

ORDINANCE NO. 7426

AN ORDINANCE AMENDING SEC. 25.15 OF CHAPTER 25, "PARKS AND RECREATION" TO PROVIDE FOR THE TEMPORARY CLOSING OF WINDSURF BAY PARK UNDER CERTAIN CIRCUMSTANCES; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Sec. 25.15 of Chapter 25, "Parks and Recreation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended in part to read as follows:

"

- (A) Except as otherwise provided in subsections (D) or (E) of this section, or anywhere else in the City's Code of Ordinances or other law, parks shall be open to the public from 6:00 a.m. until 10:00 p.m.
- (B) A person commits an offense if the person enters or remains on park property or portions thereof when the park is closed.
- . . .
- (E) Windsurf Bay Park Hours.

- (1) Except as otherwise provided in this Section 25.15(E), Windsurf Bay Park shall be open to the public from 6:00 a.m. until 10:00 p.m. on weekdays.
- (2) Windsurf Bay Park shall be closed on weekends beginning Friday at 12:00 p.m. through Monday at 6:00 a.m.
- (3) Windsurf Bay Park shall be closed on all local, state, and federal holidays, including the two days preceding and succeeding the holiday.
- (4) In the event the Director of Police or Director of Fire, or one of their designees, determine in their sole discretion that Windsurf Bay Park should be temporarily closed to protect public health, safety, and welfare, and notifies the City Manager, or his or her designee,

of their recommendation to close the park, the City Manager may order the park closed until such time as needed to safely reopen the park.

- (5) A person commits an offense if the person enters or remains within Windsurf Bay Park after receiving notice that the park is closed.
- (6) For the purpose of this section, "notice" means oral or written communication by a peace officer or other City employee with apparent authority to act on behalf of the City, or a sign or signs conspicuously posted at the main entrance to the park, reasonably likely to come to the attention of the general public, indicating that the park is closed."

## **Section 2**

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

## **Section 3**

That Chapter 25, "Parks and Recreation" of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

## **Section 4**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 5**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this the 2nd day of May, 2023.

**CITY OF GARLAND, TEXAS**

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Mayor

**ATTEST:**

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City Secretary

**Published:**