

CHAPTER 15

PARKS AND RECREATION*(1)

ARTICLE 15.100 GENERAL PROVISIONS

Sec. 15.101 Parks/Facilities

(a) General Parks. The parks listed below are hereby classified as general park areas and the same shall be open for public use.

- (1) Coleman Park:
 - (A) RV campground;
 - (B) Sand lot;
 - (C) Swimming pool;
 - (D) Softball fields;
 - (E) Little league fields;
 - (F) Party house;
 - (G) Amphitheater;
 - (H) Skate park;
 - (I) Basketball court;
 - (J) Disc golf course;
 - (K) Horseshoe pit;
- (2) Windmill Park;

Brownfield Code of Ordinances

- (3) Gillham Park and Howell Lake;
- (4) Hamilton Park;
- (5) Lynn Brisendine Community Plaza.

(Ordinance 2086, pt. 1, adopted 4/19/18)

(b) Neighborhood Parks. The parks listed below are hereby designated as neighborhood parks and shall be open for public use.

- (1) Raul Franco Park;
- (2) Oak Grove Addition Parks;
- (3) Judge Rhyne Trails Park;
- (4) Family Fitness Fun Park;
- (5) Kiddie Park;
- (6) Jake Geron Park.

(Ordinance 1919 adopted 12/2/04; Ordinance 2086, pt. 2, adopted 4/19/18)

Sec. 15.102 Penalty

Any person, firm or corporation violating any of the provisions of this article in which an activity is described as unlawful, shall upon conviction thereof, be fined in an amount not less than \$1.00 or more than \$500.00. Each individual instance in which a violation of this article occurs or continues shall constitute a separate offense.

ARTICLE 15.200 PARKS AND RECREATION BOARD

Sec. 15.201 Created; Purpose

The city's parks and recreation board is hereby created for the purpose of acting as an advisory board to the city council concerning parks and recreation in the city.

(Ordinance 1919 adopted 12/2/04)

Sec. 15.202 Composition; Appointment and Terms

The parks and recreation board shall be composed of five (5) members consisting of the parks and recreation director, the public works director and the Brownfield ISD athletic director and two citizens: one appointed by the city council and one appointed by the county commissioners. The appointed board members will be appointed for two-year terms. It is the intent of the city council that members shall, by reason of the diversity of their individual occupations, constitute a board which is broadly representative of the community. (Ordinance 2025, pt. 2, adopted 1/5/12)

Sec. 15.203 Qualification of Members

Any member appointed to the parks and recreation board shall be a resident of Terry County. (Ordinance 1920 adopted 1/20/05)

Sec. 15.204 Members to Serve Without Compensation

The members of the parks and recreation board shall serve without compensation.

Sec. 15.205 Removal of Members

Any member of the parks and recreation board may be removed from such membership, with or without cause, by a majority vote of the members of the city council, and upon removal, such board member shall no longer be authorized to act as a representative of the board.

Sec. 15.206 Filling of Vacancies

Any vacancies occurring on the parks and recreation board shall be filled by a majority vote of the city council. Expired terms of appointed members who have not been removed from office shall be deemed to extend until a successor has been appointed.

Sec. 15.207 Responsibility; Recommendations to City Manager

The primary responsibility of the parks and recreation board shall be to advise the city council of the current needs of the city in regard to parks and recreation, and to assist in the future planning of parks and recreation programs in the city. All recommendations concerning current and future needs shall be made to the city manager who in turn shall convey such recommendations to the city council.

(Ordinance 1919 adopted 12/2/04)

Sec. 15.208 Meetings; Quorum

The parks and recreation board shall fix the time and place for meetings of the board, provided that such board shall meet at least once each quarter or as deemed necessary. Any three (3) members of the board constitutes a quorum necessary to take official action. All meetings shall be open to the public. (Ordinance 2025, pt. 2, adopted 1/5/12)

Sec. 15.209 Staff Liaison

The recreational director shall serve as staff liaison to the parks and recreation board.

Sec. 15.210 Board Cannot Bind City Council

The parks and recreation board shall act in an advisory capacity only and shall not have the authority to bind or obligate the city council in any manner whatsoever.

ARTICLE 15.300 MISCELLANEOUS REGULATIONS

Sec. 15.301 Prohibited Lake Activities

It shall be unlawful for any person within any public park, playground, detention basin, and/or playa lake to commit or do any of the following acts:

- (1) To play at any organized game of baseball, softball, football, golf, archery or other games of like character for charitable fund raising purposes in any park, playground detention basin, and/or playa lake area except at places set apart and designated as grounds therefore;
- (2) To place and or operate any boat, raft, or other watercraft capable of being occupied by one or more persons, whether motor-powered or not, in or on the waters of any pool, lake, river in any park, detention basin and/or playa lake area within the city except at the places set apart and designated thereof;
- (3) To swim, bathe, or wade in any waters, pool, lake or river in any park, detention basin and/or playa lake area within the city except at the places set apart and designated as grounds thereof;
- (4) To fish in any waters, pool, lake or river in any park, detention basin and/or playa lake within the city except at the places set apart and designated therefore and in

compliance with the rules and regulations established therefore. It shall be unlawful for any person to catch, take, or attempt to catch or take any fish, or to possess any fish taken by any method or means or device except by ordinary pole and line, rod and any reel, fly rod, handling equipped with not more than two (2) hooks. The use of any trotline, jug line, net, seine, trap, or any other device not herein authorized is prohibited, and the possession of any tackle not authorized by this section within the limits of any city park shall be prima facie evidence of violation of this section.

Sec. 15.302 Pollution of Water of Lakes Prohibited

It shall be unlawful for any person to dump or dispose of trash, garbage, refuse, litter or anything of any nature, or to in any way pollute the waters of any lake in the city.

Sec. 15.303 Disposal of Refuse, Garbage, Etc. in City Parks

It shall be unlawful for any person to deposit or dispose of any refuse, waste, trash, garbage or litter in or upon any city park property except in barrels, cans or other receptacles provided for the purpose of trash and garbage disposal.

Sec. 15.304 Use of Bicycles, Vehicles, Motor Vehicles, Horses, Skates in City Parks and Recreational Areas

(a) Definitions. The following words and phrases, when used in this section, shall, for the purpose of this section, have the meaning respectively ascribed to them in the section. Whenever any words or phrases used in this section are not defined herein, but are defined in the state laws regulating the operation of vehicles or horses, any such definition therein shall be deemed to apply to such words and phrases used herein.

Bicycle. Every device propelled by human power upon which any person rides, having two (2) tandem wheels either of which is over nineteen (19) inches in diameter.

Horse. Any large solid footed mammal domesticated by man and used as a beast of burden, draft animal, or for riding, including, but not limited to, ponies, mules and donkeys.

Motor Vehicle. Every vehicle which is self-propelled.

Skates. Devices or items designed for transportation by use of skates, to include roller skates, in-line skates, or skateboards, etc.

Vehicles. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including, but not limited to, motorcycles, dune buggies, automobiles

and motor scooters.

(b) Use of Maintained Roads. It shall be unlawful for any person who is a driver, owner or operator of any bicycle, motor vehicle or vehicle to drive, ride, operate or propel same upon, across or over any hills, trails or other public property located within the boundaries of any city park or recreational area, except upon maintained roads and designated parking areas. It shall also be unlawful for any person who is the owner or rider of any horse to ride or allow same to be ridden upon, across or over any hills, trails, or other public property located within the boundaries of any city park or recreational area except upon maintained roads and designated parking areas and authorized riding trails.

(c) Signs. The director of public works is hereby directed to erect and maintain signs at the entrance of all city parks and recreational areas and other conspicuous places therein. Such signs shall state that the riding or driving of bicycles, motor vehicles or horses upon hills, trails or public property other than maintained roads and parking areas or authorized riding trails is prohibited by city ordinances and violators shall be subject to fine.

Sec. 15.305 Amplification Equipment in Parks

It shall be unlawful for any person to use electric amplification equipment in any park owned or maintained by the city without first obtaining a permit from the chief of police. Such permit to be issued without fee or charge.

Sec. 15.306 Destruction of Trees and Shrubs

It shall be unlawful for any person to cut, burn or destroy any living tree or shrub within the limits of any parks within the city.

Sec. 15.307 Possession of Alcoholic Beverages in City Parks

It shall be unlawful and shall constitute trespass for any person to possess any alcoholic beverage upon park property or special facilities, except and unless the person is within the interior of a recreational vehicle or travel trailer legally parked at the RV campground located at Coleman Park.

(Ordinance 1919 adopted 12/2/04)

Sec. 15.308 Rental Fees

All rental fees are paid on a per day basis. A day is defined as the period from 8:00 a.m. to 12:00 midnight. (Ordinance 2025, pt. 3, adopted 1/5/12)

Sec. 15.309 Basis of Granting Reservation

All reservations of city facilities will be granted on a first come, first served basis; however, no reservation will be granted for a time more than one year subsequent to the making of the request. Reservations and payment shall be made with the city secretary or her designee at city hall no later than two weeks prior to the event and a receipt for the use of the facilities will be given at that time. A key shall be picked up before the conclusion of the business day immediately prior to the event date. The damage/cleanup deposit is refundable as described in Section 15.310. (Ordinance 1919 adopted 12/2/04)

Sec. 15.310 Cleanup/ Damage Deposit

(a) Cleaning/damage deposits are refundable upon approval of the area's cleanliness and confirmation of no damage by the parks and recreation director or his designee. (Ordinance 2025, pt. 3, adopted 1/5/12)

(b) Cleanup. The lessee is responsible for the cleanup of the facility and adjacent parking areas. Failure to clean the area to the approval of the parks and recreation director or his designee may result in the forfeit of the cleanup deposit. (Ordinance 1919 adopted 12/2/04)

(c) Cancellation. The lessee may cancel any reservation for the use of the facilities under this section anytime up to 72 hours before the lease date without penalty. Cancellation less than 72 hours prior to the scheduled event will result in a forfeiture of 50% of the use fee. If notice is received within 72 hours or no notice is provided, lessee forfeits 100% of the fee paid for use of the facility. (Ordinance 2025, pt. 3, adopted 1/5/12)

(d) After Hours Response by City Personnel. 50% of the damage/cleanup fee will be retained by the city in the event that city personnel have to respond after hours to open the facility or drop off a key due to failure of the renter to pick up a key before city hall closes.

Sec. 15.311 Parking

The lease of a city park facility shall include the use of the adjacent parking areas.

Sec. 15.312 Use of Facilities; Unusual Noise, Etc.

It shall be unlawful for any occupant of the facilities to fail to yield and vacate the property, its immediate environs and appurtenant facilities, upon request of a person or group having a bona fide reservation with the city. No person may interfere by creating unusual noise or obnoxious behavior with the peaceable enjoyment of the facilities by the person or group having reserved

the same.

(Ordinance 1919 adopted 12/2/04)

ARTICLE 15.400 PARTY HOUSE

Sec. 15.401 Reservations Authorized; Fee

Any individual or group may have exclusive use of the party house in Coleman Park upon payment of the fees provided for in the appendix to this code.

ARTICLE 15.500 AMPHITHEATER

Sec. 15.501 Reservations Authorized; Fee

Any individual, group or type 1 special event as defined by the city's zoning ordinance may have exclusive use of the amphitheater facilities in Coleman Park upon payment of the fees provided for in the appendix to this code.

(Ordinance 2025, pt. 4, adopted 1/5/12)

Sec. 15.502 Large Activities

Type 2 special events as defined by the City of Brownfield Zoning Ordinance shall be required to rent the entire facility. Rental fees are provided for in the appendix to this code.

ARTICLE 15.600 COLEMAN PARK RV CAMPGROUND

Sec. 15.601 Types of Available Camping

All camping at Coleman Park RV Campground shall be in recognized and approved recreational vehicles as described in Section 4.1110 of the city's Code of Ordinances. Tent camping is prohibited.

Sec. 15.602 Camping Limits

In order to afford the public the greatest possible use of the camping facilities, continuous occupancy of the facilities by the same person or persons shall be restricted as follows:

- (1) Camping shall be limited to five (5) consecutive days in any thirty (30) day period;
- (2) Checkout time shall be 11:00 a.m. on the 6th day. A fee, provided for in the appendix to this code, shall be charged for each day after 11:00 a.m. of the sixth day.

Sec. 15.603 Peace and Quiet

To maintain adequate peace and quiet in the camping area, it shall be unlawful for a person to:

- (1) Act in a manner that unreasonably disturbs other persons in the campgrounds between the hours of 12:00 midnight and 6:00 a.m. daily; or
- (2) Create a disturbance by causing excessive noise by any means.

Sec. 15.604 Storing of Supplies and Equipment

All excess baggage, supplies, camping equipment, etc., shall be out of sight and may not create an unsightly appearance in any of the designated camping areas.

Sec. 15.605 Disposal of Waste Material

Drainage of wastewater and raw sewage directly on the ground is prohibited in the camping area. Disposal of wastewater and raw sewage from self-contained campers shall be allowed only at the designated sewage disposal location. All camping areas shall be free and clean of all trash, litter and shall be kept in an orderly manner at all times.

(Ordinance 1919 adopted 12/2/04)

ARTICLE 15.700 BALLFIELD RECREATIONAL AREAS

Sec. 15.701 Baseball/Softball Team Registration

- (a) Each adult or youth softball or baseball team desiring to play in a league on the city ballfields shall register for each season with the recreational director.
- (b) The teams shall register with the recreational director or his designee at least thirty days prior to the start of each season.
- (c) It is the responsibility of the league president to ensure that all teams have registered.

(d) Leagues must register for league play at least thirty (30) days prior to the start of league play. Leagues shall coordinate their activities. In the event of a conflict in league schedules, the parties will meet to resolve the conflict. If the conflict cannot be resolved by the parties, the conflict shall be resolved by the parks and recreational board.

(Ordinance 1988 adopted 4/16/09)

Sec. 15.702 Brownfield Ballfield Recreation Area Rental Fee

For all nonleague activities, including but not limited to tournaments, special games, and other uses of the city's ballfield recreation areas, there shall be assessed a fee, provided in the appendix of this code. All organizations, teams, or individuals desiring to rent a softball facility shall make application to the recreational director not less than 14 days prior to the proposed date of use. The application shall include the date or dates the fields are to be utilized, the name of the organization, league, or individual requesting the reservation and the field or fields to be reserved. The authorized applicant shall sign a statement indicating that the applicant will comply with any rules or regulations of the city's ballfield recreation areas. Parks department sponsored activities shall be exempt from the payment of the required fees. (Ordinance 2025, pt. 5, adopted 1/5/12)

Sec. 15.703 Limitation on Use of Ballfields

(a) The city ballfields may be used by league and tournament play as well as by league and nonleague teams for practice.

(b) Practicing on the ballfields shall be as follows:

(1) League and tournament play shall have priority over the ballfields.

(2) Teams whether they be league teams or nonleague teams will be allowed to practice on the ballfields on the following conditions:

(A) Teams shall contact the parks and recreation director to schedule practices.

(B) Teams shall abide by all rules of the parks as provided by the parks and recreation director.

(C) Teams will be asked to leave if they cannot present proof of permission to practice on the fields and may be cited for trespassing if they do not comply.

Brownfield Code of Ordinances

(Ordinance 2070 adopted 3/3/16)

Sec. 15.704 Raul Franco Field

The following requirements are established for the use of Raul Franco Field.

- (1) A \$150.00 deposit is required to reserve the field. No deposit refund will be made if less than five full days' notice is given to the city of a cancellation. (Ordinance 2025, pt. 5, adopted 1/5/12)
- (2) The daily rental charge shall be \$250.00 which shall include the use of the concession stands but does not include use of the press box. Licensee must provide proof of a health department permit to the city at least seven (7) days prior to making use of the concession stands. (Ordinance 1958 adopted 6/7/07)
- (3) A refundable cleanup/damage deposit in the amount of \$350.00 must be paid at least five (5) days prior to the start of the tournament which shall be returned if the fields are completely cleaned and immediately following the conclusion of the activity and no damage is confirmed. This includes emptying of trash into dumpsters provided on site. (Ordinance 2025, pt. 5, adopted 1/5/12)
- (4) All fees and deposit must be paid before five (5) days prior to the start of play or the reservation shall be cancelled. All fees must be paid at City Hall, 201 Broadway, Brownfield, Texas 79316.
- (5) The provisions of Section 15.702 do not apply to Raul Franco Field or this section.

(Ordinance 1958 adopted 6/7/07)

ARTICLE 15.800 MUNICIPAL SWIMMING POOL

Sec. 15.801 Fees

The fees established for use of the municipal swimming pool are as provided in Appendix A to this code.

Sec. 15.802 Hours of Operation

The hours of operation of the pool shall be established by the pool manager in consultation with the city manager.

Sec. 15.803 Pool Rules

Rules for the safe operation of the municipal swimming pool shall be established by the pool manager in consultation with the city manager. The pool manager is authorized at all times to exercise his best judgment to protect the public health and safety and to respond to various safety issues which might arise in the day-to-day operation of the municipal pool.

(Ordinance 1965 adopted 12/20/07)

ARTICLE 15.900 HAMILTON PARK

Sec. 15.901 Overnight Parking Prohibited

Overnight parking is prohibited in Hamilton Park.

Sec. 15.902 Certain Vehicles Prohibited

Vehicles with a gross vehicle weight of 20,000 lbs or more are prohibited on the paved portions of Hamilton Park.

(Ordinance 2025, pt. 6, adopted 1/5/12)

Endnotes

1 (Popup - Popup)

* **Editor's note**—Former article pertaining to the Alamo Event Center Grounds and deriving from Ordinance 1919 adopted 12/2/04, was repealed and deleted in its entirety by Ordinance 2025, pt. 6, adopted 1/5/12. The remaining articles have been renumbered at the city's request.

Former article pertaining to Alamo Event Center and deriving from Ordinance 2025, pt. 6, adopted 1/5/12, was repealed and deleted in its entirety by Ordinance 2086, pt. 3, adopted 4/19/18.

Former article pertaining to the Ike Bailey Home and deriving from Ordinance 2025, pt. 6, adopted 1/5/12, was repealed and deleted in its entirety by Ordinance 2086, pt. 4, adopted 4/19/18.