

1 **ORDINANCE NO. 2024-01-17-12**

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3 **AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,**  
4 **AMENDING PART I, CHAPTER 18, ARTICLE III, TO ADD**  
5 **SECTION 18-56 PROVIDING FOR THE REGULATION OF**  
6 **OUTDOOR PICKLEBALL PLAY IN RESIDENTIAL AREAS.**  
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8 **WHEREAS**, Chapter 217 of the Texas Local Government Code authorizes the  
9 City of Rollingwood (“City”) to define and declare what constitutes a nuisance, to  
10 authorize and direct the summary abatement of a nuisance in any manner the City  
11 considers expedient and to punish by fine any person responsible for a nuisance; and  
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13 **WHEREAS**, the City Council finds and determines that pickleball constitutes a  
14 significant change in the acoustic environment of the area surrounding and that the  
15 impulsive sound produced by the impact of a hard plastic pickleball on the paddle can  
16 cause significant noise impact for those living near the courts; and  
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18 **WHEREAS**, City Council finds and determines that persistent impulsive sounds  
19 create annoyance as they are like general sounds that contain important information about  
20 our environment such as footsteps, a door opening, a tap at the window, or speech to  
21 which indicate a possible necessary response; and  
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23 **WHEREAS**, City Council finds and determines that the continuous false alarms  
24 created by the popping sound created by pickleball paddle impacts make it difficult to  
25 relax, concentrate, or sleep soundly without disturbance as each time a pop is heard it  
26 draws the attention, creating distraction; and  
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28 **WHEREAS**, the City Council finds and determines that the noise created by  
29 pickleball play creates a nuisance which necessitates the following regulations which are  
30 in the best interest of the general welfare of the City of Rollingwood by furthering the  
31 public health.  
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34 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
35 **THE CITY OF ROLLINGWOOD, TEXAS:**  
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37 **SECTION 1.** The foregoing recitals are hereby found to be true and correct and are  
38 hereby adopted by the City Council and made a part hereof for all purposes as findings of  
39 fact.  
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41 **SECTION 2.** Code Amendments.  
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43 The Rollingwood Code of Ordinances is amended to add Section 18-56 as follows:  
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45 Section 18.56 Outdoor Pickleball Play  
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(a) Definitions:

(1) "Continuous Play" means play more than [redacted] minutes/hours without a cessation of play of at least [redacted] minutes/hours.

(2) "Pickleball" means an outdoor game that is played on a level court with short-handled paddles and a perforated plastic ball volleyed over a low net by two single players or two pairs of players.

(3) "Play" means the active engagement of on-court pickleball games or practice, specifically the hitting of a pickleball with a paddle.

(b) Hours of Play.

(1) No Play shall occur between the hours of [redacted] pm and [redacted] am.

(2) No Continuous Play shall occur.

(c) Noise. In addition to the prohibition on Noise as otherwise provided for in this Chapter, the following specific regulations shall apply:

(1) Any noise level exceeding [redacted] decibels, as measured from the property line on which the pickleball court is located, is prohibited.

**SECTION 4. Cumulative and Repealer Clause.** This ordinance shall be cumulative of all other ordinances of the City and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions any less restrictive regulations might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

**SECTION 5. Severability Clause.** The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

**SECTION 6. Penalty.** The Code's general penalties and specific penalty for nuisances are shall be applicable for violations of this Ordinance.

92 **SECTION 7.** Effective Date. That this Ordinance will become effective on its adoption  
93 and passage by the City Council.

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95 PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

96  
97 CITY OF ROLLINGWOOD,  
98 TEXAS

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100 by:  
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102 GAVIN MASSINGILL, Mayor  
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107 ATTEST:

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111 DESIREE ADAIR, City Secretary  
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115 APPROVED AS TO FORM:

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119 \_\_\_\_\_  
120 CHARLES E. ZECH, City Attorney  
121 DENTON NAVARRO ROCHA BERNAL & ZECH, PC  
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