

ORDINANCE NO. 4501

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 10.5 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING ARTICLE I IN ITS ENTIRETY AND ADDING A NEW ARTICLE I THEREBY AMENDING THE PARKS AND RECREATION SECTIONS IN GENERAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE THEREOF.

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

SECTION 1. That Chapter 10.5 of the Code of the City of Mesquite, Texas, as amended, is hereby amended by deleting Article I in its entirety and adding a new Article I to read as follows, in all other respects said Code and Chapter shall remain in full force and effect:

CHAPTER 10.5 - PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Sec. 10.5-1. –Designation of city parks.

The City Council hereby designates as Mesquite City Parks in the City’s Public Park/Recreation System (“city parks”) all property dedicated for park purposes including walks, drives, roads and parking facilities within and adjacent to park facilities. A complete list of Mesquite City Parks is maintained in the Office of the City Secretary and incorporated by reference herein for all purposes. The City Secretary shall maintain and update the list to reflect any changes including, but not limited to, future acquisitions or donations of parkland.

Sec. 10.5-2. - Hours of operation of city parks.

- (a) *Operating hours established.* In order to properly preserve and maintain the city parks, the following schedule of hours is adopted for use of city parks by members of the public:

Use	Hours
Organized athletic events	Until the scheduled event is concluded
All other uses	6:00 a.m. to 11:00 p.m.

- (b) *Closed field.* The director of the parks and recreation department or his designee is authorized to designate any athletic field owned or leased by the city a closed field and a sign or signs shall be posted giving notice of the closed field. Such signs shall read:

"CLOSED FIELD — DO NOT ENTER UPON THIS
FIELD — VIOLATORS SHALL BE SUBJECT TO FINE
UP TO \$500.00"

When such signs are posted, giving notice that an athletic field is a closed field, it is an offense for any member of the public to enter upon such athletic field.

- (c) *Definitions.* For the purpose of this section, the following terms are defined as follows:
- (1) *Closed field* means any athletic field that is shut down for the purpose of maintenance, renovation or to protect the surface of the athletic field from damage.
 - (2) *Members of the public* include all users of the city park system other than those engaged in park maintenance and construction under authority of the city and persons engaged in police activity.
 - (3) *Organized athletic event* means a game, sport or other activity whereby permission has been obtained by a person, group or organization to conduct such activity under rules and regulations of the city parks and recreation department.
- (d) *Use of, or presence in, park during unauthorized hours is prohibited.* Use of a city park or presence therein or upon contrary to the hours established herein or as shall, from time to time, be established by ordinance by the city council is hereby prohibited.

Secs. 10.5-3—10.5-9. - Reserved.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty

provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

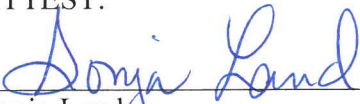
SECTION 5. That this ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of August, 2017.



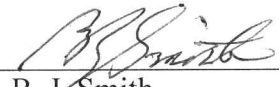
Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney