

Ordinance 305-B-2013

An Ordinance Establishing Use of Public Recreational Areas, Setting Rules and Regulations for Public Recreational Areas Use, Setting Hours of Operation, Repealing Ordinances 305 and 305-A, and Amending the Universal City Code of Ordinances Accordingly.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS, THAT:

SECTION 1: Application

This ordinance shall apply to any parcel of land deemed appropriate for public recreation purposes.

SECTION 2: Reservation Policies

- a) Picnic areas may be used by families without prior reservation. However, larger groups may obtain reservations in advance.
- b) Reservations will be made in person to the Public Works' Office at (210) 658-5364, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday. The individual or group making the reservation will be responsible for posting "Reserved" signs at the designated area by 8:00 A.M., of the day of reservation.
- c) No noise-making devices, music machines or musical groups will be allowed to perform in the City Parks without prior written permission of the City Manager. Such permission shall include time of usage and a specified monitoring of the loudness at the park perimeter.
- d) Private lessons, clinics are prohibited unless approved by the City.

SECTION 3: Prohibited Activities

- a) It shall be unlawful for any person to bring any glass container into a city park or possess any cup, glass, flask, bottle or other container made of glass or other shatterable material designed or used for holding a beverage in all City parks. The City Manager may waive the prohibition against containers made of glass or other shatterable material designed or used for holding a beverage, for special events in recreational areas where the use of such containers is indigenous to the event.
- b) It shall be unlawful for any person to dispose of personal or private trash, junk, garbage, refuse, unsightly matter, or other solid waste in City parks in any area other than a receptacle that is designed for the collection of park litter only.
- c) It shall be unlawful for any person to:
 - 1) Use threatening, abusive, insulting, obscene or indecent language, or commit, perform or engage in any lewd, lascivious, obscene or indecent act;
 - 2) Engage in fighting, quarreling, wrangling, raucous commotion;
 - 3) Disturb, harass or interfere with any park user or user's property.
- d) It shall be unlawful for any person to:
 - 1) Enter any restroom, washroom or toilet facilities set apart or designated for the opposite sex, except a minor in the custody and under the supervision of a parent or guardian, or a person attending to or assisting a handicapped person or City employees in the performance of their official duties; or
 - 2) Lurk or loiter in or around the toilet or other system facility, except to use or wait for an accompanying person using such facility for the purpose for which it is intended.

e) The use, including the inhaling and puffing of heated tobacco in any form, including cigarettes, cigars, pipes, E-cigarettes and chewing tobacco, shall be prohibited in areas designated by the City Manager or the City Manager's designee. Such designated areas specifically include the Wagon Crossing Clubhouse, all pavilions, all athletic fields and play areas where youth activities are conducted, and wherever children and youth congregate.

SECTION 4: Pets in Parks

In areas other than the Dog Park it shall be unlawful for any person to:

- a) Cause or allow any pet to roam or be at large in any park;
- b) Bring a pet into a park unless caged or on a leash not more than six (6) feet in length. The leashed pet must at all times be in the direct control of the owner/handler.
- c) Permit a pet to disturb, harass or interfere with any park visitor, park visitor's property or city employee;
- d) Tether any animal to a tree, plant, building or park equipment;
- e) Have custody or control of any pet in a park without possessing and using an appropriate device for cleaning up pet feces and disposing of the feces in a sanitary manner;
- f) Bring a pet onto any playing field area without permission of the Director of Public Works.

SECTION 5: Hours of Operation – Exceptions

- a) All city parks shall be closed from 11:00 p.m. to 6:00 a.m., daily. It shall be considered a violation of this ordinance for any person or persons to use any part of the parks or park facilities during the above-stated closed hours without prior written permission, said permission to be considered for the following uses:
- 1) Large group special use activities such as fairs, etc., when approved by the City Council.
 - 2) Special activities, i.e., scouting groups camping, when approved by the City Manager.
 - 3) Other presently unforeseen special events, when approved by the City Manager and only when such permission would not constitute a nuisance to residents adjacent to any park area.

SECTION 6: Possession or Consumption of Alcoholic Beverages in Park Recreational Areas

- a) Possession, consumption or sale of alcoholic beverages in park recreational areas during scheduled organized youth activities is prohibited.

SECTION 7: Regulation of Motorized Vehicles, Traffic and Parking

It shall be unlawful for any person to:

- a) Operate a motor vehicle within a park, except on roadways, parking areas, parkways or other areas designated for such use;
- b) Drive or operate a vehicle on or along any roads, drives or parking lots, which have been restricted, closed or posted with appropriate signs or barricades. The Director of Public Works or his duly appointed representative shall have the authority to order roads, drives or parking lots within any park closed during the process of construction, reconstruction or repair, or when, in the opinion of the Director or his representative, weather conditions render travel unsafe or unduly destructive.

- c) Park or leave a vehicle standing, except in a designated area and then only in a manner so as not to restrict normal traffic flow;
- d) Leave a vehicle standing after posted closing hours;

Vehicles illegally parked, disabled or abandoned may be towed away and impounded at the owner's expense.

Maintenance and emergency vehicles are allowed in the park areas at any time.

SECTION 8: Universal City Dog Park Rules and Regulations

- a) Owners or handlers shall be responsible for the actions and behavior of their dogs at all times.
- b) All dogs shall be leashed when entering and leaving the park.
- c) Park gates shall be securely closed at all times.
- d) The small dog enclosure shall be for dogs weighing less than 30 pounds only.
- e) The maximum number of dogs per adult shall be three (3) only if they can be safely handled.
- f) All dogs shall wear a collar or harness with a current rabies tag attached.
- g) Dogs shall be kept in sight, under the immediate supervision and verbal control of their owner or handler at all times; no dog shall ever be left unattended.
- h) Any dog owner or handler shall be in possession of a leash at all times.
- i) A dog, which exhibits any sign of aggression or threatening behavior, shall be leashed and removed from the park immediately.
- j) Any dog with a history of aggressive behavior is absolutely prohibited.
- k) Any dog in heat is prohibited from entering the park.
- l) Any dog under 4 months of age is prohibited from entering the park.
- m) The owner or handler shall pick up and dispose of their dog's waste and all litter in containers provided.
- n) The owner or handler shall not allow their dog to dig into the ground and holes shall be filled.
- o) Children 13 and under shall be accompanied by an adult at all times.
- p) Dog training classes shall not be allowed unless approved and permitted by the City Manager.
- q) All food, glass containers, alcohol and smoking is prohibited. Training treats are permitted.
- r) Bicycles, skateboards, rollerblades or motorized vehicles (except for handicap accessibility) are prohibited.

SECTION 9: Red Horse Park FUTSAL and Tennis Court Rules and Regulations

- a) No glass containers;
- b) No alcoholic beverages permitted at youth activities;
- c) No gum;
- d) No pets;

- e) No noisemakers (air horns);
- f) No spitting on court;
- g) No cursing or fighting;
- h) No tobacco products;
- i) No bicycles, skates, roller blades, skateboards or motorized vehicles;
- j) Only shoes with non-skid soles (no black soles) permitted;
- k) Private lessons, clinics, etc. are prohibited unless approved by the City;
- l) Gate must be locked when finished;
- m) Contact City Public Works office for reservations at (210) 658-5364.

SECTION 10: Penalties

Any person found in violation of this ordinance shall be deemed guilty of a Class C misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed the maximum amount allowable by law.

Section 11: Repeal/Conflict with City Ordinances; Amending City Code of Ordinances.

- a) All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- b) Ordinances 305 and 305-A are hereby repealed in their entirety.
- c) The Universal City Code of Ordinances, Chapter 2-8, shall be amended in its entirety.

PASSED AND ADOPTED THIS 17th day of December, 2013.

John Williams, Mayor

Attest:

Approved for legal sufficiency:

Alene Patton, City Clerk

Harry B. Adams, III, City Attorney