

**ARTICLE 8.03**  
**REGULATIONS PERTAINING TO CONDUCT IN PARKS, RECREATION**  
**AREAS, AND CAVE PRESERVES**

**§ 8.03.001. Miscellaneous.**

It shall be unlawful for any person in a city park, recreation area, or cave preserve to:

- (1) Walk, bring or allow an unleashed or unsecured dog, except within a designated off-leash area.
- (2) Fail to pick up and properly dispose of pet waste deposited by their pet.
- (3) Damage, cut, carve or remove any tree, plant or wood.
- (4) Light, build or maintain fires except in designated BBQ grills or fire rings.
- (5) Wade or swim in areas other than swimming pools or water playscapes unless posted to allow such activities.
- (6) Enter or remain in any area which is closed or posted "Closed to the Public."
- (7) Park a vehicle or allow a parked vehicle to remain in any area which is closed or posted "Closed to the Public."
- (8) Carry, possess, or discharge a gun, bow and arrow, air or gas weapon, paintball gun or marker, or any instrument with a propelling force, spring, air or gas that is capable of being used for the purpose of hunting, except the holder of a valid concealed handgun license ("CHL") shall not be prohibited from carrying or possessing a firearm pursuant to such CHL.
- (9) Do any of the following without first obtaining a special permit as set out under section 8.03.004 of this article:
  - (A) Sell, offer or solicit any goods or merchandise.
  - (B) Hold, conduct or address any public assemblage, meeting or gathering, or take part in public debate or discussion.
  - (C) Provide entertainment or exhibitions.
  - (D) Posses, discharge, or cause to be discharged any fireworks, torpedo, rocket, explosive or other substance capable of explosion.
  - (E) Distribute, post or affix any printed or written matter, sample or device.
  - (F) Camp, as defined in article 8.10 of this code.
- (10) Dump or dispose of trash, garbage, unsightly matter, brush or waste except that which is generated by park visitors and disposed of properly in receptacles provided for park use purposes.

(11) Hit a golf ball, except in areas designated and posted for that purpose.

(Ordinance CO45-12-03-22-C1 adopted 3/22/12)

**§ 8.03.002. Vehicles.**

It shall be unlawful for any person in a public park or recreation area to:

- (1) Drive any motor vehicle on any area except on designated roads or parking areas, or other such areas as may be specifically designated as a temporary road or parking area.
- (2) Operate or use any type of motorized vehicle, motor assisted scooter or motor assisted skateboard, including but not limited to, motorcycles, motorbikes and minibikes on any trail, sidewalk, cave preserve or park area not designated for such use. Vehicles providing maintenance, police, fire and life-safety services are allowed.
- (3) Park a motor vehicle anywhere except in a designated parking area.
- (4) Wash any vehicle.
- (5) Ride a bicycle on or along a water embankment grassy area or trail if ridden in such a manner as to interfere with other allowed uses or without personal regard for the safety of others.

(Ordinance CO43-04-06-10-9H adopted 6/10/04)

**§ 8.03.003. Swimming pools and water playscapes.**

- (a) Prohibited activities. It shall be unlawful for any person inside a fence generally surrounding a city-owned or operated swimming pool, or near a water playscape to:
  - (1) Possess or consume alcoholic beverages.
  - (2) Possess or use glass containers.
  - (3) Bring any pet, bicycle, skateboard, scooter, motorized vehicle, motor-assisted scooter or motor-assisted skateboard of any kind.
  - (4) Violate any rule or regulation adopted pursuant to this section and applicable to that facility.
- (b) Establishment of other rules and regulations. The Parks and Recreation Department may adopt additional rules, regulations and policies governing the management, operation, and use of city-owned or operated swimming pools and water playscapes. A current copy of those rules and regulations shall be maintained on file at each facility and at the administrative offices of the city's Parks and Recreation Department and made available on the city's website.
- (c) Offense and penalty. It shall be unlawful for any person to violate any provision of

this section or any rule, regulation or policy adopted pursuant to this section. Each violation may constitute grounds for temporary or permanent suspension of use and access, and/or be punishable as a class C misdemeanor, which upon conviction shall be subject to a fine in accordance with the general penalty provision set forth in section 1.01.009 of this code.

(Ordinance CO52-14-06-12-C3 adopted 6/12/14)

**§ 8.03.004. Permits for activities not permitted.**

Special permits for activities not permitted in city parks or recreation areas under this article shall be obtained by making application to the director of parks and recreation and approved by the City Council, in accordance with the following procedures:

- (1) Application. A person seeking issuance of a permit shall file application stating the following:
  - (A) The name and address of the applicant.
  - (B) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
  - (C) The day and hours for which the permit is requested.
  - (D) The specific location where the permit is requested.
  - (E) Other information necessary for permit issuance determination.
  - (F) Variances required from park rules and regulations.
- (2) Standards for issuance. A special permit shall insure that the proposed activity or use:
  - (A) Will not unreasonably interfere with or detract from the general public's enjoyment.
  - (B) Will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
  - (C) Is not anticipated to include violence, crime or disorderly conduct.
  - (D) Will not entail extraordinary or burdensome expense or police operation by the city.
  - (E) Is not in conflict with another scheduled activity.

(Ordinance CO43-04-06-10-9H adopted 6/10/04)

**§ 8.03.005. Closing hours.**

Parks are open from dawn to 10:00 p.m. unless otherwise posted. The city parks and recreation advisory board may designate different hours for swimming pools or other parks hours with programming conflicts. Hours shall be duly posted at or near the pool,

park or facility entrance where the operational hours vary. In the event of an emergency, or for good cause, a city official may close any park or recreation facility.

(Ordinance CO43-04-06-10-9H adopted 6/10/04)

**§ 8.03.006. Cave preserves.**

- (a) Cave preserves are conservation and park preserve areas set aside to protect certain endangered species or species of concern, pursuant to the Federal Endangered Species Act, Section 10 (A) and an incidental take permit issued by the Federal Department of the Interior. Persons depositing foreign material, committing vandalism or any other acts of mischief, which may harm the Federally Protected Species within cave preserves, may be criminally prosecuted under the penalty provisions of the Endangered Species Act. Punishment of up to one year in prison and fines of up to \$25,000 per offense may be levied against violators.
- (b) It shall be unlawful for any person in a cave preserve area to:
- (1) Violate any regulations under this article.
  - (2) Damage any vegetation within the critical habitat area or within cave preserves.
  - (3) Introduce foreign materials including chemicals, sewage, petroleum products, pesticides, etc. into caves, critical habitat areas or within cave preserves.
  - (4) Dump or dispose of trash, junk, garbage, refuse, unsightly matter, brush or other materials within caves, critical habitat area or cave preserves.
  - (5) Enter caves without authorization.
  - (6) Take, remove, or otherwise harm any species within the caves without a U.S. Fish & Wildlife permit issued for the purpose of scientific investigation.
  - (7) It shall be unlawful to operate or use any type of motorized vehicle, motor assisted scooter or motor assisted skateboard, including but not limited to, motorcycles, motorbikes and minibikes in cave preserves. Vehicles providing maintenance, police, fire and life-safety services are allowed.

(Ordinance CO43-04-06-10-9H adopted 6/10/04)

**§ 8.03.007. Skate park facility.**

- (a) Definitions. Unless specifically defined below, words and phrases used in this section shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this section its most reasonable application:

Skate park facility. Skating features and structures located at Brushy Creek Sports Park located at 2310 Brushy Creek Road, Cedar Park, Texas, and depicted in the map attached as Exhibit A to Ordinance CO32-10-06-03-C1, and incorporated herein.

Skate park pavilion. Covered picnic area (including picnic tables and benches) located adjacent to the skating surfaces of the state park facility as depicted in Exhibit A attached to Ordinance CO32-10-06-03-C1. The skate park pavilion is not a skating surface.

Skating surfaces. Any and all concrete, metal, and tile surfaces located in the bowl and street course features and structures in the skate park facility, depicted as the highlighted portion of Exhibit A attached to Ordinance CO32-10-06-03-C1.

- (b) Hours of operation. The skate park facility is open daily from 7:00 a.m. to 10:00 p.m. The city reserves the right to close the skate park facility at any time and under any conditions deemed necessary by the city for public safety, to conduct scheduled maintenance and/or for programmed events.
- (c) Mandatory requirements for use.
- (1) The skate park facility is an unsupervised facility. All users skate at their own risk.
  - (2) Only skateboards and in-line skates are permitted on skating surfaces.
  - (3) Skaters under the age of 12 years old must be accompanied by a parent, adult guardian, or adult instructor at all times.
  - (4) All skaters are required to wear protective helmets at all times, and are highly encouraged to wear other protective equipment, such as knee, wrist, and elbow pads. Parents or guardians shall require children to wear protective helmets while using the skate park facility.
  - (5) Spectators must remain outside of the skating surfaces.
  - (6) Competitive events or demonstrations require prior approval of the Parks and Recreation Department and issuance of a special permit as set out under section 8.03.004 of this article.
- (d) Prohibited activities in skate park facility. It shall be unlawful for any person in the skate park facility to:
- (1) Be on or at skate park facility property when it is closed;
  - (2) Possess or consume alcohol or tobacco of any kind;
  - (3) Abuse drugs of any kind;
  - (4) Place any graffiti, tagging, or stickers on any surface;
  - (5) Carry, possess, or discharge any gun or weapon of any kind;
  - (6) Engage in horseplay, pushing, shoving, or fighting;
  - (7) Skate in or on any part of the skate park pavilion area, including picnic tables and benches;

- (8) Make, build, place, or attach any modifications or obstacles, including but not limited to, any ramps, jump surfaces, rails, in any part of the skate park facility; or
  - (9) Conduct or operate any competitive events or demonstrations without having first obtained a special permit as set out under section 8.03.004 of this article.
- (e) Prohibited activities on skating surfaces. It shall be unlawful for any person on any skating surface in the skate park facility to:
- (1) Operate or use any wheeled recreational equipment other than skateboards and in-line skates, including, but not limited to, bicycles, any type of motorized vehicle, motor-assisted scooter, motor-assisted skateboard, motorcycle, motorbike or minibike;
  - (2) Permit pets or animals of any kind; or
  - (3) Bring or consume food, beverages, or chewing gum.
- (f) Offense and penalty. It shall be unlawful for any person to violate any regulation posted by the city at the skate park facility or any provision of subsections (c)–(e) of this section. Each violation shall be punishable as a class C misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalty provision set forth in section 1.01.009 of this code.
- (g) Criminal trespass warning. In addition to a penalty under subsection (f) of this section, and pursuant to section 30.05 of the Texas Penal Code, as amended, any peace officer or employee of the city aware of any person:
- (1) Violating any provision of this section or any posted city regulation pertaining to the skate park facility; or
  - (2) Behaving in any manner reasonably determined by the peace officer or city employee to endanger the health and safety of skate park facility users, may issue an oral or written forty-eight (48) hour criminal trespass warning to the responsible individual.

(Ordinance CO32-10-06-03-C1 adopted 6/3/10)

**§ 8.03.008. Dog park facility.**

- (a) Hours of operation. The dog park facility is open daily from dawn to dusk. The city reserves the right to close the dog park facility at any time and under any conditions deemed necessary by the city for public safety, to conduct scheduled maintenance, and/or for programmed events.
- (b) Mandatory requirements for use.
  - (1) This facility is for use by dogs, their owners/handlers, and their human guests only. No other animals or uses are permitted.

- (2) Leashes may be removed inside the fenced off-leash areas of the facility only.
  - (3) All dogs must be under control and in view of the owner/handler at all times. Dogs must be supervised by persons sixteen (16) years of age or older.
  - (4) All children under sixteen (16) years of age must be accompanied by an adult responsible for the child's behavior and safety. Children are not allowed to chase dogs in the facility.
  - (5) Limit of two (2) dogs per person in the facility at any time.
  - (6) Dog owners/handlers are liable for any injuries or damage caused by their dogs.
  - (7) Dog owners/handlers are responsible for picking up and disposing of their dog's waste, repairing any damage done by their dogs and removing their dog's toys from the facility.
  - (8) All dogs must have current vaccinations and registration and must wear a collar with current rabies vaccination and registration tags. Dog owners/handlers must have a current rabies vaccination certificate available and comply with current city park animal control ordinances.
  - (9) Aggressive or dangerous dogs are prohibited in the facility. Dogs showing any aggressive behavior shall be leashed and removed from the facility immediately.
  - (10) Dogs under four (4) months of age are not allowed in the facility.
  - (11) Dogs using the facility must not be in heat and must be healthy and free of parasites.
  - (12) The small dog off-leash area is for dogs less than thirty (30) pounds only. The large dog off-leash area is for dogs weighing thirty (30) pounds or more. Small dogs are permitted in the large dog off-leash area but enter at your own risk.
  - (13) Dog owners/handlers must carry leashes (one per dog) while in the facility.
  - (14) No food (dog or human) or training treats allowed in the facility.
  - (15) Glass containers, alcohol and tobacco of any kind are prohibited in the facility.
  - (16) Bicycles, skateboards, rollerblades and motorized vehicles are prohibited in the facility.
  - (17) Professional trainers are not allowed to use the facility for training purposes. Competitive events or demonstrations require a special use permit from the city. Competitive events or demonstrations require prior approval of the Parks and Recreation Department and issuance of a special permit as set out under section 8.03.004 of this article.
- (c) Offense and penalty. It shall be unlawful for any person to violate any regulation

posted by the city at the dog park facility or any provision of subsection (b) of this section. Each violation shall be punishable as a class C misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalty provision set forth in section 1.01.009 of this code.

- (d) Criminal trespass warning. In addition to a penalty under subsection (c) of this section, and pursuant to section 30.05 of the Texas Penal Code, as amended, any peace officer or employee of the city aware of any person:
- (1) Violating any provision of this section or any posted city regulation pertaining to the dog park facility; or
  - (2) Behaving in any manner reasonably determined by the peace officer or city employee to endanger the health and safety of dog park facility users;

May issue an oral or written forty-eight (48) hour criminal trespass warning to the responsible individual.

(Ordinance CO28-11-05-26-C2 adopted 5/26/11)