

ORDINANCE NO. 2024-39

AN ORDINANCE AMENDING THE CITY OF BUDA, TEXAS CODE OF ORDINANCES, CHAPTER 18 STREETS AND PUBLIC PLACES, ARTICLE 18.02 PARKS, PROVIDING FOR AND ESTABLISHING REGULATIONS FOR PARKLAND AND PARKS FACILITIES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A PENALTY; PROVIDING FOR PASSAGE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE & MEETING.

WHEREAS, the City of Buda is designated as the Outdoor Capital of Texas; and

WHEREAS, the City of Buda is committed to providing its residents with a high quality of life, including access to recreational facilities and green spaces; and

WHEREAS, parks and open spaces are essential for the physical and mental health of the community, promoting exercise, relaxation, and social interaction; and

WHEREAS, parks and open spaces contribute to the overall aesthetic appeal and property values of the City; and

WHEREAS, the City recognizes the need for a comprehensive parks ordinance to regulate the development, maintenance, and use of parks within its jurisdiction; and

WHEREAS, the City of Buda repeals Resolution 2021-R-33 related to metal detecting regulations and has included language related to metal detecting regulations in the revised ordinance; and

WHEREAS, the City Council is continually reviewing the provisions of the City Code of Ordinances to ensure that it meets the current needs of the City and reflects current practices; and

WHEREAS, the City is authorized by Texas Local Government Code § 51.001 to adopt or amend any ordinance for the good government, peace, or order of the municipality or for the trade and commerce of the municipality; and

WHEREAS, the City of Buda deems it necessary to adopt such codes and regulations; and

WHEREAS, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Buda held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

Section 1: The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2: That the City of Buda, Texas Code of Ordinances, Chapter 18 Streets and Public Places, Article 18.02 Parks, is hereby amended to read in accordance with the attached Exhibit “A”, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

Section 3: *Repeal.* This Ordinance shall be cumulative of all other ordinances of the City of Buda, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Buda except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed. Specifically, Resolution 2021-R-33 is hereby repealed.

Section 4: *Severability.* If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 5: *Publication.* The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City’s Code of Ordinances as authorized by Section 52.013 of the Texas Local Government Code.

Section 6: *Penalty.* Any person who violates, or any person who causes another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

Section 7: *Passage.* Pursuant to Section 3.12(A) of the City Charter, the Council determined that the first reading of this ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon second reading.

Section 8: *Effective Date.* Pursuant to Section 3.11(D) of the City Charter, this Ordinance is effective upon adoption, except that every ordinance imposing any penalty, fine, or forfeiture shall become effective only after having been published once in its entirety, or a caption that summarizes the purpose of the ordinance and the penalty for violating the ordinance in a newspaper designated as the official newspaper of the City. An ordinance required by the Charter to be published shall take effect when the publication requirement is satisfied.

Section 9: *Proper Notice & Meeting.* The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered, and formally

acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

PASSED and APPROVED on first and final reading by an affirmative vote of the City Council of the City of Buda, this 3rd day of September 2024.

CITY OF BUDA, TEXAS:

Lee Urbanovsky, Mayor

ATTEST:

Alicia Ramirez, City Clerk

 **ARTICLE 18.02 PARKS[†]**

  **Division 1. Generally**

  **Sec. 18.02.001 Drilling for oil and gas**

(a) It shall be unlawful for any person to conduct any drilling operations within the limits of any land within the city limits which is owned by the city and is used and dedicated for park purposes by the city.



(b) Any person who shall violate this section by conducting any drilling operations within the limits of any of the lands above designated shall be guilty of a class C misdemeanor and upon conviction be assessed a fine not to exceed one hundred and no/100 dollars (\$100.00), and each day that any person, firm, or corporation shall act contrary to the provisions of this section shall be a separate offense.

(Ordinance 2013-4 adopted 2/19/13)



18.02.002 Fee Schedule



For rental fees of all park facilities, refer to the council-approved [fee schedule](#).

(Ordinance 2013-4 adopted 2/19/13; Ordinance 2018-17. sec. 3, adopted 7/3/18)

  **Secs. 18.02.003–18.02.030 Reserved**

  **Division 2. Reserved***

  **Secs. 18.02.031–18.02.060 Reserved**

  **Division 3. Use Regulations**

  **Sec. 18.02.061 Definitions**

Commercial activity. Includes any person, group, or organization, that makes or attempts to make a profit, vend a service or product, receive money, or obtain goods or services as compensation from participants in activities occurring on public parkland that is owned and operated by the city. This includes but is not limited to nonprofit training/fundraising activity, outdoor revenue generating program, and

educational groups that receive money from participants in activities occurring on department land.

Commercial use permit. Written authorization from the department to the applicant to conduct organized educational/leisure classes at designated park sites and to charge a fee to participants who desire to attend or participate in the commercial activity whether it's for profit or fundraising.

Community event. An event in the city that is open to the public in general and that enjoys widespread support, not only from the citizens, but also from the surrounding areas. This will also be classified as exclusive park rental, and a community/special events packet must be completed. A community Event is considered a Special Event as defined in Section 18.07 of the Code of Ordinances.

Department. The city's parks and recreation department.

Director. The director of the parks and recreation department and/or their designated representative.

Education program. Program in which attendees pay a fee for any type of training or educational activity.

Nonprofit training/fundraising activity. A program/training class operated under the auspices of a not-for-profit organization that does not collect fees directly from class participants but operates for the ultimate purpose of generating revenues.

Nudity. Nude or state of nudity means the appearance of a human bare buttock, anus, male genitals, female genitals, female breasts, or a state of dress which fails to opaquely cover a human buttock, anus, male genitals, female genitals, or areola of the female breast.

Outdoor fee-based activities. An organized program or activity that takes place at a regular meeting time daily or weekly over a consecutive number of weeks and in which the participants pay an enrollment fee to the organizer or instructor to attend.

Outdoor revenue-generating program. Activities/events that are held on a periodic and/or continuous basis throughout the month or year to generate revenue.

Plant life. All plants including, but not limited to berries, cones, dead or downed wood, fern, foliage, fruit, fungus, grass, lichen, moss, sedge, shrubs, trees, turf, vines, wildflowers, or any other member of the plant family.

Private Event. An event that is closed to the general public for private occasions or where individuals are selectively invited to participate, such as birthday parties, weddings, family reunion, or similar events.

Public parks. All parks in the corporate limits of the city that have been dedicated to the public, including all such parks that are subsequently annexed into the city limits or dedicated to the public in the city's corporate limits. The term also incorporates the greenbelt area that is owned by the city, adjacent to the Missouri/Union Pacific Railroad line and the gazebo constructed therein.

Special events. The promotion of attractions for a common purpose including but not limited to, street fairs, arts and crafts shows, carnivals, circuses, rallies, public entertainment, musical exhibitions, performances, and shows of any kind expected to attract 150 persons or more within any eight (8) hour period, or that results in the temporary aggregation of people at any event which is held that includes activities conducted outdoors and which interferes with the normal flow or regulation of pedestrian or vehicular traffic; or any event that requires special city services, including but not limited to, street closures, provision of barricades, special parking arrangements, special electrical services or special police services, or temporary alteration of a certificate of occupancy from a non-assembly building occupancy type to an assembly occupancy type.

Sports associations, organizations, or foundations. Any outside organized non-profit or for-profit sports program that is not operated and or staffed by the city.

Unmanned Aerial Vehicle (UAV). Aircraft without a human pilot onboard that are controlled by an operator remotely or programmed to fly autonomously. UAVs may include, but are not limited to, drones, remote-controlled planes, and software-controlled aircraft.

Weapon. This includes, but is not limited to air soft guns, archery bow and arrows, BB guns, dart guns, firearms, knives, pellet guns, paintball guns, slingshots, spears, switchblades, swords, stun guns, taser guns, and all illegal weapons in accordance with state law.

Wildlife. This includes, but is not limited to amphibian, animal, bird, fish, reptile, shellfish, or other aquatic life or any portion thereof.

  **Sec. 18.02.062 Public park hours of operation**

(a) Park hours of operation after February 28th and before October 1st are from 6am to 9pm for park facilities without lighting and 6am to 10pm for park facilities with operational lighting; Park hours of operation on or after October 1st and on or before February 28th are 6am to 7pm at park facilities without lighting and 6am to 10pm for park facilities with operational lighting. Park hours on February 29th, when it occurs, are 6am to 9pm. In case of an emergency, or for other good cause, a park, or any part thereof, may be closed to the public by a city official.

(Ordinance 2015-09 adopted 8/4/15)

(b) The Park hours of operation shall not apply to the use of the City trail system. The city assumes no responsibility for the protection of persons utilizing the trail system because of its inability to supervise the entire trail.

(c) Any facility or park that intends to be utilized by an individual or entity beyond the hours of operation mentioned above shall be authorized by approval of the City Manager or Director.

(d) Any person who shall violate any of the provisions of this section will be asked to leave the public park and/or shall be charged with a class C misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) on a per occurrence and/or per day basis.

  **Sec. 18.02.063 Insurance and liability**

(a) The city and its agents disclaim all liability resulting from the exclusive use of a municipal park, its facilities and/or equipment, and greenbelts for events which are held in the public parks (community events, special events, private events, or any other activity specified in these policies).

(b) Organizers of these community or special events must provide proof of insurance indemnifying the city against any liability arising from such exclusive use naming the city as an additional insured on the certificate of liability insurance policy. Any event that is opened to the public must provide public liability insurance from an underwriter licensed to do business in the state in the amounts not less than indicated. Comprehensive general (public) liability or its equivalent, with minimum combined single limits of \$500,000.00 per person, \$1,000,000.00 per occurrence, \$1,000,000.00 products/completed operations aggregate, and \$1,000,000.00 general aggregate per occurrence. This can be in the form of one-day event insurance or by including the event

as a rider on an existing insurance policy. Organizer of the event shall furnish the city with certificates of insurance or copies of policies, evidencing the required insurance one week before the event.

(c) Some private events (birthday parties, family reunions, etc.) may not require the liability insurance. The waiver will be made on a case-by-case basis. The Director has the authority to decide whether or not liability insurance is required for a private event.

  **Sec. 18.02.064 Regulated/prohibited items and activities**

(a) Hunting, fishing, camping, and parking. There shall be no hunting, catching, or trapping of wildlife within any public park. Any fishing activities must comply with the current applicable federal, state, and local laws. Fishing will only be allowed in designated areas. Overnight camping and parking within any publicly owned park or playground within the city limits is prohibited with the exception of a city-sponsored program or community/special event and/or the encampment of groups, and with the prior approval from the Director and the Police Department for the purpose of learning or demonstrating camping skills.

(Ordinance 2013-4 adopted 2/9/13)

(b) Alcoholic beverages. Possession, consumption, or distribution of alcoholic beverages is prohibited within all public parks and recreation facilities without obtaining a city alcohol permit except as follows:

(1) Possession, consumption, or distribution of alcoholic beverages is limited to beer and wine served or sold on the premises, during community or private events by individuals or organizations that have obtained all necessary approval and documents required by the Texas Alcohol Beverage Commission and the city. Permit holders must obtain a permit for on-premises consumption where 51% or greater of their total gross receipts are alcohol. Permit holder will also gain approval from the city on the premises for the permit and be responsible for all signage required for the permit. The permit holder will hold all liability responsibilities.

(Ordinance 2017-02, sec. 1, adopted 2/7/17)

(2) Possession, consumption, or distribution of beer and wine is allowed during permitted community or private events in designated areas.

(3) Alcohol shall be prohibited during any events involving minors at the Sportsplex.

(c) Glass containers. It shall be a violation for anyone exhibiting, using, carrying or disposing of glass beverage containers in all public parks.

(d) Polystyrene. It shall be a violation for anyone exhibiting, using, carrying, or disposing of polystyrene beverage and/or food containers in all public parks.

(e) Sound amplification. It shall be a violation for any person to engage in using sound amplification equipment of any kind without a proper permit.

(f) Open fires. It shall be a violation to use any open fires or unauthorized cooking pits inside the boundaries of any public parks without a proper permit.

(g) Fireworks, firecrackers, explosives. It shall be a violation to use fireworks, firecrackers, or explosives of any kind, in any public park unless authorized to do so by obtaining proper permits through the county and the city.

(h) Animals. All animals must be on a leash and licensed as required by law.

1) It shall be a violation if animals are on any recreational/soccer/football sports fields and on any fenced-in baseball/softball sports fields at the Sportsplex.

2) It shall be a violation for any person exercising ownership, care, custody, or control of an animal to allow such animal knowingly, intentionally, or negligently to deposit feces on any city property, unless said person removes the feces immediately once deposited.

3) Professional trainers are not allowed to use public parks and/or facilities for training purposes. It shall be a violation for any person to engage in aggressive dog training techniques which involve the use of force, fear, intimidation, or any form of actual or perceived physical or psychological harm to humans or animals, including dogs, in public parks.

4) Dogs that are showing any aggressive behavior or high levels of excitement shall be leashed and removed from public parks and/or facilities immediately upon first sign of aggression or over excitement. Dogs with two (2) documented incidents of aggression are banned from the park.

(i) Sports association/organization/foundation facility fees.

(1) These groups must meet with the Director and agree to terms in a written contract approved by the City Manager. This contract will cover fees, policies and procedures, maintenance, and operation and standards in which the city facilities will be maintained.

- (2) Individuals or entities must provide documentation of transactions for goods and/or services as well as provide a copy of the liability insurance policy naming the city as an additional insured party when appropriate.
- (j) Commercial activity. Commercial use in public parkland is not authorized without approval from the city. Individuals or entities engaged with the provision and sale of goods and/or services on public parkland will be required to provide all necessary documentation provided by the department and obtain proper permits. Upon the completion of all required documentation, it is the Director's discretion to approve the application. A commercial use permit is required for all commercial activities, including nonprofit training/fundraising activities, outdoor fee-based activities, outdoor programs, and education programs.
- (k) Abandoned property. Any items misplaced on public park grounds will become the property of the city to dispose of properly after one week if not claimed by the owner.
- (l) Nudity. It shall be a violation for a person to intentionally or knowingly appear nude in a public park.
- (m) Damage/defacement. It shall be a violation to damage or deface public parks and park property including, but not limited to, turf, fences, trails, benches, picnic tables, grills, playground equipment, basketball goals, pavilions, lights, bulletin boards, signage, apparatus, restrooms, and paved surfaces, including the skate park.
- (n) Protection of plant life and wildlife. It shall be a violation for a person to break, bruise, burn, carve, chase, cut, destroy, deface, dig up, disturb, excavate, frighten, harass, harm, injure, kill, mutilate, pick, prune, pull, pursue, remove, take, tamper with, tear up, transplant, or trap any plant life, wildlife, or geological deposits from or in any public park except by express written permission of the Director. It is also a violation to attach any cable, wire, rope, or sign to any public park tree, plant, or shrub. Exceptions include fishing when visible posted signage allows fishing when accompanied by a state-issued fishing license.
- (o) Littering and trash. It shall be a violation to leave garbage, cans, paper, or other refuse in a public park anywhere other than in the trash receptacles provided. When a trash receptacle is full or unavailable, patrons shall be required to remove all of their trash and properly dispose the trash in a trash receptacle elsewhere. It is a violation to drop, dump, deposit, place or throw any brush, lawn or garden cuttings, garbage, litter, or trash, on public park property, except that which is generated by park visitors and disposed of in receptacles provided for park use purposes. It shall be a violation to use confetti eggs or confetti cannons, polystyrene products, and glass in public parks.

(p) Activity disruption. It shall be a violation for any person to prevent, disrupt, interfere with, or obstruct in any manner any authorized, permissible, and/or organized activities, programs, or uses in any public park unless approved in writing by the Director.

(q) Unauthorized trespass. It shall be a violation to enter any public park or sports field posted as “closed - do not enter up to \$500.00 penalty for violation” unless approved in writing by the Director.

(r) Tobacco and Non-Tobacco products. It shall be a violation to use tobacco or non-tobacco products (including, but not limited to, electronic smoking devices and vapes) on or within 30 feet of any outdoor city-owned facility or parkland.

(s) Trail use. Bicyclists shall yield to joggers, and joggers shall yield to walkers. Trail users should not be more than two abreast when this action will impede other traffic on the trail. Trail users should leave ample room on the trail for other users to pass safely. All bicycles shall be equipped with properly functioning brakes. Bicyclists shall not travel faster than 10 miles per hour. It shall be a violation for motorized vehicles to be on trails, including but not limited to motorcycles, electric bikes (e-bikes), scooters, mini-bikes, and ATVs with the exception being motorized vehicles used by persons with disabilities.

(Ordinance 2013-4 adopted 2/9/13)

(t) Weapons. It shall be a violation for a person to carry any weapon in any public park, whether or not the weapon is loaded, concealed, or licensed. This provision does not apply to those persons who are duly licensed by the state to carry a weapon in accordance with the provisions of chapter 411, subchapter H of the Texas Government Code, and as amended from time to time, or otherwise authorized by state or federal law except as provided by subsection (1) of this section. This provision also does not apply to local, state, or federal law enforcement officers or agents.

(1) It shall be a violation for a person to carry any weapon in any public park when there is an activity being sponsored by a school or educational institution being conducted unless such person is duly licensed by the state to carry a concealed weapon in accordance with the provisions of chapter 411, subchapter H of the Texas Government Code, and as amended from time to time, or otherwise authorized by state or federal law. This provision does not apply to local, state, or federal law enforcement officers or agents.

(Ordinance 2017-02, sec. 2, adopted 2/7/17)

(u) Construction. It shall be a violation for any person to build, construct, or place any structure or improvement, temporary or permanent, in any public park without prior written consent from the Director.

(v) Metal detectors. It shall be a violation to use metal detectors in any public park, unless otherwise specified as follows:

(1) Any person may use any type of electronic metal-detecting device on city property only after:

- i. fully completing a registration form with the City Park's Department on a form created by the Department,
- ii. obtaining written approval from the City Manager or his designee to conduct metal-detecting in the public parks, and
- iii. agree to abide by any rules and conditions set by the City Manager or their designee to ensure responsible use, preservation of public safety and to ensure no reasonably foreseeable damage is done to park property or park facilities.

(2) Only those areas of certain city parks which are determined by the city to be optimal for the potential of locating shallow buried items will be made available for metal detecting activities.

(3) Any written approval will include the currently available locations determined suitable by the City Manager or his designee for conducting metal detecting.

(w) Unmanned Aerial Vehicle (UAV). It is a violation to fly a remote-controlled or software-controlled UAV without a permit acquired from the Police Department and prior approval of the Director.

(x) Violations. Any person who shall violate any of the provisions of this section shall be charged with a class C misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) on a per occurrence and/or per day basis.

(y) Exceptions to this ordinance are authorized by city council approval unless otherwise expressly noted in this ordinance.

  **Sec. 18.02.065 Activities requiring permits**

(a) The city shall create application and permit forms that are required or authorized by this policy, and the parks and recreation staff shall issue permits consistent with the public parks policy. Permits are required for the following uses:

- (1) Consumption, distribution, and/or sale of alcoholic beverages.
- (2) Concerts/sound amplification.
- (3) Use of fireworks, firecrackers, and explosives.
- (4) Bounce houses, carnivals, dunking booths, petting zoos, rock climbing walls, trackless trains, and waterslides.
- (5) Electricity and/or water use.
- (6) Commercial activity.
- (7) Metal detecting.
- (8) Unmanned Aerial Vehicles.

(b) Violations. Any person who shall violate any of the provisions of this section shall be charged with a class C misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) on a per occurrence and/or per day basis.

(c) Exceptions. Any exceptions to the requirements of this section are authorized only by the Director or city council approval as stated in this ordinance.

(Ordinance 2013-4 adopted 2/19/13)

  **Sec. 18.02.066 Parks and recreation rental application guidelines**

Requests for the rental of public park facilities shall be directed to the department, who shall decide the appropriate procedure for approval. Reservation requests shall be accepted no earlier than six months prior to a specific date, except for Special Events.

(Ordinance 2018-17, sec. 4, adopted 7/3/18)

  **Sec. 18.02.067 Facilities available for rental**

- (a) The city has facilities available for rent. Refer to Fee Schedule Appendix A for a list of all facilities and related fees.
- (b) Exclusive public park rental for community event/special events. Individuals or groups wanting to have exclusive use of any public parks and recreation facilities must fill out the special event application. The exclusive rental rate will be applied for every 24-hour period the park is rented. Rental fees may be found in the Fee Schedule, Appendix A of the Code of Ordinances.
- (c) Refunds.
 - (1) Cancellation of reservations. Must be made no less than 14 days prior to the reserved date in order to receive a refund. Non-use due to inclement weather conditions will be taken into consideration.
 - (2) Deposits. Deposits will be refunded upon inspection of the parks staff. The standard of cleanup shall be to leave the park as it was when you arrived.
- (d) Waiving of fees. The city may waive all or a portion of the fee with the recommendation of the Parks and Recreation Commission and the approval of the city council when appropriate.

  **Sec. 18.02.068 Motor vehicles**

- (a) It shall be a violation for any person to drive any unauthorized motor vehicle, motorcycle, motor bike, motor scooter, ATV, or other motor-driven device or vehicle on or across public park land being owned, operated, and maintained by the city.
- (b) Nothing in this section shall be construed so as to prohibit operation of any motor-driven vehicle as defined in the previous subsection upon any improved parking area within the public park.
- (c) Any person who shall violate any of the provisions of this section shall be charged with a class C misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) on a per occurrence and/or per day basis.

(Ordinance 2013-4 adopted 2/19/13)

  **Sec. 18.02.069 Activities in ponds located on public lands**

- (a) All provisions listed herein are effective for all public ponds, including retention ponds, unless the described activity is specifically authorized and permitted by the parks and recreation director and/or any other city regulation.
- (b) Bradfield Lake, the lake located in the city park adjacent to Bradfield Subdivision, is hereby declared to be a community fishing lake.
- (c) All anglers seventeen (17) years of age and older are required to have a valid state fishing license and a freshwater fishing stamp endorsement.
- (d) Children twelve (12) years of age or younger must be continuously supervised by an adult while they are fishing.
- (e) Fishing is permitted by pole and line only. The use of trot lines, jug lines, seines, spears, crossbows, and throw lines is prohibited. Anglers may have a maximum of two poles in use at the same time. All poles must be continuously monitored by the angler.
- (f) Fish obtained from other water bodies may not be introduced into city ponds or lakes. Doing so may upset the biological balance.
- (g) Fishing is intended to be catch-and-release only. Fish may not be cleaned on the banks of the lake, or anywhere within Bradfield Park. Notwithstanding the foregoing provision, fish may be harvested only when completed as part of the annual trout stocking in Bradfield Park.
- (h) Use of watercraft of any type is not allowed.
- (i) Swimming or wading is prohibited.
- (j) Littering is prohibited.
- (k) A copy of these rules shall be posted on an appropriate sign near the entry to the park or in a conspicuous area near the pond.
- (l) Any person who shall violate any of the provisions of this section shall be charged with a class C misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) on a per occurrence and/or per day basis.

(Ordinance 2014-27 adopted 12/16/14)

  **Sec. 18.02.070 Dog park rules and regulations**

The following rules will apply to any off-leash dog recreation area and shall be posted:

- (1) Use of the dog park is at your own risk. The city shall assume no liability or responsibility for damage or injuries in this facility. Dog owners/handlers are responsible for the actions, behavior, damages, and injuries inflicted by their dog(s). Please familiarize yourself with the rules below so that everyone may enjoy the park.
- (2) Hours: Park hours of operation after February 28th and before October 1st are from 6am to 9pm. Park hours of operation on or after October 1st and on or before February 28th are 6am to 7pm. Park hours on February 29th, when it occurs, are 6am to 9pm. In case of an emergency, or for other good cause, a park, or any part thereof, may be closed to the public by a city official.
 - (a) This facility is for use by dogs, their owners/handlers, and their human guests only. No other animals or uses are permitted.
 - (b) Leashes may be removed inside the fenced off-leash areas of the facility only.
 - (c) All dogs must be always under control and in view of the owner/handler. Dogs must be supervised by persons seventeen (17) years of age or older.
 - (d) All children through age 17 must be accompanied by an adult. Permitted children must be supervised by the adult and behave appropriately: No running, shouting, chasing dogs, or petting other people's dogs without the owner's permission.
 - (e) Limit of two (2) dogs per person in the facility at any time.
 - (f) Dog owners/handlers are liable for any injuries or damage caused by their dogs. Any bites or scratches must be reported to city's animal control office. Any instance of a bite or scratch to a person must be reported to the city's animal control in accordance with Texas State Law, chapter 826.021, THSC.

(g) Dog owners/handlers are responsible for picking up and disposing of their dog's waste, and repairing any damage done by their dogs.

(h) All dogs must wear a collar or harness with current rabies vaccination tags and registration tags displayed. Dog owners/handlers must have a current rabies vaccination certificate available and comply with current city animal control ordinances. Owners must remove pinch, prong, or spiked collars before entering the off-leash area to prevent injuries.

(i) No person shall bring into an off-leash area a dog where a court has decided that such dog is a dangerous dog, or a dog that is known, or should have been known, by its owner to display aggressive behavior towards other animals or humans. Dogs that are showing any aggressive behavior or high levels of excitement shall be leashed and removed from the facility immediately upon first sign of aggression or over excitement. Dogs with two (2) documented incidents of aggression are banned from the park.

(j) Dogs under four (4) months of age are not allowed in the facility.

(k) Female dogs using the facility must not be in heat and all dogs must be healthy and free of parasites.

(l) The small dog off-leash area is for dogs less than thirty (30) pounds only. The large dog off-leash area is for dogs weighing thirty (30) pounds or more. Small dogs are permitted in the large dog off-leash area but enter at your own risk.

(m) Dog owners/handlers must carry leash (one per dog) while in the facility. Dog owners/handlers may not chain or tether a dog with any restraint unless said person is holding the restraint upon city property.

(n) No food (dog or human) or training treats or toys allowed in the facility.

(o) Glass containers, alcohol, and tobacco of any kind are prohibited in the facility.

(p) Bicycles, skateboards, rollerblades, and motorized vehicles are prohibited in the facility.

- (q) Professional trainers are not allowed to use the facility for training purposes.
- (r) No fundraisers can be conducted on park property without the prior approval of the park and recreation department director
- (s) Park is subject to closure upon determination by the city that there is a reason deemed to be in the public's interest or safety.
- (t) Any person who shall violate any of the provisions of this section shall be charged with a class C misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) on a per occurrence and/or per day basis.

(Ordinance 2016-10 adopted 7/5/16)

  **Sec. 18.02.071** Skate Park Rules/Prohibitions



- (a) Skateboards, in-line skates, roller skates, scooters, and bmx freestyle bikes (with covered pegs) only. No motorized vehicles or other wheeled devices are allowed.
- (b) Skate park hours of operation : 6 am-10 pm, except when signage is posted that park is closed. No trespassing is allowed when park is closed. Violators will be prosecuted.
- (c) Skateboarding, in-line skating, and freestyle biking are high-risk activities. Protective gear (helmets, knee, elbow, and wrist pads) should be used at all times.
- (d) Graffiti and vandalism of the skate park can result in loss of facility privileges and will cause the park to be closed until repairs are made.
- (e) Inspect the skate park surface before using and remove any trash debris or objects that may prevent a smooth, safe ride. Stay off when wet, icy, or other hazardous conditions exist.
- (f) Bad behavior (including profane or foul language, tobacco, and alcohol use) prohibited.
- (g) Obstacles or modifications to the skate park are not allowed.

(h) Litter is to be placed in receptacles.

(i) No pets are allowed in the skate park.

(j) Food, beverage, alcohol, and smoking are prohibited in the skating area.

(k) Competitive events or demonstrations require prior approval of the Buda Parks & Recreation Department.

  **Sec. 18.02.072** Exceptions to this ordinance are authorized by city council approval unless otherwise expressly noted in this ordinance.