

## ORDINANCE NO. 2025-66

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS; AMENDING THE CODE OF ORDINANCES, RELATED TO CHAPTER 1 TITLED "PARKS" AMENDING SECTION 1.10.002 TITLED "PARKS RULES", AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR FINDINGS OF FACT, ENACTMENT, EFFECTIVE DATE, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, the City of Bastrop ("City") seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and,

**WHEREAS**, staff has reviewed Chapter 1.10.002 of the City Code titled Parks Rules. Staff has made recommendations in order to amend the regulations, standards, and procedures and make clarifications, and modifications, as applicable to the chapter; and,

**WHEREAS**, the Parks and Recreation department has reviewed the City Code regarding the concession stand at the Fisherman's Park splashpad and held discussion with the Parks and Recreation board; and,

**WHEREAS**, the city has the full power of local self-government as recognized by Tex. Loc. Gov't Code § 51.072; and

**WHEREAS**, the City Council finds the attached amendment reasonable and necessary; and

**WHEREAS**, the City Council deems it in the public's interest to amend City Ordinance 1.10.002 of "Parks Rules" as provided below

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

### **Section 1: FINDINGS OF FACT**

The facts and recitations set forth in the preamble of this ordinance are hereby found to be true and correct.

### **Section 2: AMENDMENT**

Chapter 1 Article 1.10.002 is hereby amended to read as set forth with the underlines / red being additions, double underlines being moved text, and strikethroughs being deletions.

Concessions *stand*. The concession stand at the splash pad located in Fisherman Park shall be available for use by all individuals allowed by law ~~under the age of 17~~ and for a period of no longer than fourteen (14) consecutive days. Parent or guardian adult supervision is required for use of the concession stand if the applicant is under the age of 17. For reservation of the city concession stand, a deposit is required. All other concession stand will be handled through a county permit. All individuals who reserve the concession stands shall comply with chapter 4 of this Code and shall be responsible for payment of all applicable vendor and permitting fees. Use of the concession stand will be on a first come, first served basis. See section A1.10.002 of the fee schedule in appendix A for additional information related to commercial and noncommercial uses and fees.

**Section 3: REPEALER** To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters regulated, herein.

### **Section 4: SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this ordinance.

**Section 5: CODIFICATION** The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

**Section 6: EFFECTIVE DATE**

This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

**READ & ACKNOWLEDGED** on the First Reading on this, the 9<sup>th</sup> day of September, 2025.

**READ & APPROVED** on the Second Reading on this, the 23<sup>rd</sup> day of September, 2025.

**APPROVED:**



Ishmael Harris, Mayor

**ATTEST:**



Michael Muscallero, City Secretary



**APPROVED AS TO FORM:**



City Attorney

Denton Navarro Rocha Bernal & Zech, P.C.