

ORDINANCE NO. O-2020-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 8, "PARKS", ARTICLE I., "IN GENERAL" OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, AMENDING AND CHANGING THE HOURS OF OPERATION FOR TRAILS AND EXCEPTIONS THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Tyler City Code Chapter 8, Section 1, creates a Tyler Parks Board ("Parks Board") and pursuant thereto the Parks Board shall make recommendations to the City Manager and City Council with reference to the operation and maintenance of public parks in the City; and

WHEREAS, the Parks Board has considered and recommends the change to hours of operation for public trails owned and operated by the City; and

WHEREAS, trail hours can only be changed by City ordinance;

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

PART 1: That Tyler City Code Chapter 8, "Parks", Article I., "In General", is hereby amended by amending Section 8-5, to read as follows:

Sec. 8-5. Parks closed during certain hours.

a. All public parks owned and operated by the City are open from sunrise until sunset. It is unlawful to enter or remain within a park or recreation area when said park or recreation area is closed. (Ord. No. 0-2006-39, 4/12/06) (0-2010-120, 11/10/10) (Ord. No. 0-2012-46, 6/13/2012) (Ord. No. 0-2013-91; 10/02/13) (Ord. No. 0-2019-80; 9/25/19).

b. All public trails owned and operated by the City shall be regulated by this Section and City signage posted at trail heads. Rose Rudman Trail, Lindsey Trail, Faulkner Trail and all other public trails within the City of Tyler shall open at 5:00 a.m. and close at 10:00 p.m. It is unlawful to enter or remain on a public trail when said trail is closed. (Ord. No. O-2020-17; 2/12/20).


c. This section does not apply during times when there are permitted events, activities sponsored or sanctioned by the City Parks Department, or explicitly indicated by City signage. (Ord. No. O-96-53, 6-26-96) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. O-2020-17; 2/12/20).

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or

be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, or later. The effective date of this Ordinance shall be February 14, 2020.

PASSED AND APPROVED this 12th day of February, A. D., 2020.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY