

ORDINANCE NO. 2023-04-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS, AMENDING THE PRINCETON MUNICIPAL CODE, CHAPTER 50 “PARKS AND RECREATION” WITH RESPECT TO THE AREAS GOVERNED BY THOSE RULES; PROVIDING A PENALTY CLAUSE FOR A FINE NOT TO EXCEED \$500; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Princeton, Texas (“City”) has previously adopted various rules and regulations to govern the use of real property and structures that are used for, or dedicated to, public use as parks and recreational facilities;

WHEREAS, the City’s rules governing park facility use within the Princeton Municipal Code have traditionally been applicable to any space owned, leased, loaned to, or otherwise controlled by the City; and

WHEREAS, the City is now operating certain recreational facilities, such as the Steve and Judy Deffibaugh Community Center, under a lease agreement with the Princeton Community Development Corporation (“PCDC”), which the City and PCDC now seek to be excluded from the rules generally applicable to City park land and park facilities, to instead be governed facility-specific rules set by PCDC as the lawful owner of the premises; and

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS, THAT:

SECTION 1. This ordinance amends Chapter 50, “Parks and Recreation”, Article I, “In General”, to reflect the changes below to the Princeton Municipal Code, with new language depicted by underline text (example) and deleted language depicted by strikethrough text (~~example~~), to read as follows:

CHAPTER 50 – PARKS AND RECREATION

[...]

ARTICLE I. – IN GENERAL

Sec. 50-6. – Facility and program operation.

(a) *Prohibited activities.*

(1) *Generally.*

- a. It shall be unlawful for any person, persons, firm, or corporation to do any of the acts specified in this section, except as otherwise provided, in all areas and facilities owned, leased, loaned to, or otherwise controlled by the city, subject to the following exceptions:

1. This section does not apply to activities which are conducted at a community center or other dedicated facility owned by an entity other than the city, as such

premises shall be subject to regulation under the usage requirements and restrictions promulgated by the owner of the premises, and all such rules may be administered and enforced by City staff.

2. The city manager shall issue written authorization for suspensions of some or all of the prohibitions of this section 50-6 in conjunction with a city-sponsored event.

b. It shall be unlawful for any person, persons, firm or corporation:

[...]

(Ord. No. 2002-06-25-B, § 1, 6-25-2002; Ord. No. 2004-02-24-01, § 1, 2-24-2004; Ord. No. 2020-09-14-03, § 1, 9-14-2020; Ord. No. 2021-07-12, § 1, 7-12-2021; Ord. No. 2022-04-25-02, § 2, 4-25-2022; Ord. No. 2023-03-27, § 1, 3-27-2023; Ord. No. 2023- - - , § 1, - -2023)

Sec. 50-8. – Pavilion, picnic area and nonathletic facility use and reservation.

- (a) *Purpose.* The purpose of this section is to establish the criteria and procedures under which residents and organizations will be permitted to schedule the exclusive use of facilities other than athletic fields. The procedures of this section apply to the use and/or exclusive use of all facilities outside of the excluded areas of Veterans Memorial Park that are not primarily designed for use in athletic competition. These facilities include, but are not limited to, pavilion, picnic areas and tables, playgrounds, and other similar facilities. This section 50-8 is not applicable to a dedicated community center facility that is operated by the city under a lease, as such premises shall be subject to regulation under the usage requirements and restrictions promulgated by the owner of the premises, and all such rules may be administered and enforced by City staff.

(Ord. No. 2002-06-25-B, § 1, 6-25-2002; Ord. No. 2004-02-24-01, § 8, 2-24-2004; Ord. No. 2020-09-14-03, § 1, 9-14-2020; Ord. No. 2021-07-12, § 1, 7-12-2021; Ord. No. 2023- - - , § 1, - -2023)

- (a) *Procedures.*

[...]

SECTION 2. PENALTY CLAUSE. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon thereof shall be fined in any sum not to exceed Five Hundred Dollars (\$500), unless otherwise authorized by state law or this Ordinance. Unless otherwise specifically set forth herein, or in state law as adopted or required, allegation and evidence of culpable mental state are not required for the proof of an offense defined by this Ordinance.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES. All ordinances, orders and resolutions heretofore passed and adopted by the City Council of the City of Princeton, Texas are hereby repealed to the extent said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid, void, or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication as required by law, and the City Secretary is directed to arrange for such publication.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS, THIS THE 10 DAY OF April, 2023.

CITY OF PRINCETON



Brianna Chacón

BRIANNA CHACÓN
MAYOR

ATTEST:

Amber Anderson

AMBER ANDERSON
CITY SECRETARY