

# Elmendorf City Park

P.O. Box 247 • Elmendorf, TX 78112  
 Office: (210) 635-8210  
 Fax: (210) 635-8221



Elmendorf, TX Rev. 04/2018		<b>Pavilion Rental Application</b>	
<b>Use Date</b>	Sun <input type="checkbox"/> Mon <input type="checkbox"/> Tues <input type="checkbox"/> Wed <input type="checkbox"/> Thurs <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/>	<b>Elmendorf Resident</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Type of Event Planned</b>			<b># Attending</b>
<b>Responsible Party</b>		<b>Email</b>	
<b>Organization (If Applicable)</b>			
<b>Address</b>			
<b>Phone# (Home)</b>	<b>Phone# (Work)</b>	<b>Phone# (Cell)</b>	
Refund of Deposit – Name to whom we make check payable to:		SSN/Tax ID#	
I acknowledge having received and read the City of Elmendorf Ordinance no. 1-12-2017-3 relating to Park System Rules and Regulations and agree to abide by all rules and regulations set forth in said ordinance and outlined as an addendum to this application. I further understand that I assume full responsibility for all applicable rental fees and/or additional fees assessed as a result of failure by my group to abide by all established guidelines and/or damage to property/facilities/equipment caused. The lease further agrees to leave the site in a clean and orderly condition following use and to cooperate with any Elmendorf official requesting the user to act in accordance with above stated guidelines. Full responsibility for any damage to property or persons is assumed by the undersigned as agent for the sponsor of the event or use. The City of Elmendorf, its officials, employees, agents, and volunteers shall be saved harmless from any claim and/or liability hereby arising out of, or in connection with the function, activities and uses of requested premises.			
Signature _____		Date _____	
<b>For Office Use, Only</b>			
	Time Slot	Fee	Extended Item/Unit Price
Deposit Fee		\$150.00	<b>\$150.00</b>
Rental Fee (Resident)	6AM to 2PM	\$55.00	
Rental Fee (Resident)	3PM to 10PM	\$55.00	\$
Rental Fee (Resident)	6AM to 10PM	\$85.00	\$
Rental Fee (Non-Resident)	6AM to 2PM	\$90.00	
Rental Fee (Non-Resident)	3PM to 10PM	\$90.00	\$
Rental Fee (Non-Resident)	6AM to 10PM	\$135.00	\$
<b>TOTAL CHARGES:</b>			<b>\$</b>
<b>Fees Computed By</b>			<b>Date</b>
<b>Park Inspection By</b>			<b>Date</b>
<b>Qualify for Refund of Deposit?</b>	<b>If no, specify:</b>		
Yes <input type="checkbox"/> No <input type="checkbox"/>			

**ORDINANCE NO 1-12-2017-3**

**AN ORDINANCE OF THE CITY OF ELMENDORF, TEXAS,  
PROVIDING GENERAL ELMENDORF CITY PARK  
FACILITY USE REGULATIONS, ESTABLISHING A  
PENALTY FOR VIOLATIONS, PROVIDING AN OPEN  
MEETINGS AND SEVERABILITY CLAUSE; AND  
PROVIDING FOR OTHER RELATED MATTERS.**

**Whereas**, regulating the use of the City Park protects and preserves the value of the public property and creates a valuable community resource for all citizens to share and utilize.

**NOW THEREFORE, BE IT ORDIANDED BY THE CITY COUNCIL OF THE CITY OF ELMENDORF, TEXAS, THAT:**

**PART I. ENACTED**

**Section 1. Hours of operation for the City Park.**

The City Park is open from 6:00 a.m. to 10:00 p.m. every day of the week.

**Section 2. Pavilion Rental.**

(a) Pavilion Rental Agreement. Any person who wishes to rent the Pavilion at the City Park must first complete the Pavilion Rental Agreement and submit such agreement to the City Secretary. The Pavilion Rental Agreement can be obtained at City Hall during normal business hours. The Pavilion Rental Agreement must be completed at least two weeks before planned event. Once the event is approved a copy of the Pavilion Rental Agreement will be provided to the renter.

(b) Cost for Pavilion Rental. Rental and deposit costs will be set from time to time by council resolution.

Individuals renting the Pavilion must pay a Cleanup/Damage deposit set by resolution to rent the Pavilion. The deposit must be made two weeks prior to scheduled event. The deposit will be refunded within fourteen (14) days after event and as long as no damages are assessed. If damages have occurred and exceed the deposit, the renter will be responsible for the remaining balance.

(c) Cancellations. Cancellations made 72 hours prior to a scheduled event will receive a 100% refund. Cancellations made within 72 hours of scheduled event will be refunded the amount of rental fee. The City will retain the deposit.

(d) Residency. Residency may be proved by providing a copy of an Elmendorf utility invoice that is less than two months old baring the name of the applicant.

**Section 3. Prohibited Activities.** The following activities are prohibited:

- (a) Animals in the City Park. Animals in the playground area or surrounding area must be properly leashed or confined. It shall also be unlawful for any person exercising ownership, care, custody or control of a pet or animal to allow such animal to deposit feces in the City Park, unless said person removes the feces once deposited.
- (b) Bicycles. No bicycles are allowed on the track.
- (c) Camping. It shall be unlawful for any person to camp within the City Park.
- (d) Fires. It shall be unlawful for any person to build or attempt to build a fire within the City Park, except in the City provide pits located within the City Park. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes, cigars, tobacco paper or other inflammable materials within the City Park.
- (e) Littering. It shall be unlawful to deposit any rubbish, refuse or garbage in the City Park. Where receptacles are not provided, persons shall carry rubbish or waste away from the areas and property dispose of it elsewhere.
- (f) Glass Containers. It shall be unlawful for any person to bring any glass beverage container into the City Park or to possess any glass beverage container in any area.
- (g) Signs. It shall be unlawful for any person to paste, glue, tack or otherwise post any signs, placard, advertisement or inscription whatsoever nor shall any person erect or cause to be erected any sign whatsoever on any public land or highway or roads adjacent to City Park without permission from the City Secretary or his/her designate. This provision shall not apply to traffic control devices and signs authorized by the City Council.
- (i) Alcoholic Beverages. It shall be unlawful for any person to possess, use or consume any alcohol beverage, as defined in the Texas Alcoholic Beverage Code, as amended, in the City Park.
- (j) Motorized vehicles/Trailers. It shall be unlawful to operate, park, or drive any vehicle except on designated roadways or parking areas within the City Park and then at a speed not greater than 20 miles per hour. It shall be unlawful to bring any type of trailer on to the City Park, except by prior written permission from the City Secretary.

**Section 4. Prohibiting Disruptive Conduct.**

- (a) It shall be unlawful for any person to willfully interfere with, disrupt, or prevent the orderly conduct of persons utilizing these facilities.
- (b) It shall be unlawful for any person to refuse to leave the area after being advised by a City police officer or employee that their conduct is disruptive to others and being directed by such City officer or employee to leave the area.

(c) It shall be unlawful to conduct meetings or events which detrimental to public health, safety and welfare or which create a nuisance within the area. Examples of these activities are events, which incite violence, riots, damage to persons or property and otherwise disturb the peace.

**Section 5. Violators Required to Leave Park.** If any person violates or fails to comply with any provision of this Ordinance, after having been advised by an authorized enforcement agent of the City to cease such violation or failure, the City may require that person to leave the area.

**Section 6. Signs.** City staff is directed to place signs announcing the hours of operation of the City Park at the entrance. Such signs shall also specify that alcohol is not permitted in the City Park.

**Section 7. Park Committee.**

(a) The City Council may appoint no more than seven members to serve as the Park Committee. Park Committee members must be residents of the City of Elmendorf and will serve without compensation and for an indefinite period. The City Council may remove an individual from the Park Committee any time with or without cause.

(b) The Park Committee shall be responsible for the opening and closing of the City Park if such opening or closing is outside of the normal business hours of the City which is 8:00 a.m. to 5:00 p.m. Monday through Friday, except City holidays as approved by the City Council.

(c) The City Secretary shall serve as the contact for the Park Committee and will ensure that the Park Committee is aware of each scheduled rental at least seven (7) days before each scheduled rental.

**Section 8. Penalty.** Any person, firm or individual who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar (\$1.00) or more than five hundred dollars (\$500.00). Each and every day the violation continues shall constitute a separate and distinct offense.

**PART II. CONFLICTING ORDINANCES.** All ordinances, parts of ordinances and sections of the City Code of Ordinances in conflict with this ordinance are hereby amended to the extent of such conflict.

### **PART III. PUBLICATION**

The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption hereof together with the criminal penalty provisions for violation thereof.

### **PART IV. EFFECTIVE DATE**

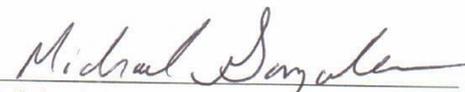
This Ordinance shall take effect upon completion of publication as provided by law.

**PART V. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

**PART VI. REPEALING CLAUSE.** All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**PART VII. OPEN MEETINGS.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by Open Meetings Act, Ch, 551, Loc. Government Code.

**PASSED AND APPROVED on the 12<sup>th</sup> day of January, 2017.**

  
Michael Gonzales, Mayor

ATTEST:

  
Roxanne DeLeon, City Secretary

**Ordinance No: 9-19-2019-3**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELMENDORF, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 26 – PARKS AND RECREATION BY AMENDING ARTICLE II. – FACILITY USE REGULATIONS; PROHIBITING CERTAIN ACTIVITIES IN THE CITY PARK; PROVIDING FOR THE REPEAL OF ANY CONFLICTING ORDINANCE OR PORTION OF AN ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Park has experienced increased damage, including vandalism, over the last several months;

**WHEREAS**, it is necessary to prohibit certain activities at the Park to help limit the damage to the Park; and

**WHEREAS**, the City Council finds that it is the best interest of the citizens and the users of the Park to prohibit some activities that cause damage to the Park and the fixtures at the Park.

**NOW THEREFORE, BE IT ORDIANDED BY THE CITY COUNCIL OF THE CITY OF ELMENDORF, TEXAS, THAT:**

**PART I. Enacted**

That the Code of Ordinances is hereby amended by amending Chapter 26 – Parks and Recreation by amending Article II. – Facility Use Regulations which amended sections shall read as follows:

**Sec. 26-21. - Prohibited Activities.**

The following activities are prohibited:

- (8) *Motorized vehicles/Trailers.* It shall be unlawful to operate, park, or drive any vehicle except on designated roadways or parking areas within the City Park and then at a speed not greater than 10 miles per hour. It shall be unlawful to bring any type of trailer on to the City Park, except by prior written permission from the City Secretary.
- (9) *Skateboards.* It shall be unlawful to ride or otherwise use a skateboard at the Pavilion.
- (10) *Air guns and sling shots.* It shall be unlawful to possess or use an air gun or sling shot at the city park.
- (11) *Horses.* No horses are allowed at the city park.

**Part 2. Repeal of Conflicting Ordinances.**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Part 3. Severability.**

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Part 4. Effective Date.**

This Ordinance shall be in full force and effect immediately upon passage.

**Passed and approved this 19<sup>th</sup> day of September 2019.**

  
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Michael Gonzales, Mayor

ATTEST:

  
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Roxanne De Leon, City Secretary

