

ORDINANCE NO. 2752

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS AMENDING CHAPTER 1, ARTICLE 1.1600 OF THE CITY CODE OF ORDINANCES RENAMING SAID ARTICLE AND AMENDING SECTION 1.1602 TO ADD (b) IOOF PARK; AND INCORPORATING ARTICLES 1.1800, 1.1900, 1.2000, 1.2100 AND 1.2200 INTO ARTICLE 1.1600 FOR THE PURPOSE OF PUTTING ALL GENERAL PARK REGULATIONS UNDER ONE ARTICLE.

BE IT ORDAINED by the City Council of the City of Corsicana, Texas, that Chapter 1, Article 1.1600 of the City Code of Ordinances be renamed and amend Section 1.1602, and incorporate Articles 1.1800, 1.1900, 1.2000, 1.2100 and 1.2200 into Article 1.1600 for the purpose of putting all general park regulations under one Article to hereafter read as follows:

CHAPTER 1: GENERAL PROVISIONS

ARTICLE 1.1600 GENERAL PARK REGULATIONS

Sec. 1.1601 Polluting

It shall be unlawful for any person to throw or deposit any polluting substance in the water or on the banks of City lakes.

Sec. 1.1602 Fishing Regulations

(a) Lake Halbert. No fish of any variety including minnow, which have been taken from the waters of Lake Halbert shall be sold. No nets, seines, or traps shall be used for the catching of fish in Lake Halbert; however, this section shall not apply to catching minnows. The maximum number of fishing poles and/or rods and reels that may be used by any one person from a City-owned or controlled pier or dock shall be two. The use of trot lines or throw lines in Lake Halbert shall be governed by the current regulations in effect, and enforced by the Parks and Wildlife Commission of the State of Texas. All persons fishing in Lake Halbert shall be duly licensed as required by the State of Texas. No person shall have more than two trot lines, and each line shall be restricted to 50 hooks or less. No person shall have over the maximum of 100 hooks in Lake Halbert at any one time. All lines must be properly identified and marked, as required by the State Law. It is the intent of this section that if and when the State Law changes, this section amends automatically to be in conformance with said regulations. No fishing in any manner shall be allowed within two hundred feet (200') of the fresh water intake, located in Lake Halbert.

(b) I.O.O.F. Park. No fish of any variety including minnow, which have been taken from the waters of I.O.O. F. Park, shall be sold. No nets, seines, or traps shall be used for the catching of fish in I.O.O.F. Park. The maximum number of fishing poles and/or rods and reels that may be used by any one person shall be two. The use of trot lines or throw lines in I.O.O. F. Park is prohibited. All persons fishing in I.O.O.F. Park shall be duly licensed as required by the State of Texas. It is the intent of this section that if and when the State Law changes, this section amends automatically to be in conformance with said regulations.

(c) Competitive Tournament Fishing. It shall be unlawful for any person, firm or organization, both amateur or professional, to conduct competitive or tournament type fishing competition upon the waters of Lake Halbert or I.O.O.F., without first obtaining a permit from the City Council. Application for permits must be made no later than one (1) week prior to regular Council meeting date. Approval and

issuance of permits shall be at the sole discretion of the City Council. There shall be no fee charge for the permit.

(1975 Code of Ordinances, Chapter 23, Section 3)

Sec. 1.1603 Hunting Regulations

It shall be hereafter unlawful for any person to hunt on the waters or property owned or controlled by the City of Corsicana. The use of rifles, pistols or any type of firearm is prohibited on Lake Halbert or on the property owned by the City of Corsicana except as used by law enforcement for training.

Sec. 1.1604 Boating Regulations

The City Council shall at all times have full power and authority to prohibit the use and operation of any and all boats in said waters, should it become necessary in the opinion of the City Council to do so for the purpose of suppressing and arresting any epidemic or any contagious or infectious disease, or whenever, in the opinion of the City Council, the use and operation of boats in said waters should be discontinued for any reason whatsoever. Every person using or operating a boat of any character or description upon said waters shall use and operate the same in a careful and prudent manner, so as not to collide or come in contact with any other boat being used or operated in said waters, and so as to avoid an accident and injury to any person or damage to property, and the failure to use or operate any boat in said waters in a careful and prudent manner, and so as to avoid an accident and injury to persons or damage to property shall constitute a misdemeanor and upon conviction of such offense such person shall be punished by a fine as set forth in the Corsicana Code of Ordinances. No boat, float, or fishing barge of any description shall be moored, tied, attached or anchored to any boathouse, wharf, pier or other prominent structure owned by the City on Lake Halbert by any person for any period longer than one (1) hour at a time. No boat, float, or fishing barge of any description shall be anchored or tied to any structure within one (1) boat length distance from any boathouse, wharf, pier or other structure on Lake Halbert, by any person. All persons operating any boats, rafts, barges or floating boathouses on Lake Halbert shall at all times carry at least one (1) life preserver for each occupant of said craft and follow all Federal, State and local regulations.

Sec. 1.1605 Boathouses

No boathouse, wharf, pier or other permanent construction shall be placed on City-owned property around Lake Halbert without first securing a permit from the City. Charges, if any, shall be as established by the City Council and each installation shall be considered on its own merits. No boat, float, or fishing barge of any description shall be moored, tied, attached or anchored to any boathouse, wharf, pier or other permanent structure in Lake Halbert by any person, unless that person has first obtained permission and/or permit for such action.

Sec. 1.1606 Skiing

There shall be no skiing within two hundred feet (200') of the fishing piers located on the west side of Lake Halbert. There shall be no skiing within two hundred feet (200') of the west banks of Lake Halbert; there shall be no skiing on the west side of the railroad trestle and skiers shall not ski within two hundred feet (200') of said railroad trestle; there shall be no skiing within two hundred feet (200') of the Breakwater Dam; there shall be no skiing within two hundred feet (200') of that area known as Burkes Neck Dam; there shall be no skiing within two hundred feet (200') of the raw water intake works. There shall be buoy markers placed marking the distances and areas where skiers are prohibited from entering.

All persons skiing must wear a life jacket at all times. No boats launching or pulling a skier shall leave or enter launchway places at a greater speed than 5 miles per hour.

Sec. 1.1607 Swimming

Swimming, wading or floating shall be allowed in Lake Halbert at the risk of the individual so engaged in the action, except that no swimming, wading or floating shall be allowed within two hundred feet (200') of the boat launch areas or within two hundred feet (200') of the fishing pier.

Sec. 1.1608 Concessions

The Corsicana City Council shall retain the right to govern and control the operation of a concession for any reason upon the land or waters of Lake Halbert.

Sec. 1.1609 Overnight Camping at Lake Halbert

All overnight camping at Lake Halbert shall be by permit obtained from the lake warden at a fee of six dollars (\$6.00) per night. Camping shall be restricted to areas designated by the lake warden. It shall be unlawful for any person to park, keep or use a mobile unit, capable of accommodating sleeping, on the grounds of Lake Halbert for a period of time longer than fourteen (14) consecutive days. In calculating time under this section, each day or part thereof in which a mobile unit is present on the lake grounds shall constitute one (1) day. Violators of this section, upon conviction, shall be fined in accordance with the general penalty provision found in Section 1.106 of this code. Each day in which a violation under this section occurs shall constitute a separate offense.

(1975 Code of Ordinances, Chapter 23, Section 4; Ordinance adopting Code)

Sec. 1.1610 Glass Containers and Alcoholic Beverages Prohibited in City Parks¹

It shall be unlawful for any person to have in his possession alcoholic beverages, or who is under the influence thereof, to go upon the grounds of any City-owned parks in the City of Corsicana, or to go upon the waters of any City-owned lakes or upon the grounds lying adjacent thereto. Furthermore, glass containers of any kind are prohibited in City-owned parks.

(1975 Code of Ordinances, Chapter 23, Section 5, Ordinance 2442 adopted 7/19/2005)

Sec. 1.1611 Unauthorized Vehicles in City Parks²

(a) It shall be unlawful for any person to operate a motorcycle, an off-road terrain vehicle, or any other motor vehicle within the boundaries of any City park, except on and over designated parking areas and on City maintained roadways.

(b) Departments of the City for maintenance purposes shall be exempt from the enforcement of this article.

(c) Anyone found guilty of violating this section shall be guilty of a misdemeanor and shall be fined in accordance with the general penalty provision found in Section 1.106 of this code.

¹ **State law reference** – Regulation of alcoholic beverages, generally, V.T.C.A., Alcoholic Beverage Code.

² **Cross reference** – Chapter 10, Traffic Control

(1975 Code of Ordinances, Chapter 23, Section 6)

Sec. 1.1612 Curfew in City Parks

(a) It shall be unlawful for any person, between the hours of eleven o'clock p.m. and five o'clock a.m. to enter upon or remain within City park areas that are plainly posted at each road entrance with written notice of the prohibited use of the park during those hours.

(Ordinance 2441 adopted 7/19/05; Ordinance 2717 adopted 5/1/12)

(b) Any person violating the terms of this article shall be guilty of trespass and shall be fined in accordance with the general penalty provision found in Section 1.106 of this code.

(c) Exemption for violation of this section may be granted by the City Manager or designee for organized teams or community groups upon application evidencing proper, controlled, or supervised activities compatible with park facilities.

(d) Section 1.1609 of the City Code of Ordinances allowing overnight camping at City lakes shall not be amended nor repealed by this section.

(1975 Code of Ordinances, Chapter 23, Section 7)

PASSED, APPROVED AND ADOPTED this 16th day of **April, 2013**.

Chuck McClanahan, Mayor

ATTEST:

Virginia Richardson, City Secretary

APPROVED AS TO FORM:

Terry Jacobson, City Attorney