

Proposed Revisions to Parks and Recreation Ordinance (11/20/17)

- **Chapter 58 - PARKS AND RECREATION⁽¹⁾**

- **ARTICLE I. - IN GENERAL**

- **Sec. 58-1. - Definitions.**

The following words, terms and phrases when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AAC means Addison Athletic Club, which is located at 3900 Beltway Drive, Addison, Texas.

Addison membership card means a photographic identification card issued by the ~~town~~Town to persons upon showing proof of ~~town~~Town residency as provided in [section 58-67](#), and payment of the fee, if any.

Director means the ~~recreation manager~~[Director of Parks and Recreation](#) for the ~~town~~Town or his designee.

Park property means any park, athletic facility, reservation, playground, recreation center or any other area in the ~~town~~Town, owned or used by the ~~town~~Town and devoted to active or passive recreation ~~and specifically includes~~, but is not acquired ~~or designated~~used by the ~~town~~Town for ~~use as such purpose a public park~~.

~~TCAC means Trinity Christian Athletic Complex, located at 17001 Addison Road, Addison, Texas, and being more specifically described in the lease agreement between the town and Trinity Christian Academy dated July 1, 1986.~~

~~Town means the Town of Addison, Texas.~~

Town park means that area designated by the ~~town~~Town as a park and which is located south of Sidney Drive and west of Woodway Drive.

User means any authorized person to be present on park property other than ~~town~~Town employees.

(Code 1982, § 10.1-1)

Cross reference— Definitions generally, [§ 1-2](#).

- **Secs. 58-2—58-30. - Reserved.**

- **ARTICLE II. - USE OF PUBLIC PARKS**

- **Sec. 58-31. - Chapter applicable to all municipal park properties.**

Unless otherwise specified, the terms of this chapter shall apply to all park property.

(Code 1982, § 10.1-2)

- **Sec. 58-32. - Request by director to stop or leave.**

When the director, in his sole discretion and judgment, determines that a person is behaving in a manner or is performing an act which is likely to endanger or is endangering the health, safety or welfare of himself or of other users, guests, employees of the ~~town~~Town or other persons, the director may ask the person to cease his activity. Upon the person's refusal to so cease, or upon his resumption of such activity or similar activity, the director may ask such person to leave the park property. It is unlawful and an offense to disobey a lawfully issued order of the director.

(Code 1982, § 10.1-12)

State Law reference— Trespass, V.T.C.A., Penal Code § 30.05.

- **Sec. 58-33. - Confiscation of certain articles.**

The director may confiscate and hold any sharp, pointed object or any article which is inappropriate to the use of park property and equipment or which may cause injury. Such article will be returned to the person upon his departure from park property.

(Code 1982, § 10.1-13)

- **Sec. 58-34. - Hours of operation; loitering prohibited.**

Normal operating hours of ~~town~~Town parks shall be from 5:00 a.m. to 11:00 p.m. every day of the year. Any park or section thereof may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), as the director shall find reasonably necessary. No person shall remain, stay, or loiter in or on any park property between the hours of 11:00 p.m. and 5:00 a.m. No person shall sleep overnight on the seats, benches, couches or other areas on park property.

(Code 1982, § 10.1-7)

State Law reference— Trespass, V.T.C.A., Penal Code § 30.05.

- **Sec. 58-35. - Closed areas.**

No person on park property shall enter an area posted as "Closed to the Public" nor shall any person use any area in violation of posted notices.

(Code 1982, § 10.1-9)

State Law reference— Trespass, V.T.C.A., Penal Code § 30.05.

- **Sec. 58-36. - Vending and peddling prohibited.**

No person on park property shall expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Concessionaires acting by and under the express written authority and regulation of the director are excepted.

(Code 1982, § 10.1-8)

Cross reference— Peddlers, solicitors and handbill distributors, [§ 22-61](#) et seq.

- **Sec. 58-37. - Disfiguration and removal prohibited.**

No person on park property shall willfully mark, deface, disfigure, injure, tamper with, or displace or remove, any building, tables, benches, railings, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, recreation sporting goods, towels, weight training equipment and other health or athletic equipment or accessories, trees or landscaping materials, televisions, furniture, carpet or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(Code 1982, § 10.1-3)

State Law reference— Malicious mischief, V.T.C.A., Penal Code § 28.03.

- **Sec. 58-38. - Littering prohibited.**

No person shall deposit or leave in or on any park property any glass, bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or other trash. No such refuse or trash shall be placed or left anywhere on the grounds thereof, but shall be placed in the proper receptacles, where provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park property by the person responsible for its presence, and properly disposed of elsewhere.

(Code 1982, § 10.1-4)

Cross reference— Solid waste, [ch. 66](#).

State Law reference— Litter control, V.T.C.A., Health and Safety Code ch. 365.

- **Sec. 58-39. - Alcoholic beverages prohibited.**

Service, dispensing, use, consumption or possession of alcoholic beverages is prohibited at all times on park properties except as allowed by the city council.

(Code 1982, § 10.1-5)

Cross reference— Alcoholic beverages, [ch. 6](#).

- **Sec. 58-40. - Parking.**

No person shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with any posted directions in such established or designated parking area and with the instructions of any attendant who may be present.

(Code 1982, § 10.1-6) _____

Cross reference— Traffic and vehicles, [ch. 78](#).

- **Sec. 58-41. - Games.**

No person on park property shall take part in any games involving thrown or otherwise propelled objects such as stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball, soccer or hockey is prohibited except on the fields and courts or areas provided for such games.

(Code 1982, § 10.1-10)

- **Sec. 58-42. - Prohibited conduct generally; Enforcement.**

(a) In the interest of the public health, safety and welfare, each of the following enumerated acts is forbidden and unlawful on park property:

~~(1)~~

~~Diving off the shoulders of another person in AAC pool and spa.~~

~~(2)~~

~~Running along the banks of the pool in the AAC.~~

~~(3)~~

~~Splashing water on other persons in such a manner as to interfere with others or using the AAC pool in such a manner as to create disorder or disturbances.~~

~~(14)~~

Cursing, swearing or using indecent language.

~~(25)~~

Creating a disturbance or unnecessary or boisterous noises.

~~(6)~~

~~Throwing racquets, metal objects or other items manufactured of hard material in, on or around the basketball courts, tennis courts, racquetball courts or tracks.~~

~~(37)~~

Taking or permitting dogs or other pets within the park property unless on a leash.

~~(48)~~

Climbing fences.

(b) Enforcement. The director and/or the Town's police department shall, in connection with their duties, diligently enforce the provisions of this chapter, as it exists or may be amended, or any other ordinances applicable to parks and recreation usage, as it/they exist or may be amended. The director and/or the Town's police department shall have the authority to eject from park property any person acting in violation of this chapter, as it exists or may be amended, or any other ordinances applicable to parks and recreation usage, as it/they exist or may be amended.

(Code 1982, § 10.1-11)

• **Secs. 58-43—58-65. - Reserved.**

• **ARTICLE III. - ADDISON ATHLETIC CLUB AND TRINITY CHRISTIAN ATHLETIC COMPLEX**

• **Sec. 58-66. - Use restricted to members and guests.**

The use of the grounds, facilities and equipment of the AAC ~~and TCAC~~ is restricted to current members of AAC and guests of such members. Only bona fide residents of the ~~town~~Town and their dependents ages eight-3 months through 18 shall be eligible to become members of AAC. Employees of the ~~town~~Town may become conditional members of AAC upon the terms and conditions established by the director. Minimum membership requirements include the following:

(1)

A valid state department of public safety driver's license or state department of public safety identification card which shows a current residential address within the corporate limits of the ~~town~~Town;

(2)

~~A~~ current document such as a utility bill, vehicle registration, voter's registration, credit card statement, vehicle insurance, or other document, as approved by the director, which shows the same address as in (1) above; and

(3)

~~I~~f an applicant is living in an apartment, a signed leasing office verification form from the owner or manager of the apartment.

The director may require additional information if deemed necessary. Birth certificates of dependent children may be requested in order to establish age. Exceptions to the minimum membership requirements listed above shall only be made for: (i) residents participating in the Texas Department of Public Safety Confidentiality Program; or (ii) residents who are active military. The Town may request documentation from a resident to support these exceptions.

Individuals with a ~~Town Addison~~ business address or hotel address, including extended stay, are not eligible for membership. Owners of residential properties are not eligible for membership unless they currently reside on the property or at another ~~Town Addison~~ residence.

(Code 1982, § 10.1-15; Ord. No. 003-006, § 1A, 3-11-03)

- **Sec. 58-67. - Process for membership.**

(a) Any adult person who is a current resident of the ~~town~~Town may make an application at the AAC for ~~bona fide~~ membership on an application form prescribed by the ~~town~~Town. Upon presentation of proof of residency as required in section 58-66 and upon completion of the application process to the satisfaction of the Town and payment of fees, if any, the applicant will be issued a photograph membership card. After issuance of a membership card, memberships shall be renewed annually with proof of current residency.

(Code 1982, § 10.1-16)

- **Sec. 58-68. - False representation of residency prohibited.**

It is unlawful and an offense for a person to knowingly make a false representation on any document or to present to ~~town~~Town employees any document containing false information in order to gain membership in AAC ~~or TCAC~~. It is unlawful and an offense for a person to knowingly give false verification of residency of a tenant of rental property to ~~town~~Town employees in order for the tenant to gain membership in AAC ~~or TCAC~~.

(Code 1982, § 10.1-17)

- **Sec. 58-69. - Failure to exhibit membership card.**

Members of the AAC ~~and TCAC~~ shall present ~~town~~Town membership cards upon request by the director or the police department. Failure to produce and exhibit such card may result in ejection from the AAC park property.

(Code 1982, § 10.1-18)

• **Sec. 58-70. -~~Membership f~~ees.**

A nonrefundable fee for processing the application for AAC ~~or TCAC~~ membership shall be charged at the time of application or reapplication. The amount of the fee shall be determined by the city council. Additional fees associated with the use of the AAC shall be established by the city manager or his/her designee are listed below.

<u>Recreation Fee Schedule</u>		
<u>Membership Fees</u>		
<u>One-Time Membership Administrative Fee</u>	<u>\$10.00</u>	<u>Nonrefundable</u>
<u>Replacement ID Card</u>	<u>\$10.00</u>	
<u>Children's Activity Center (CAC)</u>		
<u>CAC Drop In</u>	<u>\$1.00</u>	
<u>CAC Punch Pass - 15 Punches</u>	<u>\$10.00</u>	
<u>Late Pick Up Fee</u>		
<u>1 to 14 minutes</u>	<u>\$10.00</u>	
<u>15 to 29 minutes</u>	<u>\$20.00</u>	
<u>30 to 59 minutes</u>	<u>\$50.00</u>	
<u>Group Exercise Classes</u>		
<u>3-Months</u>	<u>\$75.00</u>	
<u>3-Months 50 Plus</u>	<u>\$37.50</u>	
<u>15 Punch Pass</u>	<u>\$40.00</u>	
<u>15 Punch Pass 50 Plus</u>	<u>\$20.00</u>	
<u>Drop In Group Exercise</u>	<u>\$4.00</u>	

Drop in Group Exercise 50 Plus	\$2.00	
Summer Camp		
Weekly Fee	\$125.00	
Late Pick Up Fee		
1 to 14 minutes	\$10.00	
15 to 29 minutes	\$20.00	
30 to 59 minutes	\$50.00	
Miscellaneous Fees		
Small Towel Rental	\$0.25	
Large Towel Rental	\$0.50	
Towel Punch Pass	\$15.00	
Lost Large Towel	\$14.00	
Lost Small Towel	\$5.00	
Outdoor Pool Guest Fee	\$3.00	
Guest Fee Ages 15 and Older	\$8.00	
Guest Fee Ages 8-14	\$4.00	
Guest Fee Ages Under 7 years old	\$2.00	
Lost Key	\$10.00	
Independent Contractor Reimbursement	20%	
Equipment Replacement/Damage	Based on replacement or repair cost	
NSF Check Fee	\$35.00	
Pavilion Rental Outdoor Pool (max 4 hours)		
Refundable Deposit	\$50	
20 people	\$50/hour	
21 to 30 people	\$75/hour	
Pavilion Rental Les Lacs Park: Resident (max 3 hours)		
Refundable Deposit	\$150	
3 hour maximum	\$0.00	
Pavilion Rental Les Lacs Park: Business (max 8 hours)		

Refundable Deposit	\$150	
First 3 hours	\$75.00	
Each additional hour up to max of 8	\$25.00	
Other Program Fees:		
50 Plus Trips and Programs	Fees Vary	
Children's Programs	Fees Vary	
Fitness and Adult Programs	Fees Vary	

(Code 1982, § 10.1-19)

• **Sec. 58-71. - Enforcement.**

(a)

1. —

2. — *Ejection from ~~the AAC park property~~.* The director and Town's police department shall have the authority to eject from ~~the AAC park property~~ any person acting in violation of this chapter or any person whose membership in AAC ~~and TCAC~~ has been suspended or revoked.

1. —

3. — ~~(b)~~

4.2. *Revocation and suspension of membership.* Membership in ~~the AAC and TCAC~~ is a privilege and not a right, which privilege is revocable by the director at any time for any reason including the violation of or failure to comply with the terms of this chapter or any administrative policies, procedures or regulations concerning the AAC or park property. Written notice of such suspension or revocation shall be mailed by certified mail, or delivered to the member. The suspension or revocation is effective immediately upon issuance of the notice. The member has the right to appeal such suspension or revocation to the city manager or his designee within ten days from the member's receipt of the notice.

(Code 1982, § 10.1-20)