



PARKS RULES AND REGULATIONS

August 14, 2007 (Amended September 12, 2023)

Section 1. **Amendments.**

These Rules and Regulations may be reviewed and amended from time to time by the Commissioners Court.

Section 2. **Administration.**

The Tom Green County Commissioners' Court hereby designates County Parks personnel, Administrative Services Department personnel, County Constables and their respective deputies, and Sheriff's Deputies to enforce these rules and regulations.

Section 3. **Area Covered.**

Except as expressly exempted in these rules and regulations, they shall apply to all county parks located within TOM GREEN County, Texas.

Section 4. **Authority.**

These rules and regulations are adopted by the Commissioners Court of TOM GREEN County, Texas, acting in its capacity as the governing body of TOM GREEN County, Texas. These rules and regulations are authorized by *Chapter 320 of the Texas Local Government Code*, as amended, for all public parks, owned, operated, or maintained by a county in the state of Texas.

Section 5. **Abandoned Property.**

Any and all property of Lessee or Lessee's guests which may be left in or on the leased premises after the termination of this Lease or surrender of said premises, may be handled, removed, or otherwise disposed of by Lessor, and Lessor shall in no event be responsible for any property left in or on leased premises. Lessor shall be under no obligation to store such property and Lessee expressly consents to the sale, removal, discard or other disposition of the property abandoned.

Section 6. **Animals.**

No person may bring into or possess in a park any animal other than a dog, domestic cat or horse. Any person bringing a dog or domestic cat into a park shall keep the dog or domestic cat confined to a vehicle or secured by a leash not exceeding six (6) feet in length.

Section 7. **Tent Camping.**

Individuals shall engage in overnight tent camping in county parks for periods not to exceed three (3) nights unless approved by a member of the Commissioners Court.

Section 8. **Definitions.**

As used in these rules and regulations:

- (a) *Alcoholic Beverage* means any beverage containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable for use as a beverage, either alone or diluted;

- (b) “*Commissioners Court*” means the Commissioners Court of TOM GREEN County, Texas;
- (c) “*County*” means TOM GREEN County, Texas;
- (d) “*Explosives*” means any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion;
- (e) “*Individual*” means a human being;
- (f) “*Light truck*” means any truck with a manufacturer’s rated carrying capacity not to exceed two thousand (2,000) pounds and is intended to include those trucks commonly known as pickups, panel delivery trucks, carry-all trucks, and vans;
- (g) “*Music*” means sound provided by band(s), D. J.(s), radio, etc.;
- (h) “*Noise*” means any loud, unusual, or raucous sound(s), in excess of 85 decibels;
- (i) “*Park*” means a park owned, operated, or maintained by TOM GREEN County for recreation and enjoyment by the general public;
- (j) “*Park Director*” means the individual named or designated as the Director of all county owned parks by the County Commissioner’ Court;
- (k) “*Peace Officer*” means a peace officer as defined in Tex. Code Criminal Procedure Anointed, article 2.12, as amended;
- (l) “*Person*” means any individual, group of individuals, organization, corporation or other legal entity, but does not include TOM GREEN County employees;
- (m) “*Pet*” means a domesticated animal kept for pleasure rather than utility;
- (n) “*Road*” is any road maintained or controlled by the County for public passage for vehicles within a park;
- (o) “*Special event*” means a special, organized activity intended for more than fifty (50) individuals to share a common purpose as a group;
- (p) “*Vehicle*” means every device in, upon, or by which any individual or property may be transported or drawn upon a road except a device moved by human power;
- (q) “*Weapon*” means a rifle, bow and arrow, club, handgun, firearm, illegal knife, shotgun, short-barrel firearm, gas gun or gas pistol, BB gun or BB pistol, pellet gun or pellet pistol, zip gun, sling or sling shot, and includes those objects defined as weapons or prohibited weapons in Chapter 46 of the Texas Penal Code, as amended; and
- (r) “*Wildlife*” means living things that are neither human nor domesticated.

Section 9. Dumping and Littering.

The disposal of rubbish in any manner other than by depositing it in trash cans provided for this purpose; the willful destruction of or damage to or theft of county property; the creation of any hazard to persons or things; and the climbing upon plant bedding areas or any part of a public building, is prohibited. No person shall bring into a park any trash, refuse, or waste material with the intent to deposit it in the park.

Section 10. Effect on Existing Law.

These rules and regulations are in addition to, and not in lieu of, all federal and state laws, rules, and regulations applicable within a park.

Section 11. Effective Date.

These Rules and Regulations shall become effective on Tuesday, August 14, 2007. All previously adopted Rules and Regulations are superseded and repealed effective the same date.

Section 12. Enforcement.

Members of the TGC Sheriff’s Department or any County Constable or his designee shall be authorized to remove any person who violates any of these rules and regulations from a county owned park. In addition to removal from the park, charges may be filed against a violator under Section 27.

Section 13. Explosives.

No person may possess gunpowder or other combustibles, explosives, or fireworks within a Tom Green County Park. The only exception shall be the discharge of fireworks for Independence Day (July 4th) Public Celebrations and shall require written approval of the Tom Green County Commissioners' Court not less than for (4) week prior to the event.

Note: This provision does not apply to gasoline and other petroleum products in fuel tanks of motor vehicles nor to petroleum products intended to be used as fuel for cooking.

Section 14. Fires.

Except in designated areas, no person may light, build, or maintain a fire within a park other than within a camp stove or barbecue pit. This rule does not apply to the lighting, burning, or smoking of a cigar, cigarette, or pipe used for the smoking of tobacco.

Section 15. Glass Beverage Containers.

No person shall use or possess any glass containers in any park.

Section 16. Music.

No music (including car stereo or loud speaker systems) shall be played later than midnight on Friday or Saturday night, or later than 10 p.m. Sunday thru Thursday nights.

Section 17. Offense.

In accordance with Texas Local Government Code § 320.0455, a violation of these Rules and Regulations is an offense punishable as a Class C misdemeanor.

Section 18. Park Use.

No person shall use any area or facility of a park for any purpose other than for the purpose for which it was designed or designated.

Section 19. Plant Life.

No person shall willfully destroy or remove any tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, or dead or downed wood within a park.

Section 20. Posting.

These Rules and Regulations shall be conspicuously posted at or near the entrance of all County parks.

Section 21. Severability.

The provisions of these rules and regulations are severable. If any word, phrase, clause, sentence, section, provision, or part of these rules and regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Commissioners Court that these rules and regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

Section 22. Solicitation and Sale of Goods and Services.

The solicitation or the sale of goods and services are prohibited unless the person receives prior written approval of the Tom Green County Commissioners Court.

Section 23. Special Conditions or Restrictions:

(a) A person who desires to use one of the facilities below must make a reservation and pay the appropriate user fee. The user fee shall be based on the following schedule:

Park	Usage Fee
Harper –Water Valley Large Building	\$30
Harper –Water Valley Small Building	\$30
Harper – Utility Hookups	\$25
Foster – Pavilion, electricity	\$25
Veribest Pavilion, electricity	\$10

- (b) While a security deposit is not required for building rental, if the facility and surrounding area is not cleaned or if the facility or its furnishings are damaged, the respective Commissioner or County Director of Maintenance shall assign a fee per incident when determining the amount necessary to compensate the County for the cost and expense of remedying the default.

In addition, the person who makes the reservation for a special event must employ and pay a minimum of one peace officer to provide security for an event which may involve 100 or more individuals.

The Park’s Precinct Commissioner may waive the fee at their discretion.

- (c) Alcoholic beverages may be consumed at the following named facilities only if it is noted on the rental contract that alcoholic beverages will/may be consumed at the facility during the rental period, and a security contract noting this fact is presented with the reservation.

Park
Harper Park in Water Valley - Large Building
Harper Park in Water Valley - Small Building
Foster – Pavilion, electricity
Veribest Pavilion, electricity

- (d) However, NO alcohol may be consumed at or within 100 feet of the Pugh Park Baseball Complex during any games held by any youth baseball league.

Section 24. Special Events.

No person shall solicit for, hold, or sponsor a special event in a park or park facility without the prior written permission of the County. The county will require the provision of liability insurance which holds Tom Green County harmless and provides coverage in the amounts of \$100,000 for injury or death to one person, \$300,000 for injury or death to more than one person and \$100,000 for injury or damages to property in any one accident or occurrence, and the furnishing of one or more peace officers, depending on the size of the special event, for security. A renting organization shall provide a Certificate of Insurance naming Tom Green County as an additional insured with a waiver of subrogation.

Section 25. Special Provisions.

The following special provisions shall apply:

- (a) Balloons, moonwalks, or piñatas are allowed without prior approval of the Tom Green County Commissioners’ Court.
 However, their use should be noted on the rental agreement form.
- (b) Weddings are allowed without prior approval of the Tom Green County Commissioners’ Court.

Section 26. Use of Loudspeakers.

Use of loudspeakers within a park shall be governed by Penal Code § 42.01(a)(5) and (c), Disorderly Conduct.

Section 27. Vehicles.

- (a) No person shall operate a vehicle within a park except on the roads or parking lots within the park. Operation of a vehicle on the shoulder of the road will be permitted only if the driver is parking on the shoulder of the road or is driving a previously parked vehicle from the shoulder of the road to the paved portion of the road. Note: This provision does not apply to park maintenance or patrol vehicles.
- (b) No person shall operate a truck within a park. This provision does not apply to light trucks or trucks making deliveries of materials, supplies, and equipment purchased or rented by the County.
- (c) No person shall operate a vehicle in a park at a speed in excess of the posted speed limit of 15 MPH.
- (d) No person shall cause a vehicle to be parked within a park except in a designated parking area. Vehicles parked on the shoulder of a road in designated areas must be parked parallel to the road.
- (e) No person shall leave a vehicle unattended in excess of twenty-four (24) hours, at any given time, unless one of the officers named in Section 2 is notified and prior written approval is granted. Vehicles remaining within a park for which approval has not been granted will be towed away and placed in storage by the appropriate peace officer at the owner's expense.

Section 28. Water Removal.

No water shall be taken for commercial, residential or non-park use, from hydrants or faucets located in county owned parks. No water shall be diverted, for commercial, residential or non-park use, from rivers, creeks, or streams that run through county owned parks. Volunteer Fire Departments shall be exempt from this provision during emergency occurrences or training exercises.

Section 29. Weapons.

No person, other than a peace officer, may carry or discharge a weapon within a park, except for a special event for which weapons are expressly authorized in writing by the Tom Green County Commissioners' Court.

Section 30. Wildlife.

- (a) No person shall willfully harm, harass, trap, confine, catch, or possess any wildlife within a park.
- (b) Fishing in accordance with State of Texas laws and regulations shall be permitted within all county parks, except as specifically prohibited.

General Conditions or Restrictions:

Any person 18 years or older may reserve a pavilion or other designated park facility (*i.e., building, or community center*).

- (1) No person shall be entitled to continuous use of a park or park facility for more than three nights-unless approved by a member of the Commissioners Court.
- (2) No person shall be allowed exclusive use of any county park for any reason without prior approval of the Tom Green County Commissioners Court.
- (3) Facilities shall be left in clean and undamaged condition at termination of rental period.
- (4) RV rental slots at Harper Park may be rented for up to 5 days.