

ARTICLE 16.04 PARKS, PLAYGROUNDS AND RECREATION*

Division 1. Generally

Sec. 16.04.001 Rules of parks generally; fees

(a) Except as otherwise specified herein for particular facilities, the open hours for the public use of the grounds and facilities of all parks owned or under the care, control or management of the city and within the corporate limits thereof shall be from the hours of 6:00 a.m. until 10:30 p.m., and it shall be unlawful for any person, other than authorized personnel of the city, to be in or upon any such grounds or facility thereon from the hours of 10:30 p.m. until 6:00 a.m., unless written permission by the city manager or his designee is obtained for remaining in the park between those hours. The city manager may approve activities in the park between the hours of 10:30 p.m. and 6:00 a.m. when:

- (1) Such activity will not pose a significant safety risk or inconvenience to the public; and
- (2) The activity is related to a city-sponsored or -approved event.

(b) The provisions hereof shall not be applicable to any person lawfully using any facility of any such park leased or rented from the city pursuant to the provisions of any ordinance of the city.

(c) Such parks shall be posted as follows: "This park is open from 6:00 a.m. until 10:30 p.m."

(d) Persons or groups wishing to reserve a pavilion may do so at the rates as provided in [section A16.04.001](#) of the fee schedule in appendix A to this code.

(e) Unless reserved ahead of time, all pavilions in city parks shall be used on a first-come, first-served basis.

(1990 Code, sec. 9.700)

(f) It shall be unlawful for any person to smoke tobacco products within the confines of any city-owned park with the exception of paved parking areas and the Wright Park Golf Course. (Ordinance 05-097, sec. 1, adopted 8/9/05)

Sec. 16.04.002 Rules for use of baseball, softball fields

The standard baseball/softball field rental policies and regulations contract, including fees, is adopted by reference the same as though included in this section. Such contract is on file in the office of the city secretary. (Ordinance adopting Code)

Sec. 16.04.003 Dumping, etc., refuse, rubbish or junk in parks

It shall be unlawful for any person to dump, deposit or leave, or cause to be dumped, deposited or left, any refuse, rubbish or junk in or upon any portion of the park within the city except in containers or depositories prepared and maintained therefor. As used herein, the word "refuse" shall include garbage, rubbish, and all other decayable and nondecayable waste, including vegetable, animal and fish offal, and carcasses of such animals and fish; the word "rubbish," as used herein, shall include all nondecayable waste, except ashes; and the word "junk," as used herein, shall include all worn out, worthless and discarded material, in general, including, but not limited to, odds and ends, old iron or other metal, glass, paper, cordage, or other wastes or discarded materials. (1990 Code, sec. 5.1300)

Sec. 16.04.004 Swimming pool entrance fees

Entrance fees for the swimming pool are as provided in section A16.04.004 of the fee schedule in appendix A to this code. (Ordinance adopting Code)

Cross reference—Swimming pools, [art. 10.04](#).

Sec. 16.04.005 Use of motorized vehicles in public parks prohibited

(a) It shall be unlawful for any person to operate or ride a motorized vehicle on any designated trail system or public park of the city, including, except for registered licensed vehicles, areas specified for parking. Park maintenance vehicles, public safety vehicles, handicap accessibility vehicles and vehicles used in connection with special events, if approved by the city manager or his designee, shall be exempt from this subsection.

(b) Motorized vehicles shall be defined as any vehicle propelled by a motor including but not limited to

go-carts, all terrain vehicles (ATV's), mini bikes and golf carts.
(Ordinance 13-027 adopted 4/9/13)

Sec. 16.04.006 Rules for use of tennis courts

- (a) Use tennis courts at own risk.
- (b) No food, glass, or alcoholic beverages.
- (c) No pets.
- (d) No bicycles, roller blades, or skateboards.
- (e) Proper footwear required.
- (f) Children under the age of 12 must be accompanied by an adult.
- (g) Net or other equipment is not to be abused.

Sec. 16.04.007 Rules for use of dog parks

- (a) Owners or custodians of dogs are legally liable for the acts and behavior of dogs at all times.
- (b) Anyone using the dog park does so at his/her own risk.
- (c) All dogs must be vaccinated.
- (d) Female dogs in heat not permitted in park.
- (e) Aggressive dogs must be leashed and removed immediately.
- (f) Owner is legally responsible for damages or injuries.
- (g) Bag and dispose of your pet's waste immediately.
- (h) Children under the age of 12 must be accompanied by an adult.
- (i) Keep small children and infants under close supervision.
- (j) Dogs should be under voice control.
- (k) Leash dogs while entering and exiting dog park.
- (l) No smoking, food, alcohol, dog chews, or glass containers.
- (m) No dog toys allowed.
- (n) No grooming pets in dog park.
- (o) No choke, pinch, prong, or spiked collars allowed.
- (p) No bare feet.
- (q) Dog owners who fail to comply with the above rules can be asked to leave and cited.

(Ordinance 14-009 adopted 1/28/14)

Secs. 16.04.008–16.04.030 Reserved

Division 2. Board of Parks and Recreation*

Sec. 16.04.031 Created, membership

There is hereby created and established the board of parks and recreation for the city, which said board shall be composed of seven (7) members to be appointed by the city council. The members of such board shall be residents of said city and qualified voters. The members of such board shall each serve terms thereon of three (3) years or until a successor has been appointed, qualified and taken the oath prescribed for such office. The terms of office provided for herein shall be served on a staggered basis to the end that the terms of office of three (3) of the members thereof shall begin during one (1) calendar year and the terms of office of the remaining four (4) members thereof shall begin during the following calendar year. The places of such members on said board shall be designated at the time of appointment of members thereto. All vacancies on such board shall be filled for the unexpired term in the same manner as provided for the original appointments. The members of such board shall serve without compensation. Each member of such board shall qualify by subscribing to the appropriate oath of office. The director of parks and recreation of said city shall serve in an advisory capacity to and cooperate with

such board. (1990 Code, sec. 9.601; Ordinance adopting Code)

Sec. 16.04.032 Function

The board shall not exercise any executive authority or power, but it shall be advisory only and after due study and investigation submit recommendations to the council for park improvements. (1990 Code, sec. 9.603)

Secs. 16.04.033–16.04.060 Reserved

Division 3. McQuinney Howell Wright Park

Sec. 16.04.061 Administration

The golf course and golfing facilities, recreation area and recreation facilities, and the community center building and community center facilities at the McQuinney Howell Wright Park of the city shall be open to the public, subject to the regulations governing the use and enjoyment of same, including those contained in this division, on such days and during such hours as may be determined by the director of parks and recreation, hereinafter referred to as “director.” (1990 Code, sec. 9.901)

Sec. 16.04.062 Golf course and facilities

The regulations governing the use and enjoyment of the golf course and golfing facilities shall include the following:

(1) Daily fees generally; use by school teams. No person shall use or enjoy the golf course or the greens thereof without having paid the appropriate fee therefor. All such fees shall be paid to the golf course manager designated by the director of parks and recreation or some person under the direct supervision of the golf course manager. The daily fee for the use of the golf course shall be as provided for in [section A16.04.062](#) of the fee schedule in appendix A to this code. No fee for the use of the golf course shall be charged the members of any golf team of any school of the Greenville Independent School District when the names of the members of and other pertinent information concerning any such team has been provided the golf course manager by the coach thereof, and play by members of such team is conducted during those days of Monday through Friday when the same are not holidays as herein enumerated. The golf course manager shall determine the total number of team members that are allowed to play on any given day.

(1990 Code, sec. 9.902)

(2) Daily fees and hours for retirement age persons and minors. The daily fee for the use of the golf course by a person of the age of sixty (60) years or over shall be as provided for in [section A16.04.062](#) of the fee schedule in appendix A to this code for the days Monday through Friday when any such day is not a holiday as defined herein. The daily fee for any person the age of eighteen (18) years or under shall be as provided for in [section A16.04.062](#) of the fee schedule in appendix A to this code for the days Monday through Friday when any such day is not a holiday as defined. (Ordinance 05-061, sec. 1, adopted 5/10/05)

(3) Annual fees. The annual fee for the use of the golf course shall be as provided for in the fee schedule found in [section A16.04.062](#) of the fee schedule in appendix A to this code.

(4) Other fees and charges; assumption of risk. Other fees and charges for products sold, provided rental of equipment and storage facilities, and golfing and tennis competitions, shall be as provided for in [section A16.04.062](#) of the fee schedule in appendix A to this code. Any person who stores a golf cart at the park or who leaves unattended any golf cart or other equipment on the premises of the park stores or leaves the same at the sole risk of such person, and the city shall not be responsible for loss or damage to the same for any cause whatsoever.

(5) Restrictions on young children. No child under the age of ten (10) years may play upon the golf course and may not be upon the golf course unless accompanied by a parent, legal guardian, or some person of responsibility of the age of eighteen (18) years or older. No child under the age of twelve (12) years may play upon the golf course on a Saturday or Sunday or on any holiday herein enumerated unless accompanied by a parent, legal guardian or some responsible person eighteen (18) years of age or over. No person under the age of sixteen (16) years may operate a golf cart upon the golf course.

(6) Closing days and hours; holidays. The golf course and golfing facilities, including the pro shop and clubhouse, shall not be open to the public on any day between one (1) hour after sunset to one (1) hour

before sunrise; after-dark play may be permitted by the golf course manager upon those outdoor portions of the golf course and golfing facilities lighted by the city for the purpose of such play. The golf course and golfing facilities shall not be open to the public on the following holidays: Christmas Day.

(7) Registration of golfers; required golfing equipment. Each and every person using or enjoying the golf course or the golfing facilities shall first sign the register kept for such purpose by the golf course manager and obtain a ticket for play from the golf course manager. The stub from the ticket shall be kept in the possession of such person at all times while such person remains in the park. Every person using or enjoying the golf course shall have in his or her own possession a golf bag and at least five (5) clubs, including a putter therein.

(8) Golfing group size restrictions. Foursome play upon the golf course is required on the Saturdays, Sundays and holidays as provided herein; however, a smaller group may play upon the golf course on days when, in the opinion of the golf course manager, a smaller group would not restrict the play of other groups thereon. No more than four (4) persons shall play in a group upon the golf course between March first and November first of any year. No more than four (4) persons shall play in a group upon the golf course from November first to March first of the following year unless permission for a larger number to play is obtained from the golf course manager or some person under his or her direct supervision with authority to grant such permission.

(9) Playing through. A slow player or groups containing one (1) or more slow players must allow a faster player or groups composed of faster players to play through if the slower player or players are at least one (1) clear hole behind.

(10) Restrictions on use because of course condition. Play, the use of power-driven golf carts upon the golf course, or both, shall be restricted by the golf course manager when, in his or her opinion, such play or use would cause excessive or unusual damage to the course because of conditions of moisture, construction, maintenance or other similar conditions.

(11) Protection of greens. No person may place any golf bag or drive or operate any power-driven cart or other vehicle upon any green of the golf course nor use any portable seat thereon. No person may drive or operate any power-driven golf cart within twenty feet (20') of any green or tee box of the golf course. No person may play any ball upon the golf course from any green thereon. When necessary to play therefrom, the ball may be placed to one side of the green without penalty. No person shall walk or step upon any of the greens while wearing shoes which would cause, occasion or result in unusual damage or detriment to the green. Shoes so prohibited include football, baseball, track shoes, and shoes having spikes other than soft spike golf shoes, golf shoes having metal golf spikes, and spiked heels. No person shall walk in a manner so as to drag or scuff the greens. No person shall place or deposit any green pin on any green of the golf course except to stand the pin in a hole on the green provided for such purpose, or to lay the pin on the green in a careful manner so as not to cause, occasion or result in any unusual damage or injury to the green.

(12) Practice restricted, use of putting green. No person shall practice any part of the game of golf upon the golf course or golfing facility, except the putting green. Practice on the putting green shall be restricted only to that part of play known as putting.

(13) Certain vehicles, animals, etc., prohibited. No person shall drive or operate, or cause to be driven or operated, any vehicle except a power-driven golf cart or pull cart for golf clubs, or bring or drive or cause to be brought or driven any animal or fowl, in or upon said golf course, without first having obtained consent in writing from the director of parks and recreation.

(14) Trail fee; use of power-driven golf carts. The trail fee for the use of a power-driven golf cart upon the golf course, other than carts rented by the city or some duly authorized person, shall be as provided for in [section A16.04.062](#) of the fee schedule in appendix A to this code. No such cart may be driven or operated upon the golf course unless the tires of same are of equal or greater width than those provided for rent or lease at the golf facility. No golf cart shall be driven or operated in any area designated by the golf course manager as a restricted area. No person may drive or operate any golf cart upon the golf course or golfing facility when the use thereof has been prohibited by the golf course manager because of the danger of causing unusual damage or injury to the course because of conditions of moisture, construction, maintenance or other similar conditions thereon, which such use would be hazardous to other players, or when there is a temporary absence of one (1) or more facilities necessary for the proper accommodation of such golf cart upon the golf accommodation of such golf cart upon the golf course and golfing facility. No more than two (2) persons may ride in or upon any such golf cart at any

one time while the same is being driven and operated within the park. Any player who does not own a golf cart and rides with someone else must pay one-half (1/2) the regular cart rental fee.

(15) **Hunting golf balls.** Only persons authorized by the golf course manager may hunt golf balls on park property, and no person shall enter any water hole at the park.

(16) **Fishing.** It shall be an offense for a person to fish in any of the water hazards or ponds on the municipal golf course.

(17) **Activities other than golf.** It shall be an offense to engage in any activity on the golf course or golf cart paths other than golf. These activities include, but are not limited to, walking, running, jogging, cycling, skateboarding, roller skating, roller blading, or using any conveyance other than those specifically allowed in this section.

(1990 Code, sec. 9.902)

Sec. 16.04.063 Civic center building and facilities

The regulations governing the use and enjoyment of the Fletcher Warren Civic Center building shall include the following: (Ordinance 05-016, sec. 9.903, adopted 1/25/05)

(1) **There will be a building attendant fee per hours accessed for any functions held at the Fletcher Warren Civic Center as provided for in section [A16.04.063](#) of the fee schedule in appendix A to this code.** (Ordinance 09-055, sec. 2, adopted 9/8/09)

(2) **Smoking is prohibited in all areas of the building including restrooms, foyer, kitchen, ballroom and meeting rooms.** (Ordinance 05-016, sec. 9.903, adopted 1/25/05)

(3) **All food and beverages are to remain inside the buildings. The serving, consumption, possession, storage, and/or sale of alcoholic beverages must be in compliance with all state and local laws, including the Texas Alcohol and Beverage Code governed by the state alcoholic beverage commission (TABC). It is the applicant's responsibility to assure compliance with these regulations.** (Ordinance 05-016, sec. 9.903, adopted 1/25/05; Ordinance adopting Code)

(4) **Excessively loud music is not permitted and volume must be reduced after 10:00 p.m. in accordance with [section 14.04.004](#) of this code.** The noise abatement ordinance will be enforced by the city police department.

(5) **Following the use of the premises, all furniture must be left clean. All cabinet and table surfaces in the kitchen must be cleaned. The dishes and utensils must be cleaned, dried and put away. All trash should be taken outside the building to the dumpster and the building should be vacated by 1:00 a.m. In the event that the persons and/or organization renting the building do not completely perform such functions, an hourly rate shall be forfeited from the deposit.**

(6) **The use of nails, thumbtacks, staples, confetti or glue for decorations is not allowed. Masking tape and Scotch tape are allowed. Any decorations which will be hung from the ceiling must be preapproved by the city.**

(7) **The person signing the rental agreement shall be responsible for any damage to the building, furniture, or fixtures to the surrounding area. In the event of damages, there will be reasonable charges for repair or replacement deducted from the deposit. Any balance will be billed to the responsible party.**

(8) **The deposit schedule for the civic center can be found in [section A16.04.063](#) of the fee schedule in appendix A to this code.**

(9) **Applicants must be twenty-one (21) years of age or older.**

(10) **Reservations are on a first-come, first-served basis. To reserve the facilities, the rental application must be accompanied by the appropriate deposit. The security deposit will be forfeited if the applicant cancels without a ten-day notice, does not show up, or does not comply with facility use policies.**

(11) **Rental fees are due no later than seventy-two (72) hours prior to the scheduled functions.**

(12) **The city reserves the right to refuse service or increase fees of deposit based on applicant's past rental history.**

(13) **All changes and additions must be made seventy-two (72) hours prior to the scheduled functions without exception.**

(14) **Requested hours for use must include the time it will take to set up, hold the function and clean**

up. Applicants are solely liable for the building and its equipment at all times during the reserved time. All property missing during this time will be charged against the reserving party. Applicant must be present during function.

(15) Applicants renting the facility are limited to the hours specified on their application.

(16) The city provides only the equipment that is listed in the policy. Any other equipment or supplies must be furnished by the applicant. The city will not be responsible for any equipment during reserved usage.

(17) Applicants are not allowed to store equipment or supplies in the facility other than the hours that are specified on the application. A storage fee will be assessed if equipment remains in the building after the scheduled function. The city is not responsible for lost or stolen articles. Items left are kept for one (1) week only.

(18) If the facility is clean and no damage done, the deposit will be refunded approximately ten (10) to fourteen (14) working days following the functions.

(19) Youth functions, defined as persons eighteen (18) years of age or younger, must have at least one (1) adult chaperon for each ten (10) guests. Chaperons must be present through the duration of the functions, setup and cleanup time included.

(20) Regularly scheduled or continuous events shall be permitted for a period not to exceed six-weeks. A deposit shall be required for each separate rental date during such regularly scheduled or continuous event.

(21) The center is a multiuse facility and the city will make every effort to schedule activities that do not conflict.

(22) The restrictions set forth in subsections (8), (10), (17) and (20) shall not apply to civic organizations, and such organizations shall be permitted to rent the facility for regularly scheduled or continuous events for a fee as provided in [section A16.04.063](#) of the fee schedule in appendix A to this code. Regularly scheduled or continuous events shall be defined as use of the facility at a predetermined recurring time, on a predetermined recurring day of the week, for not less than thirty-six (36) weeks in a calendar year. Such organizations will be permitted to provide a storage locker for the storage of equipment or supplies. The kitchen fee, as provided in [section A16.04.063](#) of the fee schedule in appendix A to this code, shall be waived for civic organizations that rent the facility for regularly scheduled or continuous events. Any civic organization that intends to rent the civic center for a regularly scheduled or continuous event shall enter into an agreement with the city concerning the terms and conditions of such rental. The ability of a civic organization to schedule use of the facilities is subject to rental of the facility by another organization for a one-day, eight (8) hours or longer, period. Reservation of the facility for the longer period, made at least three weeks in advance of the scheduled event, will preempt a civic organization's use of the facility for a regularly scheduled or continuous event.

(23) Applicant/user shall comply with all laws, statutes, ordinances and regulations of the United States, the state, and lessor. Applicant/user shall obtain and pay for all required permits and licenses. Applicant/user shall not permit or suffer the commission of a violation of any law, statute, ordinance or regulation.

(24) Any and all such events taking place on the premises of the Fletcher Warren Civic Center, of which the consumption or serving of alcohol is a part, shall have a licensed peace officer on duty for corresponding hours of said event. Said peace officer shall be a current officer of the city police department. The city police department will schedule an officer to be in attendance for all hours of scheduled event.

(Ordinance 05-016, sec. 9.903, adopted 1/25/05)

Sec. 16.04.064 Assumption of risk; report of causing loss or damage

(a) Any person using or enjoying any portion of the park or any facility thereof thereby asserts and manifests the consent and agreement of any such person to save and hold harmless the city from all claims for loss or damage, of whatever kind or nature, suffered or asserted to have been suffered, by or to the person or any property of any person whomsoever growing out of or resulting from or in any way connected with the exercise of the privilege, right and license on the part of any such person to so use and enjoy the same.

(b) Any person causing any such damage or loss shall forthwith report the same and all details and

circumstances surrounding the occasioning of such damage and loss to the golf course manager or director of parks and recreation.

(1990 Code, sec. 9.904)

Sec. 16.04.065 Compliance with rules; ejection for violation

The director of parks and recreation and golf course manager, or any employee or other person under the direct supervision of any of them, shall have the power and authority to and shall compel any person coming into the said McQuinney Howell Wright Park to obey each and all of the provisions and requirements as set forth and contained in this division; and, in the event of a failure of any such persons to comply therewith, said officers and employees, or any such person under their direct supervision, as well as the chief of the police department and any employee or other person under the direct supervision of any of them, shall have the power and authority to give notice to any such person coming into said park to depart therefrom, within the meaning of the criminal trespass provisions of the Penal Code of the state. (1990 Code, sec. 9.905)

Secs. 16.04.066–16.04.090 Reserved

Division 4. City Park Lakes

Sec. 16.04.091 Designation; direction and control

Lakes hereinafter designated as “city park lakes” situated on the premises of a city park is part of the city park, and its use and enjoyment is under the direction and control of the city through the council, or its authorized agencies. (1990 Code, sec. 9.1001; Ordinance adopting Code)

Sec. 16.04.092 Prohibited acts enumerated

Except in areas designated for fishing, it shall be unlawful for any person to fish, wade, bathe, or swim in a city park lake. Except for special events sponsored by the city, it shall be unlawful to place, row or operate any boat, raft or skiff on a city park lake. Further, it is unlawful to throw or place any trash, debris, waste substances, or unsanitary matter into the lake, and it shall be unlawful for any person to permit or authorize another to do any of the prohibited acts set forth in this section. (1990 Code, sec. 9.1002; Ordinance adopting Code)

Sec. 16.04.093 Control of children

It shall be the duty of every parent or guardian of any minor child to prohibit and to prevent the unlawful use of the lake by his or her child or ward, and it shall be unlawful to fail to do so, and the parent or guardian shall be held responsible for accidents occurring during such unlawful use of the lake. (1990 Code, sec. 9.1003)

Secs. 16.04.094–16.04.120 Reserved

Division 5. Recreational Use of City Reservoirs*

Sec. 16.04.121 Administration

(a) The administration and enforcement of this division shall be under the city manager. It shall be his or her authority and duty to fully understand and to strictly enforce the terms, conditions and requirements of this division and designate a supervisor with proper powers to aid in the enforcement of this division.

(b) He or she shall require of each person affected by this division and, when upon any water reservoir of the city or in the areas adjacent thereto, strict observance of and obedience to all of the regulations prescribed by this division and shall make complaint of every person violating the provisions thereof.

(c) He or she shall exercise general control and supervision of the boating and fishing permitted in this division. He or she shall designate a specific place on the bank of the reservoirs for each boat and the manner of its fastening thereto, and each boat shall have a definite place for its mooring which shall not be taken by another boat.

(d) The city shall provide for him or her a special boat not of the fishing type and used by him or her only for patrolling duty and in the performance of his or her position and duties. This boat shall never be used for fishing or hunting and shall be painted a distinctive color, different from whatever colors are had for the fishing boats. This boat may have a motor if he or she so desires.

(e) He or she shall exercise such authority and do such things not specifically provided by this division, when and as conditions and situations indicate to be reasonable and proper, and reasonably incident to his or her office.

(1990 Code, sec. 9.1101)

Sec. 16.04.122 Boating and recreational activities

It shall be unlawful for any person except for emergency and authorized maintenance personnel of the city to place or operate a boat or practice or indulge in recreational activities in or on the waters of the city reservoirs, except as otherwise provided herein. (1990 Code, sec. 9.1102)

Sec. 16.04.123 Authorized fishing

(a) Fishing is permitted from the banks of reservoir numbers 4, 5, and 6 and from the north, east and west banks of reservoir number 3.

(b) Fishing in or from a boat described and authorized by [section 16.04.128](#) is permitted:

(1) On reservoir number 6;

(2) On reservoir number 5 except for the area within 200 feet of the water treatment plant intake structure, which area is marked by buoys; and

(3) On reservoir number 4 except the following areas:

(A) Within one thousand feet (1,000') of the power plant water intake structure; and

(B) Within five hundred feet (500') of the power plant outfall structure.

(c) A person fishing or permitting another person to fish or to catch fish shall do so in full and complete compliance with all the regulations and requirements of this division.

(1990 Code, sec. 9.1103)

Sec. 16.04.124 Fishing permissible from sunrise to sunset only

It shall be unlawful to fish from any boat before sunrise or after sunset. (1990 Code, sec. 9.1104)

Sec. 16.04.125 Minimum fish length

No fish shall be taken from reservoir numbers 3, 4, 5 and 6 of less length or in excess of limits than as allowed by state law, and when any such fish is so taken or caught the same shall be at once gently removed from the hook and restored to the reservoir from which it was taken. (1990 Code, sec. 9.1105)

Sec. 16.04.126 Use of seines, nets, traps, trolling and trotlines; catch limit

No fish shall be taken or caught from any of the reservoirs with a seine or net or trotline of any kind or with traps or by trolling, and a day's catch shall not exceed fifteen (15) bass-type fish and fifteen (15) other fish of the proper size allowed to be so caught or taken. (1990 Code, sec. 9.1106)

Sec. 16.04.127 Standing in water to fish; wading

Fishing from the banks of such reservoirs, where permitted, shall include fishing from near the banks while standing in such waters in hip boots or in waters of such height and in such condition as to prevent any such water from coming into contact with the body or person of such fisherman. Wading in any of the reservoirs under any other conditions or circumstances than as herein provided is prohibited and unlawful. (1990 Code, sec. 9.1107)

Sec. 16.04.128 Boat regulations

Fishing boats shall be permitted only in the waters of reservoir numbers 4, 5, and 6, and for fishing purposes only, and then only in full and complete compliance with all of the requirements of this division. Such boats shall not at any time be used therein for any kind of hunting or pleasure riding, and no firearms of any kind shall be carried or transported in any such boat therein or on the person of any occupant therein, and no such boat shall be used for any purpose except fishing or in aid of an emergency operation in such a reservoir. Additional regulations concerning such boats and their use are as follows:

(1) Materials and dimensions. Such boats shall be constructed of substantial materials and be of flat-bottom type or semi-V, and shall have the following dimensions: not less than twelve feet (12') in length; not less than forty inches (40") in width in its widest inner part; not less than sixteen inches (16") in inner height of sides.

(2) Motor power, speeding, condition of boat. Only electric motors may be used on motor-driven boats, which boats shall be used only for fishing purposes in accordance with the provisions of this division and

never in or for any racing or speed contest. Each boat used for fishing and allowed to be in or on any water reservoir in compliance with this division shall be at all times kept in a safe and sanitary condition, and rates as being in such condition, and must remain in such condition in order to continue to be used or stationed in or on a water reservoir, and be at all times subject to the inspection of the supervisor; and upon his or her disapproval or condemnation of any such boat, it shall be at once removed from the reservoir and from premises belonging to the water system. City employees are authorized to use gasoline-powered motors on boats used for maintenance and inspection activities.

(1990 Code, sec. 9.1109)

(3) **Approval, numbers.** Each of such boats must first be approved by the supervisor before being placed in the reservoir, and when not being used in actual fishing must be moored at its designated place at a bank of the reservoir. State numbers of boats required to be numbered under the state Water Safety Act (V.T.C.A., Parks and Wildlife Code, chapter 31) shall be painted on the boat as required therein. (1990 Code, sec. 9.1109; Ordinance adopting Code)

(4) **Authorized operator, exhibiting documents.** No person shall use or operate any of such boats except the licensed owner thereof or by another with written permission of the owner, which permission paper shall be displayed upon demand of the proper authorities. Such persons must have at the time of operating the boat a license or state certificate for the boat in possession to exhibit to the supervisor or to any authority empowered to view same. (1990 Code, sec. 9.1109)

(5) **Operation by minors.** No person under sixteen (16) years of age shall operate a boat except as provided in V.T.C.A., Parks and Wildlife Code, sections 31.106 and 31.107. (1990 Code, sec. 9.1109; Ordinance adopting Code)

(6) **Removal after condemnation.** No fishing boat shall remain in or on the reservoir after being condemned or ordered removed therefrom by the supervisor, and it shall thereupon be immediately removed from the waters of the reservoir and not placed on either the inner or outer banks of the reservoir, but away from same. (1990 Code, sec. 9.1109)

Sec. 16.04.129 Wooden piers in reservoirs 4, 5 and 6

Wooden piers for fishing purposes shall be allowed from the banks of and into the waters of reservoir numbers 4, 5, and 6 when in full and complete compliance with all of the provisions of this division. Such piers shall be allowed only upon application in writing to the supervisor as provided herein, who may grant a permit for the construction and maintenance of such a pier in accordance with plans submitted to such supervisor, and meeting the specifications required by him or her, provided that no such pier shall extend out into the water farther than fifty feet (50') from the highest water mark of the reservoir bank, and such pier shall at all times be kept in good and safe repair and in a sanitary condition. It shall be the duty of such supervisor to require the construction and maintenance of such piers in conformity with the provisions hereof and require the repair or removal of any such pier which he or she deems to be unsafe or in an unsanitary condition. The owner of any such pier and the users of same shall comply with all of the provisions of this division and must at all times use the same only in a manner consistent with maintaining the purity and wholesomeness of such waters for domestic use. No other type of piers may be constructed or maintained in such waters without the consent of the city council. (1990 Code, sec. 9.1110)

Sec. 16.04.130 Health regulations

All applicable provisions of the laws of the state and the regulations of the department of state health services shall be strictly complied with and observed by every person using a boat upon or fishing in any of the reservoirs of the city, and, in addition thereto, each such person shall strictly comply with and obey all of the provisions of this section, including the following:

(1) **No person authorized to operate a boat or to fish in the reservoir shall have any dog or other animal to accompany him or her or to go in the water or on the banks of the reservoir.**

(2) **No person catching fish in the reservoir shall clean or permit same to be cleaned while on the reservoir, on the banks of the same, or in any part of the area of the city's water system, whereby the entrails and other refuse matter of the fish may reach the waters entering the reservoir. No such person shall place or deposit in the water of the reservoir any human excreta, spittle or any unsanitary and contaminating matter of any kind, or from any source, in the water of the reservoir or elsewhere in the area of the water system.**

(3) **Every person accepting a boat license obligates himself or herself to exercise at all times due care to not do anything or permit those with him or her and in his or her charge to do anything that would in**

any way contaminate the water of the reservoir or any other reservoir of the city water system and will ever seek to preserve the wholesomeness and purity thereof.

(1990 Code, sec. 9.1112)

Sec. 16.04.131 Signs and markings

The supervisor shall have the authority to erect and maintain signs and markers in and near the water reservoirs of the city for the purpose of protecting the persons and property of those in, upon or near the same, and any person violating the direction of any such sign or marker shall be guilty of a misdemeanor and punished as provided in [section 1.01.009](#) of this code. (1990 Code, sec. 9.1113)

Sec. 16.04.132 Closure of reservoirs under certain conditions

(a) With the exception of city, county, state, or federal personnel acting in their official capacity and in accordance with their employment obligations, it shall be unlawful for any person to enter in or onto the city reservoirs during such period of time that the nation is under “code red, severe risk of terrorist attack” of the Department of Homeland Security’s advisory system or at such other time as the city manager or his or her designee closes the city reservoirs to the public.

(b) Upon notification by appropriate official sources that the nation is under “code red, severe risk of terrorist attack” of the Department of Homeland Security’s advisory system, or at such other time as the city manager or his or her designee deems necessary for the protection of the city reservoirs, the city manager or his or her designee shall authorize the closure of the reservoirs to the public and shall authorize appropriate city personnel to erect and maintain barricades, and/or otherwise close access to the city reservoirs to the public, to prohibit entrance in or onto the city reservoirs during such period of time that the nation is under “code red” as referenced above and/or for such period of time as the city manager or his or her designee deems necessary for the protection of the city reservoirs.

(c) The city manager or his or her designee is authorized to take any action legally available to insure the safety and protection of the city reservoirs and to prohibit any person from entering in or onto the city reservoirs during such period of time that the reservoirs are closed.

(d) Any person who violates subsection (a) of this section shall be guilty of a misdemeanor and punished as provided in [section 1.01.009](#).

(1990 Code, sec. 9.1114)

Cross reference—Emergency management, [art. 1.03](#).