

## **ORDINANCE 65**

### **PARK REGULATIONS**

**AN ORDINANCE REGULATING THE CONDUCT OF PERSONS WITHIN PARK AND RECREATION AREAS OF THE TOWN OF BAYSIDE.**

**THE FOLLOWING RULES AND REGULATIONS SHALL BE IN FORCE IN ALL PARKS AND RECREATION AREAS INCLUDING PLAYGROUNDS AND PIERS WITHIN THE CORPORATE LIMITS OF SAID CITY:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF BAYSIDE:**

#### **ARTICLE I**

##### **PURPOSE**

The purpose of this code is the practical safeguarding of persons and property in city parks. These codes are established as written guidelines for the use of the Town of Bayside parks and recreational facilities. These codes are intended to secure and preserve the fullest enjoyment of parks and recreational facilities to a wide range of park patrons. Failure to abide by these rules shall be cause for removal. The commission of offenses under local ordinances or state law shall be cause for arrest.

#### **ARTICLE II**

##### **CAMPING ON CITY PROPERTY**

Overnight camping on city property is prohibited.

#### **ARTICLE III**

##### **GLASS CONTAINERS PROHIBITED IN PARK AND BEACH AREAS**

**SEC. 1** It shall be unlawful for any person to possess glass beverage containers in any portion of a park or recreation area.

**SEC. 2** No person shall place on, take onto, or deposit thereon, or permit the placing on, the taking onto, or the depositing thereon of any glass bottle or glass container of any kind on or in any city park, city-operated public beach, pier or public property within the corporate limits of the city. Any person who shall violate the provisions of this article shall be guilty of a misdemeanor and shall be fined in accordance with the general penalty provision found in ARTICLE XIII of this code.

#### **ARTICLE IV**

##### **ALCOHOLIC BEVERAGES; LITTERING**

**SEC. 1 ALCOHOLIC BEVERAGES PROHIBITED, EXCEPTIONS** - It shall be unlawful for any person to consume any alcoholic beverage in any public park or for any person to possess any alcoholic beverage in any public park within the corporate limits of the city unless otherwise authorized by the city council.

**SEC. 2 DISPOSAL OF LITTER** - It shall be unlawful for any person to deposit paper, glass, metal, litter, or trash of any description on any lawn, driveway, path, or other place in any park and recreation area except in receptacles provided therefor.

## **ARTICLE V**

### **OBSTRUCTION OF STREETS AND PUBLIC WAYS**

It shall be unlawful for any person to permit any junk, property, or object or obstruction of any kind whatsoever under his control to be or remain in or upon any public street, park, pier, or drainage-way of the city, so as to obstruct or prevent the free use of said drainage-way or an established public or private driveway or sidewalk or entrance from such street into any public or private place or property.

## **ARTICLE VI**

### **WASHING VEHICLES**

It shall be unlawful for any person to wash a vehicle in any park or recreation area.

## **ARTICLE VII**

### **FIREARMS AND AIR GUNS**

It shall be unlawful for any person to carry on or about his person or discharge any gun, pistol, or firearms of any kind, including air guns, within or across any park or recreation area.

## **ARTICLE VIII**

### **TRAFFIC REGULATIONS**

**ACCESS** - It shall be unlawful for any person to drive or propel any vehicle in, over, or through any park or recreation area except along and upon park drives, streets, or other areas designated for driving purposes.

## **ARTICLE IX**

### **DOGS**

It shall be unlawful for any owner or person in control of any dog to keep or permit the same in or about any park or recreation area unless such dog is kept under restraint at all times by means of a leash or under 'voice control' of the owners.

## **ARTICLE X**

### **SELLING OF MERCHANDISE OR SERVICES**

It shall be unlawful for any person to sell or offer for sale any goods, wares, services, or merchandise within any parkways, medians, parks, playgrounds, or other recreation areas without permission of the city council.

## **ARTICLE XI**

### **FLOWERS, SHRUBS, TREES, AND ARTIFICIAL IMPROVEMENTS**

It shall be unlawful for any person to cut, deface, or mark any park property, or to handle, cut, pluck, injure, damage, or destroy any flower, shrub, or tree, or to deface, mark, injure, damage, or destroy any natural or artificial improvement in any park or recreation area.

## **ARTICLE XII**

### **CONDITION OF USE**

Compliance with rules and regulations of this ordinance is a condition of the use of the public parks and recreation areas of the City, and all law enforcement officers shall have the right and power to arrest any person who may violate any of the rules, regulations, orders, or requirements of any ordinance or general law relating to the maintenance of the park and recreation areas of the Town of Bayside located within the corporate limits of said City.

## **ARTICLE XIII**

### **GENERAL PENALTY FOR VIOLATIONS**

Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or Ordinance the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not exceeding Two Thousand Dollars (\$2,000.00) for violations of municipal ordinances that govern fire safety, sanitation (not including vegetation and litter violations), public health or as the Legislature may amend from time to time. For traffic-related offenses and other violations not included in the classes enumerated above, the maximum permissible fine will be Five Hundred Dollars (\$500.00) or as the Legislature may amend from time to time. Further, that the above mentioned violations shall be subject to a minimum fine of Twenty-five Dollars (\$25.00), except for parking violations. PROVIDED, however, that no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the state. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense. A culpable mental state is not required for the commission of an offense under this Code of Ordinances, unless the provision defining the conduct expressly requires a culpable mental state.

## **ARTICLE XIV**

### **VALIDITY**

**SEC. 1** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SEC. 2** The validity of any section, clause, sentence, or provision of this ordinance shall not effect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

**SEC. 3 SEVERABILITY OF PARTS OF CODE** It is hereby declared to be the intention of the Town of Bayside City Council that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable and, if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code, since the

same would have been enacted by the City Council without the incorporation in this Code of any such unconstitutional phrase, clause, sentence, paragraph, or section.

## ARTICLE XV EFFECTIVE DATE

This ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the Town of Bayside.

1<sup>st</sup> Hearing Date \_\_\_\_\_  
Date Published in Official Newspaper January 16, 2002

Passed, ordained, approved and adopted this the 8<sup>th</sup> day of January, 2002.

Attest:

Connie Cramer  
City secretary

By: Billy P. Frost  
Mayor Town of Bayside, Texas