

ORDINANCE 86. CITY OF COAHOMA PUBLIC PARKS

**AN ORDINANCE REGULATING PUBLIC PARKS**

WHEREAS, the City Council finds it is necessary to preserve and maintain the public health, safety, and welfare of the citizens of Coahoma, Texas, and;

WHEREAS, the City Council finds that public parks are a community asset and should be subject to certain regulations for the benefit of the citizens of Coahoma.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF COAHOMA, TEXAS: THAT THE FOLLOWING REGULATIONS SHALL BE EFFECTIVE ON THIS DATE: FEBRUARY 1, 2011.

**ARTICLE 1. GENERALLY**

**Section 1. Definitions.**

For the purposes of this article, the following words shall have the definitions set out below:

*Public park* means any land or lands within the corporate limits of the city, owned or maintained by the city, which shall include, but not be limited to, improved areas designated as city parks, city-owned recreational facilities and all other facilities maintained by the city for the recreational enjoyment of its citizens.

**Section 2. Enforcement.**

Any action committed upon public park property which is prohibited by this ordinance under Section 4 below shall be cause for the arrest of any person so committing said prohibited act by any law enforcement officer, and the prosecution of such person by the appropriate judicial authority.

**Section 2. Rules and regulations.**

The city shall make such rules, regulations and requirements as hereinafter provided as it may deem necessary for the orderly and efficient operation of the public parks.

**Section 3. Hours of operation.**

The hours of operation for any public park shall be 5:00 a.m. until 11:00 p.m.

**Section 4. Prohibited acts.**

It shall be unlawful for any person to commit any one or more of the following acts:

- (1) To hitch, lead, drive or let loose any animal, reptile or fowl of any kind. This shall not apply to domestic animals when led by a static cord or chain not more than ten feet long or a retractable cord not more than 15 feet long.
- (2) To ride or drive any horse or other animal, except in designated areas.
- (3) To ride, drive or go at a rate of speed faster than the posted speed limit, upon any bicycle, motorcycle, automobile or any other vehicle whatsoever, upon any parking lot or area, road or street in any park.
- (4) To ride, drive or park any motorcycle, automobile, motorized scooter, or other motorized vehicle upon, over or across any park, curb, sidewalk, grass, or lawn, except authorized city

vehicles, and in designated areas.

(5) To carry firearms, except those persons who are duly licensed by the state to carry a concealed handgun in accordance with the provisions of the Texas Concealed Weapons Act, as amended.

(6) To carry (unless permitted under subsection (5) above) or discharge firearms, fireworks, BB-guns, air guns, bows and arrows, slingshots, blowguns, rockets or paint-ball guns, unless authorized by the City Council.

(7) To hit golf balls.

(8) To damage or disturb any living or man-made equipment, structure, or property, or to mark or write upon, paint or deface in any manner any building, monument, fence, bench, equipment or other structure.

(9) To place, abandon or leave garbage, cans, bottles, papers or other refuse in any public park, except in proper waste receptacles.

(10) To participate or engage in any activity when such activity will create a danger to the public, a public nuisance, or cause damage to public park property.

(11) To camp, sleep or stay overnight in any park, unless authorized in writing by the city.

(12) To remain, stay or loiter in any park between the hours of 11:00 p.m. and 5:00 a.m. unless authorized in writing by the City.

(13) To possess or consume any alcoholic beverages.

(14) To distribute, post, or place any static or mobile advertising.

(15) To sell or offer for sale or rent any food, drinks, confections, merchandise or services, except pursuant to a written agreement with the city.

(16) For any person over the age of six years to use the restrooms and washrooms designated for the opposite sex, unless assistance is necessary.

(17) To allow a domestic animal to defecate in the park without immediate removal.

(18) To use or operate any gas operated remote controlled airplane, boat, car, or other motorized model device, including radio-controlled devices.

(19) To use glass containers.

(20) To violate any park rules which are conspicuously posted at or near the main entrance to a park or park facility.

(21) To park or operate a commercial vehicle in park facility parking lots, except on official business or when attending a park function.

(22) Skateboarding.

(23) For any person over the age of twelve years to use playground equipment designed for younger children.

(24) Adults are responsible for the conduct of their minor children.

(25) Metal detectors are prohibited.

### **Section 5. - Use of tobacco products.**

It shall be unlawful for any person to use any tobacco product or to smoke, in any park or park facility, except in designated areas. A sign containing the words "This Facility is Tobacco Free" with letters at least 1.5 inches in height shall be posted at or near the main entrance of each park and park facility and notice of such prohibition shall also be contained in any park rules which are posted in athletic fields and other park facilities.

### **Sections 6-8. Reserved.**

## **ARTICLE II. APPEALS**

### **Section 1. Appeals.**

An appeal from any act listed in Article I, Section 4 above may be made to the Coahoma City Council if the City Council wishes to hear an appeal prior to enforcement action authorized under Article I, Section 2 above. The City Council may hear said appeal within thirty (30) days from the date that an individual(s) is accused of committing a prohibited act. The Council shall have the authority to stay prosecution for the reported prohibited act.

**Sections 2-4. Reserved.**

## **ARTICLE III.**

### **Section 1. Savings and severability.**

(a) The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

(b) If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Coahoma hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

A handwritten signature in black ink, appearing to read "Wanda Walker", is positioned below the text of the ordinance.