

ORDINANCE NO. 1142-11-17

AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1.12 ENTITLED "PARKS AND RECREATION," DIVISION 1. SECTION 1.12.001 - DEDICATED PARK AND RECREATION LAND TO INCLUDE 24TH STREET PARK, CITY PARK 1-3, LOADING DOCK, AND MEMORIAL PARK; AMENDING SECTION 1.12.002 TO ESTABLISH OPERATING HOURS AND PERMITTED USES FOR ALL MUNICIPAL PARKS; ADDING SEC. 1.12.004 "OFFENSES; PENALTY"; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City currently owns and operates several municipal parks and public spaces and now wishes to formally designate 24th Street Park, City Park 1-3, Loading Dock, and Memorial Park as municipal parks; and

WHEREAS, City wishes to establish uniform operating hours and permitted uses in all of its municipal parks.

NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF HONDO, THAT:

SECTION 1. AMENDMENT. Chapter 1, "General Provisions", Article 1.12.001 "Dedicated park and recreation land" and Article 1.12.002 "18th Street Park use" of the Municipal Code of Ordinances of the City of Hondo are amended so that Section 1.12.001 and Section 1.12.002, shall read as follows:

Sec. 1.12.001 Dedicated park and recreation land

The following parcels of land described in **EXHIBIT "A"**, are hereby dedicated, in perpetuity, for the use of park and recreation activities: (referred to as "Municipal Parks")

- 1) Nature Center Park: located at southwest corner of the intersection of FM 462 North and Castro Avenue (a/k/a 19th Avenue) in Hondo, Texas.
- 2) Torres Park: located at intersection of 9th Street and Avenue R in Hondo, Texas.
- 3) T.A. Lopez Park: located in the 200 Block of 15th Street and near intersection of 15th Street and Avenue B; eastern boundary partially abuts Jungman Park in Hondo, Texas.
- 4) Jungman Park: located near intersection of Avenue D and 15th Street; western boundary abuts T.A. Lopez Park in Hondo, Texas.

- 5) Sunset Park: located on along south side of 18th Street between Avenue U and Avenue Q in Hondo, Texas; southern boundary abuts railroad right of way, in Hondo, Texas.
- 6) Hondo Youth Ballfield Complexes: located on Castro Ave (aka 19th Avenue) between Harper Street and Spatz Street; eastern boundary varies from Austin Avenue and Avenue Y in Hondo, Texas.
- 7) 24th Street Park: located at southeast corner of intersection of 24th Street and Avenue U in Hondo, Texas.
- 8) Avenue U Ballfield Complex: located at northeast corner of Avenue U and 28th Street in Hondo, Texas.
- 9) City Park 1 – 3: located at the southeast corner of intersection of FM 462 North and Castro Avenue (a/k/a Castro Avenue) in Hondo, Texas.
- 10) Loading Dock: located along the south side of 18th Street between Avenue K and Avenue I in Hondo, Texas.
- 11) Memorial Park: the city block located between 20th Street and 21st Street and between Avenue K and Avenue M.

The above-listed Municipal Parks are more specifically depicted and described in **Exhibit A** to Ordinance No. 1142-11-17.

Sec. 1.12.002 Municipal Parks and Public Space use

(a) The Municipal Parks and spaces designated in Section 1.12.001 shall be open to the general public only between the hours of Sunrise and 10:00 p.m. (“Park Curfew”). Municipal Parks are open 7 days a week, except as provided in this section.

(1) The Park Curfew does not apply to members of the police and fire departments during the exercise of their lawful duties, private events authorized by city with prior written approval, Medina County Fair and other public special events designated by city council resolution.

(2) City Manager may close a Municipal Park for such dates and hours as reasonably necessary, in whole or part, to allow for repair and/or construction work in a Municipal Park and/or in the event of an emergency or other risk or danger to the public.

(b) It shall be unlawful for any person to conduct metal detecting, or solicit for sale, vend, peddle, sell, or offer to sell any cold drinks, cigars, tobacco, cigarettes, fruits, candies, goods, wares or merchandise of any kind or nature whatsoever within the Municipal Parks without prior written approval of the City.

(c) The following shall at all times be prohibited from use within the Municipal Parks:

(1) Operation of motor vehicles of any type, including motorcycles, except on paved streets and parking lots. Parking is allowed only in designated parking spaces.

(2) Camping, except with written permission by city.

(3) Glass containers of any type.

(4) Sale of drugs or alcohol, except that alcohol sales are permitted with city approval in City Park 1 – 3.

(5) Hunting of any kind, except that fishing is allowed in city-owned lakes, ponds and streams located in Municipal Parks with a state-issued fishing permit

(d) No pet animals, including dogs and horses, will be allowed within a Municipal Park unless the animal is positively controlled by a leash or other restraining device.

Sec. 1.12.003 Hours of use of baseball field

The baseball field located on 15th Street and the Hondo Youth Ballfield Complexes in the city shall be open between the hours of 9:00 a.m. and 10:00 p.m. and, to accommodate the citizens of the city, time extensions shall be authorized by agreement with the city manager's office. It shall be unlawful for any persons except members of the police and fire departments or other city departments engaged in the performance of their official duties to be in or on the baseball field located on 15th Street and the Hondo Youth Ballfield Complexes after 10:00 p.m. (Ordinance 928-03-10, sec. 2, adopted 3/22/10)

Sec. 1.12.004 Offenses; penalty

(a) Any person convicted of violating this provision shall be guilty of a class C misdemeanor, punishable by a fine as provided for in the general penalty provisions found in section 1.01.009 of this code.

(b) The city shall have the power to administer and enforce the provisions of this division as may be required by governing law. Any person violating any provision of this division is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this division is hereby declared to be a nuisance. There shall be no requirement of a culpable mental state for a violation of this division.

SECTION 2. REMAINDER. The remainder of Chapter 1, "General Provisions", Article 1.12. "PARKS AND RECREATION," shall remain unchanged by this Amendment.

SECTION 3. INCORPORATION OF RECITALS. The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

SECTION 4. REPEALER. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, THIS 13th DAY OF NOVEMBER, 2017.



**JAMES W. DANNER, SR.,
MAYOR**

ATTEST:



**MIGUEL CANTU
CITY SECRETARY**



EXHIBIT "A"
DESCRIPTION OF MUNICIPAL PARKS

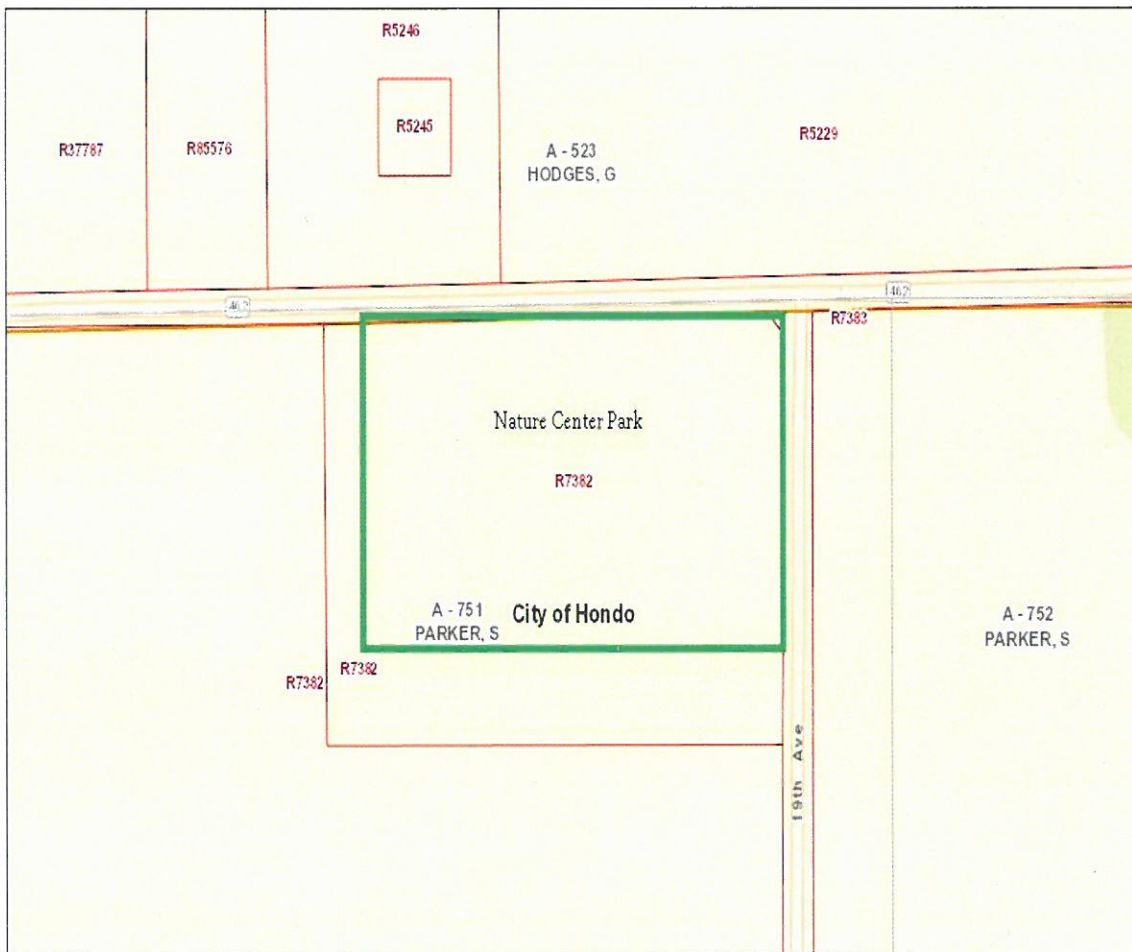
- 1) **Nature Center Park.** – A portion of land out of 158.90 acres situated at the northeast corner of A-751 S. Parker Survey 152, where FM 462 North intersects with Castro Avenue (a/k/a 19th Avenue) located in City of Hondo, Medina County, Texas and as depicted on Exhibit A-1 attached hereto.
- 2) **Torres Park.** – A tract of land consisting of approximately 2.108 acres in A-428 A. Gsell in King Addition Unit II, Lot 5 (PT OF), whose physical location is at the intersection of 9th Street and Avenue R and as more particularly described in Warranty Deed from Richard and Lydia Torres to the City of Hondo dated February 28, 2008, of record in Vol. 707, Page 1097, Official Public Records of Medina County, Texas, as depicted on Exhibit A-2 attached hereto.
- 3) **T.A. Lopez Park.** – A portion of land out of 3.684 acres in A-74 A. Briden Survey 193, City of Hondo, Medina County, Texas, whose physical location is on the 200 Block of 15th Street and adjacent to Jungman Park, as depicted on Exhibit A-3 attached hereto.
- 4) **Jungman Park.** – A portion of land out of 3.684 acres in A-74 A. Briden, Survey 193, City of Hondo, Medina County, Texas, whose physical location is on Avenue D adjacent to the T.A. Lopez Park, as depicted on Exhibit A-3 attached hereto.
- 5) **Sunset Park.** – A tract of land out of approximately 4.873 acres in A-427 A. Gsell Survey 185, City of Hondo, Medina County, Texas, whose physical boundaries are 18th Street to the north, Avenue Q to the east, 19th Street (a/k/a U.S. 90) to the south and Avenue U to the west, as depicted on Exhibit A-4 attached hereto.
- 6) **Sports Complex Ball Field Park.** – A tract of land out of 154.306 acres located in the City of Hondo, Medina County, Texas, and located in A-358 L. Esser Survey 155, a tract of land out of 160 acres in A-357 L. Esser Survey 154 and a tract of land out of 150.362 acres in A-359 L. Esser Survey 156, said Abstracts being adjacent to each other and whose combined boundary is as follows:
 - the north boundary line being Spartz Road,
 - the east boundary line being Avenue Y and Austin Avenue,
 - the south boundary line being Harper Road, and
 - the west boundary line being 19th Avenue,as further depicted on Exhibit A-5 attached hereto.
- 7) **24th Street Park.** - Approximately 1.539 acres in A-1029 J. Wolfart Survey 184, City of Hondo, Medina County, Texas, whose physical boundaries are 24th Street to the north, the Hondo Independent School District boundary line to the east, the northern boundary line of the City of Hondo's swimming pool facilities to the south and Avenue U to the west, as depicted on Exhibit A-6 attached hereto.
- 8) **Avenue U Ball Field Complex Park.** – Approximately 6.749 acres in A-1029 J. Wolfart Survey 184, City of Hondo, Medina County, Texas, whose physical boundaries are the southern boundary line City of Hondo's swimming pool facility to the north, the Hondo

Independent School District boundary line to the east, 28th Street to the south and Avenue U to the west, as depicted on Exhibit A-7 attached hereto.

- 9) **City Park #1, #2 & #3.** – A portion of land out of approximately 137.811 acres at the northwest corner of A-752 S. Parker Survey 153, City of Hondo, Medina County, Texas, and located where FM 462 North intersects with Castro Avenue (a/k/a 19th Avenue), as depicted on Exhibit A-8 attached hereto.
- 10) **Loading Dock Park.** – A portion of land out of 1.121 Acres in the A-56 A.C. Bulack Survey 186, City of Hondo, Medina County, Texas, whose physical location is at the intersection of Avenue J and 18th Street, and Avenue I, 19th Street (a/k/a U.S. 90) and Avenue J, as depicted on Exhibit A-9 attached hereto.
- 11) **Veteran's Memorial Park.** – All of Block 28, City of Hondo, Medina County, Texas, whose physical boundaries are 20th Street to the north, Avenue K to the east, 21st Street to the south, and Avenue M to the west, as depicted on Exhibit A-10 attached hereto.

EXHIBIT A-1 Nature Center Park

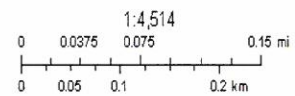
Nature Center Park



November 3, 2017

- Parcels
- Abstracts
- City Limits

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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

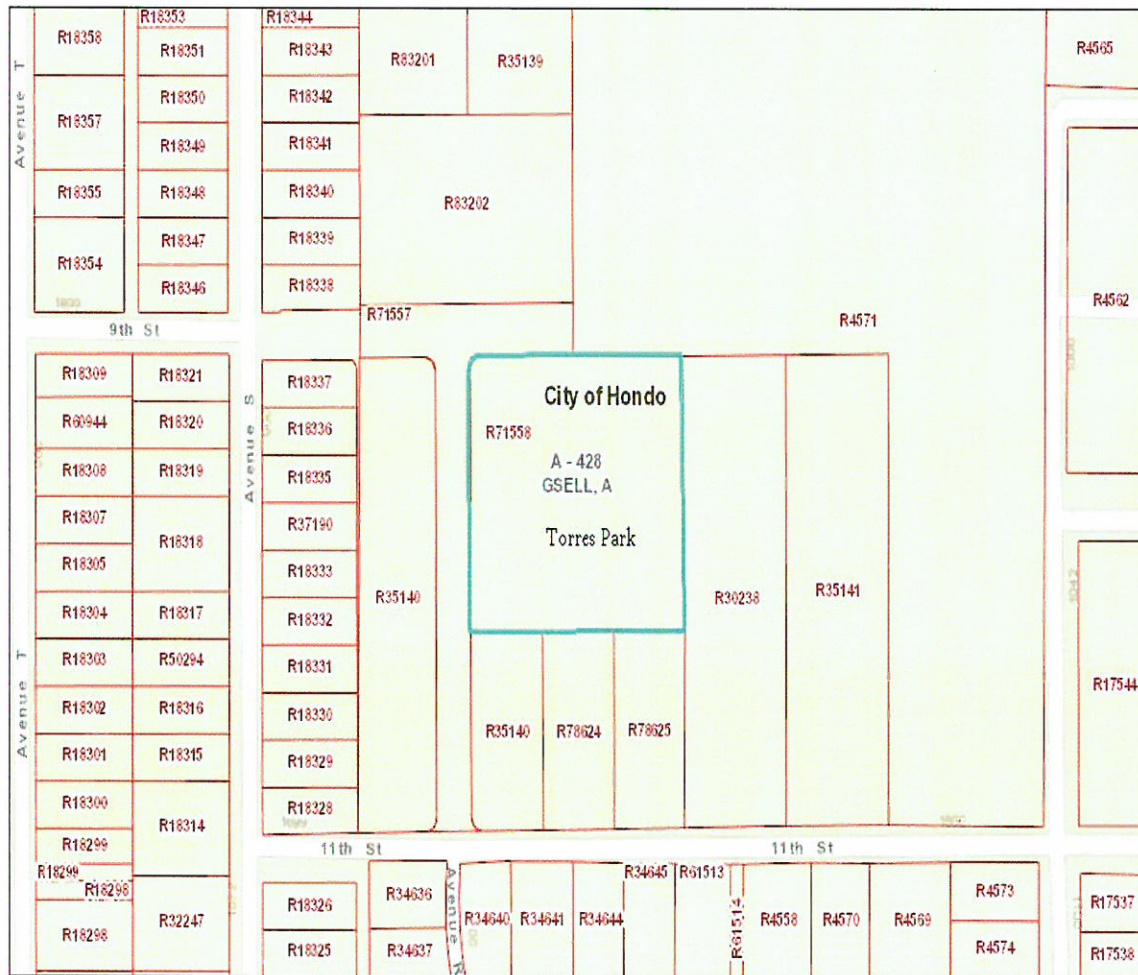
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EXHIBIT A-1

EXHIBIT A-2 Torres Park

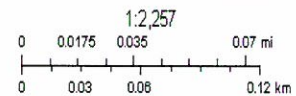
Torres Park



November 3, 2017

- Parcels
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EXHIBIT A-2

Jungman Park & T.A. Lopez Park



1:4,514

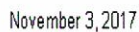
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Ordinance No. 1142-11-17

Sunset Park



1:2,257

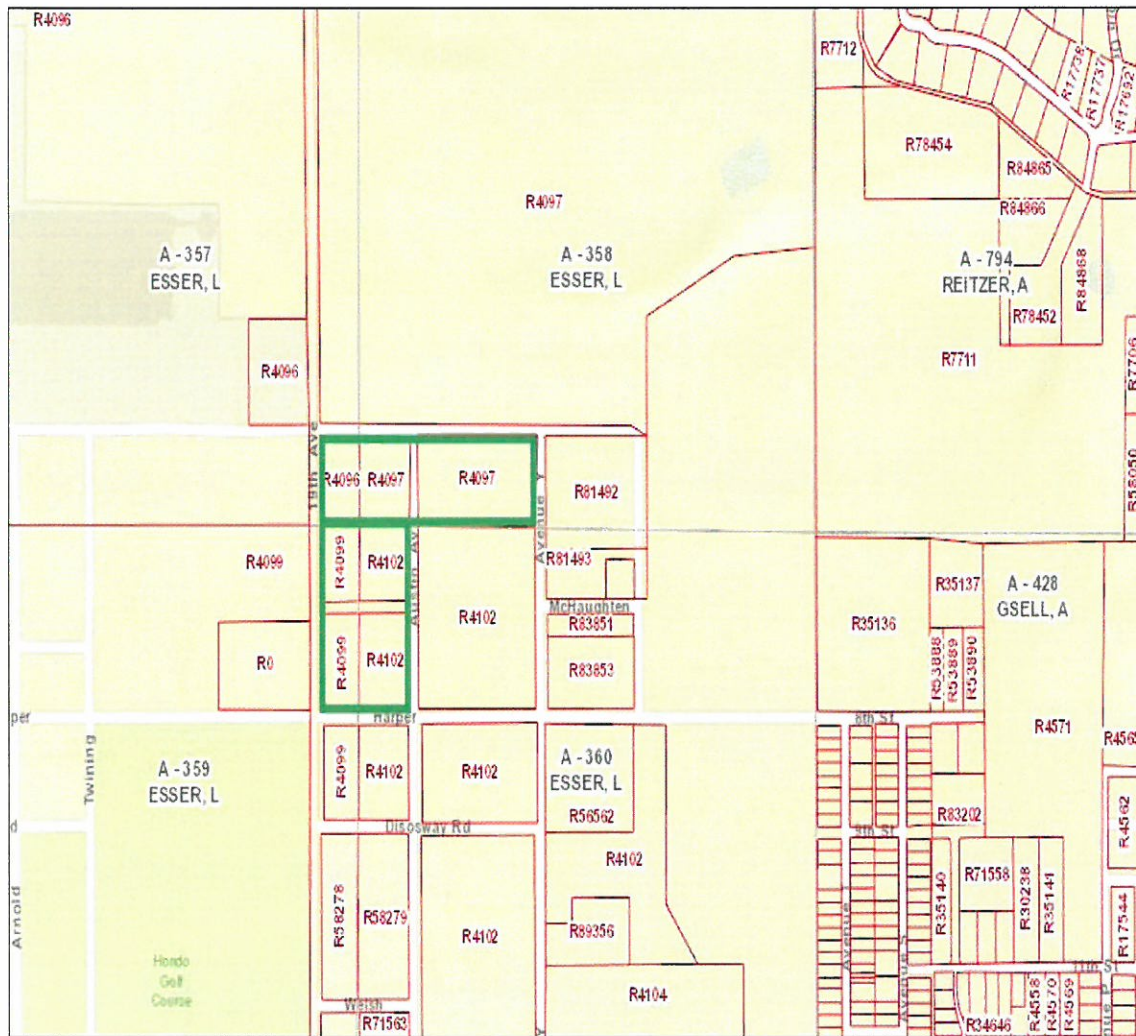
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- A number line with two scales. The top scale is labeled in miles (mi) with major tick marks at 0, 0.0175, 0.035, and 0.07. The bottom scale is labeled in kilometers (km) with major tick marks at 0, 0.03, 0.06, and 0.12. The scales are aligned such that 0.0175 miles corresponds to 0.03 kilometers, 0.035 miles corresponds to 0.06 kilometers, and 0.07 miles corresponds to 0.12 kilometers.

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EXHIBIT A-4

EXHIBIT A-5 Sports Complex Ball Field Park

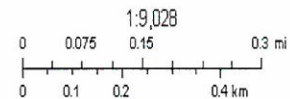
Sports Complex Ball Field



November 3, 2017

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- Parcels
- Abstracts



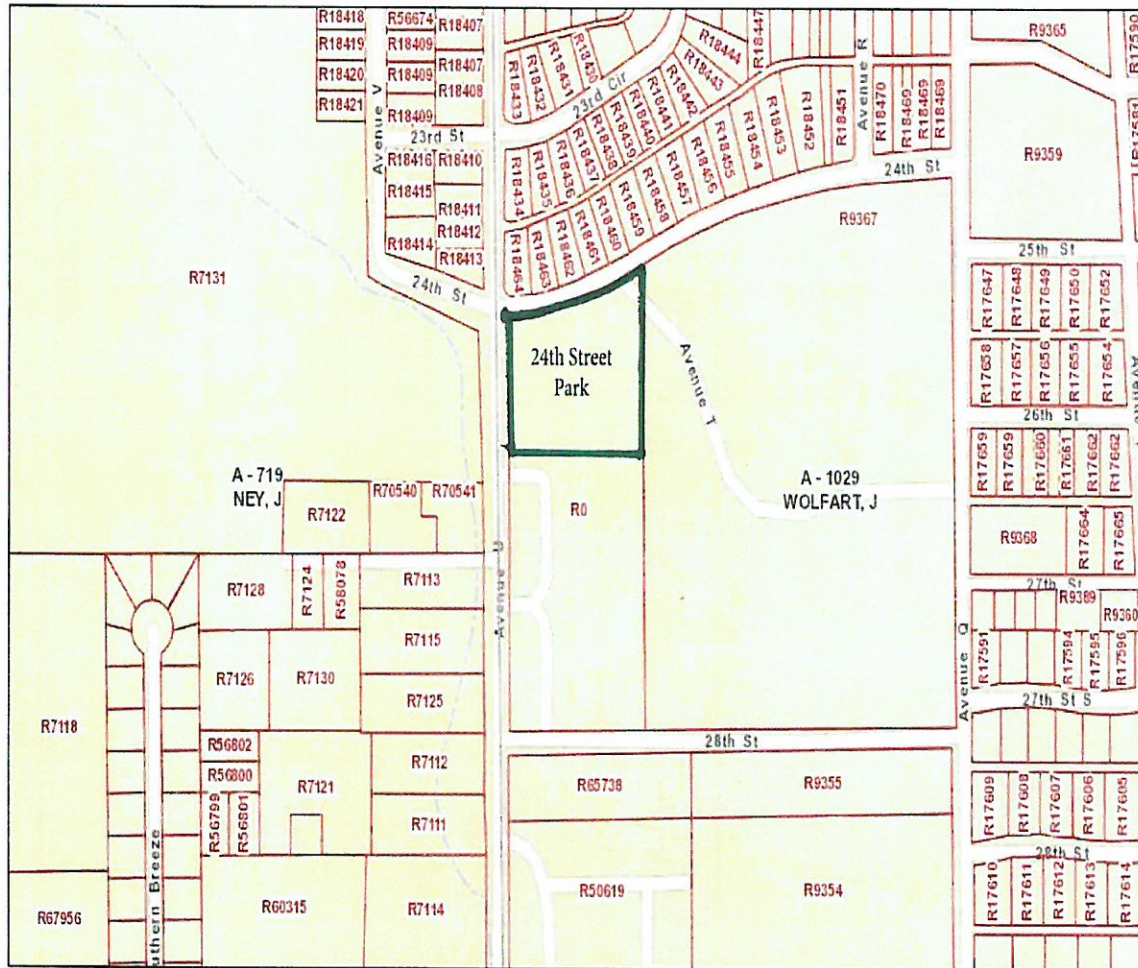
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Esri Korea, Esri (Thailand), Swisstopo

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EXHIBIT A-5

24th Street Park



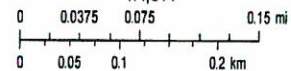
November 3, 2017

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 Parcels

Abstracts

1:4,514

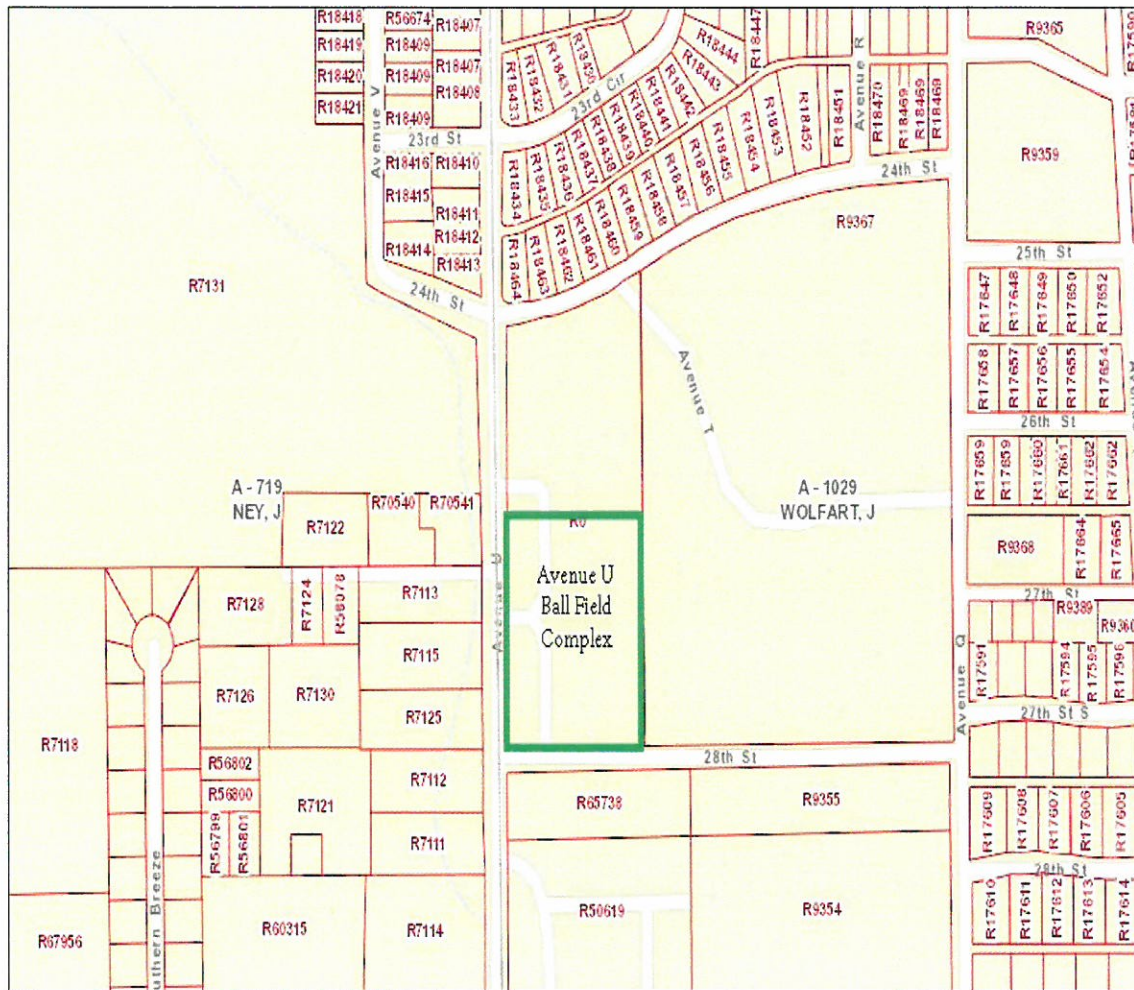


Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand).

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EXHIBIT A-6

Avenue U Ball Field Complex



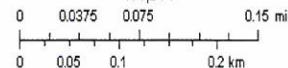
November 3, 2017

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Parcels

Abstracts

1:4,514

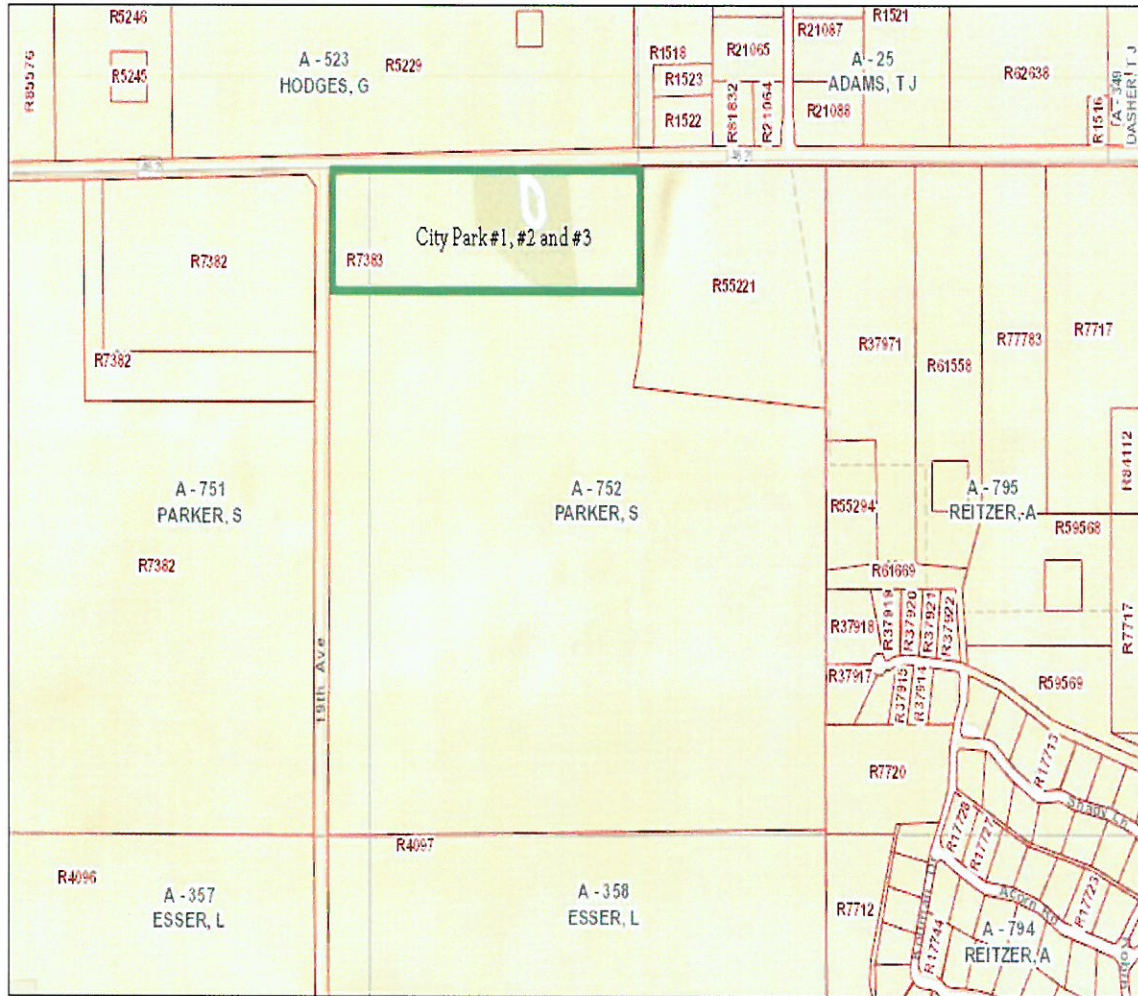


Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand).

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EXHIBIT A-7

City Park #1, #2 & #3



November 3, 2017

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Parcels

Abstracts

1:9,028

A number line with two scales. The top scale is labeled in miles (mi) with major tick marks at 0, 0.075, 0.15, and 0.3. The bottom scale is labeled in kilometers (km) with major tick marks at 0, 0.1, 0.2, and 0.4. Vertical lines connect corresponding tick marks between the two scales, showing that 0.075 miles is equivalent to 0.1 kilometers, 0.15 miles is equivalent to 0.2 kilometers, and 0.3 miles is equivalent to 0.4 kilometers.

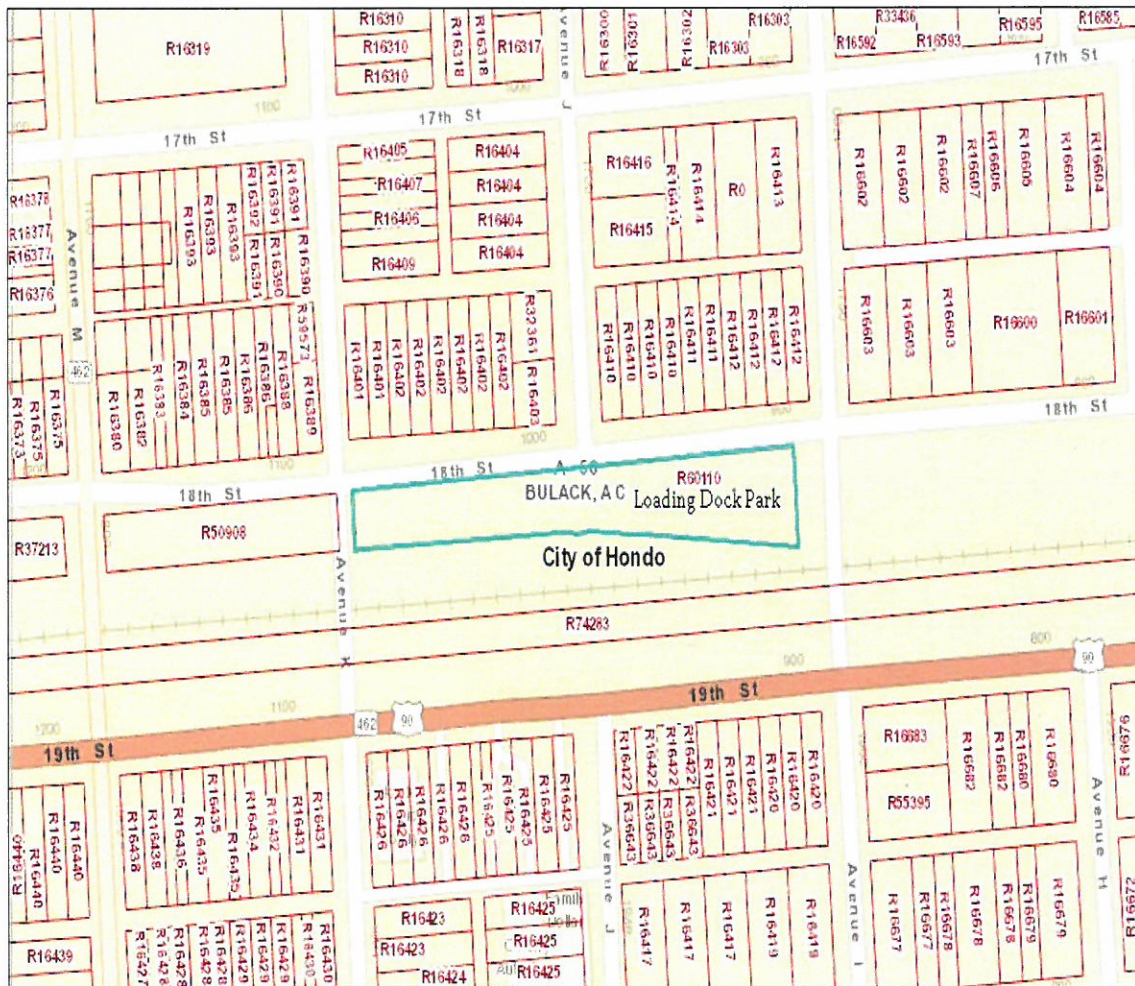
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, EsriJapan, METI, EsriChina (Hong Kong), Esri Korea, Esri (Thailand),

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EXHIBIT A-8

Loading Dock Park

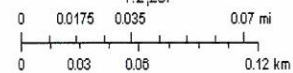


November 3, 2017

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-  Parcels
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-  City Limits

1:2,257



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri/Japan, METI, Esri/China (Hong Kong), Esri/Korea, Esri/Thailand).

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EXHIBIT A-9

Veteran's Memorial Park

