

SECTION 14: PARK REGULATIONS

A. PARK REGULATIONS

(1) Authorized Representative

The City of Elgin, authorized representative has the ability to reserve the park facilities listed within according to the policies outlined in this ordinance. The authorized representative will act as the authority on all parks rules and regulations unless otherwise stated.

(2) Responsible Party

The person or organization reserving a park facility shall be responsible for the enforcement of all City of Elgin, Texas policies/procedures and ordinances during the period of reservation. The person is also responsible for the conduct and behavior of the group using the facilities.

(3) Hazardous Conditions

In the event of hazardous conditions endangering life or property, any City of Elgin park or facility may be closed at the discretion of the City Manager or their designee.

(4) No Solicitation

Soliciting or distributing advertising materials, except as expressly authorized by the authorized representative of the City of Elgin is prohibited.

(5) No Firearms

Use of explosives, fireworks, guns, rifles, airguns, bows, slingshots or any similar items is prohibited.

(6) No Unauthorized Horseback Riding

Horseback riding on park facilities is prohibited, except as expressly authorized by the authorized representative of the City of Elgin.

(7) Illegal Substances

The consumption or possession of illegal substances is prohibited.

(8) Vegetation in the Parks

Removal or tampering of/with any vegetation in the parks is prohibited unless it is done in conjunction with volunteer or contracted work sponsored or approved by the City of Elgin.

(9) Destruction of Parks Property

Negligent or deliberate destruction or removal of natural or physical property is prohibited.

(10) Sale of Goods

The soliciting, posting of signs, distribution, sale, servicing or rental of any supplies, food or equipment is prohibited, except by those persons authorized by an authorized representative of the City of Elgin.

B. SPEED LIMIT IN PUBLIC PARKS; ENTERING MAY BE RESTRICTED

No person, firm, or corporation shall operate or drive any vehicle at a speed greater than ten (10) miles per hour within any public park area in the City of Elgin, Texas, or operate or drive a vehicle within any public park area in the City of Elgin, Texas, after any police officer of said city has requested that such vehicle not enter, or leave, as the case may be, said park area. No person, firm, or corporation shall operate or drive any vehicle within any public park area in the City of Elgin, Texas, after the chains or barriers designed to prevent vehicles from entering said park area have been stretched or erected across the entrances to such public area by officers or employees of the City of Elgin, Texas.

C. CURFEW

No person shall be or remain within any public park area in the City of Elgin, without permission of the city manager or his designee, after the hour of 10:30 p.m. at night, or after any police officer or employee of the City of Elgin shall have requested such person to leave, or not enter, as the case may be, such public park area.

D. DEPOSITING TRASH AND GARBAGE

No person, firm, or corporation shall leave or deposit trash or garbage in any public park area in the City of Elgin, Texas, other than in trash or garbage barrels or containers provided by the city and placed within such public park area.

(Ordinance of June 15, 1971)

E. UNLAWFUL TO DRIVE OR PARK VEHICLES IN CITY PARKS OTHER THAN IN AUTHORIZED PARKING AREA

- (1) It shall hereafter be unlawful for any unauthorized person to park, drive or operate any motor vehicle in, on, or upon any city park, other than in an authorized parking area.
- (2) An unauthorized person, for purposes of this subsection, shall be any person other than a city employee or police officer in the lawful discharge of their duties, or other person thereunto specifically authorized by the city manager.

(Ordinance of March 4, 1980)

Cross Reference: See Chapter 1, Section 10.C for alcoholic beverages in city parks.

F. PARKS AND RECREATION DEPARTMENT USER FEES

(1) Reservation Process

- (a) The City of Elgin and its authorized representative reserve the right to reserve specific dates and times for community events and/or events sponsored by the City. The City has the right to refuse exclusive use of its facilities. Reservations are on a first come first served basis and are accepted in person at City Hall on 310 N Main St. or via the mail. Reservations are not final until payment has been received and processed. Receipt of reservation is used as proof of reservation on the day of your event. There will be a service charge on returned checks. The reservation contact is responsible for all fees where applicable.
- (b) Facility reservations are non-refundable. A change of date for a cancelled reservation will be allowed for one occurrence as long as the reschedule date is available. Outdoor activities are subject to inclement weather, refunds will not be issued due to poor weather conditions. Reservations must be canceled 24 hours in advance of event or \$30 cancellation fee will be applied.

(2) Facility/Equipment Reservations

Individuals, clubs, groups or firms may reserve parks and recreational facilities on a first come first served basis for special functions where available, at the following exclusive use fees: (facilities are open use unless otherwise reserved)

Park Facility	Amenities		Reservation Fees	
	Grills	G	One Time Use	Multi-Use Sport Fields \$1/hour, 20 hour minimum
	Tables	T		
	Electricity	E		
	Water	W		
Elgin Memorial Park	G, T, E, W		\$ 800.00	N/A
Softball Field	T, E		\$ 20.00	\$1.00/hour, 20 hour min.
Hwy 95 Ball Field	T, E, W		\$ 20.00	\$1.00/hour, 20 hour min.
Sand Volleyball Courts	T, E, W		\$ 20.00	\$1.00/hour, 20 hour min.
Tennis Courts			\$ 20.00	\$1.00/hour, 20 hour min.
Pavilion 1	G, E, W		\$ 35.00	N/A
Pavilion 2	G, T, E, W		\$ 75.00	N/A
Concession 1	E, W		\$ 25.00	N/A
Park and Ride			\$ 275.00	N/A
Thomas Memorial Park	G, T, E, W		\$ 550.00	N/A
Softball Field	T, E		\$ 20.00	\$1.00/hour, 20 hour min.
Basketball Courts	W		\$ 20.00	\$1.00/hour, 20 hour min.
Concession	E, W		\$ 25.00	N/A
Pavilion 1	E, W		\$ 35.00	N/A
Pavilion 2	G, T, E, W		\$ 75.00	N/A
Morris Memorial Park	G, T, E, W		\$ 400.00	N/A
Basketball Courts	W		\$ 20.00	\$1.00/hour, 20 hour min.
Veterans' Memorial Park	G, T, E, W		\$ 275.00	N/A
Gazebo	T, E		\$ 75.00	N/A
Shenandoah Soccer Park and Greenbelt	T, W		\$ 275.00	N/A
Goins Picnic Area	T		\$ 125.00	N/A
Open Areas			\$ 20.00	N/A
Elgin Municipal Pool	* see Section G.			
Elgin Community Center	* see Section K.			

- (a) Reservation fees of Entire Park facilities are subject to the special event ordinance.
- (b) Reservation fee of Elgin Memorial Park will include the Park and Ride Facility and Softball Field. Park and Ride and Softball Field can be reserved exclusive of Elgin Memorial Park.
- (c) Reservation days and times are subject to availability.
- (d) Parks and Community Development Department shall establish a schedule of fees for the daily reservation of related equipment.
- (e) City authorized representative may determine the number of staff necessary for a park reservation.

- (f) Individuals listed as the contact or person responsible for the reservation of facilities is required to ensure the area reserved is cleaned up after use. Any damages or excessive trash will result in damage fees of a minimum of \$500 depending on the specific damage assessed by city staff.

(3) Street Closures

1-5 Blocks	\$55.00
6-12 Blocks	\$110.00
13-18 Blocks	\$165.00
More than 18 blocks	\$220.00

(4) Special Event Permit and Deposit

(a) Refundable Deposit for Special Event	\$250.00
(b) Special Event Permit	\$25.00

(5) Vendor Fees

City Departments may establish vendor fees for events or programs from \$5 to \$300.

(6) Participation or Admission Fees

City departments may establish individual/group participation or admission fees for events or programs from \$1 to \$300.

(7) Hourly Rates

(a) Police Officers	\$35.00 per hour
(b) City Staff	\$26.00 per hour

G. MUNICIPAL POOL ADMISSION FEES:

(1) Municipal pool admissions:

(a) Daily Admission

12 Years of age and under	\$ 1.25
13 Years of age and older	\$ 2.25

(b) Swim Passes (12 Swims)

12 Years of age and under	\$ 11.00
13 Years of age and older	\$ 25.00

(c) Flex Pass

55 swims all season, any age	\$ 65.00
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(d) Participation or Admission Fees

City departments may establish individual/group participation or admission fees for events or programs from \$1 to \$300.

(e) Pool Reservation for Private Party.

Pool Area Reservation 50 people or less:	\$75/2 hours
Pool Area Reservation 51 - 100 people:	\$175/2 hours
Pool Area Reservation 101 to capacity:	\$275/2 hours
Concession Building with Pool Reservation Use:	\$20/reservation

(1) Refundable deposit of \$100.00 is required with reservation

(2) Pool reservations may require additional staff and subsequent fees as determined by an authorized city representative.

(3) Pool and Pool area may not exceed state code bather load capacity.

H. PARKS AND RECREATION ADVISORY BOARD

(1) **Definitions.** For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future. Words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- (a) City shall mean the City of Elgin, Texas.
- (b) Council shall mean the City Council of the City of Elgin.
- (c) Director shall mean a person so designated and in charge of the Parks and Recreation Special Services Department.
- (d) Park shall mean a park, reservation, playground, recreation center, or any other area in the City owned by the City, and devoted to active or passive recreation, including all planted expressways, parkways, triangles and traffic circles maintained by the City, except the parkway strips between curb or gutter and sidewalks, or, if none, the front property line along the several streets and highways of the City.

(2) Establishment of Parks and Recreation Advisory Board

A Parks and Recreation Advisory Board consisting of seven (7) voting members is hereby established as follows:

- (a) Members shall reside within the Elgin Independent School District’s boundaries.
- (b) Members shall be appointed by the Council.
- (c) Members shall serve without compensation.
- (d) Members’ terms will be for two (2) years, but members shall not serve for more than three (3) consecutive two-year terms.
- (e) If a replacement has not qualified upon the expiration of a member’s term, then said member shall continue to serve until his successor is appointed and qualified.
- (f) The Parks and Recreation Advisory Board shall annually elect from its membership a Chairperson, Vice-Chairperson, and Secretary whose respective duties will be as follows:
 - (i) Chairperson: The Chairperson shall preside over meetings and shall be entitled to vote upon each issue. In the event a question over procedure arises, Robert’s Rules of Order shall prevail.

- (ii) Vice-Chairperson: The Vice-Chairperson shall assist the Chairperson in directing the affairs of the Advisory Board. In the absence of the Chairperson, the Vice-Chairperson shall assume all duties of the Chairperson.
- (iii) Secretary: The Secretary shall keep the minutes of all meetings and in the Secretary's absence, the Chairperson shall designate another member to act as Secretary. The Secretary may accept the assistance of the City personnel in taking and transcribing minutes, when available, but shall sign same officially before presenting same to the Board for approval.
- (g) The Director of Parks and Recreation Special Services shall be an ex-officio member of the Board, with the responsibility to participate in discussions but without the right to vote.
- (h) Absence from three consecutive meeting without formal consent of the Board shall be deemed to constitute the retirement of that member and shall be certified by the Chairperson to the Council.

(3) Powers and Duties

The Parks and Recreation Advisory Board shall have the following powers and perform the following duties;

- (a) It shall act principally in an advisory capacity to the City staff and the City Council in all matters pertaining to parks and recreation; shall acquaint itself with and make a continuous study and review of the complete parks and recreation services of the City; and shall advise with the staff and City Council from time to time as to present and future maintenance, operation, planning, acquisition, development, enlargement, and use policies of the City's park and recreation services.
- (b) The Advisory Board will develop for the City Council approval a set of by-laws governing rules of procedure for their meetings and operation.
- (c) The Advisory Board shall not have the power to obligate the City for any funds or expenditures or incur any debt on behalf of the City.
- (d) All powers and duties prescribed and delegated herein are delegated to

the Advisory Board as a unit and all action hereunder shall be of the Advisory Board acting as a whole. No action of an individual member is authorized except through the Advisory Board.

(Ordinance No. 2000-12-05-34 of December 5, 2000)

I. PARK EVENT POLICY

This policy governs the use and availability of designated special events venues by organizations other than the City of Elgin.

(1) DEFINITIONS

AMPLIFICATION DEVICE means an apparatus for the amplification of sound.

ANNUAL EVENT means a special event that has occurred for three consecutive years or more in compliance with City ordinances and rules.

COMMUNITY EVENT means an event with free admission to the public whose purpose is to promote community enrichment through cultural, historical or community spirit activities.

EVENT DAY means a day in which attendees are expected to participate in event activities

NON-PROFIT ORGANIZATION means a group as defined by the Internal Revenue Service.

OVERNIGHT EVENT means an event that lasts 24 hours or more.

PARADE means a public procession including but not limited to motorized vehicles, walking pedestrians, animals, etc.

SET UP means the limited use of a venue prior to an event day for purposes of installing equipment and preparing the grounds.

SPECIAL EVENT means an event with an expected and/or actual attendance of two hundred and fifty (250) and/or more persons that will reasonably require planning to handle matters concerning traffic/parking, security, emergency medical services, litter/waste and toilet facilities.

SCHOOL EVENT means an event authorized by the Elgin Independent School District.

SPECIAL EVENTS VENUE means a location designated by the City Manager or his designee as appropriate for use in holding a special event.

TAKE DOWN means the limited use of a venue after close of an event for purposes of removing installations or equipment and clearing the grounds.

(2) DESIGNATED SPECIAL EVENTS VENUES

Special events shall be held only in special events venues. The following are designated special events venues.

Veterans' Memorial Park

Elgin Memorial Park

Thomas Memorial Park

Morris Memorial Park

Shenandoah Soccer Park and Greenbelt

(3) FEE CALCULATION

See Chapter 1, Section 14F for Fee Schedule.

A clean up and damage deposit will be required for each event. Direct and indirect expenses not recoverable by the deposit will be charged back to the event sponsor, payable in full within fourteen (14) calendar days. Refundable Deposit and Permit fees are not subject to reduction.

Percentages of fees to be paid by event organizers for special events only shall be as follows:

Community Event	20%
Non-Profit Organization	25%
Others	100%

(4) SOLID WASTE PLAN/PORTABLE TOILETS

A solid waste plan is required for special events. The plan is to include number and type of portable toilets, location, delivery and removal dates, trash collection locations and trash receptacle removal time frame. The City Manager or designee must approve solid waste plan.

(5) ALCOHOLIC BEVERAGE CONSUMPTION/SALES

A Texas Alcoholic Beverage Commission (TABC) permit is required for sale of alcoholic beverages. For all events where alcohol is served, proof of purchase of a liquor liability insurance policy in the amount of **\$500,000** naming the City of Elgin as an additional insured is required.

Event sponsors and vendors shall comply with all laws and regulations servicing the sale, possession or use of alcohol.

(6) TRAFFIC PLAN

Special events must file traffic and parking plan with the City of Elgin for approval a minimum of 30 days prior to the event. Traffic and parking plan shall address street closures, parking and motorized vehicles on park grounds. Plans involving TXDOT roadways must be filed 60 days prior to the event. The parking plan shall be designed to minimize the event's impact on business districts and/or residential neighborhoods.

The parking plan shall include the proposed process for informing those businesses and residences affected by the event of any disruptions they will experience. Written notification shall be provided fourteen (14) days in advance to businesses. Signs shall be posted in residential neighborhoods. All proposed closures and traffic plans must comply with the street closure requirements of the City of Elgin and, where applicable, TXDOT.

Event planners shall provide a plan for reducing the number of vehicles utilized during the event and minimizing the number of vehicle trips made on park land, that shall be approved by City Manager or his designee.

(7) ELECTRICITY

Event sponsor shall pay for any electrical improvements required for their event. Such improvements must be authorized by the City Manager or his designee prior to installation of electrical improvements. All electrical work must be completed by a licensed electrician.

(8) SOUND POLICY AND EVENT CLOSURE

Event sponsors intending to use amplification devices shall observe the requirements of the City Code (noise ordinance) and the following provisions.

1. Sponsors rental agreement, and agreement by sponsors with performers, shall state the time period and decibel limits for amplified sound.
2. Sponsors shall make a diligent effort to minimize the impact of amplified sound on surrounding neighborhoods and businesses, i.e., placement of stage and direction of speakers.
3. All sound may be measured and monitored by the Elgin Police Department.
4. Event sponsors shall notify affected businesses and neighborhoods at least fourteen (14) days in advance and shall post signs of the special event at the venue reserved. The Parks and Recreation Department must approve the signs.

(9) SAFETY and SECURITY

The City Manager or his designee shall determine safety and security needs for each event.

Special Events shall have at least one staffed First Aid Station with a minimum of a first aid kit and communication equipment.

The City may refuse to make available a special events venue for a proposed event if the City of Elgin determines that, the safety of the participants or park patrons cannot be adequately assured and or if significant damage to park property may occur.

(10) FENCING/EXITS

If fencing is required for an event, a fence plan shall be provided to the City of Elgin thirty (30) days prior to the event. Such plan shall provide adequate opening for safe ingress and egress in the event of an emergency. Fencing should be installed during set up and be removed during take down. The time allowed for installation and removal of fencing will be twenty-four (24) hours prior to the event and removed twenty-four (24) hours after the event.

(11) SITE PLAN

A site plan, of the venue that includes but is not limited to, the location of fencing, stage/booths, tents, portable toilets, bicycle spaces, first aid stations, and any other pertinences.

(12) CARNIVALS

A carnival permit is required per City Ordinance.

(13) EVENT DURATION AND TIMES OF USE

A special event shall not exceed three (3) event days' duration except a carnival or an overnight. If a holiday falls on Tuesday or Wednesday, event sponsors may request four (4) days' duration.

Events shall end by 10:30 p.m. Sunday through Thursday and by 12:00 midnight on Friday and Saturdays except overnight events. Overnight events shall observe a quiet period after the above listed times.

(14) ALLOCATION OF EVENT DAYS

Annual events shall have preference in the reservation of a special events venue over other requested reservations for an upcoming year. Event sponsors must submit a letter not later than thirty (30) days after the conclusion of the event to reserve the upcoming year's event dates. Reservations for event dates are subject to cancellation if fees, agreements, permits and other required submissions are not timely received by City of Elgin.

J. PARK EXCLUSIVE USE REGULATIONS FOR ORGANIZED YOUTH SPORTS

(1) DEFINITIONS

YOUTH means a person or persons who is/are twenty-one years or younger.

ORGANIZED SPORT means participation in practice or competition of an activity that is associated with an organization that requests payment for the participation in their activities.

(2) POLICY

In order for youth sport organizations to reserve, for exclusive use, City of Elgin park facilities for organized sport, the designated organization must comply with these regulations. Additional requests and agreements may be made by the city manager and his/her designee with approval of city council.

(3) RESERVATIONS

Reservations must follow all of the parks policies and procedures. Facilities must be reserved through an organization and a contact must be designated for the organization to the city. On-site contacts' information will be submitted to the city if the organizations main contact will not be present during use of the facility.

(4) AFFILIATION

Organization must be affiliated with a regional, state or national governing body (examples of this include but are not limited to: Little League, Texas Amateur Athletics Federation, Capital Area Youth Soccer Association, Amateur Athletic Union, American Softball Association, USA Volleyball, United States Tennis Association, USA Basketball, and USA Soccer).

(5) REPORTING

The organization must provide the city with a report of the following:

- (a) Registration information including total number of teams and players
- (b) A copy of the organization's insurance policy naming the City as additional insured
- (c) A copy of the organization's rules, regulations, policies and procedures

K. BUILDING USE POLICY AND EXCLUSIVE USE FEES FOR ELGIN COMMUNITYCENTER