

ORDINANCE NO. 1484

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY ADDING SECTION 11-18 TO PROVIDE A PENALTY FOR THE WILFUL DISRUPTION OF SUPERVISED PARK ACTIVITIES; AUTHORIZING THE PARKS AND RECREATION DEPARTMENT TO POST WRITTEN REGULATIONS CONCERNING PROHIBITED OR REGULATED CONDUCT; TO DEFINE SUPERVISED PLAY AND AMUSEMENT PROGRAMS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS; AND DECLARING AN EMERGENCY.

WHEREAS, an organized program of supervised amusement is essential for the wholesome pursuit of leisure time activities for the citizens of the City of Mesquite; and

WHEREAS, such organized and supervised activities must be conducted in a manner both peaceful and orderly; and

WHEREAS, it is imperative that the safety of the participants, spectators, and officials be of paramount concern.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Chapter Eleven of the Code of the City of Mesquite (nuisances) is hereby amended to read as follows, in all other respects to remain in full force and effect:

A new section entitled, Section 11-18 "Disruption of Supervised Play or Amusement Conducted Under Authority of Parks and Recreation Department".

A. It shall be unlawful and is hereby declared to be a nuisance for any person to wilfully disrupt, prevent or hinder the orderly conduct of any supervised play or amusement program being conducted by or under the authority of the City of Mesquite Parks and Recreation Department in any building, swimming pool, playground or park area operated by or subject to the direction of the Parks and Recreation Department of the City.

B. The Parks and Recreation Department shall be authorized to post in conspicuous places written rules and regulations concerning prohibited or regulated conduct. Proof that a person in charge of a supervised play or amusement activity verbally informed the actor that his conduct was disruptive to said supervised activity shall be prima facie evidence that the actor wilfully disrupted, prevented or hindered such supervised play or amusement program and that such act constituted a nuisance, subject to rebuttal as in other cases.

C. "Supervised play or amusement program" shall include any organized activity where permission or authority for such activity is required from the Parks and Recreation Department

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for such activity such as games of sport requiring specific areas of a facility or particular equipment and including, but not limited to baseball, football, soccer, both practice and inter-team competition, as well as other activities subject to control or authority of the Parks and Recreation Department.

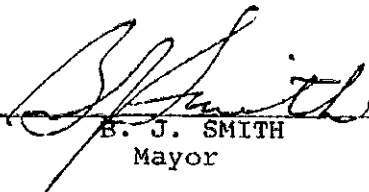
SECTION 2. That all ordinances of the City of Mesquite, Texas, in conflict with the provisions of this ordinance be, and the same are, hereby repealed to the extent of such conflict and all ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Should any word, phrase, sentence, paragraph, or section of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed to be guilty of a misdemeanor and upon conviction in the Municipal Court shall be subject to a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

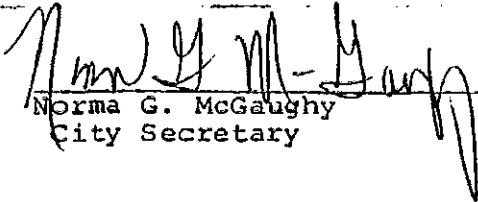
SECTION 5. The fact that the ordinances of the City of Mesquite do not adequately protect participants and spectators at supervised play and amusement programs creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from its passage and publication as the law in such cases provide.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 15th day of January, A.D., 1979.


E. J. SMITH
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney