

ORDINANCE NO. 2016-12

AN ORDINANCE OF THE CITY OF COLORADO CITY, TEXAS REPEALING AND REPLACING ORDINANCE NO. 2016-08; AMENDING ARTICLE 1.10, PARKS AND RECREATION, OF THE CODE OF ORDINANCES; ESTABLISHING RULES FOR THE USE OF EACH CITY PARK; ESTABLISHING HOURS OF OPERATION FOR CITY PARKS; ESTABLISHING RULES FOR PUBLIC GATHERINGS IN CITY PARK PAVILIONS; REFERRING TO A SEPARATE CITY PARKS FEE SCHEDULE FOR VARIOUS FEES CHARGED FOR PUBLIC USE OF CITY PARKS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Colorado City, Texas finds that certain revisions to the rules regarding Fisher Park are necessary to aid in the development and operation of Fisher Park by Fisher Park, LLC; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO CITY, TEXAS:

- I. Repeal. Ordinance No. 2016-08, adopted on June 14, 2016, is, hereby, repealed.
- II. Enactment. The following provisions shall be and are, hereby, enacted and adopted as the "Parks and Recreation Ordinance" of the City of Colorado City, Texas, to be codified as Article 1.10 of the Code of Ordinances of the City of Colorado City, Texas.

CHAPTER 1. GENERAL PROVISIONS

ARTICLE 1.10 PARKS AND RECREATION

Division 1. Generally

Sec. 1.10.001. City Parks

(a) Fisher Park. Fisher Park is a City park located on the Southwest shore of Champion Creek Lake, which is located to the southwest of the City of Colorado City. All rules and regulations in this Division related to Fisher Park apply to Fisher Park and Champion Creek Lake. Champion Creek Lake is also referred to as "Champion Creek Reservoir" and "Lake Champion".

(b) Ruddick Park. Ruddick Park is a City park lying to the South of East North 10th Street, to the West of Highway 208, to the North of Westpoint Avenue, and to the East of South Austin Street in the City of Colorado City. It includes a portion of Lone Wolf Creek.

(c) Paredes Park. Paredes Park is a City park lying South of Hidalgo Street, West of Peach Street, North of Paredes Street, and East of Fig Street in the City of Colorado City.

Sec. 1.10.002. Fisher Park

(a) Permit Required.

(1) Anyone fishing, picnicking, camping or otherwise entering Fisher Park is required to have a permit to do so.

(A) Each permit shall have the name of the person in charge of the vehicle, boat, or campsite.

(2) Before any permit is issued, the person applying therefor shall pay to the City Manager or his duly authorized agents or representatives managing the day-to-day operation of the Park (hereinafter "Park Personnel") the applicable fee. The fees for permits shall be established by the City Council from time to time and set out in the City Parks Fee Schedule. Permits may be obtained at all entrances to and within the park at designated locations.

(3) Daily, annual, and overnight camping permits are available. Permits may be issued for an individual or for a vehicle covering up to five occupants. Camping permits shall be an additional permit required when a daily or annual permit holder wishes to camp overnight in Fisher Park. If electric outlets are available and are utilized while camping, an additional fee shall be charged.

(4) The permit must be with the permitted person or family any time they are fishing, picnicking, camping or otherwise in Fisher Park.

(5) Anyone accepting a permit from the City of Colorado City for use of Fisher Park waives any and all liability claims against the City and its agents, assigns including but not limited to any independent park operator and its members, officers, directors and employees and agrees to hold the City and its agents and assigns including but not limited to any independent park operator and its members, officers, directors and employees harmless for any accidents, property damage, or bodily injury resulting from the permit holder's use of Fisher Park.

(6) None of the permits issued by the City of Colorado City replace a Texas Parks and Wildlife fishing license. Everyone who is required to have a fishing license in Texas shall be required to have that license inside of Fisher Park before engaging in fishing activities.

(b) Fisher Park Rules.

(1) Hours of Operation.

(A) In general, the public may use Fisher Park only during the seasonal hours posted by Park Personnel at all entrances to and within the Park.

(B) Individuals and/or groups may use Fisher Park outside of the general hours of operation if:

(i) The Park is being used for a scheduled public event, and the event is not concluded within the hours of operation;

(ii) The individual or family using the Park holds an overnight camping pass and the individual or family is within a designated camping area;

(2) Prohibited Recreational Activities.

(A) Fisher Park is a fishing park. Water skiing, jet-skis, and jet boats are expressly prohibited at Fisher Park and Lake Champion.

(B) No all-terrain vehicles or motor bikes which are not street legal shall be operated in Fisher Park except by authorized Park Personnel.

(3) Camping. It shall be unlawful for any person to set up an overnight camping or lodging site in Fisher Park except in areas designated and posted as camping areas. Campers shall obtain a permit and pay appropriate fees according to the rules established in Section 1.10.002(a), above.

(4) Music. Boom boxes, car radios, and all other electric sound equipment shall be kept at a volume which is not offensive to other campers or residents in close proximity to Fisher Park, at all times of day. Park Personnel shall have the authority to order any person to turn off any music or other sound which Park Personnel in their absolute and sole discretion, deem offensive, annoying or inconsistent with park rules.

(5) Littering. It shall be unlawful for any person to place litter in any area of Fisher Park except within proper trash receptacles. All garbage and debris shall be disposed of properly in the dumpsters which are placed near the old store location. In addition to any remedies otherwise provided by this ordinance, any person caught littering or who fails to remove garbage and debris from any campsite or day use area may be charged a cleaning fee to be determined by the City Manager or Park Personnel.

(6) Containers. No breakable and/or glass containers shall be allowed in Fisher Park outside the confines of a motor vehicle. Cans and paper containers may be used.

(7) Business Activities. It shall be unlawful for any person to sell or make an offer to sell goods or services or to conduct business activities within Fisher Park without the express written permission from the City of Colorado City Parks Advisory Board.

(8) Animals. It shall be unlawful for any person to bring an animal, other than domestic dogs or cats, inside Fisher Park without the prior consent of the Parks Advisory Board. Owners must secure all animals brought into a City Park with a leash not to exceed ten (10) feet without the permission of Park Personnel. This restriction does not apply to any animal

being used by a person who suffers from any physical disability or handicap or to any animal being used by city personnel, Park Personnel, a law enforcement agency or penal institution or other similar agency in the course and scope of employment.

(9) Wildlife. It shall be unlawful for any person to kill, harm, trap, confine, catch, or possess wildlife within Fisher Park except in cases of emergency where there is an immediate threat to the health and safety of a person. This restriction does not apply to any actions being taken by a member of law enforcement or the City's Animal Control Department. This restriction does not apply to activities related to fishing which is permitted in Fisher Park, as long as the individual fishing holds a valid Texas Parks & Wildlife fishing license and does not employ trapping or netting techniques while fishing.

(10) Fires. In order to ensure the health and safety of all citizens, it shall be unlawful for any person to start or use a fire within Fisher Park except in facilities provided by or approved by the Parks Advisory Board. Fires shall be attended at all times and fully extinguished before the site is left. No person shall violate any provision of a fire ban that the Parks Advisory Board may institute from time to time in order to protect the resources of Fisher Park or in the interest of public safety.

(11) Fireworks. It shall be unlawful for any person to possess or discharge a firework of any kind in Fisher Park without the advance written permission of the City Manager or Park Personnel.

(12) Encroachment. No person shall in any way alter, damage, remove, or deface any facility, features, vegetation, man-made objects, equipment, or other permanent fixture include trees and other items of vegetation in Fisher Park without the advance written permission of the City Manager or Park Personnel.

(13) Motor Vehicles.

(A) It shall be unlawful for any person to drive or propel any type of vehicle in or over or through Fisher Park, except along the designated streets or in designated parking areas. This restriction does not apply to a person who suffers from a disability who is using a motorized vehicle to accommodate that disability (i.e., motorized wheelchairs or other similar vehicles). This restriction does not apply to any member of law enforcement who is acting in the course and scope of his or her duties as a law enforcement agent or Park Personnel.

(B) No person shall repair, clean, wash, or otherwise maintain a motor vehicle in Fisher Park except in cases of emergency. No one shall discharge or cause to be discharged hazardous substances, including but not limited to gasoline, antifreeze, and motor oil, in Fisher Park.

(C) Motor vehicles should be parked only in designated parking areas. Motor vehicles should not be left in Fisher Park overnight, unless the owner or operator of the vehicle holds a valid camping permit allowing the owner or operator to remain in Fisher Park after hours.

(14) Speed Limit. The speed limit for roads within Fisher Park is hereby established at fifteen (15) miles per hour. It shall be unlawful for any person to operate a motor vehicle at a speed above fifteen (15) miles per hour within Fisher Park.

(15) Possession of Weapons. It shall be unlawful for a person to possess a firearm, BB gun, pellet gun, or paintball gun in Fisher Park. This restriction does not apply to a person who is lawfully carrying a firearm or other weapon in the course and scope of his or her employment as a certified peace officer, guard employed by a penal institution, or other member of law enforcement, or in the capacity of Park Personnel. This restriction does not apply to any person licensed to carry a handgun under Subchapter H, Chapter 411, of the Government Code. This restriction does not apply to a person transporting a firearm secured pursuant to state or federal law and who is passing through but not stopping in Fisher Park.

(16) Discharge of Weapons. It shall be unlawful for a person to discharge a firearm in Fisher Park. The discharge of a BB gun, pellet gun, or paintball gun in City Parks continues to be regulated under Chapter 8 of the Code of Ordinances.

(c) Penalty.

(1) The violation of any rule in this Section will subject the violator to prosecution for a Class C misdemeanor and a fine of up to \$500.00, unless the violation is of the type listed below which is subject to a greater fine.

(2) The violation of any rule in this Section relating to fire safety or public health and sanitation, other than the dumping of refuse, may be punishable by a fine of up to \$2,000.00.

(3) The violation of any rule in this Section governing the dumping of refuse may be punishable by a fine of up to \$4,000.00.

(4) In addition to these penalties, violation of the Fisher Park Rules may result in confiscation of all-terrain vehicles, motor bikes, and jet-powered watercraft. Violation of the Fisher Park Rules may result in ejection from the park by law enforcement or Park Personnel and the termination of any annual or other permit issued to any violator without refund. Blatant repeated violation of these rules may result in a lifetime ban from Fisher Park.

Sec. 1.10.003. Ruddick Park

(a) Events. No person or group shall organize or engage in an event at Ruddick Park without the prior express written permission of the Parks Advisory Board. An "event" is a gathering in which a person or group sets aside a portion of Ruddick Park for the exclusive use of that person or group.

(b) Events in Park Venues. The West Pavilion (known as the A.W. Phillips Pavilion), the East Pavilion (known as the Bob Reily Pavilion), and the Amphitheater (collectively, the "Park Venues") are available for reservations by persons or groups wishing to hold events at Ruddick Park.

(1) Reservations.

(A) The group or person requesting use of a Park Venue shall make prior arrangements with the Parks Advisory Board to reserve a specific Park Venue and, once made, the Board will assure the availability of such. If the request is made within 30 days of the date of the requested reservation, the request can be approved by the City Manager or his/her designee. Any group or person making a reservation shall be required to fill out a Reservation Form at City Hall.

(B) A reservation fee, as set in the City Parks Fee Schedule, shall be charged for groups over fifty (50) persons who reserve a Park Venue. Civic groups will not be charged a reservation fee.

(2) Deposits.

(A) A deposit, as set in the City Parks Fee Schedule, shall be required for all reservations for groups under fifty (50) persons using a Park Venue.

(B) A larger deposit shall be required for groups over fifty (50) persons. The deposit shall be established by the Parks Advisory Board at the time the reservation is approved.

(C) Deposits will be returned upon a written release from the Parks Department stating the Park Venue was left clean, all locks were securely locked, and all keys have been returned to City Hall.

(3) Utility Fee. A utility fee, as set in the City Parks Fee Schedule, will be charged to all groups who reserve a Park Venue for up to four hours, regardless of size, for use of the Park restrooms and/or utilities.

(4) Liability Fee. A liability fee will be charged for any person or organization holding an event in the Park that requires the City to purchase supplemental insurance for liability. Fees will be determined by the cost of the supplemental insurance through the City's current insurance provider.

(5) Any person or organization holding a public gathering of more than fifty (50) persons at which alcohol could be present are required to have two patrolmen, or more at the discretion of the Chief of Police, to provide security for the event. All associated fees for security will be paid a week in advance by the person or organization holding the event.

(6) Any person or organization occupying a Park Venue that has not been reserved by that person or organization will be required to move at any time during their event.

(c) Overnight Camping—Permit Required.

(1) Anyone camping in Ruddick Park is required to have a permit to do so. Permits may be obtained at City Hall during business hours or at the Police Department 24 hours a day.

The fees for permits shall be established by the City Council from time to time and set out in the City Parks Fee Schedule.

(2) Overnight camping permits for Ruddick Park may be issued for an individual or for a family of up to four (4) family members. If electric outlets are available and are utilized while camping, an additional fee shall be charged.

(3) The permit must be with the permitted person or family any time they are camping in Ruddick Park.

(4) Anyone accepting a permit from the City of Colorado City for use of Ruddick Park waives any and all liability claims against the City and agrees to hold the City harmless for any accidents, property damage, or bodily injury resulting from the permit holder's use of Ruddick Park.

(d) Ruddick Park Rules.

(1) Hours of Operation.

(A) In general, the public may use Ruddick Park only during the following hours:

6:00 a.m. – 11:00 p.m., Sunday through Thursday, and
6:00 a.m. – 12:00 midnight, on Friday, Saturday and federal holidays or other holidays if posted in the Park.

(B) Individuals and/or groups may use Ruddick Park outside of the general hours of operation if:

(i) The Park is being used for a scheduled public athletic event, and the event is not concluded within the hours of operation;

(ii) The individual or family using the Park holds an overnight camping pass and the individual or family is within a designated camping area;

(2) Camping. It shall be unlawful for any person to set up an overnight camping or lodging site in Ruddick Park except in areas designated and posted as camping areas. Campers shall obtain a permit and pay appropriate fees according to the rules established in Section 1.10.003(c), above.

(3) Fishing. Members of the public, regardless of age, may fish in Ruddick Park without a City permit. However, any individual fishing at Ruddick Park shall obtain a Texas Parks and Wildlife fishing license if required to do so by state law.

(4) Swimming. It shall be unlawful to any person to swim in a pond located in Ruddick Park.

(5) Music. No loud music shall be allowed after 12:00 midnight, April through August. No loud music shall be allowed after 10:00 p.m. September through March.

(6) Littering. It shall be unlawful for any person to place litter in any area of Ruddick Park except within proper trash receptacles.

(7) Containers. No breakable and/or glass containers shall be allowed in Ruddick Park outside the confines of a motor vehicle. Cans and paper containers may be used.

(8) Business Activities. It shall be unlawful for any person to sell or make an offer to sell goods or services or to conduct business activities within Ruddick Park without the express written permission from the Parks Advisory Board.

(9) Animals. It shall be unlawful for any person to bring an animal, other than domestic dogs or cats, inside Ruddick Park without the prior consent of the Parks Advisory Board or City Manager. Owners must secure all animals brought into a City Park with a leash not to exceed ten (10) feet. This restriction does not apply to any animal being used by a person who suffers from any physical disability or handicap or to any animal being used by a law enforcement agency or penal institution or other similar agency in the course and scope of employment.

(10) Wildlife. It shall be unlawful for any person to kill, harm, trap, confine, catch, or possess wildlife within Ruddick Park except in cases of emergency where there is an immediate threat to the health and safety of a person. This restriction does not apply to any actions being taken by a member of law enforcement or the City's Animal Control Department. This restriction does not apply to activities related to fishing which is permitted in Ruddick Park, as long as the individual fishing does not employ trapping or netting techniques while fishing.

(11) Fires. In order to ensure the health and safety of all citizens, it shall be unlawful for any person to start or use a fire within Ruddick Park except in facilities provided by or approved by the Parks Advisory Board. Fires shall be attended at all times and fully extinguished before the site is left. No person shall violate any provision of a fire ban that the Parks Advisory Board may institute from time to time in order to protect the resources of Ruddick Park or in the interest of public safety.

(12) Fireworks. It shall be unlawful for any person to possess or discharge a firework of any kind in Ruddick Park.

(13) Encroachment. No person shall in any way alter, damage, remove, or deface any facility, features, vegetation, man-made objects, equipment, or other permanent fixture include trees and other items of vegetation in Ruddick Park.

(14) Motor Vehicles.

(A) It shall be unlawful for any person to drive or propel any type of vehicle in or over or through Ruddick Park, except along the designated streets or in designated parking areas. This restriction does not apply to a person who suffers from a disability

who is using a motorized vehicle to accommodate that disability (i.e., motorized wheelchairs or other similar vehicles). This restriction does not apply to any member of law enforcement who is acting in the course and scope of his or her duties as a law enforcement agent.

(B) No person shall repair, clean, wash, or otherwise maintain a motor vehicle in Ruddick Park except in cases of emergency. No one shall discharge or cause to be discharged hazardous substances, including but not limited to gasoline, antifreeze, and motor oil, in Ruddick Park.

(C) Motor vehicles should be parked only in designated parking areas. Motor vehicles should not be left in Ruddick Park overnight, unless the owner or operator of the vehicle holds a valid camping permit allowing the owner or operator to remain in Ruddick Park after hours.

(15) Speed Limit. The speed limit for roads within Ruddick Park is hereby established at twenty (20) miles per hour. It shall be unlawful for any person to operate a motor vehicle at a speed above twenty (20) miles per hour within Ruddick Park.

(16) Possession of Weapons. It shall be unlawful for a person to possess a firearm, BB gun, pellet gun, or paintball gun in Ruddick Park. This restriction does not apply to a person who is lawfully carrying a firearm or other weapon in the course and scope of his or her employment as a certified peace officer, guard employed by a penal institution, or other member of law enforcement. This restriction does not apply to any person licensed to carry a handgun under Subchapter H, Chapter 411, of the Government Code. This restriction does not apply to a person transporting a firearm secured pursuant to state or federal law and who is passing through but not stopping in Ruddick Park.

(17) Discharge of Weapons. It shall be unlawful for a person to discharge a firearm in Ruddick Park. The discharge of a BB gun, pellet gun, or paintball gun in City Parks continues to be regulated under Chapter 8 of the Code of Ordinances.

(e) Penalty.

(1) The violation of any rule in this Section will subject the violator to prosecution for a Class C misdemeanor and a fine of up to \$500.00, unless the violation is of the type listed below which is subject to a greater fine.

(2) The violation of any rule in this Section relating to fire safety or public health and sanitation, other than the dumping of refuse, may be punishable by a fine of up to \$2,000.00.

(3) The violation of any rule in this Section governing the dumping of refuse may be punishable by a fine of up to \$4,000.00.

Sec. 1.10.004. Paredes Park

(a) Events. No person or group shall organize or engage in an event at Paredes Park without the prior express written permission of the Parks Advisory Board. An “event” is a public gathering in which a person or group sets aside a portion of Paredes Park for the exclusive use of that person or group.

(b) Events at the Pavilion. The Franco Pavilion is available for reservations by persons or groups wishing to hold public gatherings at Paredes Park.

(1) Reservations.

(A) The group or person requesting use of the Pavilion shall make prior arrangements with the Parks Advisory Board to reserve the Pavilion and, once made, the Board will assure the availability of such. If the request is made within 30 days of the date of the requested reservation, the request can be approved by the City Manager or his/her designee. Any group or person making a reservation shall be required to fill out a Reservation Form at City Hall.

(B) A reservation fee, as set in the City Parks Fee Schedule, shall be charged for groups over fifty (50) persons who reserve the Pavilion. Civic groups will not be charged a reservation fee.

(2) Deposits.

(A) A deposit, as set in the City Parks Fee Schedule, shall be required for all reservations for groups under fifty (50) persons using the Pavilion.

(B) A larger deposit shall be required for groups over fifty (50) persons. The deposit shall be established by the Parks Advisory Board at the time the reservation is approved.

(C) Deposits will be returned upon a written release from the Parks Department stating the Pavilion was left clean, all locks were securely locked, and all keys have been returned to City Hall.

(3) Utility Fee. A utility fee, as set in the City Parks Fee Schedule, will be charged to all groups who reserve the Pavilion for up to four hours, regardless of size, for use of the Park restrooms and/or utilities.

(4) Liability Fee. A liability fee will be charged for any person or organization holding an event in the Park that requires the City to purchase supplemental insurance for liability. Fees will be determined by the cost of the supplemental insurance through the City’s current insurance provider.

(5) Any person or organization holding a public gathering of more than fifty (50) persons at which alcohol could be present are required to have two patrolmen, or more at the discretion

of the Chief of Police, to provide security for the event. All associated fees for security will be paid a week in advance by the person or organization holding the event.

(6) Any person or organization occupying a Pavilion that has not been reserved by that person or organization will be required to move at any time during their event.

(c) Overnight Camping—Permit Required.

(1) Anyone camping in Paredes Park is required to have a permit to do so. Permits may be obtained at City Hall during business hours or at the Police Department 24 hours a day. The fees for permits shall be established by the City Council from time to time and set out in the City Parks Fee Schedule.

(2) Overnight camping permits for Paredes Park may be issued for an individual or for a family of up to four (4) family members. If electric outlets are available and are utilized while camping, an additional fee shall be charged.

(3) The permit must be with the permitted person or family any time they are camping in Paredes Park.

(4) Anyone accepting a permit from the City of Colorado City for use of Paredes Park waives any and all liability claims against the City and agrees to hold the City harmless for any accidents, property damage, or bodily injury resulting from the permit holder's use of Paredes Park.

(d) Paredes Park Rules.

(1) Hours of Operation.

(A) In general, the public may use Paredes Park only during the following hours:

6:00 a.m. – 11:00 p.m., Sunday through Thursday, and

6:00 a.m. – 12:00 midnight, on Friday, Saturday and federal holidays or other holidays if posted in the Park.

(B) Individuals and/or groups may use Paredes Park outside of the general hours of operation if:

(i) The Park is being used for a scheduled public athletic event, and the event is not concluded within the hours of operation;

(ii) The individual or family using the Park holds an overnight camping pass and the individual or family is within a designated camping area;

(2) Camping. It shall be unlawful for any person to set up an overnight camping or lodging site in Paredes Park except in areas designated and posted as camping areas. Campers

shall obtain a permit and pay appropriate fees according to the rules established in Section 1.10.004(c), above.

(3) Music. No loud music shall be allowed after 12:00 midnight, April through August. No loud music shall be allowed after 10:00 p.m. September through March.

(4) Littering. It shall be unlawful for any person to place litter in any area of Paredes Park except within proper trash receptacles.

(5) Containers. No breakable and/or glass containers shall be allowed in Paredes Park outside the confines of a motor vehicle. Cans and paper containers may be used.

(6) Business Activities. It shall be unlawful for any person to sell or make an offer to sell goods or services or to conduct business activities within Paredes Park without the express written permission from the Parks Advisory Board.

(7) Animals. It shall be unlawful for any person to bring an animal, other than domestic dogs or cats, inside Paredes Park without the prior consent of the Parks Advisory Board or City Manager. Owners must secure all animals brought into a City Park with a leash not to exceed ten (10) feet. This restriction does not apply to any animal being used by a person who suffers from any physical disability or handicap or to any animal being used by a law enforcement agency or penal institution or other similar agency in the course and scope of employment.

(8) Wildlife. It shall be unlawful for any person to kill, harm, trap, confine, catch, or possess wildlife within Paredes Park except in cases of emergency where there is an immediate threat to the health and safety of a person. This restriction does not apply to any actions being taken by a member of law enforcement or the City's Animal Control Department.

(9) Fires. In order to ensure the health and safety of all citizens, it shall be unlawful for any person to start or use a fire within Paredes Park except in facilities provided by or approved by the Parks Advisory Board. Fires shall be attended at all times and fully extinguished before the site is left. No person shall violate any provision of a fire ban that the Parks Advisory Board may institute from time to time in order to protect the resources of Paredes Park or in the interest of public safety.

(10) Fireworks. It shall be unlawful for any person to possess or discharge a firework of any kind in Paredes Park.

(11) Encroachment. No person shall in any way alter, damage, remove, or deface any facility, features, vegetation, man-made objects, equipment, or other permanent fixture include trees and other items of vegetation in Paredes Park.

(12) Motor Vehicles.

(A) It shall be unlawful for any person to drive or propel any type of vehicle in or over or through Paredes Park, except along the designated streets or in designated

parking areas. This restriction does not apply to a person who suffers from a disability who is using a motorized vehicle to accommodate that disability (i.e., motorized wheelchairs or other similar vehicles). This restriction does not apply to any member of law enforcement who is acting in the course and scope of his or her duties as a law enforcement agent.

(B) No person shall repair, clean, wash, or otherwise maintain a motor vehicle in Paredes Park except in cases of emergency. No one shall discharge or cause to be discharged hazardous substances, including but not limited to gasoline, antifreeze, and motor oil, in Paredes Park.

(C) Motor vehicles should be parked only in designated parking areas. Motor vehicles should not be left in Paredes Park overnight, unless the owner or operator of the vehicle holds a valid camping permit allowing the owner or operator to remain in Paredes Park after hours.

(13) Speed Limit. The speed limit for roads within Paredes Park is hereby established at twenty (20) miles per hour. It shall be unlawful for any person to operate a motor vehicle at a speed above twenty (20) miles per hour within Paredes Park.

(14) Possession of Weapons. It shall be unlawful for a person to possess a firearm, BB gun, pellet gun, or paintball gun in Paredes Park. This restriction does not apply to a person who is lawfully carrying a firearm or other weapon in the course and scope of his or her employment as a certified peace officer, guard employed by a penal institution, or other member of law enforcement. This restriction does not apply to any person licensed to carry a handgun under Subchapter H, Chapter 411, of the Government Code. This restriction does not apply to a person transporting a firearm secured pursuant to state or federal law and who is passing through but not stopping in Paredes Park.

(17) Discharge of Weapons. It shall be unlawful for a person to discharge a firearm in Paredes Park. The discharge of a BB gun, pellet gun, or paintball gun in City Parks continues to be regulated under Chapter 8 of the Code of Ordinances.

(e) Penalty.

(1) The violation of any rule in this Section will subject the violator to prosecution for a Class C misdemeanor and a fine of up to \$500.00, unless the violation is of the type listed below which is subject to a greater fine.

(2) The violation of any rule in this Section relating to fire safety or public health and sanitation, other than the dumping of refuse, may be punishable by a fine of up to \$2,000.00.

(3) The violation of any rule in this Section governing the dumping of refuse may be punishable by a fine of up to \$4,000.00.

Sec. 1.10.005—1.10.030. Reserved.

Division 2. Parks Advisory Board

Sec. 1.10.031. Created

There is hereby created in and for the City a board which shall be called the Colorado City Parks Advisory Board. The purpose of the Parks Advisory Board is to provide recommendations to the City Council, City Manager, and City staff regarding park-related issues.

Sec.1.10.032. Composition; appointment and terms of members

The Parks Advisory Board shall be composed of nine (9) members. The initial seven (7) members shall be recommended by the City Council. All subsequent members shall be recommended for appointment by the City Council by the remaining members of the Parks Advisory Board. The nine-member board shall have staggered terms. Up to three (3) members shall serve as long as they serve in the capacity as presidents of the various leagues with at least one (1) of those members representing the little league. Of the other initial members, two (2) members shall serve 2-year terms and two (2) members shall serve 3-year terms. Two (2) members may be upperclassmen attending Colorado High School who are appointed by the City Council to serve one (1) year terms. The City Council may appoint the same membership for consecutive terms as may be recommended by the Parks Advisory Board. Members shall serve a maximum of six (6) years unless otherwise approved by the Council. Membership may consist of individuals representing the various leagues as well as others who may be representative of the various needs or divisions of the Parks and Recreation Department.

Sec. 1.10.033. Compensation

The members of the Parks Advisory Board shall serve without compensation.

Sec. 1.10.034. Removal of members

Any member of the Parks Advisory Board may be removed from such membership by a majority vote of the members of the Council, and, upon removal, such board member shall no longer be authorized to act as a representative of the Board. Any Advisory Board Member who misses three (3) consecutive meetings shall be considered inactive and can therefore be removed from the Advisory Board.

Sec. 1.10.035. Filling of vacancies

Unexpired vacancies on the Parks Advisory Board shall be filled by the Council within thirty (30) days of receiving a written recommendation from the Parks Advisory Board. The Parks Advisory Board shall provide their recommendation for the appointment of an unexpired vacancy to the City Manager within 30 days after receiving notice of the vacancy on the Board.

Sec. 1.10.36. Powers and duties

The primary responsibility of the Parks Advisory Board shall be to provide suggestions and recommendations for improved recreational activities for residents of the City. The Parks Advisory Board shall make recommendations relating to all City-owned park facilities whether those facilities

are located inside or outside the municipal limits of the City. Other responsibilities include, but are not limited to, the following:

- (1) Evaluate and recommend the need for additional park facilities as may be required;
- (2) Recommend to the City Council, City Manager, and Parks Department staff policies deemed necessary and desirable in preparation of a comprehensive park and recreation program and generally review the enactment of these programs;
- (3) Evaluate certain grant applications and recommend to the Council the approval or rejection of funding as may be required;
- (4) Evaluate and recommend changes to the Parks Advisory Board rules and regulations as may become necessary;
- (5) Recommend all appointments to the Parks Advisory Board membership to the City Council prior to the expiration of their respective terms or when a vacancy occurs;
- (6) Make recommendations to the City Council, City Manager, or other appropriate parks staff members regarding the operation and maintenance of all park facilities and regarding recommendations to implement such policies as established;
- (7) Evaluate the fiscal needs of the Parks Department and assist City staff in the preparation of the City's annual parks budget;
- (8) Monitor the City parks budget with appropriate City staff and aid City staff as necessary to remain in compliance with budgetary restraints established by the City budget;
- (9) Recommend guidelines upon request by the Council for the operation of the concession stand and distribute all funds collected consistent with said adopted guidelines;
- (10) Coordinate volunteer efforts to promote park-related functions and improvements in accordance with the policies of the City;
- (11) Receive input from and respond to the general public regarding needs for additional park facilities and assess future needs for the Parks and Recreation Department;
- (12) Promote or raise funds for special park projects not included within the parks budget as the City Council may deem appropriate and feasible and administer those funds in accordance with the adopted policies of the City;
- (13) Conduct regularly scheduled meetings of the Parks Advisory Board;
- (14) Appoint officers and establish specific committees;
- (15) Hear and approve all requests for use of all City-owned park facilities by various individuals and groups and report same to the City Council during regular monthly reports;

(16) Hear and approve all requests for use of City-owned park facilities by various individuals and/or groups who wish to conduct business activities thereon;

(17) Hear and approve all requests by individuals wishing to bring animals onto City-owned park facilities;

(18) Provide recommendations to the City Council on the revision of rules and regulations relating to the use of City parks; and

(19) Designate areas in which fires may be placed in City parks by individuals or groups using the City parks.

Sec. 1.10.037. Meetings; quorum

The Parks Advisory Board shall fix the time and place for meetings of the board. Any five (5) members of the Board shall constitute a quorum, and the majority vote of those members present, providing the same constitutes a quorum, shall be sufficient to cause official recommendation to be taken on any matter presented to the Board. All such meetings shall be open to the public and posted in accordance with the Open Meetings Act. The notice of the meeting is to be posted at City Hall. Meetings shall be conducted at a minimum of quarterly and may be called more often than quarterly by the president and/or four (4) members of the Board as may be required.

Sec. 1.10.038. Officers

(a) Appointment. Officers shall be appointed at the beginning of each fiscal year (October 1st through September 30th).

(b) President. The president shall preside over all meetings. All special meetings shall be called by the president or by a majority of the Board. The president shall represent the wishes of the Parks Advisory Board and shall represent the Parks Advisory Board at all City Council meetings where pertinent matters relative to the Parks and Recreation Department are discussed.

(c) Vice-president. In the absence of the president, the vice-president shall conduct and preside over all Parks Advisory Board meetings and shall represent the Board as may be required.

(d) Secretary. The secretary shall be responsible for preparing all agendas and posting same in a timely manner. The secretary shall also be responsible for making up information packets and delivering same to membership prior to meetings. The secretary shall also be responsible for recording and typing of all minutes.

(e) Treasurer. The treasurer shall be responsible for providing updated and current budgetary information from the City budget to members of the Parks Advisory Board at each meeting. The Chief Finance Officer of the City shall be responsible for providing requested information to the treasurer.

Sec. 1.10.039. Limitations on powers

The Parks Advisory Board shall act in an advisory capacity only and shall not have the authority to bind or obligate the City Council in any manner whatsoever concerning the establishment and maintenance of park and recreation facilities in the City. The Council shall, however, receive and review any recommendation of the Parks Advisory Board when determining whether to sell or otherwise dispose of or to purchase public lands or properties designated for park and recreational uses.

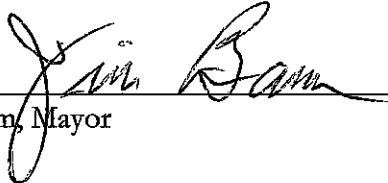
III. Severability Clause. It is hereby declared to be the intention of the City Council of the City of Colorado City that any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

IV. Repealing Clause. All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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

VI. Publication and Effective Date. The City Secretary is hereby authorized and directed to publish the caption and penalty clause of this Ordinance in the manner and for the length of time prescribed by law and this ordinance shall become effective after publication of same as provided by charter and/or State law.

PASSED AND APPROVED by the City Council of the City of Colorado City, Texas, on this the 11th day of October, 2016.



Jim Baum, Mayor

ATTEST:



Donna Madrid, City Secretary