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ORDINANCE NO. 541

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 20 OF THE ABILENE CITY CODE BY ADDING TO SECTION 20-1 OF CHAPTER 20 OF THE ABILENE CITY CODE MAKING IT UNLAWFUL FOR ANY PERSON TO DISRUPT, INTERFERE WITH RECREATIONAL PROGRAMS OR REFUSE TO OBEY ORDERS TO LEAVE, MADE BY CITY RECREATIONAL SUPERVISOR, TO PROHIBIT CAMPING IN CITY PARKS, TO PROHIBIT SLEEPING OR PARKING OVERNIGHT IN CITY PARKS AND CLOSING OF PARKS EXCEPT SEABEE PARK, FROM 12:01 A.M. TO 5:30 A.M. EACH DAY; AND DECLARING AN EMERGENCY.

WHEREAS, the Parks & Recreation Board has recommended that Chapter 20 of the Code of the City of Abilene be amended by adding thereto certain prohibitions involving the parks of the City of Abilene; and,

WHEREAS, the City Council of the City of Abilene, Texas, is of the opinion that such amendments would be in the best interest of the public welfare of the City of Abilene; now, therefore,

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

PART 1: That Section 20-1 of Chapter 20 of the Code of the City of Abilene is hereby amended by adding the following to Section 20-1:

(a) No person shall willfully interfere with, disrupt or prevent the orderly conduct of any supervised play or amusement program being conducted by the recreation department of the city in any building, swimming pool, playground, golf course or park area located in or on any public property within the city.

No person shall remain in any building, swimming pool, playground, golf course or park area located in or on any public property within the city, after being advised by the supervisor of a supervised play or amusement program being conducted by the recreation department in or on any public property that he is interfering with, disrupting or preventing the orderly conduct of such supervised play or amusement program, and after having been asked to leave any building, swimming pool, playground, golf course or park area located in or on any public property within the city.

For the purposes of this section, "public property" shall mean any property held for public use by any department or branch of government; federal, state, county, school or municipal.

(b) No person shall camp in any city park or playground or set up any tent, shack or other shelter or lay any bedroll or other sleeping equipment therein. This section does not apply in camping in Seabee Park where camping is permitted by individuals up to 48 hours. This section does not apply to camping in any city park or playground by special permission of the parks & recreation director.

(c) No person shall sleep or park overnight within any park, parkway or playground within the City of Abilene except properly designated attendants, caretakers or persons with a special permit from the parks & recreation director or to persons camping in designated areas in accordance with rules and regulations of the parks & recreation board.

(d) All parks shall be closed to the public between the hours of 12:01 a.m. and 5:30 a.m. each day except Seabee Park at Fort Phantom Hill Lake where overnight camping is permitted for periods up to 48 hours.

(1) This section shall not apply to the following persons if in the park in the performance of their duties: peace officers, physicians, ambulance operators or attendants, employees of the city, and employees of public utility companies.

(2) In the case of parks through which there are dedicated streets used for general travel (that is, not merely for access to the interior of the park) this section shall not apply to persons traveling through the park on such dedicated streets.

(3) The parks & recreation director may grant permission for civic or educational meetings or entertainments to be held in a park at any designated hours, and this section shall not apply to persons who are in the park in accordance with the terms of such permission.

(4) The department of parks and recreation shall place in each of the above-designated parks legible signs stating the hours when the park is closed. At least two signs shall be placed in each park; and in parks which have vehicular entrances, there shall be a sign at each such entrance.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$200.00. Each such violation which shall continue or be permitted to continue shall be deemed a separate offense.

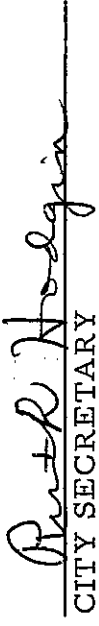
PART 3: That the City Council hereby finds that an emergency exists requiring suspension of the rule provided in Section 18 of the City Charter requiring Ordinances to be read on two separate days in that the immediate passage of said Ordinance is necessary for the preservation of the public peace, safety and welfare because the City of Abilene presently has no Ordinance prohibiting disruption of programs, camping,

sleeping and closing hours for certain parks so as to protect the city's parks and citizens using the parks from individuals which are abusing the use of the parks and interfering with the public use of the parks and their facilities, and said rule is hereby suspended and this Ordinance shall take effect and be in force from and after its passage.

PASSED this 22nd day of July, A. D. 1971.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED:


CITY ATTORNEY

