

VOLUME: 1

ARTICLE 5: PARKS & RECREATION

CHAPTER 4: PARK RULES

SECTION 1. POPULAR NAME

This Chapter shall be cited as the “Parks Rules.”

SECTION 2. APPLICATION

This Chapter applies to all city parks in the city limits and ETJ.

SECTION 3. DEFINITIONS

3.1. General

Words and phrases used in this Chapter shall have the meanings set forth in this section. Words and phrases that are not defined below, but are defined elsewhere in the Dripping Springs Code of Ordinances, shall be given the meanings set forth in those other ordinances. Words and phrases not defined in the Code of Ordinance shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only. Headings and captions are for reference purposes only.

3.2. Specific

City means the City of Dripping Springs, an incorporated municipality located in Hays County, Texas, and includes any official, agent or employee acting on behalf of the City.

City Park or **Park** means the City Parks identified above and any land now or hereafter dedicated by the City of Dripping Springs as a municipal park.

Commission means the City of Dripping Springs Parks and Recreation Commission (aka, “Parks & Rec”) or any successor entity.

Dangerous Animal or means an animal that:

- (a) makes an unprovoked attack on a person or another animal that causes bodily injury and occurs in a place other than an enclosure in which the

dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or

- (b) commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Glass Container means any glass receptacle other than:

- (a) glass-lined vacuum bottles;
- (b) commercially produced baby bottles or baby food jars containing products for consumption by a baby; or
- (c) drug glass containers containing over the counter or prescribed drugs.

Person means an individual, corporation, organization, government agency, business, trust, partnership, association, or any other legal entity, other than the City.

Vehicle means a device that can be used to transport or draw persons or property on a street including but not limited to a moped, power driven bicycle, motorcycle, motor scooter, automobile, truck, golf cart, tractor, and all-terrain vehicle.

SECTION 4. PROHIBITION ON USE OF GLASS CONTAINERS IN DESIGNATED AREAS OF CITY PARKS

4.1. Presence or use of Glass Containers Prohibited

It shall be unlawful for any person to knowingly or intentionally possess a Glass Container within any area of a City Park, including parking lots, playing fields, playscapes, and adjoining sidewalks and driveways.

4.2. Interference with an Authorized Sign

It shall be unlawful for a person, (a) to remove or attempt to remove a sign posted by the City without City authority, or (b) to alter, deface, injure, knock down, or attempt to alter, deface, injure, or knock down, a sign authorized to be erected under this Ordinance.

SECTION 5. OTHER PROHIBITIONS

5.1. It shall be unlawful for any person to engage in one or more of the following activities in any City Park:

- 5.1.1. possess or use illegal drugs [*controlled substances*];
- 5.1.2. litter, or deposit or dump refuse or trash on City Park property, except for the deposit of litter in containers designated for that purpose;
- 5.1.3. possess or use a firearm;

- 5.1.4. bring any animal into a City Park that is dangerous, or fail to keep any animal under control;
 - 5.1.5. damage or remove any park property, or any material or equipment except as authorized by the City;
 - 5.1.6. engage in disorderly conduct or behavior constituting a breach of the peace, including, but not limited to, fighting, public nudity, public intoxication, profanity or abusive language;
 - 5.1.7. use any device, including, but not limited to, radios, that results in the emission of sound in excess of 85 decibels when measured at the source.
 - 5.1.8. start or maintain fires, except in fire rings or pits provided by the City for that purpose;
 - 5.1.9. be on City Park property when the park is closed to the public, unless engaged in activities permitted or authorized by the City;
 - 5.1.10. permit or ride horses in any area other than those areas expressly designated by the City for horseback riding;
 - 5.1.11. permit pets other than seeing eye dogs in public buildings or swimming pool areas;
 - 5.1.12. use, park or operate a motorized vehicle in any area other than paved access roads or areas expressly designated as parking areas, unless expressly authorized by the City;
 - 5.1.13. violate any other Park Rule adopted by City Council.
- 5.2. It shall be unlawful for any person to possess or use alcoholic beverages in Founders Park.

6. AUTHORITY TO ESTABLISH RULES AND RESERVATION SYSTEM FOR PARK USE

The City Council hereby authorizes the Commission to establish rules for the orderly use of City Parks, and to establish and oversee a system for reserving the use of park facilities by persons on a temporary basis. The Commission may establish fees, insurance requirements, and any other requirements for such use. Commission rules shall become effective upon ratification by the City Council.

7. ENFORCEMENT

7.1. Civil and Criminal Penalties

The City shall have the power to administer and enforce the provisions of this Ordinance as may be authorized by governing law. Any person violating any provision of this Ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations to the extent permitted by applicable law.

7.2. Criminal Prosecution

An offense under this Ordinance is a misdemeanor. Any person violating any of said provisions of this Ordinance shall, upon conviction, be subject to a fine not to exceed \$500 for each offense.

7.3. Civil Remedies

Nothing in this Ordinance shall be construed as a wavier of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek all remedies as allowed by law.