

Sec. 32-19. - Created; residency requirement; compensation.

The city council shall appoint a board to be known as the recreation and parks board. The board shall consist of not less than five nor more than nine members who must be residents of the city. The board members shall serve without compensation.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012; Ord. No. S-3-16, § 1, 11-14-2016)

Sec. 32-20. - Composition; terms.

The recreation and parks board shall organize by electing one of its members chairman and one of its members as vice-chairman. The city secretary, or his designee, while not a member of the board, will perform the function of board secretary. The officers shall serve as such for one year and until their successors are elected and qualified. This provision is intended to provide continuity from officer-to-officer, not to extend an expiring term as a board member.

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

Sec. 32-21. - Meetings.

- (a) The recreation and parks board shall hold one regular meeting each month. The board shall fix regular meeting dates and a regular meeting place.
- (b) Special meetings may be called as necessary for the transaction of business.
- (c) The board shall establish its own rules of procedure for conducting meetings. A majority of the board members serving shall constitute a quorum to do business.
- (d) Special meetings may be held upon:
 - (1) The call of the mayor;
 - (2) The request of two or more city councilmembers;
 - (3) The request of the board chairman; or
 - (4) The request of two or more board members.
- (e)

from three consecutive regular meetings of the board by any member, or the moving of his residence outside the corporate city limits shall automatically create a vacancy on the board. Any vacancy in the membership of the board by resignation, removal or by other reasons set forth in this section shall be filled by a majority vote of the city council for the unexpired portion of the vacant term.

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

Sec. 32-23. - Requests for equipment; local park, recreation and open space master plan.

- (a) The recreation and parks board shall prepare and prioritize a request for equipment, projects or land acquisition each year at the regular budget time for the city. In no case shall the estimated cost of the requested equipment, project or land acquisition be in excess of the amount budgeted and approved in the regular city budget for nonpersonnel costs.
- (b) The recreation and parks board shall be responsible for the creation and maintenance of a local park, recreation and open space master plan for the city. The local park, recreation and open space master plan may, subject to the authority of the city council, include all public parks, parkways, tennis courts, lakes, water parks, municipal squares (improved or unimproved) and the grounds surrounding all municipal buildings.
- (c) The recreation and parks board may recommend to the city council the institution of condemnation proceedings whenever, in its judgment, private property should be taken for the purpose of enlarging the park system.

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

Sec. 32-24. - Recommendation procedure.

Recommendations to the city council's attention must be presented in writing to the city secretary in ample time to furnish the city council with copies of the recommendation and other pertinent information prior to the next city council meeting.

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

Secs. 32-25—32-43. - Reserved.

- (1) City Park (Tilley Park);
- (2) Lighthouse Beach (Port Lavaca Fishing Pier Park);
- (3) Wilson Sports Complex;
- (4) George Adams Park;
- (5) Bayfront Peninsula Park including fishing pier;
- (6) Fay Sterling Bauer Park;
- (7) Brookhollow Estates Park (Butterfly Park).

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012; Ord. No. G-6-22, § 1, 9-12-2022)

Sec. 32-45. - Park uses.

The city parks designated and dedicated in section 32-44 may be used to establish, provide, maintain, construct, equip, and operate recreational facilities and programs either:

- (1) By the city;
- (2) By the acceptance of gifts;
- (3) Through grants; or
- (4) Jointly in cooperation with one or more other governmental unit for public use as parks, parkways, parklands or recreational purposes.

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

Sec. 32-46. - Conditions for exclusive use or right to sell or exhibit.

No person shall have the right to the exclusive use of city parks or the right to offer for sale or barter, exhibit anything or conduct any place of amusement thereon where a fee is charged within or to enter said parks without first obtaining the consent of the city council, or its authorized agent, and paying for such privilege or concession an amount agreed to with the city council or its agent, if any, and comply with any other established rules and regulations applicable thereto.

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

(2) LIGHTHOUSE BEACH (PORT LAVACA FISHING PIER PARK).

A0012 Alejandro Esparza Tract Pt 33, Acres 6.41

A0012 Alejandro Esparza Tract Pt 32, Acres 3.8

A0012 Alejandro Esparza Tract Pt 32, Acres 2.13

A0012 Alejandro Esparza Tract Pt 32, Acres 28

A0012 Alejandro Esparza Tract Pt 31, Acres 1.67

A0012 Alejandro Esparza Tract Pt 30, Acres 33.2

A0012 Alejandro Esparza Tract Pt 31, Acres 2.87

(3) Wilson Sports Complex City Park.

Maximo Sanchez Tract Pt 48, Acres 21.79

(4) George Adams Park.

Port Lavaca Original Townsite Block 45, Lot 1 thru 12

(5) Bayfront Peninsula Park, including fishing pier.

City of Port Lavaca Block 0000, Tract 1, Acres 34.65

(6) Fay Sterling Bauer Park.

Georgetown (Port Lavaca) Block 4, Lot F & G

(7) Brookhollow Estates Park.

Brookhollow Estates Block 11, Lot Tract B

Port Lavaca Original Townsite Block 80, Lot 2 thru 7

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012; Ord. No. G-6-22, § 1, 9-12-2022)

Secs. 32-48—32-66. - Reserved.

ARTICLE IV. - PARK REGULATIONS

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.

Tent means a portable enclosed shelter that is designed and intended for overnight camping.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012; Ord. No. G-8-22, § 1, 11-14-2022)

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.

- (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.

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)

- (12) No persons except authorized city employees shall enter into or onto the wetlands area at any public park, or interfere with wildlife therein;
- (13) No person shall commit any misdemeanor, disorderly act, or unnecessary roughness in or about any public park; and
- (14) Water slides are not permitted.

(Ord. No. G-5-12, § 1(exh. A), 11-5-2012; Ord. No. G-8-22, § 1, 11-14-2022)

Sec. 32-73. - Skate park rules established.

For the conduct of persons using the city's skate park located within Wilson Sports Complex City Park, the following rules and regulations are hereby established and are to be observed and enforced within said park.

The skate park will be open to the public daily from 6:00 a.m. until dark, unless the skate park has lighting, at which time it will close at 11:00 p.m.

- (1) It is recommended that all skaters wear protective gear including helmets, proper shoes, knee and elbow pads.
- (2) No skating during rain or if the surface is wet. The skate park will be closed as such times.
- (3) No personal ramps or rails are allowed.
- (4) No fighting or foul language.
- (5) No gum, food or drinks on the skate park surface.
- (6) No graffiti allowed. The skate park may be closed until graffiti is removed.
- (7) All other rules of section 32-72 apply.

(Ord. No. G-6-22, § 1, 9-12-2022)

Editor's note— Ord. No. G-6-22, § 1, adopted Sept. 12, 2022, renumbered the former § 32-73 as § 32-79 to facilitate inclusion of a new § 32-73 as set out herein.

Sec. 32-74. - Splashpad rules established.

- (a) Non-service animals are prohibited.
- (b) Changing diapers within six feet of the water feature is prohibited.

(Ord. No. G-6-22, § 1, 9-12-2022)

Editor's note— Ord. No. G-6-22, § 1, adopted Sept. 12, 2022, renumbered the former § 32-74 as § 32-80 to facilitate inclusion of a new § 32-74 as set out herein.

Sec. 32-75. - Rules specific to Lighthouse Beach Park and Campground.

- (a) No person shall build any fire unless built in a stove or fireplace provided therefore or within an enclosed grill or pit and are restricted to registered campground guests within their camp site only.
- (b) Tent use in the park is strictly limited to tent camping sites only. Tents are not allowed on the beach. Tents are not allowed in RV sites except in conjunction with a registered recreational vehicle on the same site.
- (c) Cabana use at the RV sites are for the use of registered campground guests only.

(Ord. No. G-8-22, § 1, 11-14-2022)

Secs. 32-76—32-78. - Reserved.

Sec. 32-79. - 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.

(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); Ord. No. G-6-22, § 1, 9-12-2022)

Editor's note— Ord. No. G-6-22, § 1, adopted Sept. 12, 2022, renumbered the former § 32-73 as § 32-79 as set out herein to facilitate inclusion of a new § 32-73.

Sec. 32-80. - 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; Ord. No. G-6-22, § 1, 9-12-2022)

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