

RULES AND REGULATIONS FOR COUNTY PARKS IN HARRIS COUNTY, TEXAS

SECTION 1 AUTHORITY

The Commissioners Court of Harris County, Texas, acting in its capacity as the governing body of Harris County, Texas, adopted these Rules and Regulations. These Rules and Regulations are authorized by chapter 320 of the Texas Local Government Code for parks owned, operated, or maintained by the County.

SECTION 2 ADMINISTRATION

The Commissioners Court hereby designates the Park Superintendent for each precinct, along with the Harris County Sheriff, the Harris County Constables, and their respective deputies, to enforce these Rules and Regulations.

SECTION 3 AREAS COVERED

Except as specifically noted, these Rules and Regulations apply to all County parks located within Harris County, Texas.

SECTION 4 DEFINITIONS

As used in these Rules and Regulations:

- (a) **Alcoholic Beverage** means any beverage containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable for use as a beverage, either alone or diluted.
- (b) **Commissioners Court** means the Commissioners Court of Harris County, Texas.
- (c) **County** means Harris County, Texas.
- (d) **Explosive** means any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion.
- (e) **Individual** means a human being.
- (f) **Light truck** means any truck with a manufacturer's rated carrying capacity not to exceed two thousand (2,000) pounds and is intended to include those trucks commonly known as pickup trucks, paneled delivery trucks, carryall trucks, and vans.
- (g) **Park** means a property owned, operated, or maintained by the County for recreation and enjoyment by the general public.
- (h) **Park Superintendent (Superintendent)** means the individual named or designated as a Park Superintendent or Park Manager by the County Commissioner of the precinct occupied by the park, or part thereof, to which the rules are being applied.
- (i) **Peace Officer** means a peace officer as defined in article 2.12 of the Texas Code of Criminal Procedure, as amended.
- (j) **Person** means any individual, group of individuals, organization, corporation, or other legal entity, but does not include the County.
- (k) **Pet** means a domesticated animal kept for pleasure rather than utility.
- (l) **Road** means any road maintained or controlled by the County for public passage for vehicles within a park.

- (m) **Special Event** means a non-routine organized activity intended for more than fifty (50) individuals to share a common purpose as a group.
- (n) **Vehicle** means every device in, upon, or by which any individual or property may be transported or drawn upon a road, except a device moved by human power.
- (o) **Weapon** means a rifle, bow and arrow, club, handgun, firearm, illegal knife, shotgun, short-barrel firearm, gas gun or gas pistol, BB gun or BB pistol, pellet gun or pellet pistol, zip gun, sling or sling shot, and includes those objects defined as weapons or prohibited weapons in chapter 46 of the Texas Penal Code, as amended.
- (p) **Wildlife** means living creatures that are neither human nor domesticated.

SECTION 5 PARK USE

No person shall use a park, or any area or facility therein, for any purpose other than for the purpose for which it was designed or designated.

SECTION 6 PARK HOURS OF OPERATION

No person shall enter into or remain within a park at any time other than during such time as the park is open to the public as designated on the sign posted at or near the entrance of the park, unless given prior written approval by the County Commissioner of the precinct occupied by the park.

SECTION 7 VEHICLES

- (a) No person shall operate a vehicle within a park except on the roads or parking lots therein. Operation of a vehicle on the shoulder of the road will be permitted only if the driver is parking on the shoulder of the road or is driving a previously parked vehicle from the shoulder of the road to the paved portion of the road. This provision does not apply to park maintenance or patrol vehicles.
- (b) No person shall operate a truck within a park. This provision does not apply to light trucks or trucks making deliveries of materials, supplies, and equipment purchased or rented by the County.
- (c) No person shall operate a vehicle in a park at a speed in excess of the posted speed limit.
- (d) No person shall cause a vehicle to be parked within a park, except in a designated parking area. Vehicles parked on the shoulder of a road in designated areas must be parked parallel to the road.
- (e) No person shall cause a vehicle to remain within a park after-hours or in excess of twenty-four (24) hours at any given time unless one of the officers named in Section 2 is notified and approval is granted. Vehicles remaining within a park for which approval has not been granted will be towed and placed in storage by the appropriate peace officer at the owner's expense.

SECTION 8 WILDLIFE

- (a) No person shall willfully harm, harass, trap, confine, catch, feed, or possess any wildlife within a park. *Note: This does not include persons who have specific authority from the Superintendent to remove dangerous animals from the park.*

- (b) Fishing in accordance with State of Texas laws and regulations shall be permitted within all parks, except as specifically prohibited.

SECTION 9 PLANT LIFE

No person shall willfully destroy or remove any tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, dead or downed wood, or any other plant life within a park without the consent of or under the direct supervision of the Superintendent.

SECTION 10 FIRES/SMOKING

Except in designated areas, no person may light, build, or maintain a fire within a park other than within a camp stove or barbecue pit. Smoking of tobacco products shall be confined to those areas designated for such in the park. If a burn ban is in effect, no fires or smoking will be allowed.

SECTION 11 WEAPONS

No person, other than a peace officer, may carry or possess a weapon within a park, except at specifically designated shooting and archery ranges or at special events for which weapons are expressly authorized in writing by the Park Superintendent. However, other than at a high school, collegiate, or professional sporting event or interscholastic event in the park, a person licensed to carry a concealed handgun under the authority of subchapter H, chapter 411, of the Texas Government Code may carry a concealed handgun.

SECTION 12 EXPLOSIVES

No person may possess gunpowder or other combustibles, explosives, or fireworks within a park. This provision does not apply to gasoline and other petroleum products in fuel tanks of motor vehicles, propane or petroleum products intended to be used as fuel for cooking, or petroleum products used to power an electric generator. Note: This provision does not apply to reenactment of historical events where the Superintendent has authorized demonstrations using black powder weaponry as either an educational or theatrical tool.

SECTION 13 ANIMALS

No person may bring into or possess in a park any animal other than a dog or domestic cat. Any person bringing a dog or domestic cat into a park shall keep the dog or domestic cat confined to a vehicle or secured by a leash not exceeding six (6) feet in length. No person shall bring into, or keep a horse in a park, except in areas or trails designated for horses.

SECTION 14 GLASS BEVERAGE CONTAINERS

No person shall use or possess any glass containers in a park.

SECTION 15 METAL DETECTORS

No person may bring into or possess in a park any metal detector unless the operator has specifically contracted with the County for survey, discovery, excavation, restoration, demolition, or study.

SECTION 16 RESERVATIONS

Any person may reserve a pavilion or other designated park facility (e.g., meeting room).

Reservations may be made by submitting a request to the Park Reservation Office for the precinct in which the park is located during the posted hours of operation. Additionally, reservations may be made for some, but not all, parks on-line 24/7 via the County's on-line site reservation system at <http://www.hctx.net/parks/park.asp>

Use of a pavilion or other park facility will be approved by the applicable Park Reservation Office on a first-come, first-served basis. Requests should be made at least ten (10) business days prior to the proposed use, but no person, except a concessionaire who has contracted with the County, shall be entitled to continuous, exclusive use of a park or park facility.

SECTION 17 SPECIAL CONDITIONS/RESTRICTIONS PERTAINING TO THE USE AND CONSUMPTION OF ALCOHOLIC BEVERAGES

No person shall possess or consume an alcoholic beverage in a park, except in compliance with the special conditions and restrictions noted below.

Park	Area Within Park	Conditions or Restrictions
Christia Adair Park	Barbecue pavilions	(a)
Christia Adair Park	Community building	(a)
Tom Bass Park, Section I	Barbecue pavilions	(a)
Tom Bass Park, Section I	Arts Pavilion	(f)
Tom Bass Park, Section II	Clear Creek Golf Course	(f)
Tom Bass Park, Section III	Barbecue pavilions	(a)
Tom Bass Park, Section III	Community building	(g)
Frankie Carter Park	Barbecue pavilions	(a)
Challenger 7 Park	Barbecue pavilions	(a)
Bill Crowley Park	Picnic Area	(d)
Alexander Deussen Park	Barbecue pavilions/shelters	(a)
Alexander Deussen Park	Community building	(g)
Dow I Park	Baseball complex & picnic area	(e)
Dow II Park	Baseball complex & picnic area	(e)
Finnigan Park	Sports Complex	(e)
Finnigan Park	Community building	(g)
Gerber Park	Pavilion	(a)
Barbara Jordan Park	Community building	(a)

El Franco Lee Park	Barbecue pavilion	(a)
El Franco Lee Park	Community Center	(g)
Hardy Senior Center	Community building	(g)
Lincoln Park	Community building	(g)
"Pep" Mueller Park	Baseball complex	(e)
"Pep" Mueller Park	Community building	(a)
Sheldon Park	Baseball complex	(e)
Leon Grayson Community Center/Baldree Building	Community center	(f) & (g)
Highlands Park	Highlands Community Center/San Jacinto Center	(f) & (g)
Edna Mae Washington Park	J.D. Walker Community Center	(f) & (g)
Riley Chambers Park	Riley Chambers Community Center/Barrett Station	(f) & (g)
North Shore Rotary Pavilion	Pavilion	(f) & (g)
Clear Lake Park	Landolt Pavilion	(f) & (g)
Clear Lake Park	White Top Pavilion	(f) & (g)
Clear Lake Park	Meeting Room	(f) & (g)
Clear Lake Park	Bay Area Rowing Club,	(f) & (g)
Clear Lake Park	Bay Area Community Center	(f) & (g)
East Harris County Activity Center	Community Center	(f) & (g)
V. V. Ramsey Center/ Flukinger Center	Community Centers	(f) & (g)
Alief Amity Park	Pavilion	(b)
Bayland Park	Pavilion	(b)
Bayland Park	Community Center	(c)
Bear Creek Pioneers Park	Pavilions	(b)
Bear Creek Pioneers Park	Community Center	(c)
Bear Creek Pioneers Park	Golf Course (Bear Creek Golf World)	(f)
Bear Creek Pioneers Park	Houston Farm & Ranch Club Pavilions	(b)
George Bush Park	Pavilions	(b)
George Bush Park	Shooting Range (American Shooting Centers, Inc.)	(f)
Tracy Gee Community Center	Community Building	(c)
Katy Park	Pavilion	(b)
New Kentucky Park	Pavilion	(b)
Hockley Park	Hockley Community Center	(c)
Mary Jo Peckham Park	Pavilion	(b)
Cypresswood Golf Course	Cypresswood Golf Club	(f)
Spring Creek Park	Pavilions	(h)

- (a) A person who desires to use the facility must make a reservation, pay the appropriate user fee, and furnish the appropriate deposit for cleanup costs and damages, if any. The user fees and cleanup deposits are as follows:

No. of Individuals	User Fee	Deposit
1-25	-0-	\$25.00
26-50	\$25.00	\$25.00
51-100	\$35.00	\$25.00
101-200	\$50.00	\$50.00
Groups of 201-400 can only be accommodated at the Alexander Deussen Park Open Air Pavilion with Cookhouse and Christia Adair Park Pavilion #1 with Cookhouse		
201-250	\$75.00	\$75.00
251-300	\$100.00	\$75.00
301-350	\$125.00	\$75.00
351-400	\$150.00	\$75.00

If the area is not cleaned, or if the facility or its furnishings are damaged, the Superintendent shall determine the amount necessary to compensate the County for the expense of remedying this default. This amount shall be deducted from the deposit, and the balance, if any, shall be refunded to the person who paid the deposit. In addition, the person making the reservation must employ and pay the required number of peace officers who will provide security during the reserved period. The minimum number of officers required for security is one (1) peace officer per 1-100 individuals.

- (b) A person who desires to use the facility must make a reservation and furnish a deposit of \$125 for cleanup costs and damages, if any. If the area is not cleaned, or if the facility or its furnishings are damaged, the Superintendent shall determine the amount necessary to compensate the County for the expense of remedying this default. This amount shall be deducted from the deposit, and the balance, if any, shall be refunded to the person who paid the deposit. In addition, the person making the reservation must employ and pay the required number of peace officers who will provide security during the reserved period. The minimum number of officers required for security is one (1) peace officer per 1-100 individuals.
- (c) A person who desires to use the facility must make a reservation, pay a user fee of \$100.00 for the first 4 hours plus \$20 an hour up to 8 hours or the time the community center building closes. If the area is not cleaned, or if the facility or its furnishings are damaged, the Superintendent shall determine the amount necessary to compensate the County for the expense of remedying this default. This amount shall be deducted from the deposit, and the balance, if any, shall be refunded to the person who paid the deposit. In addition, the person making the reservation must employ and pay the required number of peace officers who will provide security during the reserved period. The minimum number of officers required for security is one (1) peace officer per 1-100 individuals.

- (d) The person using the area or facility must employ and pay the required number of peace officers who will provide security during the reserved period. The minimum number of officers required for security is one (1) peace officer per 1-100 individuals.
- (e) No alcohol may be consumed in the baseball complex during games held by youth leagues. When no games are being conducted by youth leagues, alcohol may be consumed only if the person desiring to use the facility has employed and paid the required number of peace officers who will provide security during the reserved period. The minimum number of officers required for security is one (1) peace officer per 1-100 individuals.
- (f) Alcoholic beverages may be consumed only if authorized in the concessionaire's agreement or rental contract, or if approved by Commissioners Court.
- (g) Contact the community center director or park supervisor for rental information.
- (h) A person who desires to use this facility must make a reservation and furnish a signed "Release and Indemnity" form for damages, if any. If the facility or its furnishings are damaged, the Superintendent shall determine the amount necessary to repair and restore the facility and shall have the County Attorney recover that amount from the person making the reservation. In addition, the person who makes the reservation must employ and pay the required number of peace officers who will provide security during the reserved period. The minimum number of officers for security is two (2) peace officers per 1-100 individuals.

SECTION 18 USE OF LOUDSPEAKERS

The use of loudspeakers within a park shall be governed by sections 42.01(a)(5) and (c) of the Texas Penal Code, *Disorderly Conduct*.

SECTION 19 DUMPING AND LITTERING

The disposal of rubbish in any manner other than by depositing it in trash cans provided for this purpose; the willful destruction of or damage to or theft of County property; the creation of any hazard to persons or things; and the climbing upon plant bedding areas or any part of a public building are prohibited. No person shall bring into a park any trash, refuse, or waste material.

SECTION 20 SOLICITATIONS AND SALE OF GOODS AND SERVICES

The solicitation or sale of goods and services, or the seeking of donations for a cause, is prohibited unless the person receives the prior written approval of Commissioners Court.

SECTION 21 CAMPING

No person shall engage in overnight camping in a park, except, when authorized by the Superintendent, in an area specifically designated for camping.

SECTION 22 SPECIAL EVENTS

No person shall solicit for, hold, or sponsor a special event in a park or park facility without the prior written permission of the Superintendent, who shall require the provision of liability insurance in the amount of \$100,000 for injury or death to one person, \$300,000 for injury or death to more than one person, and \$100,000 for injury or damages to property in any one accident or occurrence, with the County named as insured. In addition, the person is required to furnish one or more peace officers, depending on the size of the special event, for security purposes. The minimum number of officers required for security is one (1) peace officer per 1-100 individuals.

SECTION 23 SPECIAL PROVISIONS

The following special provisions apply only to the parks designated:

- *All Precinct 4 Parks* - No weddings are allowed. All party favors containing paper, confetti, rice, silly string, glitter or other filling which is designed to pop/break/shatter or otherwise burst and litter our parks are prohibited. This shall include but is not limited to: poppers, piñatas, confetti eggs and silly string.
- *All Pct. 3 Dog Parks* - (*Millie Bush Dog Park, Danny Jackson Family Dog Park, and Congressman Bill Archer Dog Park*) - Please call 281-496-2177 or go to <http://www.pct3.hctx.net> for Dog Park Rules and Regulations.
- *Astrodomain/Reliant Park Complex* - exempt from the application of these Rules and Regulations.
- *Jones Park* - No pets, balloons, or moonwalks allowed.
- *Ray Miller Park, Alief Amity Park, Bear Creek Pioneers Park – Equestrian Area* - no pets allowed.
- *Mercer Arboretum* -
 - No pets allowed in the Botanical Gardens.
 - Picnicking shall be allowed only in designated areas.
- *Armand Bayou Nature Center* - Please call 281-474-2552 or go to the web site – <http://www.abnc.org>
- *Brays Bayou Hike and Bike Trail, Terry Hershey Park, and George Bush Park* – A bicyclist using a hike and bike trail in any of these facilities shall not exceed the speed of ten (10) miles per hour while passing a pedestrian using the hike and bike trail.
- *Sgt. J. R. Hatch Sport Park* - Please call 281-496-2177 or go to <http://www.pct3.hctx.net> for Skate Park Rules and Regulations.

SECTION 24 EFFECT ON EXISTING LAW

These Rules and Regulations are in addition to, and not in lieu of, all federal, state, and municipal laws, rules, and regulations applicable within a park.

SECTION 25 ENFORCEMENT

The Superintendent or his designee shall be authorized to remove any person who violates any of these Rules and Regulations from the park. In addition to removal from the park, charges may be filed against a violator under Section 29.

SECTION 26 SEVERABILITY

The provisions of these Rules and Regulations are severable. If any word, phrase, clause, sentence, section, provision, or part of these Rules and Regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Commissioners Court that these Rules and Regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

SECTION 27 AMENDMENTS

These Rules and Regulations may be amended at any time at the discretion of Commissioners Court.

SECTION 28 POSTING

These Rules and Regulations shall be conspicuously posted at or near the entrance of all County parks.

SECTION 29 OFFENSES

In accordance with section 320.0455 of the Texas Local Government Code, a violation of these Rules and Regulations is an offense punishable as a Class C misdemeanor.

SECTION 30 EFFECTIVE DATE

These Rules and Regulations shall become effective on May 1, 2009. All previously adopted rules and regulations are superseded and repealed effective the same date.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the _____ day of _____ 2009, with the following members present, to-wit:

Ed Emmett	County Judge
El Franco Lee	Commissioner, Precinct No. 1
Sylvia R. Garcia	Commissioner, Precinct No. 2
Steve Radack	Commissioner, Precinct No. 3
Jerry Eversole	Commissioner, Precinct No. 4

and the following members absent, to-wit: _____, constituting a quorum, when among other business, the following was transacted:

ORDER ADOPTING RULES AND REGULATIONS FOR COUNTY PARKS

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Ed Emmett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. El Franco Lee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Sylvia R. Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Steve Radack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Jerry Eversole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

WHEREAS, pursuant to chapter 320 of the Texas Local Government Code, the Commissioners Court of Harris County, Texas, has broad powers to maintain, finance, and operate parks owned by, or under the control of, the County; and

WHEREAS, the statutes of the State of Texas, in particular section 320.0455 of the Texas Local Government Code, authorize the Commissioners Court of Harris County, Texas, to adopt and promulgate rules and regulations concerning the use of any and all parks owned, operated, or maintained by the County;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS, THAT:

Section 1: The recitals set forth in this Order are true and correct.

Section 2: The revised Rules and Regulations for County Parks in Harris County, Texas, are adopted to be effective May 1, 2009, the revised Rules and Regulations being attached hereto and incorporated herein for all purposes. Any person reserving a park facility and paying a user fee or damage deposit before the effective date of the revised Rules and Regulations shall be governed by the rules and regulations in effect at that time.