

ORDINANCE NO. 10-2021

AN ORDINANCE OF THE CITY OF LINDALE, TEXAS AMENDING SECTION 92.01 OF THE CODE OF ORDINANCES GOVERNING RESERVATIONS OF CERTAIN FACILITIES IN CITY PARKS; AMENDING SECTION 92.02 OF THE CODE OF ORDINANCES TO INCLUDE ADDITIONAL PROHIBITED CONDUCT IN CITY PARKS; AND ADDING SECTION 92.03 ESTABLISHING FEES FOR THE USE OF CERTAIN FACILITIES IN CITY PARKS.

Whereas, Section 92.01 of the Code of Ordinances provides for the Mayor to maintain the calendar for reserving sports fields and tennis courts within City Parks;

Whereas, the City has determined that the city manager or her designee should be responsible for maintaining the calendar for reserving use of sports fields, tennis courts, pavilions and the stage at Darden Harvest Park;

Whereas, the City has determined that existing ordinances are not sufficient to regulate conduct within the parks owned by the City of Lindale, so as to preserve the health, safety and general welfare of individuals using the park facilities; and

Whereas, the City has identified certain areas within City Parks where a rental fee and damage deposit are appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LINDALE TEXAS THAT:

1. Section 92.01 of the Code of Ordinances is repealed and the following amended section is substituted in its place:

“Section 92.01 Reserving the Use of Certain Facilities in City Parks

(A) A calendar for reserving the use of the sports fields and tennis courts in City Parks and the small pavilions at Faulkner Park shall be maintained at City Hall by the City Manager or her designee. The calendar shall be available to the public during ordinary business hours.

(B) An individual, group or association may reserve the use of sports fields, tennis courts or the small pavilions at Faulkner Park in accordance with this Section. The individual, group or association shall submit a written request to the City Manager or her designee identifying the individual, group or association, the facilities to be used and the dates and times requested. The request shall be accompanied by any fees or deposits required under Section 92.03.

(C) Upon receipt of the written request and required fee or deposit, if any, the reservation shall be placed on the calendar if the dates and times are available. If the dates and times are not available then the individual, group or association shall be notified and any fees or deposits

submitted shall be returned.

(D) An individual, group or association that has reserved the use of sports fields, tennis courts or the small pavilions at Faulkner Park shall be entitled to use of the facilities reserved on the dates and during the times recorded on the calendar.

(E) An individual, group or association may rent the stage at Darden Harvest Park in accordance with this Section. A written request shall be submitted to the Tourism Office identifying the individual, group or association and the date and time requested. If approved by the City Council then any fees or deposits required under Section 92.03 shall be paid and a non-transferable permit shall be issued to the individual, group or association for the date and time approved."

2. Section 92.02 of the Code of Ordinances is repealed and the following amended section is substituted in its place:

"Section 92.02 Regulations for the Use of City Parks

(A) *Prohibition.* No person shall knowingly engage in conduct which is prohibited by Subsection B within the parks of the City of Lindale, Texas.

(B) *Prohibited Conduct in City Parks.* The following conduct is prohibited in City Parks:

- (1) The possession or consumption of alcoholic beverages, except as authorized by the City at a permitted event.
- (2) The use of tobacco products.
- (3) Parking a motor vehicle in an area other than a designated parking area unless prior written approval is obtained from the City.
- (4) Littering.
- (5) The use of an Off-road Motor Vehicle anywhere in the parks unless it is being used for the purpose of maintaining the parks. Off-road Motor Vehicle is defined as a vehicle propelled by a motor that is not licensed and registered for use on the public highways.
- (6) The use of motorized equipment on the walking trail at Faulkner Park, unless the equipment is being used by an individual with a handicap to compensate for the handicap.
- (7) Entering Faulkner Park from a location other than the main entrance located on Highway 69, unless prior written approval is obtained from the City.
- (8) Starting or maintaining a fire in any area other than the permanent grills

located in the picnic areas without a permit from the City.

- (9) Leaving a fire unattended.
- (10) Feeding wild animals.
- (11) Bringing or allowing livestock in the park or bringing any other animal into the park which is not kept on a leash and under control at all times or bringing an animal within 75 feet of any sport facility. Sport Facility is defined to include baseball fields, soccer fields, tennis courts, basketball courts, playground equipment and splash pad. Provided however, it shall not be an offense if the animal is a service dog. Service Dog is defined to include a dog used for law enforcement purposes and a dog trained to assist a person with a physical disability that is being used to assist a person with a physical disability.
- (12) Driving a motor vehicle on the grass or any other area which is not a paved surface.
- (13) Swimming, boating or other recreational activity in or on the lake at Faulkner Park, except fishing from the shore.
- (14) Possession or use of a firearm without a permit from the City. Provided, however possession or use of a firearm by law enforcement personnel is not prohibited.
- (15) Overnight camping.
- (16) Entering an area which is marked by a sign reading "Public Access Beyond this Point is Prohibited by City Ordinance".
- (17) Use of a fuel based remote control boat on a lake, pond or pool.
- (18) Planting a tree or plant without City approval.
- (19) The sale or purchase of any item including food, drinks, or novelties, except as authorized by the City at a permitted event.
- (20) Failing to pick up and properly dispose of pet waste.
- (21) The use of a glass container or bottle.
- (22) The use of a skateboard, bicycle, or roller blades on the splash pad(s).
- (23) The use of a bounce house, water slide, air castle or tent at Darden Harvest

Park or the use of any item secured with a stake driven into the ground at any park.

- (24) Engaging in formal organized team games at Darden Harvest Park, other than disk golf.
- (25) Displaying decorations on pavilions or other facilities in a manner that could damage or deface the facility.”

3. Chapter 92 of the Code of Ordinances is amended by adding a section, to be numbered Section 92.03, to read as follows:

“Section 92.03 Park Fees and Rentals

- (A) An individual, group or association that rents a small pavilion at Faulkner Park shall pay a half day rental fee of \$50 for use of the pavilion from 8:00 am to 12:00 pm or 1:00 pm to 5 pm.
- (B) A refundable damage deposit in the amount of \$150.00 shall be paid for each half day rental of a small pavilion at Faulkner Park. The deposit shall be forfeited if the City determines in good faith that the pavilion was damaged.
- (C) An individual, group or association that is approved to rent the stage at Darden Harvest Park shall pay the rental fee and deposit established by the City Council.”

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LINDALE, TEXAS  
THIS 15th DAY OF June, 2021.

  
Michelle Wiese, City Secretary

  
Jeff Daugherty, Mayor