

**NOTICE OF MEETING
CITY OF SOUTH PADRE ISLAND
PARKS, RECREATION & BEAUTIFICATION COMMITTEE**

NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

NOTICE IS HEREBY GIVEN THAT THE PARKS, RECREATION & BEAUTIFICATION COMMITTEE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A REGULAR MEETING ON:

**WEDNESDAY, JANUARY 18, 2017
9:00 A.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

1. Call to Order.
2. Pledge of Allegiance.
3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to Committee relating to agenda or non-agenda items. Speakers are required to address Committee at the podium and give their name before addressing their concerns. [Note: State law will not permit the Parks, Recreation & Beautification Committee to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Parks, Recreation & Beautification Committee meeting]*
4. Approval of the December 14, 2016 regular meeting minutes.
5. Update, discussion and possible action regarding City Parks. *(Dr. Kim)*
6. Discussion and action regarding Chapter 25 Parks Recreation & Beautification of the Code of Ordinances. *(Dr. Kim)*
7. Set new meeting date/agenda items for next meeting.
8. Adjournment.

DATED THIS THE 13TH DAY OF JANUARY 2017



Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFIED THAT THE ABOVE NOTICE OF MEETING OF THE PARKS, RECREATION & BEAUTIFICATIN COMMITTEE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRENT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON JANUARY 13, 2017 AT/OR BEFORE 3:30 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.





Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956)761-8103

**MINUTES
CITY OF SOUTH PADRE ISLAND
PARKS, RECREATION & BEAUTIFICATION COMMITTEE**

Wednesday, December 14, 2016

I. Call to order.

The Parks, Recreation & Beautification Committee Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, December 14, 2016 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Debbie Huffman called the meeting to order at 9:00 a.m. A quorum was present: Committee Member Pat Rasmussen, Carol Bolstad, and Will Greenwood. Committee Member with an excused absence was Sally Scaman. Committee Members with an unexcused absence were Kerry Schwartz and Stormy Wall.

City staff members present were: Development Director Sungman Kim, and Administrative Assistant Marta Martinez.

II. Pledge of Allegiance.

III. Public Comments and Announcements

Chairman Huffman Thanked Will Greenwood for serving on the Committee.

IV. Approval of the November 16, 2016 regular meeting minutes.

Motion to approve was made by Carol Bolstad, second by Pat Rasmussen. Motion passed unanimously.

V. Discussion and possible action regarding a Volleyball Tournament to be hosted in South Padre Island. (Dr. Kim)

Presentation was given by Dr. Kim regarding the Volleyball Tournament. Martin Monreal is requesting approval to host a Volleyball Tournament at Boomerang Billys. Committee Members expressed their comments/concerns. Motion was made by Debbie Huffman, second by Carol Bolstad to approve the Tournament. Motion passed unanimously

VI. Update, discussion & possible action regarding SPI Christmas Events.

- a. Christmas Parade (Rasmussen)**
- b. Breakfast with Santa. (Huffman)**
- c. Holiday Lighting Contest (Greenwood)**

After updates & discussion, no action taken on any of the three items above.

VII. Update regarding Kids Day at John L. Tompkins Park. (Wall)

Update was given by Debbie Huffman, no action taken on this item.

VIII. Update, discussion and possible action regarding City Parks. (Dr. Kim)

Maintenance needs were presented by Carol Bolstad and update given to the Committee by Development Director, Dr. Kim.

IX. Discussion and action regarding Chapter 25 Parks Recreation & Beautification of the Code of Ordinances. (Dr. Kim)

Chairman Huffman made a motion to table this item for next regular meeting. Motion passed unanimously.

X. Set new meeting date / agenda items for next meeting.

Next meeting scheduled for January 18, 2017 / Park Maintenance (Butterfly Garden) & all standing items.

XI. Adjournment.

There being no further business, Ms. Huffman adjourned the meeting at 9:42 a.m.

Debbie Huffman, Chairman

Marta Martinez, Secretary

1 **Chapter 25**

2 **Parks, Recreation and Beautification**

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5 **Sec.25-1. Definitions**

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7 "City" means the City of South Padre Island, Texas

8 "Director" means the Director of Development Services.

9 "Motor Vehicle" means a self-propelled vehicle intended to be driven on a
10 roadway. Such vehicles include, but are not limited to, cars, trucks,
11 motorcycles, scooters, recreational vehicles, or mopeds under motor power.

12 "Motorized Off-Road Vehicle" means any self-propelled, off the road or all-terrain
13 vehicle, designed to be driven off a roadway. Such vehicles include, but are
14 not limited to mini-bike, amphibious vehicle, motorcycle, go-cart, scooter, dune
15 buggy, or all-terrain vehicle (ATV).

16 "Natural Resources" means all flora and fauna within parks and the physical factors
17 upon which they depend; including air, water, soil, and minerals.

18 "Park" means any land or water area and all facilities thereon, including but not
19 limited to trails, under the jurisdiction, control or ownership of the City.

20 "Person" or "Persons" means individuals, firms, corporations, societies or any group or
21 gathering whatsoever.

22 "Pet" means any animal that is tamed and domesticated and kept as a companion.

23 "Pollutant" means any substance, liquid, or gas which could cause contamination of
24 air, land, or water so as to create or cause a nuisance or render unclean or
25 noxious or impure so as to be actually or potentially harmful, or detrimental or
26 injurious to public health, safety, or welfare.

27 "Property" means any land, waters, facilities, or possessions of the City.

28 "Use Permit" means the written permission that must be obtained from the City to
29 carry out a given activity.

30 "Weapon" means any device including, but not limited to, firearms, bows, electronic
31 weapons, slings, and pellet or B-B guns from which a shot or projectile of any
32 type is discharged or propelled by means of an explosive, gas, compressed air,
33 or other means. An electronic weapon means a portable device, which is
34 designated, used or intended to be used, offensively or defensively, to
35 immobilize or incapacitate persons by the use of an electric current.

36 "Wildlife" means any living creature, not human, wild by nature, endowed with
37 sensation, power of voluntary motion, including but not limited to mammals,
38 birds, fish, amphibians and reptiles.

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41 **Sec.25-2. Park Hours**

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43 (A) Parks shall be open to the public daily from sunrise to sunset, unless
44 otherwise designated by the City. It shall be unlawful for any person to enter
45 or remain in a park at any other time without a use permit.

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47 (B) The Director or designee is authorized to close any park or portion thereof at
48 any time for the protection of park property or for public health, safety or
49 welfare.

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52 **Sec.25-3. Use Permits**

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54 (A) Use Permits shall be required for an exclusive or special use of all or portions
55 of park areas, buildings or trails or for use of park areas and facilities when the
56 park is otherwise closed to the public.

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58 (B) Use Permits shall be required for any entertainment, tournament, exhibition
59 or any other special use, which can reasonably be expected to have fifty (50) or
60 more persons involved.

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62 (C) It shall be unlawful for a person to violate any provisions of a use permit.

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65 **Sec.25-4. Use Fee, Failure to Pay**

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67 It shall be unlawful for any person to use, without payment, any facility or area for
68 which a user fee is charged, unless the payment is waived by the City.

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71 **Sec.25-5. Vehicle Permits**

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73 It shall be unlawful for any person to bring a motor bike and/or vehicle into the city
74 parks, except designated parking spaces. The City may issue Vehicle Permits if
75 necessary.

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Sec.25-6. Regulation of General Conduct – Personal Behavior

(A) Drug and Alcohol Use

It shall be unlawful for any person to:

- a. be under the influence of drugs or alcohol to the point of intoxication, or loss of motor skills or consciousness, or other factors that may injure the party or adversely affect other park visitors, or
- b. use, manufacture, possess, constructively possess, sell, give away, barter, exchange, distribute, or otherwise transfer any controlled substance, except for the use of a lawful prescription prescribed by a person licensed by law to prescribe and administer controlled substances;

(B) Gambling

It shall be unlawful for any person to gamble or participate in any game of chance for a consideration of items of value; excepting private social bets not incidental to organized, commercialized or systematic gambling.

(C) Public Nuisance/Personal Safety

It shall be unlawful for any person to:

- a. engage in fighting or exhibit threatening, violent, disorderly or indecent behaviors;
- b. make unreasonable noise or coarse utterance, gesture or display; or
- c. engage in games or behavior which will interfere with the comport or convenience of the public.

(D) Littering

It shall be unlawful for any person to deposit, scatter, drop or abandon in a park; bottles, cans, glass, hot coals, ashes, sewage, waste or other material, except in

115 receptacles provided for such purpose. Usage of glass containers at the city parks is
116 prohibited.

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118 (E) Possession and Use of Firearms/Dangerous Weapons/Fireworks

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120 It shall be unlawful for any person to:

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122 a. have in their possession, fire, discharge, or cause to be discharged across,
123 in, or into any portion of a park, any weapon, except in areas and at
124 times designated by the City for such use, or with a use permit; or

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126 b. set off or attempt to set off or ignite any firecrackers, fireworks,
127 smoke bombs, rockets, black powder guns or other pyrotechnics without
128 authorization from the City.

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130 (F) Interference with Employee Performance of Duty

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132 It shall be unlawful for any person to impersonate an employee of the City or
133 interfere with, harass, or hinder an employee in the lawful discharge of their
134 duties.

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137 **Sec.25-7. Regulations Pertaining to General Operation**

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139 (A) Commercial Use/Solicitation/Advertising/Photography

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141 It shall be unlawful for any person to:

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143 a. solicit, sell or otherwise peddle any goods, wares, merchandise,
144 services, liquids, or edibles in a park except by authorized concession or
145 written permission granted by a use permit;

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147 b. operate a still, motion picture, video or other camera for commercial
148 purposes in a park without a use permit; or

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150 c. expose, distribute or place any sign, advertisement, notice, poster or
151 display in a park without authorization from the City.

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(B) Pets in Parks

It shall be unlawful for any person to:

- ~~a. bring a pet into a park, unless caged or kept on a leash, except in a pet exercise or training area designated in the park;~~
- ~~b. allow a pet under his/her control to disturb, harass, or interfere with any park visitor or a park visitor's property;~~
- ~~e. allow a pet to disturb, harass, or interfere with wildlife or wildlife nesting areas; or~~
- ~~d. tether any animal to a tree, plant, building, or park equipment;~~

Any person having the authorized custody or control of any dog or domestic animal shall have the responsibility for cleaning up the feces of the animal and to dispose of such feces in a sanitary manner.

(C) Noise/Amplification of Sound

It shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which causes discomfort or annoyance to any reasonable park visitor of normal sensitivity.

(D) Fires

It shall be unlawful for any person to:

- a. start a fire in a park, except in park-provided fireplaces;
- b. leave a fire unattended or fail to fully extinguish a fire; or
- c. scatter or leave unattended lighted matches, burning tobacco, paper or other combustible material.

189 (E) Unlawful Occupancy

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191 It shall be unlawful for any person to enter in any way any building, installation, or
192 area that may be under construction or locked or closed to public use; or to enter or be
193 upon any building, installation or area after the posted closing time or before the posted
194 opening time, or contrary to posted notice in any park.

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197 **Sec.25-8. Protection of Property, Structures and Natural Resources**

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199 (A) Disturbance of Natural Features

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201 It shall be unlawful for any person to:

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203 a. intentionally remove, alter, injure or destroy any tree, other plant, rock,
204 soil or mineral;

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206 b. dig trenches, holes or other excavations in a park without a use permit;
207 or

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209 c. introduce any plant or other agent within a park without a use permit.

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211 (B) Disturbance of Wildlife

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213 It is unlawful for any person to:

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215 a. kill, trap, hunt, remove, harass, annoy, pursue or in any manner disturb
216 or cause to be disturbed, any species of wildlife, except as permitted in
217 designated areas; or

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219 b. release or abandon any animal within a park without a use permit.

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221 (C) Destruction/Defacement of Park Property/Signs

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223 It shall be unlawful for any person to:

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- 225 a. intentionally deface, vandalize, or otherwise cause destruction to park
226 property; or
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228 b. intentionally deface, destroy, cover, damage, or remove any placard, notice
229 or sign, or parts thereof, whether permanent or temporary, posted or
230 exhibited by the City.

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232 (D) Release of Harmful or Foreign Substance

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234 It shall be unlawful for any person to:

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- 236 a. place any debris or other pollutant in or upon any body of water in or
237 adjacent to a park, or any tributary, stream, storm sewer, or drain flowing
238 into such waters; or
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240 b. discharge waste water or any other wastes in a park, except into
241 designated containers, drain, or dumping stations.

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244 **Sec.25-9. Regulation of Recreation Activity**

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246 (A) Camping

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248 It shall be unlawful for any person to:

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- 250 a. camp in a park, except in areas provided and designated for that purpose;
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252 b. camp without a use permit from the City;
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254 c. camp overnight in a park, if under 18 years of age, unless accompanied by
255 parent or legal guardian or as part of a sponsored outing conducted by a
256 scout, church, or other youth organization where the leader of the organized
257 outing is age 21 or older.

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259 (B) Picnicking

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261 It shall be unlawful for any person to set up temporary shelters, tents, tarps,

262 canopies and other such devices without authorization;

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264 ~~(C) — Horseback Riding~~

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266 ~~It shall be unlawful for any person to ride, lead or allow a horse within a park except~~
267 ~~in designated areas or on designated trails;~~

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269 ~~(D)~~(C) Other Special Activity Use

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271 It shall be unlawful for any person to participate in or conduct any non-routine activity
272 without a use permit, except those uses for which a park area or facility has been
273 planned or promoted by the City.

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276 **Sec.25-10. Regulation of Motorized Vehicles, Traffic and Parking**

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278 (A) Motorized Off-Road Vehicles

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280 It shall be unlawful for any person to operate a motorized off-road vehicle within a
281 park, except in such areas and at times as designated by the City.

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283 (B) Motor Vehicles

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285 It shall be unlawful for any person to:

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287 a. operate a motor vehicle at a speed in excess of the posted speed limit, or
288 if not posted, in excess of 15 miles per hour;

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290 b. operate any motor vehicle within a park except upon roadways,
291 parking areas or other designated locations;

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293 c. operate a motor vehicle in a careless or reckless manner;

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295 d. operate a motor vehicle which emits excessive or unusual noise,
296 noxious fumes, dense smoke or other pollutants; or

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e. fail to yield right of way to pedestrians and other trail users.

(C) Parking Vehicles

It shall be unlawful to:

- a. park or leave a vehicle standing except in a designated parking space or designated overflow parking area, and then only in a manner so as not to restrict normal traffic flow;
- b. leave a vehicle standing after posted closing hours without having a valid use permit for camping,
- c. park in a space designated for handicapped parking only unless the vehicle has a valid handicapped license or permit;
- d. park or leave a vehicle without a boat trailer in a parking space designated for vehicles with boat trailers;
- e. park or leave a vehicle to which an empty boat trailer is attached anywhere except in spaces designated for such purpose; or
- f. park or leave a boat trailer in a standard parking space at the boat launch.

(D) Maintenance of Personal Vehicles

It shall be unlawful for any person to wash, grease, change oil, or perform other maintenance on any vehicle.

328 **Sec.25-11. Enforcement**

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330 (A) **Officer Authority**

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332 The City of South Padre Island Police Office and the employees shall have the authority to
333 enforce the provisions of this ordinance.

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335 (B) **Penalty Provisions**

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337 a. A person guilty of violating general provisions of this Ordinance shall be
338 governed by Sec.21-1; and

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340 b. A person guilty of violating public health and safety shall be governed by
341 Sec.21-2.

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343 (C) **Additional Rules and Regulations**

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345 The City shall have the right to issue rules and regulations relative to these Ordinances.

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347 (D) **Impoundment of Pets**

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349 The City shall have the authority to impound pets found running at large and collect fees
350 from the owner of the pet.

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352 (E) **Use Permit Revocation**

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354 The City shall have the authority to revoke any use permit for good cause. Any permit or
355 reservation may be revoked upon violation of any ordinance, rule, or regulation of the City
356 of South Padre Island by the permittee.

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358 (F) **Employee Performance of Duty**

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360 Nothing in this Ordinance shall prevent employees or agents of the City from performing
361 their assigned duties.

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