

**TOWN OF DISH
ORDINANCE NO. 11-07**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DISH, TEXAS, PROVIDING FOR REGULATION OF THE TOWN PARK AND RECREATION FACILITIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR HOURS OF OPERATION; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR CITY SPECIAL EVENTS; PROVIDING FOR DAMAGES AND COST OF SERVICES; PROVIDING FOR TOBACCO FREE FACILITIES; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2000 PLUS REPLACEMENT/REPAIR COST AND THE COST OF PROSECUTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DISH, TEXAS:

**Section 1
Town Park Regulations**

- (a) Operating Regulations. The Park Board shall establish, review, and timely update rules and regulations for the operation of the City's parks and recreation facilities.
- (b) Programming of activities. The Board shall establish, review and timely update appropriate programming activities for the Town's park and recreation facilities.
- (c) All persons using Town parks and recreational facilities do so at their own risk
- (d) The Town assumes no responsibility for loss of personal property.
- (e) Young children are to be supervised by responsible adults.
- (f) Convicted sex offenders are prohibited from entering park premises.
- (g) Pets must be leashed and under control at all times. Dangerous pets or animals are prohibited.
- (h) No bicycles, skateboards, rollerblades, big wheels or any other similar type item will be allowed inside the playground, basketball court and volleyball court.
- (i) All vehicles must be operated in a legal and safe manner. No skidding or spinning tires is permitted.

**Section 2
Enforcement**

- (a) Officials and any member of the Police Department shall in conjunction with their duties imposed by law diligently enforce the provisions of this Article.
- (b) Ejectment. Officials or any member of Police Department shall have the authority to eject from any park any person in violation of this Article.
- (c) Seizure. Officials or any member of the Police Department shall, when authorized by law, have the authority to seize any property in violation of this Article.

**Section 3
Hours of Operation**

The hours of operation for any public park shall be one hour before sunrise until one hour after sunset.

**Section 4
Prohibited Acts**

It shall be unlawful for any person to commit any one or more of the following acts in a park or on any street within a park:

1. To hitch, fasten, lead, drive or let loose, any animal, reptile or fowl of any kind, provided that this shall not apply to domestic when led by a static cord or chain not more than ten (10) feet long or retractable cord not more than fifteen (15) feet long, except to designated areas.
2. Use threatening, abusive or insulting language.
3. Do any obscene or indecent act as defined by the Penal Law of the State of Texas.
4. Throw stones or other objects not intrinsic to a sport.
5. Interfere with, encumber or obstruct passage in any part of a park or park street.
6. Enter or leave any park except at established entranceways or exits and at established times.
7. Enter or remain on park premises in a state of intoxication or in a disorderly manner.
8. No person shall discard any lighted match, cigar or cigarette within any park.
9. No person shall injure, deface, alter, remove or destroy any property or equipment owned by the Town of DISH.
10. To ride, drive or go a rate of speed greater than the posted speed limit, upon any bicycle, motorcycle, in-line skates, automobile or any other vehicle whatsoever, upon any parking lot or area of the town park, provided however bicycles and in-line skating are allowed on park trails, provided that bicycles, in-line skates, skate boards and similar devices not be used in or on the pavilion area, stairs, railings, or athletic equipment.
11. To ride, drive or park any motorcycle, automobile, motorized scooter, or other motorized vehicle upon, over or across any park, curb, sidewalk, grass, lawn, hike or jogging trail or park land, except authorized City vehicles, and in designated areas, unless authorized by the Mayor or his/her designee.
12. To carry a firearm, except those persons who are duly licensed by the State of Texas to carry a concealed handgun in accordance with the provisions of the Texas Concealed Weapons Act, as amended.
13. To possess, (unless permitted under (5) above), or discharge firearms, fireworks, BB guns, air guns, bows and arrows, slingshots, blowgun, rockets, or paint-ball guns unless authorized by the Mayor or his/her designee.
14. To hit golf balls.
15. To damage, move, climb, cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, monument, fence, bench, equipment or other structure, apparatus or property, or to pluck, pull up, cut, take or remove any shrubs, bush, plant or flower, or mark or write upon, paint or deface in any manner any building, monument, fence, bench, equipment or other structure.
16. To cut or remove any wood, shrub, grass, soil, rock, sand, gravel or fertilizer.
17. To pollute the water of any fountain, pond, lake or stream except when authorized by the Mayor or his/her designee.
18. To make or kindle a fire.
19. To place, abandon, or leave garbage, cans, bottles, papers, or other refuse in any public park except in proper waste receptacles.
20. To participate or engage in any activity or any public park area when such activity will create a danger to the public, a public nuisance, or cause damage to public park property.
21. To camp, sleep or stay overnight in any park unless authorized by the Mayor or his/her designee in writing.
22. To remain, stay or loiter in any park more than one hour before sunrise or more than one hour after sunset, or remain, stay, or loiter in any park except during the posted hours of operation, unless authorized by the Mayor or his/her designee in writing.
23. To possess or consume alcoholic beverages.
24. To disturb in any manner any picnic, meeting, service, concert, exercise or exhibition.
25. To distribute, post, place or erect any static or mobile advertising, handbill, circular bill, notice, paper or other advertising device.
26. To sell or offer for sale any food, drinks, confections, merchandise or services except pursuant to a written agreement with the City or by written permission from the Mayor or his/her designee.

27. To practice, carry on, conduct or solicit for any trade, occupation, business, or profession, or to circulate any petition of whatsoever kind or character.
28. For any person over the age of ten (10) years to use the restrooms and washrooms designated for the opposite sex, unless assistance is necessary.
29. To place or dump any trash, refuse, solid waste, grass clippings, leaves, or other objectionable or unsightly matter in any park.
30. To allow a domestic animal to defecate in the park without immediate removal and disposal of such feces in proper waste receptacles.
31. To abandon, place, remove or injure any animal, domestic or wild, including but not limited to dogs, cats, cows, horses, birds, mammals, reptiles, fowls, and livestock; to catch and remove any fish when the person is required to obtain a fishing license from the Texas Parks and Wildlife Department, such persons being restricted to catch and release only.
32. To use laser light devises, paintball gun, slingshot, or devises which could be used as a weapon or cause injury to another person.
33. To use or operate any gas operated remote controlled airplane, boat, car or other motorized or non motorized model device or missile device of any kind, including radio-controlled devices (except radio controlled boats), or helicopter, parasail, hang glider, or hot air balloon, unless otherwise designated by the Mayor or his/her designee.
34. Use of mechanical loudspeakers or amplified music, sound, or voices except when authorized by the Director, or in connection with use of amphitheater provided the amplified music or sound is within prescribed levels governed by the State or local law, measured at the property boundary.
35. To conduct or participate in any tournament, camp, or organized sporting activity which has not been specifically authorized by the Director or which conflicts with a scheduled activity or event authorized by the Mayor or his/her designee.
36. To use glass containers.
37. To violate any Park Rules which are conspicuously posted at or near the main entrance to a park or park facility.
38. To operate any vehicle in a park facility parking lot after normal hours of operation.
39. To park or operate a commercial vehicle in park facility parking lots except on official business or when attending a park function.
40. To park or operate any truck-tractor, trailer, semi-trailer, pole-trailer in a park facility parking lot at any time, unless there on official business.

Section 5

City Sponsored or Approved Events.

- (a) Use of park facilities, including but not limited to, specific events, fields, tennis courts, and pavilions, for tournaments, camps, organized sporting events, and games must be prescheduled with and approved by the Mayor or his/her designee.
- (b) The Mayor or his/her designee shall have the authority to issue special permits, grant exceptions, or waivers to any of the terms of Section 4 for authorized events and activities.
- (c) No person shall advertise an event, meeting, or activity or the time, permitted hours, or usage of any event, meeting, or activity to be held or conducted in a park facility unless such event, meeting or activity and advertisement of such event, or activity and the time, permitted hours, or usage have been approved by the Mayor or his/her designee.

Section 6
Damages and Cost of Services.

The person, group, organization or entity using a park facility shall be responsible for all damages to city property and for the cost of any park maintenance services, emergency or public safety services including police and fire, provided to, at or dispatched to the park facility as a result of such person's, group's or the organization's misuse, improper or unlawful use of the park facility.

Section 7
Use of Tobacco Product

It shall be unlawful for any person to use any tobacco product or to smoke, or to possess a burning tobacco, weed, or other plant product in any park or park facility.

Section 8
Penalty Clause

Any person violating the provisions of this Ordinance shall upon conviction, be subject to a fine not to exceed the sum of two thousand dollars (\$2,000) plus repair/replacement cost and prosecution cost. Each day in violation shall constitute a separate offense.

Section 9
Severability Clause

If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the Town Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 10
Repealer Clause

That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 11
Effective Date

This Ordinance shall become effective from and after its adoption and it is so ordained.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF DISH, TEXAS,
THIS 16th DAY OF SEPTEMBER, 2011.**



William Sciscoe, Mayor

ATTEST:



Dalessa Vardell, City Secretary