

ORDINANCE NO. 2026-17

AN ORDINANCE OF THE CITY OF MIDLOTHIAN, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 1 TITLED "GENERAL PROVISIONS" BY AMENDING ARTICLE 1.08 TITLED "PARKS AND RECREATION" BY AMENDING DIVISION 1 TITLED "GENERALLY" BY AMENDING SECTION 1.08.001 "DEFINITIONS" BY ADDING "AMPLIFIED SOUND" AND SECTION 1.08.002 TITLED "UNLAWFUL ACTS" BY AMENDING SUBSECTION (a)(3) TO ADD ANY OTHER DEVICE TO LAUNCH OR SHOOT A PROJECTILE AND ADDING A NEW SUBSECTION (a)(13) TO REQUIRE APPROVAL FOR USE OF AMPLIFIED SOUND EQUIPMENT AND RENUMBERING FOLLOWING ITEMS AND AMENDING SECTION 1.08.004 "ENFORCEMENT" BY AMENDING SUBSECTION (b) "EJECTMENT" BY ADDING POLICE DEPARTMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 1 titled "General Provisions" of the Code of Ordinances of the City of Midlothian, Texas, be, and the same is hereby amended by amending Article 1.08 titled "Parks and Recreation" by amending Division 1 titled "Generally" by amending Section 1.08.001 titled "Definitions" and Section 1.08.002 titled "Unlawful Acts", to read as follows:

**"CHAPTER 1
GENERAL PROVISIONS**

**ARTICLE 1.08 PARKS AND RECREATION
Division 1. Generally**

Sec. 1.08.001 Definitions

For the purpose of this article the following terms shall have the following meanings unless the context indicates otherwise.

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Amplified sound. Music or speech projected or transmitted by artificial means, including but not limited to, amplifiers, loudspeakers, automobile or portable speakers, or any similar devices.

Sec. 1.08.002 Unlawful acts

AMEND 1.08.002(a) as follows

(a) General park rules. Within the limits of said parks, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, except as may be otherwise provided:

...

- (1) To hitch, fasten, lead, drive, or let loose any animal, reptile or fowl of any kind, provided that this shall not apply to dogs when led by a cord or chain, not more than six (6) feet long except in designated areas.
- (2) To ride or drive any horse or other animal, except in designated areas. To ride, drive, or go at a rate of speed faster than speed limits as posted on standard traffic signs, upon any bicycle, motorcycle automobile or any other vehicle whatsoever, upon any drive or street in any park of the city, or to ride or drive any such motorcycle, automobile, or other motorized vehicle upon any walk in such park, or to ride or drive any such motorcycle, automobile or other motorized vehicle upon the turf, grass or soil, except in designated areas.
- (3) To carry or discharge any firearms, firecrackers, rockets, torpedoes or any other fireworks, air-guns, BB guns, bows and arrows, slingshots, or any other device, whether commercially manufactured or homemade, that is designed or modified to launch or shoot a projectile; or hit golf balls, except in designated areas. This section does not preclude a person from carrying a handgun within a park in accordance with State law.
- (4) To damage, cut, break, injure, deface, or disturb any tree, plant, shrub, rock, building, cage, pen, monument, fence, bench or other structure, apparatus, or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface in any manner, any building, monument, fence, bench, or other structure.
- (5) To cut or remove any turf, wood, grass, soil, rock, sand, gravel, or fertilizer.
- (6) To swim, to bathe, wade in, or pollute the water of any fountain, pond, lake, or stream.
- (7) To make or kindle a fire except in picnic stoves, braziers, fire pits, or designated areas provided for that purpose.
- (8) To wash dishes or to empty salt water or other waste liquids elsewhere than in sinks provided for such purposes.
- (9) To leave garbage, cans, bottles, papers, or other refuse elsewhere than in receptacles provided therefor.
- (10) To participate or engage in any activity on any public park area when such activity will create a danger to the public or may be considered a public nuisance. Overnight camping is prohibited on any park property except by special permit issued by the city manager or his designate.
- (11) To play or bet at or against any game which is played, conducted, dealt or carried on

with cards, dice, or other device, for money, chips, shells, credit or any other representation of value, or to maintain or exhibit any gambling table or other instrument of gambling or gaming.

- (12) To use or speak any threatening, abusive, insulting or indecent language in any of the public parks, and no person shall commit, in any parks, any obscene, lewd, or indecent act or create any nuisance.
- (13) To use or allow to be used any type of amplified sound equipment without prior approval from the director or designee.
- (14) To disturb in any manner, any picnic, meeting, service, concert, exercise or exhibition.
- (15) To distribute, post, place or erect any advertising, handbill, circular, bill, notice, paper or other advertising device without prior permission of the city manager or his designate.
- (16) To sell or offer for sale any food, drinks, confections, merchandise, or services unless such person has a written agreement or a permit issued by the city manager or his designate.
- (17) To practice, carry on, conduct or solicit any trade, occupation, business or profession or to circulate a petition of any kind or character without approval of the city manager or his designate.
- (18) For any person over the age of six (6) years to use the restrooms and washrooms designated for the opposite sex.
- (19) It shall be unlawful for any person other than law enforcement personnel or employees of the parks and recreation department to enter or remain in any portion of a park, playground or recreational area when the area is closed to the public. The times during which parks, playgrounds and recreational areas are open to the public shall be posted by the city as between the hours of 5:00 a.m. and 11:00 p.m., unless otherwise posted by the city. A special permit may be granted by the parks and recreation director or designee for organized sports or special events which exceed the posted hours, in which case the area containing the permitted activity shall remain open to the public until the activity ends, at which time the area shall be closed to the public.
- (20) To possess or consume any alcoholic beverage including liquor, wine, beer, or any other type, within any city park.
- (21) To participate or to attempt to participate as a coach, assistant coach, manager, trainer, umpire, referee or other official during any game, practice, or tournament sponsored by an organized sports association, if such person is not recognized as such or if the person's recognition has been suspended, terminated or revoked by such sports association.
- (22) To use any tobacco product, or to smoke or possess any burning tobacco weed, plant or other tobacco product except in designated smoking areas or in paved parking

areas.

- (23) To interfere or disrupt any game, league play, tournament or practice of any organized sports association, or any city-sponsored or approved organized athletic activity.
- (24) To use any abusive or profane language or gestures toward any coach, assistant coach, trainer, manager, umpire, referee, player, or other official during a practice, game or league play of any organized sports association or any city-sponsored or approved organized athletic activity.
- (25) For any person ejected from a game, field or facility by the umpire, referee, or other game official, to fail to leave the game, field or facility, or to otherwise fail to comply with the ejection order.
- (26) For a person 18 years of age or older to participate or to attempt to participate in any game, practice, or tournament of a youth sports association as a coach, assistant coach, trainer, manager, umpire, referee or in any other official capacity without first having on file with the youth sports association a current certificate of satisfactory compliance with the city policy for criminal background check from the sponsoring youth sports association.

Sec. 1.08.004 Enforcement

AMEND 1.08.004(b) as follows:

(b) Ejection. The city manager or his designate, park attendants designated by the city manager or his designate, and police department shall have the authority to eject from the park any person acting in violation of this article.

...”

SECTION 2. That all provisions of the Ordinances of the City of Midlothian, Texas, in conflict with the provisions of this Ordinance be and the same are hereby, repealed, and that all other provisions of the Ordinances of the City of Midlothian not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid.

SECTION 4. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Midlothian, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

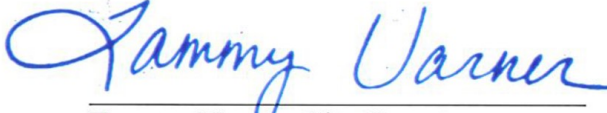
SECTION 6. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MIDLOTHIAN, TEXAS ON THIS THE 14TH DAY OF APRIL 2026.

APPROVED:


Justin Coffman, Mayor

ATTEST:


Tammy Varner, City Secretary

APPROVED AS TO FORM:


Joseph J. Gorfida, Jr., City Attorney

