

PARKS AND RECREATION DEPARTMENT
RULES AND REGULATIONS

INDEX TO RULES AND REGULATIONS
(Revised 11/30/10)

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**PARKS AND RECREATION DEPARTMENT
RULES AND REGULATIONS**

100 GENERAL ADMINISTRATION

110 RULES AND REGULATIONS-GENERAL

The overall structure and application of rules and regulations promulgated by the Director of the Houston Parks and Recreation Department.

111 ADMINISTRATION OF RULES

The authority, structure and interpretation of park rules.

111.1 POLICY OF THE DEPARTMENT

It is the policy of the Department to prescribe rules, regulations and guidelines for the orderly use and management of the City's parks, park facilities and programs.

111.2 AUTHORITY OF THE DIRECTOR

The Director shall from time to time exercise the authority pursuant to the Code of Ordinances of the City of Houston to promulgate written rules and regulations for the administration of the Department and for the orderly government of the City's parks.

111.3 STRUCTURE AND CAPTIONS

The structure and captions of the Divisions, Sections and Sub-sections of these rules and regulations are not part of the context thereof, and are intended only as aids in locating, reading and understanding the provisions herein. For the purposes of these rules and regulations, only those provisions or parts thereof numbered to include a decimal point shall be considered to be a rule or regulation.

111.4 APPLICABILITY

Each rule, regulation or provision contained herein may be applicable, in whole or in part, to any park, park facility, program, activity or area under the operation, management and control of the Department.

111.5 AFFECT ON EXISTING LAW

The provisions of these rules and regulations are in addition to, and not in lieu of Federal or State laws, rules or regulations, or any City of Houston Ordinances or Motions of City Council.

111.6 SUBORDINATE RELATIONSHIP

These rules and regulations, and the provisions thereof, shall be subordinate and inferior to the provisions of all laws, rules, regulations and ordinances promulgated by higher authority.

111.7 SEVERABILITY

The provisions of these rules and regulations are severable. If any word, phrase, clause, sentence, section, provision or any other part of these rules and regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions.

111.8 NONWAIVER

It is the intent of the Department to operate under these rules and regulations as consistently as possible, however neither a failure of the Department or its officers to exercise any of these provisions, nor a failure to enforce such provisions, shall effect or constitute a waiver of the Department's or Director's right to exercise or enforce such provisions.

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111.9 PUBLIC INSPECTION OF RULES REQUIRED

A copy of these rules and regulations shall be filed and maintained for public inspection in the offices of the Director and the City Secretary. A copy of all or any part of the provisions contained in these rules and regulations shall be made available to any person at no cost upon written request filed at Department headquarters.

112 DEFINITIONS

The definition of general and specific terms found throughout these rules and regulations.

112.1 DEFINITIONS GENERALLY

To aid in writing and interpreting these rules and regulations, a rule incorporating general definitions of terms found throughout these provisions shall be promulgated therefore. Additional definitions specific to provisions found in the divisions, sections or sub-sections of these rules may appear elsewhere herein.

112.2 DEFINITION OF GENERAL TERMS

The following definitions shall apply to general terms found throughout these rules and regulations:

112.2(a) **ACTIVITY** - a program or event or a function thereof;

112.2(b) **ADULT** - any person eighteen (18) years of age or older;

112.2(c) **AREA** - any park, facility or part thereof;

112.2(d) **BUSINESS DAY** - operating hours for the Department are Monday through Friday from 8:00a.m. to 5:00p.m. excluding approved City Holidays;

112.2(e) **CITY** - the City of Houston, Texas;

112.2(f) **COMMERCIAL** - any park user not defined or definable as non-profit;

112.2(g) **COMMERCIAL USE** - the use of any park, park facility or area for the purpose of selling, distributing or advertising products or services;

112.2(h) **DEPARTMENT** – the Department of Parks and Recreation of the City of Houston also known as the Houston Parks and Recreation Department;

112.2(i) **DEPARTMENT HEADQUARTERS** – the official administrative offices of the Houston Parks and Recreation Department, formally known as the Gragg Building, is located at 2999 South Wayside Drive, Houston, Texas 77023;

112.2(j) **DIRECTOR** – the Director of the Department of Parks and Recreation of the City of Houston;

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- 112.2(k) EVENT - any celebration, activity or gathering open to the public and which involves the use of parks or facilities;
- 112.2(l) FACILITY - any park facility, special use facility or part thereof;
- 112.2(m) NON-PROFIT - a park user designated as non-profit under one (1) or more sections of the U.S. Internal Revenue Service (I.R.S.) Code, or a Park Advisory Council or Civic Club associated with the Department. A non-profit shall not be a governmental entity or any person or group of persons engaged in commercial use of the parks;
- 112.2(n) PARK - any park, circle, triangle, square, plaza, esplanade, space way, lake, bayou, parkway or part thereof dedicated as park land or under the management and control of the Department;
- 112.2(o) PARKS - any or all of the parks and facilities under the management and control of the Department;
- 112.2(p) PARK AREA - any park or part thereof;
- 112.2(q) PARK FACILITY - shall include, but not necessarily be limited to any building, pavilion, sports field, basketball court, tennis court, picnic area, picnic shelter, playground, amphitheater, trail, exercise station, parking lot, roadway, garden, arbor, lake, pond, monument, fountain, or other improved park area;
- 112.2(r) PARK PATRON OR VISITOR - any person utilizing parks or facilities for the purpose of recreational and/or leisure pursuit;
- 112.2(s) PARK USER - any person, group, organization or other entity seeking or engaged in additional, special or extra use of parks and facilities;
- 112.2(t) PERMIT - the written approval of the Director allowing special use of parks and facilities;
- 112.2(u) PROGRAM - a series of activities, courses or events designed to provide recreational, cultural, educational, leisure or other opportunities to the public;
- 112.2(v) SECURED SPORTS FIELD - any ballfield complex, or any specially maintained or managed sports playing field;
- 112.2(w) SENIOR OR SENIOR CITIZEN - any person sixty-five (65) years of age or older;

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112.2(x) SPECIAL PARK FACILITY - shall include, but not necessarily be limited to the Houston Arboretum, Houston Garden Center, Miller Outdoor Theater, Lillie and Hugh Roy Cullen Sculpture Garden, Municipal Golf Courses, Municipal Tennis Centers, City Community Centers, Municipal Swimming Pools, Ballfield Complexes, secured sports fields, skate parks, disk golf courses, Hogg Bird Sanctuary, Founders Memorial Cemetery, or any other specially improved, controlled, maintained or managed park area or facility;

112.2(y) SPECIAL USE - the granting of additional, extra, special and/or exclusive privileges to use parks and facilities for the purpose of conducting events, fund raising activities, public gatherings, meetings or other functions;

112.2(z) SPECIAL USE AREA - any park, facility or part thereof for which special use privileges have been granted;

112.2(aa) SPORTS FIELD - any ballfield, ballfield complex, soccer field or other park area designated or designed for the playing of organized sports;

112.2(bb) YOUTH - any person under the age of eighteen (18) years.

113 EQUAL OPPORTUNITY

Rules providing equal opportunity in employment and the requirements of recreational opportunities.

113.1 EQUAL EMPLOYMENT

It shall be the policy of the Department to prohibit discrimination in employment, whether as a City employee or as a contract instructor or sport official, on the basis of race, color, creed, religion, sex, age, military status, disability or national origin.

113.2 EQUAL OPPORTUNITY IN SERVICE DELIVERY

It shall be the policy of the Department to prohibit discrimination in the delivery of recreational services or in the use of the parks, because of race, color, creed, religion, sex, age, military status, disability or national origin.

113.3 PROGRAM DIVERSITY

In the development, sponsorship and/or promotion of activities, programs or events, the Department shall strive to provide a level of such activities, programs or events which illustrate and complement the ethnic and cultural diversity of the City of Houston.

113.4 NOTIFICATION OF EQUAL OPPORTUNITY

In all publications of the Department including brochures, pamphlets, newsletters, posters and other printed or digital media, and in the preparation of slide, video or other film media one (1) of the following notices of non-discrimination shall be appropriately displayed; "It is the policy of the Houston Parks and Recreation Department to prohibit discrimination in employment or in the provision of services because of race, color, creed, religion, sex, age, military status, disability or national origin," or "An equal opportunity employer and service provider."

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113.5 RESPONSIBILITY FOR MONITORING, COMPLIANCE

The Human Resources Section of the Management and Finance Division shall have the responsibility to monitor and ensure compliance with the equal opportunity provisions of these rules and regulations.

114 COMPLIANCE WITH PARK RULES

the overall compliance with park rules and regulations, and the exemptions thereto.

114.1 COMPLIANCE IS CONDITION OF USE

Compliance with applicable provisions of these rules and regulations of the Code of the City of Houston, and of State and Federal law is a condition of the use of the parks. Subject thereto, any person may use the parks for any lawful purpose.

114.2 ENFORCEMENT

The Director and all Department employees are hereby authorized and directed for and on behalf of the City to notify any person who fails or refuses to comply with any applicable provision of law or of these rules and regulations to depart from any City property or building under the control of the Department. Any such person who upon such notice fails to depart from any such property or building shall be subject to prosecution under any applicable laws or ordinances.

114.2(a) FAILURE OF EMPLOYEES TO ENFORCE RULES OR LAWS

No employee of the Department with responsibility for ensuring compliance with these rules and regulations or other applicable provisions of law shall knowingly or willfully fail to exercise such responsibility. Any such employee shall be subject to disciplinary action up to and including indefinite suspension.

114.3 EXEMPTIONS GENERALLY

The provisions of these rules and regulations shall not be construed to apply to employees of the City or its agents and contractors when in the lawful and appropriate discharge of their respective duties.

114.3(a) DEPARTMENT PROGRAMS AND EVENTS

The permit and facility use requirements incorporated as provisions hereof shall not be required for programs, events or activities sponsored by the Department.

114.3(b) MISREPRESENTATION OF EMPLOYEES

Department to elicit, accomplish or obtain an exemption from these rules and regulations for any personal gain or use of the parks. Any such employee shall be subject to disciplinary action up to and including indefinite suspension.

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120 FEE ADMINISTRATION
the general rules and regulations pertaining to park user charges, deposits, reservations and refunds.

121 PARK USER CHARGES-GENERAL
fees and charges assigned for the use of Department buildings, facilities and equipment, and participation in City sponsored programs.

121.1 FEES AND CHARGES GENERALLY

No person shall participate in any program or activity; conduct or promote any program, activity or event, secure any permit or use any park area, building or facility without first paying the applicable fees or charges related thereto as may be established by City Council.

121.2 USE OF FEE SCHEDULES

The fees and charges established by City council for the use of park buildings, facilities, programs services shall be assembled into fee schedules representing the category or type of fee authorized, and shall denote the maximum charge for such specified uses or services.

121.3 FEE SCHEDULES - EXCEPTION

The schedules of fees and charges shall not be construed to apply to charges by concessionaires under contract, license or permit, to sanctioned or Department sponsored programs and events wherein an admission fee is charged, or to deposits or other indirect costs associated with the use of parks and park facilities, or any indirect or additional participant costs associated with City sponsored programs.

121.4 ASSESSMENT OF RENTAL FEES-GUIDELINES – DEFINITIONS

The following guidelines and definitions shall be used in determining the appropriate application of fees and charges:

121.4(a) INITIAL/FIRST 3 HOURS OR FRACTION -OR- MINIMUM 3 HOUR CHARGE shall represent a minimum rental charge indicated in the fee schedule;

121.4(b) EACH ADDITIONAL HOUR OR FRACTION shall represent the minimum charge for each additional hour or fraction of an hour above the three (3) hour minimum rental;

121.4(c) FEE/CHARGE PER 1/2 HOUR shall represent the minimum rental charge for each one-half (1/2) hour or fraction thereof indicated in the fee schedules;

121.4(d) FEE PER HOUR OR FRACTION shall represent the minimum charge for each hour or fraction thereof indicated in the fee schedules;

121.4(e) PER HOUR AND ONE-HALF shall represent the minimum rental charge for each one (1) and one-half (1/2) hour or fraction thereof indicated in the fee schedules;

121.4(f) DAILY RATE PER DAY shall represent the minimum charge for twenty-four (24) hours of use or fraction thereof indicated in the fee schedules;

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121.4(g) OUT BEFORE 7:00PM shall be used, where applicable, in determining the rental fee for any rental in which the total rental period ends on or before 7:00pm;

121.4(h) OUT AFTER 7:00PM shall be used, where applicable, in determining the rental fee for any rental in which the total rental period ends after 7:00pm;

121.4(i) NON-PROFIT RENTALS, where applicable, shall apply only to a tax exempt organization with such exemption being under one (1) or more sections of the Internal Revenue Service (I.R.S.) code, an individual, a group or club established to promote or provide leisure or recreational opportunities, or a governmental entity, and which usage does not entail the charging of attendees for participation in, registration for, or admission to activities or functions;

121.4(j) COMMERCIAL, where applicable, shall apply to all users not defined as non-profit;

121.4(k) GARDEN CLUB MEMBER rentals, where applicable, shall apply only to the member of a garden club having a business address in the city of Houston and/or affiliated with the Houston Garden Center, and providing the rental is for the conduct of activities related to such garden club. The Manager of the Houston Garden Center shall maintain a listing of all garden clubs approved for rental under this special category;

121.4(l) KITCHEN WITH RENTAL fee shall be assessed, where applicable, anytime a building rental activity requires the use of a kitchen facility for the heating or partial preparation of food, or storage or distribution of food prepared on or off the premises. Use of the kitchen for limited food service (e.g. coffee, punch, snacks) shall not require assessment of the kitchen rental fee;

121.4(m) FOOD SERVICE CLEAN-UP CHARGE shall be assessed, as appropriate, anytime a kitchen rental is charged, or whenever food service is requested or anticipated as a function of the rental. Such fee shall not be charged for limited food service (e.g. coffee, punch, and snacks) where in the opinion of the Facility Manager such limited food service will not significantly contribute to cleaning of the premises.

121.5 DISCOUNTING OF FEES AND CHARGES

The Director may authorize discounts of fees and charges, special rates or other incentives to promote and encourage the use of park facilities and programs, and/or provide a tool for the marketing of such programs. Whether temporary or on-going, such discounts of park user fees and charges shall be filed with the City Secretary as rules in accordance with Section 32-5 of the Code of Ordinances.

121.5 (a) PROGRAM REGISTRATION FEES, SPECIAL DISCOUNT

A discount of the Summer Enrichment Program registration fee is hereby authorized for program registrants and their dependents less than eighteen (18) years of age meeting one (1) of the following criteria:

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- (i) The household is qualified for and receiving Aid To Families With Dependent Children (A.F.D.C) as administered by the Texas Department of Human Services;
- (ii) The household is qualified for and receiving Supplemental Security Income (S.S.I.) as administered by the U.S. Social Security Administration;
- (iii) The household is qualified for and receiving welfare payments as administered by the Texas Department of Human Services; or
- (iv) The registrant or their parent or guardian is qualified for and receiving unemployment compensation as administered by the Texas Employment Commission.

Proof of qualification for such discount, in the form of a letter or other documentation issued by the administering agency, shall be provided at the time of registration by the participant or his/her guardian, and such qualification must be in effect at the time of registration. This special discount shall not apply to adult sports team registration fees.

121.5 (b) SENIOR CITIZENS DISCOUNT

A ten percent (10%) discount of recreation programs fees, the individual and non-profit rental of rooms and buildings is hereby authorized for senior citizens. Proof of qualification for such discount in the form of driver's license or other suitable identification shall be provided at the time of registration or when application is made.

121.5 (c) TENNIS CENTER COURT FEES

The hourly rate for tennis center court rentals shall be interpreted and construed to be the rental rate for each one and one-half (1 & 1/2) hours of use. This special rate shall apply to all users and use times.

121.5 (d) DISCOUNTS NOT ADDITIVE

Discounts authorized by the Director shall not be used in conjunction with any special fee category or promotional fee.

121.6 FEES AND CHARGES ARE ADDITIVE

The payment of any applicable fees and charges under one fee schedule shall not substitute for any applicable fees in a corresponding fee schedule unless specified herein. All applicable fees shall be augmented in determining the total of such fees and charges due.

121.7 PUBLIC INSPECTION OF FEE SCHEDULES REQUIRED

A copy of the schedules of fees and charges, collectively known as park user fees, shall be maintained for public inspection in the offices of the Director and the City Secretary. A copy of such fee schedules shall be published by the Director and made available to any person upon request.

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121.8 FEES CHARGED BY PARK USERS

In the event a participation or admission fee is charged by any person for any activity using park grounds or facilities, then the user fee applicable thereto shall be ten percent (10%) of the gross revenue derived from such participation or admission fees in addition to any fee and charges established by City Council therefore.

121.8(a) APPROVAL OF THE DIRECTOR REQUIRED

No person shall charge any participation or admission fee for any activity using park grounds or facilities unless written permission has been issued by the Director. This provision shall not apply to concessionaires operating under contract with the City wherein such participation or admission fees are authorized, to participation or admission fees established for special use facilities, or to fees charged for City/Department sponsored programs, activities or events.

121.8(b) METHOD OF ACCOUNTING FOR PARTICIPATION/ADMISSION

The receipts and revenues derived from approved participation and admission fees shall be accounted for in the following manner:

(i) PARTICIPATION OR REGISTRATION FEES

Shall be accounted for by the use of sign-in sheets or individual registration forms containing the activity date, the participants name and address, and the fee paid. A sequentially numbered receipt shall be issued to each participant as evidence of the payment of such fees;

(ii) ADMISSION OR GENERAL ADMISSION FEES

Shall be accounted for by the use of sequentially numbered admission tickets or cash register receipts. Each ticket or cash register receipt shall have the printed activity date and shall be colored or printed to denote the fee charged. A ticket stub or cash register receipt shall be issued to each participant as evidence of the payment of such fees. In the absence of suitable tickets or cash registers, admission fees may be accounted for in the same manner as participation fees.

121.8(c) REPORTING AND REMITTING PARTICIPATION/ADMISSION FEES

A report of the accounting of participation and admission fees approved by the Director, along with a remittance of ten (10%) of such fees collected therefore, shall be submitted to the Department by the third business day after the conclusion of the activity or event. The report shall be sufficient to detail each fee charged, the number of admissions or participant's fees collected for each day, the daily and gross revenue derived and the remittance due to the City. The number of admissions or participants reflected in the report shall be documented by submitting the ticket stubs, receipts, sign-in sheets, cash register tape or registration forms required for the accounting of such fees.

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121.9 VOLUNTARY CONTRIBUTIONS

Voluntary contributions may be collected in connection with the use of parks and facilities authorized by permit or rental agreement whether conducted or sponsored by the City or not, without accounting or payment to the City. The acceptance of any such contributions must have the prior approval of the Director, be wholly voluntary, and shall not be imposed, solicited or requested as a condition of admission to or participation in the facility used, function conducted, or for the provision of any goods or services. The Director's prior approval shall not be required where voluntary contributions are collected in connection with Community Center rentals where such rentals are for normal or regularly scheduled worship services.

121.10 METHOD OF PAYING FEES AND CHARGES

Fees and charges collected for programs, rentals, activities and services sponsored by the City/Department may be paid by personal check, company check, cashiers check, money order, credit card or cash. An individually numbered receipt, registration form or ticket stub shall be provided to each payee as proof of payment.

121.10(a) PAYMENT BY CHECK OR MONEY ORDER

Checks and money orders shall be made payable to the City of Houston in the exact amount only, and will be restrictively endorsed for deposit only upon receipt.

121.10(b) PAYMENT BY CASH OR CREDIT CARD

Cash or credit card payment will be accepted only at sites or facilities equipped with recording cash registers, at the Department's headquarters, or at other facilities where reasonable and prudent cash control or credit card procedures have been implemented.

121.11 PERMIT REQUESTS, APPLICATIONS TO BE SIGNED BY AN ADULT

All applications and/or permit requests for rentals, special permits, and concessions permits or licenses shall be signed and/or executed by an adult. Youth registrations for programs shall require the approval signature of the youth's parent or guardian.

121.12 PAYMENT TO/ FROM CONCESSIONAIRES

Unless otherwise specified through special permit or through contractual agreement or amendment concessionaires or vendors operating under license or permit of the Department or contract with the City may establish payment collection policies subject to reasonable and prudent business practices. All payments remitted by concessionaires under license or permit of the Department shall be by personal check, company check, cashiers check, money order, credit card or cash made payable to the City of Houston.

122 FEE SCHEDULES

Fees and charges established by City Council for the use of park buildings, facilities, programs and services.

122.1 FACILITY RENTAL CHARGES

A copy of facility rental charges shall be filed and maintained for public inspection in the offices of the Director and the City Secretary. A copy of all or any part of the provisions contained in these charges shall be made available to any person at no cost upon written request filed at Department headquarters.

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123 REFUNDS

Rules and guidelines related to the refunding of fees and charges paid to the Department.

123.1 REFUNDS GENERALLY The Department shall consider the refund of fees and charges paid for use of parks, park facilities and equipment, and for the participation in Department sponsored programs subject only to the rules and guidelines prescribed herein.

123.2 REFUND REQUESTS TO BE IN WRITING, PROCESSING THEREOF:

All requests for refunds shall be in writing, stating the reason the refund is being requested, dated, and include the address, name and signature of the requesting party. Refund requests may be made in person at the registration/rental site during normal operating hours, or by mail or in person any business day at Department headquarters. Refunds will be submitted for processing on the form prescribed by the Director, and may require a normal processing period of three (3) to six (6) weeks. No refunds shall be given in cash.

123.3 REFUND REQUESTS, TIMELY NOTICE

A full refund or credit of fees and charges for facility rentals, equipment rentals, special permits and related event concessions shall be made provided that a cancellation or rescheduling request is received at least fourteen (14) calendar days prior to the starting date of the rental, permit or license. No refunds or credits shall be authorized for cancellations or rescheduling requested later than fourteen (14) calendar days prior to the starting date, or for any inability of a renter, permittee or licensee to arrive at or otherwise utilize the parks and/or facilities on such starting date.

123.3(a) RENTAL OF SPORTS FIELDS-EXCEPTION

In the event that at the start of league or tournament play a sports field cannot be used or a game played due to a rain-out, hazardous weather conditions, or an inability to clear the field for play; the rental shall be rescheduled for the next mutual date agreeable to the parties. The rescheduling of a sports field rental under such circumstances shall be at the renters request and justification and must be filed at Department headquarters on the business day following the rental period.

123.4 SPECIAL USE, TEMPORARY CONCESSION FEES NON-REFUNDABLE

No refunds shall be authorized for payments of special use fees. Temporary concession license, permit and/or filing fees shall be considered a cost of doing business and are non-refundable.

123.4(a) GREENS FEES RAIN CHECKS REQUIRED

If at anytime inclement weather prohibits a golfer from playing more than five (5) holes of golf, and the golfer is prevented from further play, then a rain check shall be issued to such golfer entitling the golfer to return under the same fee structure as originally purchased (i.e. Weekday, Weekend, Twilight, etc.). Rain checks may not be upgraded from one fee class to another and have no cash value. Rain checks must be utilized within thirty (30) days of the issuance of such rain check.

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123.4(b) TENNIS CENTER COURT FEES - RAIN CHECKS REQUIRED

If at any time inclement weather prohibits a player from completing at least forty-five (45) minutes of allotted court time, such player shall be issued a rain check entitling the player to court time equal to the total amount of pre-paid time scheduled. Rain checks can only be used for the rate at which the original court time was purchased, and will be honored only one (1) week after issue. Normal scheduling policies shall be used in honoring rain checks.

123.5 REFUND, RESCHEDULING AT DEPARTMENT FAULT

Should a park or facility be unusable at the start of a rental or permit period due to a lock-out or other fault of the Department or the result of a cancellation of such rental or permit by the Department due to a safety, health or weather emergency, then a full refund shall be made or the use period rescheduled at the users request. Should the Department cancel a class or program session for which registration fees have been collected anytime before the midpoint of such program or class a full refund shall be made, and if the program or class is cancelled anytime after the midpoint a refund equal to one-half (1/2) of such fees shall be made, or in lieu of any refund a program participant may select to transfer to an alternate class time or site if available. In no event however shall registration fees be prorated due to weather or other emergencies.

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200 PARK OPERATION AND USAGE

210 PARK USE - GENERAL RULES AND REGULATIONS

General rules and regulations governing the operation and use of City parks and facilities.

211 GENERAL USE PROVISIONS

General provisions regulating park and facility usage.

211.1 PARK USE GENERALLY

No person shall use any area or facility of a park for any function other than for the purpose for which it was designed, dedicated for or for which special use has been granted.

211.2 SPECIAL USE GENERALLY

No person shall hold, conduct or cause to occur any special use of any park, park area or facility without first obtaining the written permission of the Director.

211.3 SPECIAL PARK FACILITIES GENERALLY

No person shall visit, use or otherwise be within or upon any special park facility outside the posted hours of operation without the written permission of the Director, nor shall any person during such posted hours be within or upon such facilities without first paying any applicable fees and/or securing any required permits related thereto.

211.4 CONCESSIONS AND SALES GENERALLY

No person shall have the right to offer anything for sale or barter, or to exhibit anything, or to conduct any amusement, recreational activity, sports event or other business for which any participation or admission fee is charged or revenue is otherwise derived within any park, park area or facility without first obtaining the written consent of the Director.

211.5 PLAYING OF MUSICAL DEVICES

No person shall play any musical instrument, radio, tape player or other musical device within the parks other than for their own enjoyment, provided that such person shall not thereby encroach upon the use and enjoyment of the parks by others.

211.6 GLASS CONTAINERS PROHIBITED-EXCEPTION

No person shall bring into or upon the parks, or have in their possession while therein or thereupon any glass receptacles including but not limited to glass bottles, glass jars, drinking glasses or other glass containers of any kind. The prohibition of glass containers shall not apply to baby bottles, baby food jars, glass lined vacuum bottles and glass lined picnic beverage coolers.

211.7 LITTER PROHIBITED

No person shall throw or otherwise dispose of any trash or litter in any park or water area except in the containers provided.

211.8 DUMPING PROHIBITED

No person shall dump any debris, junk, garbage, waste, fill or other material onto the parks or the water areas.

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211.9 CAMPING PROHIBITED

No person shall establish a campsite upon or use any area of the parks as a campsite without the written permission of the Director.

211.10 BUILDING OF FIRES PROHIBITED

No person shall build or cause to be built any fires within the parks except in the camp stoves or grills provided and only for the purpose of food preparation. Personal stoves or grills brought to the parks by park patrons for such purpose shall be exempt from this provision provided such apparatus is located so as not to harm or endanger any tree, shrub, building or park appurtenance, or thereby encroach upon the use and enjoyment of the parks by others.

211.11 FIREWORKS PROHIBITED

No person shall discharge any fireworks upon or within the parks. Bonafide fireworks displays proposed as part of an event or program shall be exempt from this provision subject to the written permission and approval of the Director and the City Fire Marshall.

211.12 HOT AIR BALLOONS PROHIBITED

No person shall tether any hot air balloon in the parks nor launch any hot air balloon from within the parks without first obtaining the written permission of the Director. The evaluation of a request to launch a hot air balloon(s), among other criteria, shall include the licensing and flight approval of the Federal Aviation Administration (F.A.A.).

211.13 FLYING OF KITES, RADIO CONTROLLED AIRPLANES, RELEASE OF BALLOONS RESTRICTED

211.13(a) No person shall fly any kite, radio controlled airplane or similar device within one hundred (100) feet of any park building nor operate such device so as to endanger any park patron or thereby encroach upon the use and enjoyment of the parks by others.

211.13(b) No person shall release any type of balloon while on park property.

211.14 AMUSEMENT RIDES PROHIBITED

No person shall erect or operate any mechanical amusement rides, midway rides or similar apparatus within the parks.

211.15 VEHICLES IN PARKS GENERALLY

No person shall drive or propel any vehicle over or through the parks except along or upon park drives, parkways or boulevards.

211.15(a) PARKING OF VEHICLES

No person shall park any vehicle in the parks except in the areas designated for such purpose.

211.15(b) COMMERCIAL AND HEAVY LADEN VEHICLES PROHIBITED

No person shall drive, propel or park any heavily laden vehicle, or vehicle carrying merchandise, goods, material or rubbish, or any moving van or truck within the parks.

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211.15(c) VEHICLES - EXCEPTION

The provisions related to vehicles herein shall not apply to golf carts operated upon golf course paths, carts required for accessibility and operated by senior citizens or the disabled or where the operation and/or usage of such vehicles are approved by the Director as part of a program, activity or event.

211.15(d) IDLING ENGINES

No person shall keep a parked automobile, truck, bus or other vehicle engine running in parking areas or street of a park longer than five (5) minutes.

211.16 RIDING OR DRIVING ANIMALS

No person shall ride or drive any horse or other animal over or through the parks, except along or upon the designated bridle paths and driveways, or to or from loading or unloading points, or unless approval has been received therefore by the Director as part of a program, activity or event.

211.17 MOLESTING, INJURING, ETC., ANIMALS, FOWL OR FISH PROHIBITED

No person shall tease, annoy, molest, catch or throw any stone, object or missile of any kind at, or strike with any stick, object or weapon, any animal, fowl or fish in the parks.

211.18 GAMBLING, GAMES OF CHANCE PROHIBITED

No person shall gamble, or conduct or operate any bingo, lottery or other games of chance within the parks.

211.19 DISTRIBUTION OF ALCOHOLIC BEVERAGES RESTRICTED

No person shall sell, give away or otherwise distribute any alcoholic beverage, as defined by the Texas alcoholic Beverage code, on or within the parks unless authorized by concessions contract or agreement, or through a permit issued by the Director. In considering any permit request pertaining to alcoholic beverages, the Director shall evaluate the purpose of the permit request, the location of the proposed activity, and the likelihood of any adverse impacts of distributing such beverages. As a condition of any permit issued to sell or distribute alcoholic beverages, the Director may require the presence of two (2) or more Certified Peace Officers the cost of which to be borne by the requesting party. Approval of the Director to distribute or sell alcoholic beverages shall be conditional to any permit approvals, licensing requirements or restrictions of the Texas Alcoholic Beverage Commission (T.A.B.C.).

211.20 ALCOHOLIC BEVERAGES PROHIBITED

No Person shall consume or display any alcoholic beverage within:

211.20(a) any parks, park areas, or facilities that are currently designated as prohibited sites except with a permit issued by the Director;

211.20(b) a playground or within fifteen (15) feet of any playground apparatus; or

211.20(c) on or within fifteen (15) feet of any little league field or other sports field, inclusive of the seated viewing area, during youth play.

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211.21 ERECTING STRUCTURES, BILL POSTING, ETC. PROHIBITED

No person shall place, erect or attach any structure, sign, bulletin board, post, pole or advertising device of any kind whatever in the parks; or attach any notice, bill poster, sign, wire, rod or cord to any tree, shrub, fence, railing, post or structure in the parks unless authorized by special permit issued by the Director.

211.22 HANDBILL DISTRIBUTION

No person or bill distributor shall hand to or impose upon any park patron a handbill without the consent of such park patron, nor shall any bill distributor thereby encroach upon the use and enjoyment of the parks by others. Handbills may not be placed on cars or vehicles parked in any park.

211.23 WALKING, STANDING OR SITTING ON BORDERS, FLOWER BEDS, ETC. PROHIBITED

No person shall walk, stand or sit on or in any border, flower bed, monument, vase, fountain, railing or fence in the parks unless it is clearly designed or designated for such purpose.

211.24 REMOVAL OF PLANTS, TREE CUTTING PROHIBITED

No person shall remove or cut any flower, shrub, vine, tree or other plant in the parks without the written permission of the Director.

211.24(a) STREET TREES

No person shall cut, trim or remove any street tree without the written permission of the Director; such trees being defined as those trees along the streets between the curbs and property lines within the City.

211.24(b) PLANTING OF TREES, PLANTS RESTRICTED

No person shall plant any flower, shrub, tree or other plant in the parks, nor plant any street tree without the written permission of the Director.

211.25 HUNTING, USE OF FIREARMS PROHIBITED

No person shall hunt any animal or shoot, fire or discharge any pistol, shotgun or rifle, other firearm or archery arrow in, on, along or across any of the parks. The provisions herein shall not apply to designated archery ranges.

211.26 FISHING PROHIBITED - EXCEPTION

No person shall fish within the parks except in the designated areas of Lake Houston. This provision shall not apply to Hermann Park Lake provided such person is twelve (12) years of age or less or sixty-five (65) years of age or older, or where fishing is authorized by special permit of the Director.

211.27 PLAYING OF BASEBALL, FOOTBALL, ETC, RESTRICTED

No person shall play any game of baseball, football, golf, cricket, lacrosse, polo, hockey or other game of like character in the parks except at the places designated and provided such person has paid any required fees and/or secured any permits related.

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211.28 CANOEING OR BOATING RESTRICTED

No person shall place any canoe, raft, boat or other vessel of any type or description upon the waters of any lake, pond or pool in the parks. This provision shall not apply to Lake Houston, to any bayou running through the parks, to any concessions contract or agreement or special use permit authorizing such vessels, or to any model or toy boat which is not designed or intended for human transportation.

211.29 CERTAIN PROHIBITIONS AS TO DOGS OR OTHER ANIMALS IN PARKS, PARK BUILDINGS, AND FACILITIES

In order to promote the healthful and generalized use of the parks, entry into or remaining in any park, park building or park facility by persons with any dog or other canine or animal are subject to the following prohibitions and restrictions:

211.29(a) "Dangerous dog", "dangerous canine", and "dangerous animal" are defined to mean any dog or other canine or animal, City licensed or not City licensed, domesticated or not domesticated of whatever type or breed:

- (i) which by its type or breed is commonly known and recognized by the general public to be a vicious or dangerous dog, canine or animal, or which by virtue of its size, vicious nature or other characteristics is or appears to be dangerous to human beings.

211.29(b) "Non-dangerous dog", "non-dangerous canine", and "non-dangerous animal" are defined to mean any dog or other canine or animal, City licensed or not City licensed, domesticated or not domesticated, of whatever type or breed, which is not a "dangerous" one as defined in (1) of this Rule.

- (i) No person shall enter into or remain in any park with any dangerous dog or other dangerous canine or dangerous animal without the express prior written definitive consent and purpose of the Department Director.

211.29(c) Any person, subject to (e) of this Rule, may enter into and may remain in any park with any non-dangerous dog or other non-dangerous canine or non-non-dangerous animal, so long as it is (i) tame, (ii) domesticated, (iii) healthy, (iv) City licensed if applicable, and (v) leash controlled.

211.29(d) Notwithstanding (c) of this rule, no person shall enter into or remain in any special park facility or park building with any non-dangerous dog or other non-dangerous canine or non-dangerous animal without the express prior written definitive consent and purpose of the Department Director.

211.29(e) Exempted from the prohibitions set forth in this rule are:

- (i) Any Texas certified police officer or Houston Urban Park Ranger entering into or remaining in any park, special park facility, or park building with any dangerous or non dangerous dog or other canine or animal in the performance of his or her official duties;

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- (ii) Any person entering into with and transporting without interruption through any park, by vehicle or public street rights-of-way, any dangerous dog or other dangerous canine or dangerous animal, so long as any such dog, canine or animal is sufficiently secured to prevent its escape; and
- (iii) Any legally blind person entering into or remaining in any special park facility or park building with their personal certified guide dog.

211.30 ISSUANCE OF KEYS PROHIBITED

No person shall be issued a key or set of keys to any park building, structure or facility. This provision shall not apply to concessionaires where such keys are required for the routine conduct of business, to groups or organizations under a written operations agreement with the Department, or to the issuance of keys for ballfield lighting pursuant to receipt of the required key fee.

211.31 SMOKING IN CERTAIN PARK BUILDINGS, FACILITIES PROHIBITED

No person shall knowingly or intentionally be in possession of a burning tobacco product, or otherwise smoke tobacco in the public places of the following buildings and facilities operated by the Department:

- (i) the covered seating area of Miller Outdoor Theater during scheduled performances;
- (ii) gymnasiums, craft rooms, meeting rooms and similar public areas in City Community Centers;
- (iii) the concrete apron or deck area immediately surrounding any Municipal Swimming Pool;
- (iv) the Houston Garden center building;
- (v) the Houston Arboretum Building;
- (vi) the Long Row, the Gallery of Texas History and historical buildings in Sam Houston Park;
- (vii) golf and tennis pro shops, restaurants, gift shops and similar retail establishments operated by or through the Department;
- (viii) the enclosed seating area of any food concession, restaurant, restaurant bar or similar facility operated by or through the Department, except in designated exception areas where smoking may be permitted pursuant to Section 21-237 of the City Code;
- (ix) a lobby, reception area, hallway, registration area, public meeting room or other similar public area in the Department's headquarters building, or

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other park buildings having similar facilities, except in designated exception areas where smoking may be permitted pursuant to Section 21-237 of the City Code;

- (x) change, locker and/or shower rooms within or adjacent to any Municipal Swimming Pool, Municipal Tennis Center, golf course, City Community Center, or similar facility;
- (xi) permanent, enclosed restrooms whether such restroom is part of a park building or is free standing;
- (xii) elevators;
- (xiii) any public or work area where smoking is prohibited pursuant to the Fire Code of the City of Houston; and/or
- (xiv) any enclosed park building, facility or part thereof which is designated by the Director as a public place and/or where smoking is prohibited.
- (xv) within twenty five feet (25') of any door or entrance to any building, restroom facility or other enclosed structure in any park.

211.31(a) WORK AREAS OF PARK BUILDINGS, FACILITIES

Smoking in work or non-public areas of park buildings and facilities shall be permissible provided such activity is in conformance with the Fire Code of the City of Houston and any applicable policies and procedures promulgated by the Director.

211.31(b) CONCESSIONAIRES AND THEIR EMPLOYEES

Concessionaires of the Department and their employees shall not smoke tobacco or be in possession of a burning tobacco product in any area where such activity is prohibited under these rules, and said concessionaire shall prohibit their employees from smoking at any time such employee is in contact with or conducting business with the public.

211.31(c) SPECIAL EVENTS, ADDITIONAL PROVISIONS

To meet the needs of smokers and/or non-smokers during special events, the Director may designate temporary exception areas in park buildings and facilities where smoking is prohibited herein by rule, and/or designate additional non-smoking areas as appropriate. Such temporary exception areas or additional non-smoking areas shall be for the duration of the special event only, and considered only upon the request of the special event promoter, representative or agent. The designation of temporary exception areas by the Director shall not include elevators, restrooms, retail establishments, spectator seating areas of theaters, enclosed facilities being used for sporting or athletic events, public meeting rooms, registration areas, or areas where smoking is prohibited under the Fire Code of the City of Houston.

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211.31(d) IMPOSITION OF A FEE NOT AN EXEMPT USE

The imposition of any registration, entry or use fee as a condition of participation in or entry to, any activity or function regardless of sponsorship, shall not prevent a park building or facility from constituting a public place as defined in these rules.

Pursuant to City Ordinance Section 32-5 Department Rule and Regulation No. 211.32 is promulgated and filed in the Office of the City Secretary to be maintained for public inspection, as follows:

211.32 SHOPPING CARTS PROHIBITED

No person shall enter into or remain in any park with, exclusive of sidewalks in public street rights-of-way, a metal wire shopping cart or similar apparatus. Excepted from this prohibition so long as they do not interfere with the healthful and orderly use of a park are mobile food vendor units in place within a park pursuant to a current Mobile Food Vendor License issued by the Department.

Pursuant to City Ordinance Section 32-5 Department Rule and Regulation No. 211.33 is promulgated and filed in the Office of the City Secretary to be maintained for public inspection, as follows:

211.33 SNAKES AND OTHER REPTILES AND AMPHIBIANS PROHIBITED

In order to promote the healthful and generalized use of parks, no person shall enter into or remain in any park with any dangerous or potentially dangerous snake or other reptile or amphibian, of whatever species, and which is any of the following:

- (i) Venomous [dangerous by secretion, transmission or injection of poisonous venom];
- (ii) A constrictor [dangerous by squeezing or crushing by constriction]; or
- (iii) Whether poisonous or nonpoisonous, dangerous or potentially dangerous to human beings by virtue of its size, vicious nature of other characteristics,

Without the express written definitive consent and purpose of the Department Director excepted from this prohibition, so long as sufficiently secured to prevent its escape, is any snake or other reptile or amphibian being transported without interruption by vehicle on public street rights-of-way.

212 PARK OPERATING HOURS

Rules regulating park, building and facility operating hours.

212.1 OPERATING HOURS GENERALLY

The Director shall establish operating hours for parks, buildings and facilities commensurate with a combination of patron usage and demand, safety requirements, design and function, deed restrictions, and budgetary, staffing and programming requirements.

212.2 USE OUTSIDE OF OPERATING HOURS PROHIBITED

No person shall visit, use or otherwise occupy or be within or upon any park, building or facility outside their respective operating hours without the written permission of the Director.

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212.3 MUNICIPAL GOLF COURSES

Municipal golf courses shall be open to the public for play daily from dawn to dusk. Golf course pro shops shall be operated in accordance with the following schedule:

| | |
|--------------------------------------|---------------|
| DURING CENTRAL STANDARD TIME | 6:30AM-5:30PM |
| DURING CENTRAL DAYLIGHT SAVINGS TIME | 6:30AM-7:30PM |

212.4 MUNICIPAL TENNIS CENTERS

Municipal tennis centers shall be open to the public each day of the year except Thanksgiving, Christmas and New Year's days, and shall operate in accordance with the following schedule:

| | <u>Monday-Friday</u> | <u>Saturday & Sunday</u> |
|-------------|----------------------|------------------------------|
| HOMER FORD | 7:30AM-9:00pm | 7:30AM-6:00PM |
| MEMORIAL | 6:00AM- 9:00PM | 7:00am-6:00PM |
| LEE LECLEAR | 7:30AM- 9:00PM | 7:30AM-6:00PM |

All municipal tennis centers shall close at 4:00pm on December 24th of each year.

212.5 CITY COMMUNITY CENTERS

City Community Centers shall be open to the public in accordance with the operating periods established for the specific Center. All City Community Centers shall be closed on Sundays and City Council approved holidays.

212.6 TEMPORARY CLOSURE, CHANGE IN OPERATING HOURS

The Director may order the temporary closure or change in operating hours of parks, park areas, buildings or facilities. Such temporary closure or change in operating hours may be required as the result of renovation and construction projects, a safety, health or weather emergency, or other operations situation, and shall not be considered a permanent change in operating hours.

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220 USE PERMITS

The permit process required to conduct events, public gatherings meetings, activities, rentals of buildings and facilities, and other special uses of the parks.

221 PERMITS GENERALLY

The general rules and regulations governing special use permits.

221.1 SPECIAL USE PERMIT DEFINED

Special use permit shall be defined as the written authorization of the Director granting additional, extra, special and/or exclusive privileges to use parks, park areas, buildings or facilities for an intermittent or temporary basis.

221.2 SPECIAL USE PERMIT REQUIRED

A special use permit shall be required prior to any use of the parks for the purpose of conducting special events, fund raising activities, public gatherings, commercial promotions and uses, programs, meetings, or any other function which impacts open and free recreational use of the parks by the general public and/or requires the rights for temporary exclusive use.

221.2(a) FACILITY USE, TEMPORARY CONCESSIONS SPECIAL PERMIT USE BY DEFINITION

Applications for the rental of park buildings and facilities, and for temporary concession rights, shall be evaluated and construed as special permit requests; upon approval or issuance such use shall be considered as authorized by special use permit.

221.2(b) PERMIT NOT REQUIRED – EXCEPTION

Special use permits shall not be required for events, activities, programs or functions sponsored or co-sponsored by the Department, or by concessionaires where the conduct of such functions or activities are permitted under any lawful contract or agreement.

221.3 APPLICATION REQUIRED, DEFINED

Persons, organizations or other entities requesting use permits shall complete the appropriate application and provide any information as prescribed by the Director. Applications for such permits shall contain, at a minimum, the information required in Section 32-63 of the City Code.

221.4 REGULATORY NATURE OF PERMITS

The permit process shall be viewed as a regulatory function in which the request for special use of parks, park areas, buildings and facilities is evaluated against the provision or loss of basic recreational opportunities to the general public.

221.4(a) NON-RESTRICTED USE PERMITS

Non-restricted use permits shall include those special use permits issued for events or other uses of the parks where public participation is a function of the intended special use.

221.4(b) RESTRICTED USE PERMITS

Restricted use permits shall include those special use permits issued for functions or activities where public use of parks, park areas, buildings and/or facilities may be curtailed, or where commercial promotion or use of the parks is contemplated.

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221.5 EVALUATION OF PERMIT REQUESTS

Requests for special use permits, and any additional, special or extra privileges requested therein, shall be evaluated against the following criteria:

- (i) Whether the requested park, park area, building, facility or part thereof has been previously scheduled or reserved;
- (ii) The compatibility of the requested use with the design, function, amenities and purpose of the park, park area, building, facility or part thereof;
- (iii) The compatibility and relationship of the requested use with the surrounding neighborhood or community;
- (iv) The degree of impact of the requested use upon park lands, buildings, facilities and appurtenances;
- (v) The extent to which the requested use will interrupt the safe and orderly movement of traffic, or police, fire, ambulance or other emergency equipment on streets adjacent to, running through, or around the park or facility;
- (vi) The degree to which the requested use or function would be disruptive or promote disorderly conduct;
- (vii) The degree to which the requested use can be reasonably conducted without public safety or health hazard;
- (viii) The requested use does not violate any rules and regulations of the Department, the Charter and Code of the City of Houston, or state or federal laws;
- (ix) The past performance or non-performance of the requesting individual, company, organization or other applicant;
- (x) The ability of the requesting applicant to meet any stipulations, instructions or orders pertaining to, or required for the safe and orderly conduct of the function or requested use;
- (xi) The financial and managerial ability to conduct the requested use or function including the payment of any required fees and the provision of any required support services;
- (xii) The ability of the department to provide services, staff or equipment necessary to support the request;
- (xiii) Overall, whether the requested issue is restricted or non-restricted, and how such proposed use may have an adverse effect on the use of the park, park area, building or facility by the public.

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221.6 SPECIAL USE PERMIT A PRIVILEGE

A special use permit granted by the Director is for a temporary and interruptible use of a park, park area, building, facility or part thereof. Such permit is a privilege granted by the City and not a right, and does not and shall not be construed to convey any legal or equitable interest whatsoever to any park or part thereof.

221.7 PERMIT NON-TRANSFERABLE

A special use permit is issued in the applicant's name as an individual, or a representative or agent of a company, organization or other entity for a specific purpose, at a particular park, park area, building or part thereof, and for or during a specific date(s) and time(s). Such permit cannot be assigned, sold, lent, leased or otherwise transferred even though the name of the applicant, or name of the company, organization or other entity represented by the applicant may change.

221.8 ERECTION/CONSTRUCTION OF PUBLIC WORKS OF ART

No person shall erect or construct any temporary public works of art on park property without first obtaining a Special Use (Temporary Art) Permit authorized by the Director. The Houston Arts Alliance will review any temporary art proposals at the request of the Director. The erection and/or construction of permanent public works of art which are not in conjunction with the Civic Art Program must be approved and accepted for placement on park property by the Director. Donations to the City of Houston Art Collection should follow the procedures listed in the City of Houston's adopted Collection Management Policy. Such donations of artwork must be approved by the Director, approved by City Council, and are subject to review by the Houston Arts Alliance.

222 BUILDING AND FACILITY RENTAL

Rules and guidelines governing the rental and use of Department buildings and facilities.

222.1 RENTALS GENERALLY

Rentals shall be provided as a means of expanding recreational, leisure or other use opportunities of buildings and/or facilities by permitting the special or exclusive use thereof. Subject to the rules and regulations of the Department and the payment of any required fees, such rentals may be permitted for any lawful purpose.

222.2 RENTAL USE DEFINED, RENTAL REQUIRED

The requested use of a park building or facility by any person, group, organization or other entity, for the purpose of conducting any function, activity, program or event not sponsored or co-sponsored by the Department shall be considered a rental usage.

222.2(a) CERTAIN CIVIC CLUB, PARK ADVISORY COUNCIL USE EXEMPT FROM RENTAL

Department recognized Civic Clubs and Park Advisory Councils representing the immediate community or neighborhood area serviced by a City Community Center shall be entitled to one (1) free rental per month, provided such requested use is for the purpose of conducting a monthly business meeting. Requests for monthly meetings of Civic Clubs or Park Advisory Councils shall be made at least thirty (30) days in advance, and start and end at times mutually agreeable to the parties.

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222.2(b) CITY ADULT SPORTS LEAGUES

The requested use of sportsfields by teams registered in City adult sports programs, for practice or other non-City league play, shall not be considered a sponsored use. Such non-sponsored use shall be subject to any scheduling and payment of fees as may normally be required therefore.

222.2(c) USE OF PARK BUILDINGS AS POLLING PLACES

Park buildings, as available, may be used as Election Day polling places by political parties or by political subdivisions of the State. In lieu of the applicable fees established by City Council for rentals, such users shall pay for the cost of providing Department staff for duty during the time that the building is used. Such cost will be calculated based on the actual salary cost including overtime to staff the rental, but shall exclude any costs attributed to employee benefits.

222.3 CONFORMITY TO APPROPRIATE USE

Rentals shall conform to the design, function and designated use of a building, facility or part thereof. Such conformity to appropriate use shall be evaluated in determining both approved rental usage and any fees required prior to such rental usage.

222.3(a) GYMNASIUMS, MULTI-PURPOSE ROOMS

Gymnasiums and/or multi-purpose rooms shall be rented in accordance with the fee structure for gymnasiums when the purpose of the rental is for basketball, volleyball, badminton, indoor soccer or similar sports activity requiring a defined sports area. Such facilities shall be rented in accordance with the fee structure for multi-purpose rooms when the usage is for activities other than the sports activities illustrated in this rule.

222.3(b) OFFICES, SUPPORT FACILITIES NOT PART OF RENTAL

Administrative offices, mechanical and storage rooms, and similar rooms or facilities are not rentable, and shall not be considered as part of any building, facility or room rental.

222.4 RENTAL APPLICATION REQUIRED

Persons, organizations or other entities requesting building or facility rentals shall complete a facility reservation application and provide any information required thereon as may be prescribed by the Director. At a minimum, such information shall include the name, address and telephone number of the applicant and/or organization requesting the rental, the rental classification of the user, the facility name and time period requested for rental, the purpose of the rental, and the approximate number of guests expected to use the facility. No building or facility reservation shall be considered effective until all appropriate fees have been paid and any necessary approvals obtained.

222.5 RENTAL PERIOD DEFINED

The rental period for buildings and facilities shall be inclusive of the total time required for set-up and completion of the rental function or activity. Users shall be allowed up to thirty (30) minutes after the conclusion of the rental for take down and removal of user provided decorations and equipment. Rental usage which exceeds the rental period shall be subject to any additional use charges provided therefore.

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222.6 CERTAIN BUILDING, FACILITY RENTALS RESTRICTED

Community Center rentals shall not be permitted for centers designated as regional Community Centers or for non-regional centers during normally scheduled operating hours without the written permission of the Director. Rentals of meeting rooms, multi-purpose rooms or areas, or gymnasiums may be facilitated regardless of whether the building is open or closed provided such room or gymnasium has not been previously scheduled. Rental requests involving the use of City Community Centers and municipal swimming pools which end after 11:00pm shall require the written approval of the Director.

222.7 RESERVATIONS, USAGE PRIORITY

Reservations for Department buildings and facilities shall only be accepted if fees required for such usage are paid at the time of the request. Department sponsored, co-sponsored and/or scheduled programs, activities and events shall have priority usage over building and facility rentals. **EXCEPTION:** In order to maintain continuance of their programs, organizations requesting use of sports fields for league play, shall be given priority when reserving a field(s) during the time period permitted the previous year. All fees for usage of such field(s) must be paid a minimum of 30 days prior to the start date of the requested permit. Should such organization fail to renew their permit from year to year, this privilege will be revoked.

222.8 EVALUATION OF RENTAL REQUESTS

The rental of buildings and facilities may be refused or scheduled for alternate dates and times, or the rental of alternate sites and/or additional rental stipulations may be required, in accordance with the criteria established by the Director for the evaluation of permit requests (rule no. 221.5 as applicable thereto).

222.9 CANCELLATION OF RENTAL BY DEPARTMENT

The Department reserves the right to cancel and/or reschedule any building or facility rental for just cause upon due notice including any safety, health or weather emergency, or any inability of the Department to fulfill the rental agreement. Such cancellation by the Department shall entitle the user to any rescheduling or refund privileges as outlined in these rules and regulations.

222.10 RENTAL FOR YOUTH FUNCTIONS

When a building or facility rental is for a youth function, a minimum of one (1) adult chaperone for each twenty (20) guests or fraction shall be required. Such chaperones must be present prior to opening the building or facility for rental, and shall remain on the premises throughout the rental period.

222.11 RENTAL OF MUNICIPAL SWIMMING POOL, LIFEGUARD REQUIRED

The rental of a municipal swimming pool shall require the user to provide one (1) lifeguard for each twenty-five (25) guests or fraction for the duration of the rental. Such lifeguard(s) must have valid and current Lifeguard, CPR and AED certifications at the time of the rental.

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223 SOLICITATION PERMITS

The application, processing and issuing of permits for Solicitation in the parks.

223.1 PURPOSE OF RULES ON SOLICITATION

The purpose of promulgating these rules and regulations on solicitation is to assure fair use of and equitable access to public park areas, insure that properly authorized persons and organizations seeking to solicit funds have an equal opportunity to do so, allow for adequate security and safety measures for the protection of all persons using park facilities including those persons seeking to exercise their constitutional rights, provide for the free, unobstructed, orderly and efficient flow of traffic in and around park facilities, and insure that persons seeking to exercise constitutional freedoms of expression can communicate effectively with park patrons without encroaching upon the use and enjoyment of the parks by others.

223.2 POLICY STATEMENT ON SOLICITATION

Any person or organization desiring to distribute literature, to engage in entreaties to encourage the donation of funds, or to solicit funds within the parks operated by the City in the exercise of the constitutional rights of free speech and the free exercise of religion, shall be protected in such activities in accordance with the rules and regulations provided herein.

223.3 DEFINITION OF TERMS SPECIFIC TO SOLICITATION

The words used in these rules are to be defined according to their common, ordinary meaning unless otherwise indicated. The words below are to be given their common, ordinary meaning in addition to the inclusions or exclusions as stated in the following:

223.3(a) **COMMERCIAL ACTIVITY** - any activity undertaken for profit or direct monetary benefit including the sale, advertisement or display of goods and services;

223.3(b) **DIRECTOR** - the Director of the Department of Parks and Recreation;

223.3(c) **LITERATURE** -any printed, digital, or handwritten matter;

223.3(d) **PARK OR PARKS** - any or all of the parks and facilities under the management and control of the Department of Parks and Recreation;

223.3(e) **PERMITTEE** - a person soliciting or accepting donations pursuant to a permit duly issued under these rules and regulations;

223.3(f) **PERSON** - any natural person;

223.3(g) **RESTRICTED AREA** - any park, park facility or part thereof where solicitation is restricted under these rules;

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223.3(h) SOLICITATION OR SOLICIT FUNDS - the exchange or acceptance of money or any other thing of value by a person for a philanthropic, religious, charitable, benevolent, humane, public interest, political or similar eleemosynary purpose(s) or other non-profit activity. This term shall not include activities intended to directly benefit the individual making the solicitation which shall be considered commercial activity as defined hereunder and regulated by Chapter 32 of the Code of Ordinances and elsewhere in these rules and regulations.

223.4 RESTRICTED AREAS

Solicitation, the distribution of literature or entreaties to encourage the donation of funds are activities which may only be conducted in or upon those park facilities that are open to the public for common use. Under no circumstances shall such solicitation, distribution or entreaties be conducted in a restricted area. Restricted areas are as follows:

223.4(a) the land area, pro-shop and related buildings which comprise each of the municipal golf courses except when such activities are in direct conjunction with and during a golf tournament or event that has paid all applicable fees for the use of that course;

223.4(b) the land area, pro-shop and related buildings which comprise each of the municipal tennis centers except when such activities are in direct conjunction with and during a tennis tournament or event that has paid all applicable fees for the use of that course;

;
223.4(c) the Houston Garden Center and related grounds defined as the parking lot immediately in front of the Garden Center and the Garden Center proper comprised of the area within the confines of the perimeter fence except when such donations are approved as part of a rental thereof;

223.4(d) the Houston Arboretum and related grounds defined as the area behind the perimeter fence parallel to Memorial Drive including the access drive, parking lot and associated buildings;

223.4(e) the Lake plaza in Hermann Park and related parking lots defined as the paved area immediately in front of the main zoo entry and bounded by the zoo perimeter fence on the south, the train station, Boathouse, Restaurant, Restrooms and parking lot on the north, Hermann Park lake on the west, and Golf Course Drive on the East. The Hermann Park Japanese Garden defined as the area within the confines of the perimeter fence directly west of the reflection pool.

223.4(f) the interior of City Community Centers and an outside perimeter area of ten (10) feet surrounding such facilities except where solicitation is approved as part of the rental thereof;

223.4(g) Miller Outdoor Theater defined as the theater building and stage, the covered seating area, the outside viewing area immediately in front of and to the left and right of the covered seating area and up to the crest of the covered seating area up to the crest of the hill, and the plaza area directly in front of and on each side of the theater;

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223.4(h) Municipal Swimming Pools defined as the area inside the perimeter fence;

223.4(i) Any access controlled facility without prior approval of the Director of Parks and Recreation Department.

223.4(j) The Hermann Park Reflection Pool area and associated plazas including the double allee' of live oak trees on either side.

223.4(k) The land and related buildings and facilities that comprise playgrounds.

223.4(l) The land that comprises pedestrian or multi-use trails.

223.5 POSTING OF RESTRICTED AREAS REQUIRED

Restricted areas shall be posted clearly delineating the boundaries of such areas and in a place readily viewable by the public, as appropriate. The Department shall, upon request, furnish a desired site plan or park map to any person wishing to engage in the distribution of literature, entreaties to encourage the donation of funds, or for solicitation.

223.6 PERMIT REQUIRED FOR SOLICITATION

Any person or organization wishing to conduct solicitation in the parks shall first register with the Director before conducting such activity. Registration shall be made by filing an application form at Department Headquarters. Such application shall be as prescribed by the Director and at a minimum contain the information required in Section 32-63 of the Code of Ordinances. Upon receipt of an application containing the information required by the Director, and upon payment of any required fees, if space is available at the requested site then a permit shall be issued to the requesting person or organization.

223.6(a) SOLICITATION, PERMIT PERIOD DEFINED

Upon receipt of an approved permit, the permittee shall be entitled to engage in solicitation for a period of not more than seven (7) consecutive days. A new application form must be completed and submitted to the Director prior to each seven (7) day period or portion thereof that a person desires to engage in the activities regulated herein.

223.6(b) FILING PERIOD SPECIFIED

Applications for solicitation permits may be filed any time Monday through Friday from 8:00a.m to 4:45p.m., City holidays excluded. Such applications however, may not be filed during the time period of any active permit issued to the requesting person or organization. Upon receiving an application properly filed, the Department shall have three (3) business days to process the request.

223.6(c) AREA(S) UNDER PERMIT

The permit shall entitle the permittee to conduct solicitation only at the permitted area or site and only for the purpose requested. Permitted areas or sites shall be on a first-come first-served basis for allocation purposes. In the event that two or more permittees seek to conduct solicitation activities at the same site or area at the same time, then the available space shall be apportioned between or among permittees on as equitable basis as possible.

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223.6(d) FEE REQUIRED FOR NONCOMPETITIVE USE

Solicitation permits shall be issued at no cost to the permittee except when such application requests a park site reservation with no competitive use. Such permit requests shall be processed as Rally/Demonstration permits with a fee in accordance with that set by City Council for such permits.

223.7 APPLICATIONS, PERMITS ISSUED BECOME PUBLIC RECORD

All applications filed with the Director, whether or not a permit is issued, and copies of all permits which are issued shall be a public record and shall be available for inspection by members of the public during regular business hours. Copies of such applications and permits may be obtained at the regular fixed cost therefore as prescribed in the Code of Ordinances.

223.8 DISPLAY OF PERMIT REQUIRED

Permittees shall display their permit at all times while soliciting on park property. Such permit shall not be affixed or attached in any manner to any bench, tree, wall, post, light standard or similar park appurtenance.

223.9 CONDUCT DURING SOLICITATION

No permittee shall display literature, attach any placard, drape or banner on the sides of any table or booth, or attach any such material in any manner to any bench, tree, wall, post, light standard or similar park appurtenance. Permittees shall not in the conduct of their solicitation activities make any sound whether mechanical or otherwise which can be heard more than ten (10) feet from their approved solicitation area.

223.10 PROHIBITED ACTIVITIES

While engaging in solicitation, the distribution of literature, or entreaties to encourage the donation of funds as described in these rules, it shall be a violation of said rules to:

223.10(a) intentionally or knowingly causes physical contact with another when he or she knows or should reasonably believe that the other will regard the contact as offensive;

223.10(b) in any way obstruct, delay or interfere with the free movement of any person or seek to coerce or physically disturb any other person;

223.10(c) receive or accept any donation of money or thing of value outside the permitted solicitation area or site provided for under these rules and regulations;

223.10(d) solicit without first filing an application and receiving a permit from the Director as required under these rules;

223.10(e) in any way indicate to the public that one is a representative of the City of Houston or the Department of Parks and Recreation;

223.10(f) misrepresent one's identity or the purposes or affiliations of those engaged in the solicitation;

223.10(g) misrepresent whether the literature, printed matter or other material given away is without cost or donation;

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223.10(h) make any loud or raucous noise or disturbance which interferes with the transaction of business by Department employees, other permittees, or the public, or make any sound which emanates more than ten (10) feet from the permitted area or site;

223.10(i) refuse to display the permit issued under the provisions of these rules;

223.10(j) drape or attach any materials to any table, booth, or park appurtenance for solicitation purposes;

223.10(k) conduct solicitation, engage in the distribution of literature or in entreaties to encourage the donation of funds in a restricted area;

223.10(l) alter a permit issued by the Director without the express approval thereof;

223.10(m) solicit while displaying a permit issued by the Director in the name of another person or organization;

223.10(n) solicit in a designated park area or site after the expiration of any permit issued under these rules;

223.10(o) solicit for a purpose other than that set out in the application upon which the permit was issued; or

223.10(p) represent in connection with the solicitation that the issuance of a permit by the Director constitutes an endorsement or approval of the purposes of such solicitation by the City or any officer or employee thereof. Any violation of this rule shall result in the suspension of the permit and when advised of such, any failure to depart the premises may result in prosecution for criminal trespass.

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230 SPECIAL PARK AREAS AND FACILITIES

Refers to additional rules and regulations governing special park areas and facilities.

231 MUNICIPAL GOLF COURSES The Rules and Regulations promulgated for City of Houston golf courses are intended to ensure the common good of all patrons utilizing the courses. In the event an individual's rights appears to be abridged, it is done solely in the interest of the majority of citizen golfers.

231.1 SHIRTS REQUIRED

All players must wear shirts when in the parking lot, clubhouse, or pro shop; while utilizing the practice area(s), while playing the course, or while otherwise on the grounds of the golf course.

231.2 PAYMENT OF GREENS FEE - EVIDENCE THEREOF, REQUIRED

All players must pay the appropriate greens fee prior to play and carry a valid greens fee receipt for that day with them at all times. Greens fee receipts are good for 18 holes (or less) on the same day, and are subject to inspection by authorized employees of the City of Houston and/or the Course Management Firm. Payment methods include cash or major credit cards. Checks are not accepted.

231.3 PLAYERS MUST HAVE GOLF CLUBS

Each player is required to have a golf bag and a set of clubs. Clubs are available for rent in each pro shop.

231.4 NON-TOURNAMENT STARTING OF GOLF PLAY

All golf play will start at the first tee. Starting on the back nine is not allowed without prior approval of the Starter.

231.5 GOLFER'S FOOT WEAR SPECIFIED

Players must wear golf or athletic shoes. No boots or heavy soled shoes are allowed. All City of Houston golf courses are non-metal spike facilities.

231.6 ISSUANCE OF RAIN CHECKS

Rain checks will be issued for each player whose round has been halted by inclement weather prior to finishing 6 holes of play. Rain check holders are entitled to return under the same fee structure as originally purchased (i.e. Weekday, Weekend, Twilight, etc.). Rain checks may not be upgraded from one fee class to another and have no cash value. Rain checks must be utilized within thirty (30) days of the date of rainout.

231.7 STARTING TIME RESERVATION POLICY, CITY MANAGED GOLFCOURSES

Players may reserve starting times according to the below listed schedule:

Brock Park Golf Course: Tee times for play are available seven (7) days per week by accessing the HPARD Website at www.houstonparks.org or by phoning 713/559-2000. Tee time requests may be made four to six (4 to 6) days in advance of the desired date of play.

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Memorial Park Golf Course Tee times for play are available every day except Tuesday by accessing the HPARD Website at www.houstonparks.org, or by phoning 713/559-2000. Tee time requests may be made four to six days in advance of the desired date of play. Three days prior to the desired date of play, a computerized lottery will take place to randomly assign available tee times. Players will be notified of their success in obtaining a tee time via email.

Sharpstown Golf Course Tee times for play are available seven (7) days per week by accessing the HPARD Website at www.houstonparks.org, or by phoning 713/559-2000. Tee time requests may be made four to six days in advance of the desired date of play.

Gus Wortham Golf Course: Tee times for play are available seven (7) days per week by accessing the HPARD Website at www.houstonparks.org or by phoning 713/559-2000. Tee time requests may be made four to six days in advance of the desired date of play.

231.8 GOLF ETIQUETTE REQUIRED

Golfers are required to use the courses in accordance with the etiquette of golf, thereby protecting all tees, fairways, bunkers, and greens from damage and/or abuse. Golf is a game of honor and tradition. Safety, consideration of others, pace of play and care for the course are integral parts of the game. Golfers who play on the City of Houston golf courses agree to follow the guidelines and rules set forth in this document. Authorized course personnel may ask violators to leave the course.

231.9 GROUP SIZE DEFINED

No more than 5 players are allowed in any group. (NOTE: at Memorial, no more than 4 players are allowed in any group). All 5-somes shall be required to use electric golf cars on weekends and holidays, and may be required at other times. Courses may further restrict days or times 5-somes are allowed due to the amount of players and speed of play.

231.10 OPERATION OF GOLF CAR AND PULL CART

All electric golf cars and pull carts must be kept 30 yards from greens and tees when not on cart paths. Electric golf cars are to remain on paths on all par 3 holes, regardless of course conditions, and to observe the 90 degree rule on all other holes.

Electric golf cars may be restricted to use only on paths at the discretion of the Golf Course superintendent, or course Management Firm.

231.11 AGE REQUIREMENT FOR GOLF CAR OPERATION OR RENTAL

Golfers must be 18 years or older, or a licensed driver to rent electric golf cars. The driver of each electric golf car is responsible for any and all damage to the car, property, the course, or personal injury. Only two (2) riders and two (2) sets of clubs are permitted per electric golf car.

231.12 PRIVATELY OWNED GOLF CARS

Privately owned electric golf cars are permitted to be utilized upon the payment of a \$10.00 trail fee. This fee is waived for seniors (over age 65) and disabled golfers on weekdays (Monday through Thursday) only. Gasoline powered golf cars are prohibited.

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231.13 PACING OF GOLF PLAY REQUIRED

All golfers must learn to play at a good pace for their own benefit and for the pleasure of those around them. Golfers will play at the proper pace if they focus on staying with the group ahead of them. A group is out of position when they fall more than one stroke behind the group in front, regardless of their relation to the group behind. Any group that falls out of position must take immediate steps to stay within the above relationship to the group ahead of them. Should a group continue to fall behind the group ahead of them, the Player Assistant will be authorized to require the slower group to leave the course.

231.14 LITTERING PROHIBITED

Littering is prohibited. All trash must be placed in the appropriate receptacles provided. Golfers who litter will be asked to leave the course. Many courses have recycling containers for plastic and aluminum which you are also encouraged to use.

231.15 NON-GOLF ACTIVITIES OR USE PROHIBITED ON COURSE - EXCEPTION

Non-golfers or non-golf related activities are prohibited on the grounds of City of Houston golf courses. Walking, jogging, running, cycling, rollerblading, skateboarding, etc. are not permitted on the courses. Glenbrook Golf Course may be crossed using the route provided to citizens visiting the neighborhood park or swimming pool.

231.16 PETS PROHIBITED ON GOLF COURSES

Pets are prohibited on the courses. Assistance animals may accompany an individual with prior approval of the Director or golf course manager.

231.17 TIME LIMIT FOR LOST BALL SEARCH

No more than five (5) minutes may be spent searching for lost balls. Speed of play must be maintained in taking practice swings and lining up putts.

231.18 RIGHT OF CONCESSIONS AND SALES DEFINED

The City of Houston or the Course Management Firm, by City Ordinance, have the exclusive right to sell or rent golf related equipment, sell food and beverages, and give lessons at each golf course. Sale of equipment (including golf balls), food and beverages, and provision of lessons by any person or group other than the City or a City designee, or the course Management Firm is prohibited.

231.19 BRINGING ALCOHOLIC BEVERAGES ON TO GOLF COURSE PROHIBITED

Alcoholic beverages purchased off the premises and/or ice chests and coolers may not be brought into the buildings or onto the grounds of any City of Houston golf course.

231.20 GAMBLING PROHIBITED

Gambling or other games of chance are prohibited on all City of Houston golf courses.

231.21 INFRINGEMENTS ON OTHER GOLFERS PROHIBITED

Public lewdness, drunkenness, boisterousness, and other infringements upon the rights of others at City of Houston golf courses are prohibited.

231.22 TOURNAMENT CLOSURE OF COURSE

Courses may be periodically closed, or blocks of time set aside, for tournament play.

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231.23 RESPONSIBILITY OF INDIVIDUAL GOLFERS

Individual golfers bear sole responsibility for personal injury or property damage caused by any golf ball or other object they have struck, or by any club or club part involved in the swing. Golfers are requested to inform a golf course employee should an incident occur.

231.24 RANGE BALLS PROHIBITED FOR GOLF PLAY

Golfers are prohibited from playing with any ball marked or striped as a range ball. Theft of golf balls from the practice range at any City of Houston golf course is illegal, and violators will be subject to prosecution.

231.25 TOURNAMENT RESERVATIONS FEE SPECIFIED

Tournament play of four or more golfers utilizing advance reservations will be assessed an additional tournament fee per player. The amount of the fee varies by course.

231.26 CATERING ON GOLF COURSES

Food Service concessionaires at the respective courses shall have the first right of refusal in catering any tournament or event scheduled at that course.

231.27 GOLF BALL HAWKING PROHIBITED

“Ball Hawking” (the search for and or recovery of lost golf balls on the golf course), or the sale or attempted sale of new or used golf balls on the course is prohibited, and violators are subject to prosecution.

231.28 GOLF LESSONS BY AUTHORIZED PERSONNEL ONLY

Lessons offered for a fee on the course or at the practice range may only be provided by City or Course Management Firm authorized personnel. Violators will be asked to leave the premises.

231.29 DISCRIMINATION PROHIBITED

No person shall be discriminated against on the basis of race, color, religion, creed, sex, age, national origin, or disability during the use of the City of Houston golf courses.

231.30 AUTHORITY OF PLAYER ASSISTANTS, SUSPENSION OF PRIVILEGES

Player Assistants or other authorized personnel may request that a player or players cease play and leave the course if found in violation of these rules and regulations. The City of Houston reserves the right to revoke playing privileges of any person or persons for a specific period of time as determined by the Director.

231.31 MEMORIAL PARK GOLF COURSE SPECIFIC RULES

231.31(a) ADDITIONAL, SPECIAL RESERVATION PROCEDURES

In addition to the starting time reservation system described in Rule 231.7, advance reservations at Memorial may also be made from four (4) to sixty (60) days in advance by the payment of a separate reservation fee for each player for whom a time is reserved. A minimum of four (4) players are required to utilize this service. This fee must accompany the applicable greens fee for the day being reserved. The reservation fee shall be \$15.00. Tournament play is subject to this fee as well, unless written approval of a waiver of the fee is made by the Director.

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231.31(b) SHIRTS REQUIRED, MEMORIAL PARK GOLF COURSE REQUIREMENTS
All male players must wear shirts with collars and sleeves when in the pro shop or while playing the course. When in the restaurant area or utilizing the practice facilities, a shirt with sleeves is required. Female players may wear sleeveless or collarless golf blouses. All players must wear hemmed shorts or slacks. Bathing suits, cutoffs, short shorts, and tube or tank tops are prohibited.

231.31(c) MEMORIAL GROUP SIZED DEFINED
Groups larger than foursomes are not permitted at Memorial Golf Course.

231.31(d) MEMORIAL GOLF COURSE CLOSED TUESDAYS - EXCEPTION
Memorial shall remain closed to public play on Tuesdays, unless a City holiday falls on Tuesday, in which case normal course hours may be observed. The driving range facility at Memorial will be open Tuesdays from 4:00 pm until 8:30 pm, weather permitting.

231.31(e) SPECIAL EVENTS REQUIRED
In order to ensure individual access to the use of Memorial, special events will be limited to a maximum of twenty five percent (25%) of the total days the course is open to the public.

231.31(f) ADDITIONAL TOURNAMENT CHARGE
Tournament sponsors utilizing Memorial Golf Course are required to pay an additional \$5.00 per person pro shop fee, which may be utilized in awarding prizes or gift certificates to participants.

231.31(g) PARKING RESTRICTED
Parking in the golf course parking lot is reserved for those utilizing the golf facilities (including the restaurant).

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700 PROGRAMS

710 ADULT SPORTS

A variety of adult sports activities sponsored by the Department and/or provided through the use of City recreation facilities.

711 ADULT SPORTS PROGRAMS-GENERAL

The general rules, regulations and guidelines under which adult sports programs are provided.

711.1 PROVISION OF ADULT SPORTS

The Department will provide and/or facilitate adult sports programs based on a combination of demand, desirability, suitability of location and facilities, staffing requirements and availability, availability of officials, scheduling constraints, and/or the cost effective provision thereof. Programs and/or activities not meeting these criteria may be modified, rescheduled or suspended.

711.2 ADULT SPORTS OFFICE

There shall be established within the Department an Adult Sports Office with responsibility to coordinate, manage and monitor adult programs and activities. Such Adult Sports Office shall be located at Department headquarters.

711.3 ORGANIZATION BY TEAM

Adult Sports programs and/or activities shall not be designed for individual placement of participants, but shall be conducted, scheduled and facilitated as a team sport in which each team is assumed to be a pre-assembled entity. Each team shall be responsible for its overall actions, or lack thereof, as well as the actions of its individual players since either may affect the status of the team as a whole.

711.4 TEAM REGISTRATION REQUIRED

Each Adult Sports team using City facilities for practice, regular, playoff or tournament play must be registered with the Department during their period of play.

Such registration shall be in the form of and contain the information prescribed by the Director. Registration must be completed in person by the Team Manager or representative, and shall not be considered complete until all registration and/or entry fees have been paid.

711.4 (a) PERIOD OF PLAY DEFINED

Period of play shall be defined as the seasonal time period in which a team is scheduled to play, and is inclusive of, regular, playoff and tournament play. For the purposes of registration, in no event shall the period of play exceed a total time of more than six (6) months.

711.5 TEAM MANAGER REQUIRED

Each team registering for City league play shall designate a Team Manager or representative at the time of registration. Such manager or representative shall serve as the team's contact person for registration, scheduling, scheduling changes, permitting, rules and general information dissemination.

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711.6 CURRENT INFORMATION REQUIRED

Teams registered with the Department must keep all required information current and up-to-date during their period of play. Failure of a team to maintain current information status may result in an inability to notify the team of pertinent information and/or suspension of the team's registered status during the established period of play.

712 CITY ADULT SPORTS LEAGUE

Refers to the rules, regulations and guidelines under which City Adult Sports Leagues are conducted by the Department.

712.1 CITY LEAGUES DEFINED

City Leagues shall be defined as those team sports leagues sponsored, operated and managed by the Department and which typically include such team sports as softball, volleyball, basketball, soccer, flag football, kickball and/or other sports approved by the Director.

712.2 REGISTRATION GUIDELINES-CITY LEAGUES

Each team wishing to participate in the City Adult Sports Leagues must be registered in advance at Department headquarters or other designated registration site within the published registration period. Such registration shall be completed before each period of league play and will be limited to available openings filled on a first come, first served basis.

712.2(a) REGISTRATION REGULATED BY PERFORMANCE CRITERIA

The registration of teams in the City Adult Sports program, while conducted on a first come, first served basis, shall also be regulated by performance criteria established for each league. Such performance criteria shall recognize various team proficiency levels overall in the Adult Sports-program, and provide for meaningful competitive play between teams.

712.2(b) LATE REGISTRATION PERIOD

A late registration period will be held to fill any league openings at the close of the advance registration period. A list of teams awaiting notification of available late registration openings will be maintained in the Adult Sports Office. Openings will be filled on a first come, first served basis after such notification. At the close of registration, such waiting list shall be cleared until the next period of league play.

712.2(c) CLOSE OF REGISTRATION

Registration for each period of league play shall be considered closed at 5:00pm on the last business day prior to the beginning of such play

712.2(d) INSUFFICIENT REGISTRATIONS

Should available league openings not be filled at the close of registration, a delay or postponement of league play may be authorized to recruit additional teams or league play continue as scheduled or be conducted under modified rules, or the league may be cancelled. Any team completing registration prior to any league cancellation shall be entitled to a full refund of entry fees paid.

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712.3 ENTRY FEES

Each team registering in the City Adult Sports leagues shall pay the fee established by City Council at the time of registration. Such fee shall cover the cost of sponsored sports field usage, scheduling, officiating and trophies inclusive of the championship for that league. The costs for playoffs toward a championship outside scheduled City league play shall be borne by each qualifying team as an additional expense.

712.4 RULES OF PLAY

City Adult Sports league play shall be conducted under the general guidelines of the Texas Amateur Athletics Federation (T.A.A.F.) or other appropriate amateur athletics jurisdiction, however the Department may modify, substitute or make other changes to such guidelines as may be necessary and prudent in the conduct of play. A complete listing of the rules of play for each team sport sponsored through the City leagues shall be available to every team during the registration period.

712.5 LEAGUE PROTEST

Any team wishing to protest an official's call and/or resulting game outcome shall file such protest in writing at the Adult Sports Office on the business day following the game date. Protests must be filed on the form prescribed by the Director, signed by the team manager or representative, and accompanied by the protest fee approved by City Council. The administration of such protests shall follow the rules of play published for that League. Omission of any part of the published protest policy or procedure shall constitute a "no protest" condition and such protest shall be disallowed.

712.6 MANAGERS MEETING

The Team Manager or representative appointed for each team registered for City League play must be available to attend one (1) or more manager's meetings throughout the period of league play. Should the Team Manager or representative be unavailable at the time of the manager's meeting, an alternate may be appointed by notifying the Adult Sports Office. The purpose of such meetings are to disseminate rules and regulations, procedures, schedules or other such information governing the play of a particular league. The failure of any team to provide such representation may result in the disqualification of said team from league play without refund of paid fees.

713 INDEPENDENT SPORTS LEAGUES

The rules and regulations governing the use of City facilities by independent sports leagues and the affiliation of Department employees therewith.

713.1 INDEPENDENT LEAGUES DEFINED

Any team sports leagues sponsored and managed by private persons, organizations or other entities not affiliated with the Department.

713.2 REGISTRATION FEE REQUIRED

Each team of each independent league wishing to utilize City facilities for practice, regular play, playoffs or tournaments must register with the ballfield permits office and pay the required fee approved by City Council. Such fee shall be for registration costs only, and shall not be construed to cover rental, permit, concessions or other costs which may be associated with the conduct of independent league play.

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713.2(a) REFUND OF REGISTRATION FEES

Refund of team registration fees will be granted to team managers provided such request is made on or before the business day one week preceding the season's start date. No refunds shall be given for a request submitted less than seven (7) calendar days preceding the season's start date. It should also be noted that it could take up to ninety (90) days from the date your refund request is received to be processed. All requests must be requested in writing to the Ballfield Permits Office and have the following information:

- Team manager's name, address, telephone number and signature.
- Team name, night, league and field.
- Reason for withdrawal.

713.3 OTHER FEES AND CHARGES

Other fees and charges related to the use of City and /or the Department facilities shall be those approved by City Council, and shall be governed by any of these rules and regulations related thereto.

713.4 FACILITIES USAGE-PRIORITY

The rules and regulations governing the permitting of sports fields for private league play.

713.4(a) The registration of teams associated with independent leagues shall not guarantee the availability of facilities for their use.

713.4(b) To insure the continuity of independent league play from year to year, independent leagues will be given first rights to the fields, dates and times that were permitted to them the prior year. This right will only be granted if all policies of the Department are met within the prescribed deadlines. Department sponsored programs, activities and/or events have priority over usage by independent leagues.

713.5 EMPLOYEE AFFILIATIONS PROHIBITED

No full or part-time Departmental employee shall organize, sponsor, manage and/or officiate any teams, games or tournaments associated with independent leagues registered with the Department.

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720 RECREATIONAL AND LEISURE PROGRAMMING

The rules and guidelines under which arts and crafts, fitness, cultural, educational and similar programs are conducted and to the general guidelines for the conduct of programs.

720.1 PROVISION OF RECREATIONAL AND LEISURE PROGRAMMING

Recreational, leisure and similar programming will be provided by the Department based on a combination of public demand and desirability, suitability of location and facilities, staffing requirements and availability, scheduling constraints, and the cost effectiveness of such programs.

720.2 INDIVIDUAL REGISTRATION REQUIRED

Participation in recreational and leisure programs conducted by the Department shall be by individual registration of participants. Such individual registration of participants shall be submitted in the specified form and contain the registration information as required.

720.2(a) REGISTRANTS UNDER EIGHTEEN (18) YEARS OF AGE

Persons under eighteen (18) years of age at the time of registration shall require the written parental approval prior to any participation in such program or activity.