

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING “CURFEW IN PARKS,” CHAPTER 96.24, PARKS AND RECREATION OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, Texas has a large park system consisting of several individual parks; and

**WHEREAS**, some parks are primarily for active recreation, and some parks are for passive activities; and

**WHEREAS**, the City has reviewed each park’s activity level and type and determined the best operating hours for those parks;

**WHEREAS**, the City Council has determined that amending the park operating hours for certain parks will be in the best interest of the citizens of the City of Mansfield;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS THAT:**

**SECTION 1.**

The “CURFEW IN PARKS,” Chapter 96.24, “PARKS AND RECREATION” of the Code of Ordinances of the City of Mansfield, Texas are hereby amended as follows:

It shall be unlawful for any person other than law enforcement personnel or employees of the Department of Parks and Recreation 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 an area is open to the public shall be posted by the city. Unless otherwise posted by the city, the hours during which parks, playgrounds, and recreational areas are open to the public are *as follows*:

**High activity parks, defined as parks with lighted amenities for use after dark, will be open from 5:00 a.m. to 11:00 p.m.**

**Low activity parks, defined as parks with low level or security level lighting only, will be open from 5:00 a.m. to 9:00 p.m. Elmer W. Oliver Nature Park winter hours will be 5:00 a.m. to 6:00 p.m. beginning November through February.**

**Any lighted section of linear park trail will be open from 5:00 a.m. to 11:00 p.m. Any unlit section of linear park trail will be open from 5:00 a.m. to 30 minutes after sundown.**

A special permit may be granted by the city 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.

**SECTION 2.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.**

Should any paragraph, sentence, 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 so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 4.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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**David L. Cook, Mayor**

ATTEST:

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**Vicki Collins, City Secretary**

APPROVED AS TO FORM AND LEGALITY

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**Allen Taylor, City Attorney**