

ORDINANCE NO. 05062024

AN ORDINANCE OF THE CITY OF MILES, TEXAS, FOR THE PURPOSE OF REGULATING THE HEALTH, SAFETY AND WELFARE OF THE CITY'S PARKS, DESIGNATING THIS AS THE "PARKS AND RECREATION ORDINANCE"; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miles seeks to foster a public park environment that is attractive, safe healthy and free of uses and activities incompatible with the normal and traditional uses of public park facilities, for the protection of the health and safety of the residents of said City; and

WHEREAS, the City Council, in order to facilitate the safe and efficient use of public parks in the City desires to create an ordinance which will help to enhance public parks in the City for all users.

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

SECTION 1. That the City of Miles Texas City Council finds it protects the health, safety and welfare of the citizenry to adopt an ordinance regulating the parks and adopts this "Parks and Recreation Ordinance" which is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes as if fully recited.

SECTION 2. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

SECTION 3. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

SECTION 4. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Miles, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Miles 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or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

SECTION 5. Effective Date. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this 6th day of May, 2024

CITY OF MILES, TEXAS

By: *Johnny Bell*
Mayor

ATTEST:

Amy Fischer
Amy Fischer, City Secretary



EXHIBIT A

Sec. 1. – Safety of Patrons generally; limitation of activities by permit.

It shall be unlawful for any individual or group of individuals to participate 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. The Mayor may designate particular locations within park areas for specific activities and when deemed necessary, may limit the conduct of such activities by the issuance of special permits upon application, which permits will set out the particular conditions under which such activity is permitted. Overnight camping is prohibited on any park property except by special permit issued by the Mayor or representatives for such activity on specific occasions.

Sec. 2. - Park and playground hours; curfew.

(a) *Curfew.*

(1) *Generally.* A curfew is hereby established each day at dark. (“Dark” is defined as no later than 10:00 PM and no earlier than 7:00 AM - STANDARD TIME; and 10:00 PM and no earlier than 7:00 AM - DAYLIGHT SAVINGS TIME) within all City Park and all other areas in the city limits hereafter formally dedicated for park purposes by ordinance duly adopted.

(2) *Exception.* The park may open between the closed hours for regularly scheduled activities if authorized to do so by the Mayor.