's approval, where more than 50 persons are expected to attend.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-68. - Using, keeping, etc., glass beverages prohibited.

It shall hereafter be unlawful for any glass beverage containers of any size, type or shape to be used, kept, maintained, stored or taken in or upon any public park.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-69. - Lavaca Bay wading and pier fishing.

- (a) *Designated area.* Pursuant to the authority granted to the city in V.T.C.A., Parks and Wildlife Code § 31.092, there is designated and restricted areas in Lavaca Bay within 150 feet of the fishing piers within the city limits for wading and pier fishing only.
- (b) *Prohibited acts.* It shall be unlawful to operate or anchor any boat within such area as described in subsection (a) of this section.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-70. - Overnight camping.

- (a) *Overnight camping prohibited without permit.* It shall hereafter be unlawful for any person to remain within any public park between the hours of 11:00 p.m. and 6:00 a.m. and for any person, without having first obtained from the camping fee collector, a permit to engage in overnight camping.
- (b) *Exception.* Excluded from the provisions of subsection (a) of this section shall be any person utilizing fishing piers for:
 - (1) Recreational purposes;
 - (2) Any special function that has prior city council approval.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-71. - Permits.

- (a) *Required.* All persons or organizations requesting to reserve use of the structures located within public parks for special events shall apply for and obtain a special event permit, prior to the scheduled use of the public park facility. These applications shall be turned in no later than 2:00 p.m. the fourth Monday of the month (this will be two weeks prior to the city council meeting). Applications not received by the deadline will be put on the next council agenda. Minor event permits can be obtained the day prior to the event. Applicants will need to have photo identification. If alcoholic beverages will be consumed at the special event or minor event, a separate alcohol permit must be obtained as provided below.
- (b) *Selling; operating concessions.* No person shall solicit or engage in the sale of merchandise or services or operate any concessions within any public park without city council approval and a special event permit.
- (c) *Fees.* Minor event permits and special event permits will require a fee for each permit issued as established in appendix A to this Code.
- (d) *Lighthouse Beach Park.* Permits for Lighthouse Beach Park will be available at a fee as established in appendix A to this Code.

- (e) *Overnight camping.* Overnight camping permits for camping at Lighthouse Beach are available from the park host at Lighthouse Beach RV area.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-72. - Park rules established.

For the conduct of persons using the city's public parks, the following rules and regulations are hereby established and are to be observed and enforced within said public parks:

- (1) No person shall cut, damage or remove any flower, shrub, or tree without prior permission obtained from the city council;
- (2) No person shall injure, deface, damage, mutilate, or molest any building installation, piece of equipment, or personal property, publicly or privately owned, within any park;
- (3) No person shall build any fire within any public park unless built in a stove or fireplace provided therefore or within an enclosed grill or pit;
- (4) No person shall permit any dog to run at large in any public park. All dogs within the public parks shall be kept on a leash at all times. Owner must clean up and dispose of dog waste. No dogs are permitted on beach areas;
- (5) No motor vehicle or bicycle shall be operated, stopped or parked or left standing in any place in a public park except on roads or parking areas provided therefor, or be driven in a manner contrary to law;
- (6) No person shall ride or drive any horse or other animal or permit any horse or other animal to go upon any portion of the public parks at any time except on roads and regularly provided parking areas in said parks, or to ride or drive any horse or other animal in a reckless manner or permit them to be so ridden within parks;
- (7) Parking or loitering in public parks after 11:00 p.m. is prohibited, and all persons shall be excluded from said parks after 11:00 p.m. Persons will be allowed to enter park areas to access fishing piers and boat ramps during the nighttime unless prohibited by barricades;
- (8) After 11:00 p.m., no amplified music will be permitted in park areas without prior council approval;
- (9) No person shall dump or dispose of any garbage in any public park except in receptacles provided therefor, including cooking grills. Ashes from cooking grills should be extinguished before dumping. Fish shall be cleaned only in areas provided on the fishing piers;
- (10) No person shall scatter or dispose of any bottles, broken glass, tin cans, waste, or discarded paper, or litter, or waste material, or rubbish of any kind in or around any part of the public park excepting receptacles provided therefor, including cooking grills;
- (11) No person shall discharge any firearm, air rifle, slingshot or other such missile, or any bow

and arrow within or across any public park or portion thereof, or discharge any fireworks therein except by special concession previously obtained from the city council;

(12) No persons except authorized city employees shall enter into or onto the wetlands area at any public park, or interfere with wildlife therein; and

(13) No person shall commit any misdemeanor, disorderly act, or unnecessary roughness in or about any public park.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-73. - Alcohol and illegal drugs prohibited.

- (a) No person shall possess, keep, sell, consume, give away or otherwise dispose of any illegal drugs within any public park.
- (b) No person shall possess, keep, sell, consume, give away or otherwise dispose of any alcoholic beverages within any public park or recreation area, unless an alcohol permit has been approved and issued by the city council or the building official.
- (c) Alcohol permit requires the permit holder to be responsible for providing and paying for law enforcement security, if required based upon number of attendants. Failure to arrange for law enforcement security two weeks prior to the event will constitute grounds for cancellation of alcohol permit.
- (d) Permit holder shall be provided a law enforcement security confirmation form. It is a condition of the permit that the holder contacts the Port Lavaca Law Enforcement Department (361) 552-3788 or the Calhoun County Sheriff's Office at (361) 553-4646 at least two weeks in advance for a determination of security requirements and completion of the law enforcement security form. This form must be returned to the permit department at least 14 days in advance of event. Security is required on premises for the permit whenever there is open container alcohol. This possibly means before the event has started and during setup, not only when guests are arriving.
- (e) Security is required at all events where alcohol is on the premises, or attendance is over 50.
- (f) Security shall remain on duty during the event and/or when alcohol is being consumed and until the building and grounds are vacated and the doors can be closed.
- (g) If the alcohol permit or special event permit is cancelled, permit holder is responsible for contacting the law enforcement department for cancellation of law enforcement security agreement.
- (h) Law enforcement security will be determined by number in attendants:
 - 50—100 attendants/one officer required.
 - 101—300 attendants/two officers required.

301—500 attendants/four officers required.

Over 500 will require two officers per 200 attendants.

- (i) Exception for requirement of permit. Campers who have rented a camping space at Lighthouse Beach RV Park may consume alcoholic beverages only at their assigned camp spot.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)

Sec. 32-74. - Penalty.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and upon such conviction shall be subject to a fine of not more than \$500.00. Each transaction in violation of any of the provisions herein shall be deemed a separate offense.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012)