

Chapter 74 - PARKS AND RECREATION

FOOTNOTE(S):

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Charter reference— Power of city to acquire property for parks and playgrounds, § 7; park board, § 162; no lien on city parks, § 168

State Law reference— Right of eminent domain, V.T.C.A., Local Government Code § 251.001; local parks and recreation, V.T.C.A., Local Government Code § 331.001.; authority of city to police city-owned property outside city, V.T.C.A., Local Government Code § 341.903; lease of park lands from state parks and wildlife department, V.T.C.A., Parks and Wildlife Code § 13.006; destruction of property, V.T.C.A., Penal Code § 28.03 et seq.

ARTICLE I. - IN GENERAL

Sec. 74-1. - Establishment of parks, recreation and open space department.

There is hereby created for the city the department of parks, recreation and open space.

(Code 1982, § 21-1; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 1, 8-19-2008)

Sec. 74-2. - Director of parks, recreation and open space department.

The city manager shall appoint the director of the department of parks, recreation and open space to serve at the pleasure of the city manager, and the director shall have such duties and responsibilities as may, from time to time, be delegated to him by the city manager and the city council.

(Code 1982, § 21-2; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-3. - Park names.

It is appropriate to name or rename certain city parks in honor and recognition of several outstanding individuals who served the community well, and it is further appropriate to name other city parks with a geographical name. The following parks are hereby named as follows:

Present Name	Location
Finch Park	Standifer and Bengé
Wattley Park	Charleston
Fitzhugh Park	East Fitzhugh
Old Settlers Park	East Louisiana

Old Settlers Park Recreation Center	East Louisiana
Murphy Park	Josephine and Morris
Central Park	West Hunt
Mouzon Fields at Old Settlers Park	East Greenville
Cottonwood Park	212 McMakin Street
North Park	North Church
Erwin Park	Rt. 4, Box 101C
Municipal Golf Course	North Highway 121
Wilson Creek Soccer Complex	1986 Parkview Drive
Alex Clark Memorial Disc Golf Course	1986 Park View Drive Comegys Creek Park
(community center site)	2001 S. Central Expwy.
Wilson Creek Greenway	Wilson Creek—Various locations
Towne Lake	Wilson Creek Pkwy. and Parkview Dr.
Valley Creek Park	2750 Valley Creek Trail
W. B. Finney Park (at Glen Oaks)	6350 Glen Oaks Drive
Winniford Park	4900 Highlands Drive
Mary Will Craig Park	2701 Bois D'Arc Road
Falcon Creek Park	301 Peregrine Drive
E. A. Randles Park	5400 Cedar Elm Drive
Ezra Lee (Tinker) Taylor Memorial Park	4301 Eldorado Parkway

Gabe Nesbitt Community Park	7001 West Eldorado Parkway
Hill Top Park	1850 Winding Brook Drive
Dr. Glenn Mitchell Memorial Park	300 West Louisiana Street
A. Hardy Eubanks, III Park	1501 Round Hill Road
Dr. Charles B. McKissick Park	2702 Old Celina Road
Serenity Park	6701 Berkshire Road
Tom Allen, Jr. Park	3301 Bahnman
Aviator Park	1201 Monticello Drive
Dwayne Howell Meditation Garden	2001 South Central Expressway
Horizon Park	401 Flatrock Drive
Carey Cox Memorial Park	1611 N. Stonebridge Drive
Rowlett Creek Park	4200 Big Fork Trail
Ash Woods Park	10301 JFK Boulevard
Inspiration Park	4212 Shawnee Drive
Jim Ledbetter Park	3212 Bluewood Drive
John M. Whisenant Park	3700 Hudson Crossing
Veterans Memorial Park	6053 Weiskopf Avenue
Bonnie Wenk Park	2996 Virginia Parkway
The Crape Myrtle Trails of McKinney World Collection Park	6452 Collin McKinney Parkway

(Code 1982, § 21-3; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 94-09-35, § 2, 9-6-1994; Ord. No. 96-04-17, 4-2-1996; Ord. No. 96-08-32, 8-6-1996; Ord. No. 98-05-28, § 1, 5-5-1998; Ord. No. 99-12-98, § 1, 12-7-1999; Ord. No. 2001-01-002, § 1, 1-2-2001; Ord. No. 2001-06-064, § 1, 6-6-2001; Ord. No. 2001-07-077, § 1, 7-17-2001; Ord. No. 2002-06-054, § 1, 6-4-2002; Ord. No. 2003-12-111, § 1, 12-16-2003; Ord. No. 2003-12-112, § 1, 12-16-2003; Ord. No. 2003-12-113, § 1, 12-16-2003; Ord. No. 2004-03-030, § 1, 3-16-2004; Ord. No. 2004-08-081, § 1, 8-2-2004; Ord. No. 2006-04-035, § 1, 4-4-2006; Ord. No. 2006-05-063, § 1, 5-22-2006; Ord. No. 2006-07-093, § 1, 07-31-2006; Ord. No. 2007-05-042, § 1, 5-1-2007; Ord. No. 2007-05-043, § 1, 5-1-2007; Ord. No. 2007-06-057, § 1, 6-5-2007; Ord. No. 2007-06-058, § 1, 6-5-2007; Ord. No. 2007-12-128, § 1, 12-18-2007; Ord. No. 2007-12-129, § 1, 12-18-2007; Ord. No. 2007-12-130, § 1, 12-18-2007; Ord. No. 2009-03-018, § 1, 3-3-2009; Ord. No. 2009-03-019, § 1, 3-3-2009; Ord. No. 2010-07-022, § 1, 7-20-2010)

Sec. 74-4. - Park hours.

Hours of general park use shall normally be from one hour before dawn until 11:00 p.m. The hours of general park use for Erwin Park shall be from 7:00 a.m. to 10:00 p.m. Parks shall be open for the public every day of the year during designated hours, except for unusual and unforeseen emergencies. Variation in hours may be permitted by the director of the parks, recreation and open space department.

(Code 1982, § 21-4; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 97-10-56, § 1, 10-7-1997; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-5. - McKinney Community Center hours.

It shall be unlawful for any person, other than authorized personnel and staff, to enter upon the premises of the McKinney Community Center building other than during the hours the facility is officially open.

(Code 1982, § 21-5; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-6. - Juanita Maxfield Swim Center hours.

It shall be unlawful for any person, other than authorized personnel and staff, to enter upon the premises of the Juanita Maxfield Swim Center other than during the hours the facility is officially open.

(Code 1982, § 21-6; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-7. - Swimming, boating, and fishing in parks.

- (a) It shall be unlawful for any person to utilize any creek, pond, lake or other body of water in any park in the city for swimming or boating, unless such activities are specifically authorized and permitted by other regulations or policies.
- (b) Electric or gas powered motor boats are unlawful on all water bodies except by approval from the director of the parks, recreation and open space department or his authorized representative.
- (c) Fishing shall be permitted only from the banks of any creek, pond, lake or other body of water in any public park. No trotlines, throw lines, fish traps or nets shall be permitted. Fish may not be cleaned in any park.

- (d) The terms of this section shall not apply to any municipally owned or operated swimming pools or boat rental operations.

(Code 1982, § 21-7; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-8. - Disrupting or interfering with supervised play or amusement program conducted by parks, recreation and open space department; expulsion from parks and recreation property.

- (a) It shall be unlawful for any person to willfully interfere with, disrupt, or prevent the orderly conduct of any supervised play or amusement program conducted by the parks, recreation and open space department of the city in any building, swimming pool, playground or park area located in or on any public property within the city.
- (b) It shall be unlawful for any person to remain in any building, swimming pool, playground or park area in or on any public property within the city after being advised by the supervisor or center director or the parks, recreation and open space department to leave such building, swimming pool, playground or park area located in or on any public property within the city.
- (c) Public property, as used in this article, shall mean any property held for public use by any department or branch of an independent school district, community college district or municipal government within the city limits or the city government.
- (d) Any person charged with violating any rule or regulation of the parks, recreation and open space department may be expelled from any property and facilities of the parks, recreation and open space department; provided a hearing is held before said department director and the person charged is given the opportunity to present his response to such charges. Upon a finding of grounds for expulsion, any person who is expelled from any public park or facility of the city by the parks, recreation and open space director who comes onto any park property shall be guilty of a misdemeanor and upon conviction shall be fined as hereinafter provided. The expulsion shall be for a length of time as the parks, recreation and open space director shall direct, but shall not exceed 90 days. This expulsion may be applied to the next session of league play, as may be determined by the director.
- (e) The park board will serve as the final appeal board for any person who is charged with a violation under this section and who has previously appeared before the parks, recreation and open space director. The park board's ruling shall be final.

(Code 1982, § 21-8; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-9. - Bicycle riding in parks and on bike trails.

Bicycle riding shall be governed further by safe riding practices and consideration for use of park areas by others. Where special parking provisions have been made for bicycles, parking shall be limited to that area. Bicycle riding shall be prohibited in playgrounds, flower beds, sidewalks or display areas, on tennis courts or athletic courts or athletic fields or in picnic pavilions.

(Code 1982, § 21-9; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-10. - Overnight camping.

Overnight camping shall be unlawful except by special permit issued by the director of the parks, recreation and open space department or his designated agent for designated park areas. All groups shall observe and obey all park rules and regulations and restore their campsite area to its original condition.

(Code 1982, § 21-10; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-11. - Fires.

Fires shall be permitted only in enclosed fireplaces or grills provided for this purpose, except with written permission of the fire marshal or his designated agent and the parks, recreation and open space department's director, or his authorized representative, in designated areas. It shall be unlawful to leave an area without extinguishing a fire. After use, coals shall be thoroughly extinguished with water and cooled and disposed of in a trash can. Privately owned charcoal grills are not permitted on grass areas or on picnic tables.

(Code 1982, § 21-11; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-12. - Unlawful to damage plants in parks or on other recreational facilities.

It shall be unlawful to damage, cut, carve, mark, remove, transplant, break, pick, or in any way injure, damage or deface any plants or turf within or upon any parks, parkways, greenbelts or other recreational areas. It shall further be unlawful to bring in any plants to any park, parkway, greenbelt, or other recreational area or facility without prior approval of the parks, recreation and open space director. For the purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, flowers, or the seed thereof.

(Code 1982, § 21-12; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-13. - Unlawful to possess or break glass or glass beverage containers and other dangerous objects in swimming pools, recreation centers, and other designated park areas.

It shall be unlawful to possess on the premises of any swimming pool, recreational center, or any other designated park area any glass beverage containers. It shall also be unlawful to willfully break any glass or glass container in any swimming pool, recreation center, or any designated park area.

(Code 1982, § 21-13; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-14. - Request to charge admission to city-owned or city-controlled facilities.

- (a) The parks, recreation and open space department may approve requests on the part of individuals or groups utilizing parks and recreation facilities to:
- (1) Charge admission to city-owned or city-controlled facilities;
 - (2) Control the movement of pedestrians in vehicles in or on the facilities included in the requests;
 - (3) Sell tickets or otherwise make admission charges in amounts set by the then-current fee ordinance; or
 - (4) Deny admission to persons who refuse to pay the approved admission charges, or any combination of the above.
- (b) The charges may be further subject to control as prescribed by the city council.

(Code 1982, § 21-14; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-15. - Unlawful to leave child under seven years of age unattended.

It shall be unlawful for a parent, guardian, or other adult having care, custody, and control of a child to abandon or in any way leave unattended a child under seven years of age in any park or recreational facility except for a supervised program or activity.

(Code 1982, § 21-15; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-16. - Unauthorized sale of goods within park unlawful.

It shall be unlawful to offer any goods or services for sale within parks, parkways, or other recreational facilities, or on public streets and rights-of-way within 300 feet of the boundary of the same, except in commercial areas where property zoned for retail and commercial buildings has a certificate of occupancy for such business purposes or unless specifically authorized by the parks, recreation and open space director.

(Code 1982, § 21-16; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-17. - Firearms, projectile weapons, etc.

- (a) It shall be unlawful for any person to carry a concealed handgun, as that term is defined in section 70-1, in a city park, except those persons who are duly licensed by the state to carry a concealed handgun in accordance with the provisions of V.T.C.A., Government Code ch. 411, subchapter H, as amended, the Texas Concealed Weapons Act.
- (b) It shall be unlawful for any person to carry or discharge a projectile weapon, as defined in section 70-1, in a city park, except with joint written approval of the parks, recreation and open space director and the city fire marshal or their designated representatives.
- (c) The prohibition of the discharge of a projectile weapon set forth in subsection (b) of this section shall not apply to the use of a ball which is not utilized with the intent to harm a person or animal.

(Code 1982, § 21-17; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 96-01-04, § 2, 1-2-1996; Ord. No. 2006-06-076, § 3, 6-20-2006; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-18. - Speed of vehicles.

It shall be unlawful for any person to drive any motor vehicle on park roads at a rate of speed in excess of that which is reasonable and prudent under the conditions and circumstances then prevailing, taking into account the conditions of the roadways and other motor and pedestrian traffic therein, and in no event shall any person drive in or through any park property at a rate of speed in excess of 20 miles per hour unless otherwise posted.

(Code 1982, § 21-18; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-19. - Authority to prescribe additional rules and regulations.

The city council shall have the right, power and authority by resolution or otherwise to prescribe additional reasonable rules and regulations or appeal regulations for the maintenance and operation of parks and recreation areas.

(Code 1982, § 21-19; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-20. - Liability of city.

The city shall not be held liable or bound for any loss or damage claimed by reason of the loss or damage to personal property taken or in any way on account of any personal injury of or death to any person entering the premises.

(Code 1982, § 21-20; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-21. - Use of city park property for flying remote controlled model aircraft.

- (a) The city authorizes persons, local clubs, or chapters, hereinafter referred to as "model aircraft users," to utilize the designated section of park property for the flying of remote controlled model aircraft upon executing a use agreement for such activity with the city parks, recreation and open space department and fulfilling the condition of this section.
- (b) The model aircraft user will be responsible for furnishing an annual list of members of any club or chapter to the city parks, recreation and open space department, upon execution of a required use agreement which may be renewed annually thereafter.
- (c) The model aircraft user will be responsible for following all park rules and regulations, all national association rules and regulations, and any amendments thereto. It shall further be the responsibility of any club or chapter to adequately and fully inform all members of said rules.
- (d) All persons flying remote controlled aircraft must restrict their use of Erwin Park to the established flight zone, as established by the parks, recreation and open space department.
- (e) All model aircraft users shall furnish proof of liability insurance acceptable to the city, naming the city and its employees and officers as co-insured, with a minimum amount of \$2,500,000.00 per occurrence.
- (f) Failure to abide by provisions of this section or the conditions of any use agreement shall result in termination of said agreement and use of said facility for model aircraft.

(Code 1982, § 21-21; Ord. No. 93-10-35, § 1, 10-19-1993; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-22. - Alcoholic beverages.

The consumption or possession of alcoholic beverages, including, but not limited to, wine, beer, ale and mixed drinks, is prohibited in each and every park located within the city limits, however such consumption and possession shall be lawful if the park is a permitted private club.

(Code 1982, § 21-22; Ord. No. 95-11-65, § 1, 11-7-1995; Ord. No. 2003-03-031, § II, 3-18-2003)

Sec. 74-23. - Golf course special times.

- (a) Twilight times:
 - (1) The hours of operation at the golf course between 3:00 p.m. until 5:00 p.m. during the months of April to October annually.
 - (2) The hours of operation at the golf course between 2:00 p.m. until closing during the months of November to March annually.
- (b) Super twilight times: The hours of operation at the golf course between 5:00 p.m. until closing during the months of April to October annually.

(Ord. No. 2006-09-109, § 4, 9-19-2006)

Sec. 74-24. - Hitting golf balls in city parks or on any other recreation facilities.

It shall be unlawful to hit golf balls in city parks or on any other recreation facilities, unless designated otherwise.

(Ord. No. 2009-08-058, § 1, 8-18-2009)

Sec. 74-25. - Dog park rules.

(a) In this section:

- (1) Dog park means an enclosed (fenced) area designated by the city council upon recommendation of the parks, recreation and open space board, and identified as a dog park by signage at the entries to the fenced area, in which dogs are allowed to run at large without being secured by a leash or other restraint.
- (2) Dangerous dog has the meaning given that term in section 822.041 of the Texas Health and Safety Code, as amended.
- (3) Large dog area is an area of the dog park designated for dogs that weigh 25 pounds or more. Dogs weighing less than 25 pounds may play in the large dog area at their own risk, but it is not recommended.
- (4) Small dog area is an area of the dog park designated for dogs weighing less than 25 pounds only. Dogs weighing 25 pounds or more shall not be allowed to play in the small dog area.

(b) Signs designating an area as a dog park must be conspicuously posted at each entrance to the site.

(c) The following regulations are hereby adopted for the health, safety and welfare of the city's residents and their pets. The following regulations must be conspicuously posted at each entrance to the site:

(1) No person may bring into a dog park:

- a. A dangerous dog;
- b. A female dog in heat;
- c. More than three dogs at one time;
- d. Puppies under four months of age;
- e. A dog that is not wearing current rabies vaccination tags showing it is registered with the city and vaccinated in accordance with the provisions of this article and chapter 26 of this Code of Ordinances; or

(2) Any person who brings a dog into a dog park shall:

- a. Carry materials and implements for removing and disposing of pet feces and remove and properly dispose of pet feces deposited by the dog in the dog park in accordance with section 26-8 of this Code of Ordinances;
- b. Before entering the dog park, have each dog vaccinated against rabies and have each dog's current rabies vaccination tags on the dog's collar;
- c. Lead the dog on a leash and retain the dog in custody when entering and exiting the dog park and while outside the double-gated entry;
- d. Allow the dog to be off-leash inside the dog park;
- e. Have a leash readily accessible at all times;

- f. Remove any spiked, pinch or prong collars before entering the dog park;
 - g. Keep the dog under visual and voice control at all times while in the dog park;
 - h. At no time leave a dog unattended;
 - i. Immediately remove the dog at the first sign of aggressive behavior;
 - j. Not allow a dog weighing 25 pounds or more to play in the small dog area;
 - k. Not carry any human food or dog food into, on or about the premises of the dog park (human drinks only are permitted provided such drinks are not in a glass container);
 - l. Not smoke inside the dog park;
 - m. Fill any hole that the dog digs in the dog park;
 - n. Assume all risk and waive liability to the city for any injury or damage caused to or by pets while using the dog park; and
 - o. Be liable for damage or injury inflicted by their dog.
- (3) The dog park is open from dawn to 11:00 p.m.
- (4) Any person who brings a child less than 12 years of age into the dog park shall keep the child under strict supervision and must be accompanied by an adult.
- (d) A person commits an offense, punishable by a fine of up to \$2,000.00, if he fails to comply with any regulation set forth in subsection (c) of this section 74-25
- (e) Use of the dog park by any dog constitutes:
- (1) Implied consent of the owner, harbinger, or person having care, custody, or control of the dog to comply with all conditions and regulations stated in this section or promulgated by the park board and posted at the off-leash site; and
 - (2) A waiver of liability to the city by the owner, harbinger, or person having care, custody, or control of the dog, and an agreement and undertaking to protect, indemnify, defend, and hold the city harmless, for any injury or damage caused by the dog during any time that the dog is in the dog park.

(Ord. No. 2013-03-027, § 2, 3-19-2013)

Sec. 74-26. - Skatepark rules.

- (a) In this section, "skatepark" means an open purpose-built recreational environment made for skateboarding, riding non-motorized scooters, and inline skating that is comprised of cityscapes, bowls, and various obstacles designed for such purposes and designated by the city council upon recommendation of the parks, recreation and open space board, and identified as a skatepark by signage at different points around and about the skatepark.
- (b) Signs designating an area as a skatepark must be conspicuously posted at different points around and about the site.
- (c) The following regulations are hereby adopted for the health, safety and welfare of the city's residents. The following regulations must be conspicuously posted at different points around and about the skatepark:
 - (1) The skatepark is open from 8:00 a.m. to 10:00 p.m. ("open hours") unless it is raining or the skating area is wet. Using or occupying the skatepark outside of open hours is prohibited. In addition, using or occupying the skatepark when it is raining or the skating area is wet is prohibited.

- (2) The skatepark is designed for skateboards, non-motorized scooters, and inline skates only. Bicycles and motorized vehicles are prohibited in the skatepark.
 - (3) Use of the skatepark is at your own risk! Skateboarding, riding on non-motorized scooters, and inline skating can be hazardous activities.
 - (4) This facility may be used by both experienced and inexperienced persons. Serious injury may result from being hit by a skateboard or non-motorized scooter, falling or colliding. The city does not assume responsibility for injuries — SKATING, SKATEBOARDING AND ANY OTHER USE OF THE SKATEPARK IS AT YOUR OWN RISK!
 - (5) Only one person per skateboard, non-motorized scooter or pair of in-line skates at a time.
 - (6) Children under ten years of age using the skatepark shall at all times be accompanied and supervised by an adult who is then present in the skatepark.
 - (7) Proper shoes (close-toed) shall be worn at all times in the skatepark. The use of safety equipment including helmets, kneepads, elbow pads and wrist guards is highly recommended.
 - (8) Know your abilities and stay within those abilities. Be mindful of the safety of others as well as your own safety.
 - (9) The use of wax is prohibited.
 - (10) No personal ramps, rails or obstacles are permitted. The placement or construction of any personal ramps, rails or other obstacles in the skatepark is prohibited.
 - (11) Abide by the flow and direction of flow in open areas. Only one person on a bowl, rail or other obstacle at a time.
 - (12) The possession or use of alcohol, tobacco products and illegal substances are strictly prohibited in and about the skatepark.
 - (13) Food, drinks and/or glass containers are strictly prohibited in and about the skating area of the skatepark.
 - (14) Dispose of all trash properly. Help keep the skatepark clean by using the trash cans.
 - (15) Competitive or demonstration events are prohibited without prior written approval of the McKinney Parks, Recreation and Open Space Department.
 - (16) Graffiti, tagging, littering, and applying stickers or other items to any area within and about the Skatepark is prohibited. Graffiti/vandalism of the skatepark will result in a minimum 48-hour closure of the skatepark.
 - (17) One or more violations of any of the above-listed rules may result in the loss of skating privileges and the use of the skatepark.
 - (18) This is your park - Your help in preserving it will ensure you can use it for years to come. To report damage call 972-547-7480.
 - (19) For emergencies, call 911.
- (d) Any person who enters the skatepark shall:
- (1) Assume all risk and waive liability to the city for any injury, damage or loss suffered while using the skatepark; and
 - (2) Be liable for any damage or injury that person causes to any other person or property while using the skatepark.
- (e) A person commits an offense, punishable by a fine of up to \$2,000.00, if he fails to comply with any regulation set forth in subsection (c) of this section 74-26
- (f) Use of the skatepark by any person constitutes:

- (1) Implied consent to comply with all conditions and regulations stated in this section or promulgated by the park board and posted at the skatepark; and
- (2) A waiver of liability to the city and an agreement and undertaking to protect, indemnify, defend, and hold the city harmless, from and against any claims, demands and lawsuits arising out of any injury, damage, or loss caused to and/or suffered by the person during any time the person is in the skatepark.

(Ord. No. 2013-04-036, § 2, 4-16-2013)

Secs. 74-27—74-47. - Reserved.

ARTICLE II. - PARKS, RECREATION AND OPEN SPACE ADVISORY BOARD

FOOTNOTE(S):

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Editor's note—Ord. No. 2008-08-082, § 3, adopted August 19, 2008, amended the Code by renaming former art. II. Formerly, art. II was entitled "parks and recreation board."

Sec. 74-48. - Membership.

The parks, recreation and open space advisory board may consist of five to nine members appointed by the city council.

(Code 1982, § 21-26; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 4, 8-19-2008)

Sec. 74-49. - Officers; terms of members; vacancies.

- (a) The parks, recreation and open space advisory board shall elect a chairperson and a vice-chairperson from among its members.
- (b) All appointments to the parks, recreation and open space advisory board shall be for terms of two years, or until their successors are appointed.
- (c) All such terms shall expire on June 1 next succeeding the expiration of the appointed term, and all appointments of persons thereafter serving shall commence on June 1. Members shall serve until reappointed or replaced.
- (d) Vacancies on the parks, recreation and open space advisory board, occurring other than through expiration, shall be filled by the city council for that portion of the unexpired term remaining.

(Code 1982, § 21-27; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 4, 8-19-2008)

Sec. 74-50. - Duties.

It shall be the duty of the parks, recreation and open space advisory board to:

- (1) Provide advice and counsel to the director of the parks, recreation and open space department and the city manager as requested in matters relating to the parks, recreation and open space department;

- (2) Assist in informing citizens of policies and functions of the parks, recreation and open space department; and
- (3) Assist in the promotion of park-related bond programs and to encourage donations of land, equipment and resources in support of parks and recreation activities.

(Code 1982, § 21-28; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, §§ 2, 4, 8-19-2008)

Secs. 74-51—74-73. - Reserved.

ARTICLE III. - RENTAL AND USAGE FEES

Sec. 74-74. - Rental fees for group activities.

The rental fees for group activities shall be as determined from time to time by city council.

(Code 1982, § 21-35; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 1827, § 2, 3-7-1989; Ord. No. 1881, § 4, 9-18-1990; Ord. No. 1919, § 3, 9-17-1991; Ord. No. 2008-08-078, 8-19-2008)

Sec. 74-75. - Fee schedule for recreational facilities.

The schedule of fees as specified in appendix A of the Code of Ordinances which may be amended from time to time, shall be paid before use of any of the city recreational facilities shall be permitted. The city reserves the right to require provisions for security, as may be determined by the director of the parks and recreation department.

(Code 1982, § 21-36; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 1750, §§ 5, 6, 9-1-1987; Ord. No. 1827, § 3, 3-7-1989; Ord. No. 1881, § 5, 9-18-1990; Ord. No. 1919, § 4, 9-17-1991; Ord. No. 92-09-26, § 6, 9-22-1992; Ord. No. 94-06-20, § 1, 6-21-1994; Ord. No. 94-09-35, § 3, 9-6-1994; Ord. No. 95-09-48, §§ 1, 2, 9-19-1995; Ord. No. 96-09-41, §§ 1—3, 9-17-1996; Ord. No. 97-10-58, §§ 1—3, 10-21-1997; Ord. No. 98-11-58, § 1, 11-3-1998; Ord. No. 2005-09-091, § 3, 9-20-2005; Ord. No. 2008-08-078, 8-19-2008; Ord. No. 2008-08-082, § 2, 8-19-2008; Ord. No. 2008-09-093, § 4, 9-16-2008)

Sec. 74-76. - McKinney Municipal Golf Course fees.

The schedule of fees for the McKinney Municipal Golf Course as determined from time to time by city council shall be paid before play is permitted.

(Code 1982, § 21-37; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 1750, § 4, 9-1-1987; Ord. No. 1803, § 5, 9-6-1988; Ord. No. 1842, § 2, 9-5-1989; Ord. No. 1881, § 6, 9-18-1990; Ord. No. 1919, § 5, 9-17-1991; Ord. No. 92-09-26, § 7, 9-22-1992; Ord. No. 93-09-29, § 1, 9-28-1993; Ord. No. 94-09-35, § 4, 9-6-1994; Ord. No. 95-09-48, § 3, 9-19-1995; Ord. No. 96-09-41, § 4, 9-17-1996; Ord. No. 98-02-08, § 1, 2-3-1998; Ord. No. 98-05-29, § 1, 5-19-1998; Ord. No. 98-09-52, § 1, 9-15-1998; Ord. No. 2001-03-034, § 1, 3-20-2001; Ord. No. 2005-09-091, § 4, 9-20-2005; Ord. No. 2006-09-109, § 5, 9-19-2006; Ord. No. 2008-08-078, 8-19-2008)

Sec. 74-77. - Traffic control.

Traffic pattern, parking and no parking zones and no loitering areas may be designated in the vicinity of special civic, recreational and sporting events for safety and crowd control by the director of parks, recreation and open space in coordination with the city police and fire departments.

(Code 1982, § 21-38; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-78. - Picnic pavilion reservation fees.

The schedule of fees as specified in appendix A of the Code of Ordinances which may be amended from time to time shall be paid before use.

- (1) Reservation fee as specified in appendix A of the Code of Ordinances which may be amended from time to time, for a five-hour reservation (10:00 a.m. to 3:00 p.m. or 4:00 p.m. to 9:00 p.m.) shall be paid to confirm a reservation and at the following picnic pavilions that are located at:

Finch Park	2 pavilions
Towne Lake Park	2 pavilions
Erwin Park	2 pavilions
Old Settlers Park	1 pavilion

- (2) A refundable deposit as specified in Appendix A of the Code of Ordinances which may be amended from time to time is required for all picnic shelter reservations.
- (3) Reservations may be made up to six months in advance and the fee must be paid at the time of the requested reservation. A three-day written notice of cancellation must be given to the parks and recreation department in order to receive a refund of the reservation fee.

(Code 1982, § 21-39; Ord. No. 1794, § 1, 7-5-1988; Ord. No. 1881, § 7, 9-18-1990; Ord. No. 1919, § 6, 9-17-1991; Ord. No. 92-09-26, § 8, 9-22-1992; Ord. No. 94-09-35, § 5, 9-6-1994; Ord. No. 95-09-48, § 4, 9-19-1995; Ord. No. 2008-08-078, 8-19-2008; Ord. No. 2008-08-082, § 2, 8-19-2008; Ord. No. 2008-09-093, § 5, 9-16-2008)

Sec. 74-79. - Overnight camping fee.

A reservation fee as specified in appendix A of the Code of Ordinances which may be amended from time to time, for overnight camping at Erwin Park will be charged. Youth groups have the option of paying a fee as specified in appendix A of the Code of Ordinances which may be amended from time to time for committing to a service project as authorized by the parks superintendent.

(Code 1982, § 21-40; Ord. No. 1919, § 7, 9-17-1991; Ord. No. 92-09-26, § 9, 9-22-1992; Ord. No. 2008-08-078, 8-19-2008; Ord. No. 2008-09-093, § 6, 9-16-2008)

Secs. 74-80—74-101. - Reserved.

ARTICLE IV. - TENNIS COURTS

Sec. 74-102. - Adoption of policy.

The following policy elements are hereby adopted to serve as a guide for the comprehensive and effective usage of outdoor tennis courts and athletic fields owned, leased or scheduled or otherwise controlled by the city.

(Code 1982, § 21-46; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-103. - Reservations—Permitted.

The parks, recreation and open space department may establish a court reservation system and establish time periods.

(Code 1982, § 21-47; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-104. - Same—Priority.

Reservations will have first priority on the use of all tennis courts. Reservations for the use of all McKinney Independent School District tennis courts will be governed by the city and the McKinney Independent School District joint-use agreement.

(Code 1982, § 21-48; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-105. - Same—When valid.

Reservations are valid only if the reservation form is in the possession of the tennis player while playing, unless regulatory staff is present at said facility.

(Code 1982, § 21-49; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-106. - Same—When made generally.

Persons wishing to make reservations for tennis may do so during the established operating hours of the community center.

(Code 1982, § 21-50; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-107. - Same—Earliest time.

Persons may not be allowed to make reservations for tennis courts more than three days in advance, except for the city's park and recreation department sanctioned tennis programs.

(Code 1982, § 21-51; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-108. - Same—Alteration or adjustment.

The parks, recreation and open space department may from time to time alter or adjust reservations when multiple or consecutive reservations create scheduling problems.

(Code 1982, § 21-52; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-109. - Private lessons.

No person shall charge a fee for non-city-sponsored tennis lessons given on any public tennis court.

(Code 1982, § 21-53; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-110. - Forfeiture of reservation.

If a reservee has not occupied the reserved tennis courts within 15 minutes after the designated beginning reservation time, that reservation shall become void, and the court will be available to the public on a first-come, first-serve basis.

(Code 1982, § 21-54; Ord. No. 1667, § 2, 8-5-1986)

Secs. 74-111—74-133. - Reserved.

ARTICLE V. - ATHLETIC FIELDS

Sec. 74-134. - Adoption of policy.

The following policy elements are hereby adopted to serve as a guide for the comprehensive and effective usage of outdoor athletic areas owned, leased scheduled, or otherwise controlled by the city.

(Code 1982, § 21-61; Ord. No. 2000-02-11, § 1, 2-1-2000)

Sec. 74-135. - Intent.

It is the intent of this article to provide a basis for establishing the following objectives:

- (1) A method of equitably allocating the available inventory of athletic facilities to recognized requestors for the usage of such facilities;
- (2) A disciplined method of communicating the forecasted seasons and immediate facility schedules for recognized users of the facilities and the appropriate departments within the city administration;
- (3) A method whereby athletic fields will be scheduled in a manner that will ensure proper turf maintenance and growth, thereby assuring availability in future years and reducing the need for major restoration; and
- (4) A method for continuously improving efficient utilization of existing facilities to the betterment of the city.

(Code 1982, § 21-62; Ord. No. 2000-02-11, § 1, 2-1-2000)

Sec. 74-136. - Sport seasons.

- (a) Established. The following specific sports seasons and facility schedules are established for the equitable use, proper maintenance and efficient utilization of outdoor athletic areas:
- (1) Sport season parameters are established to minimize season overlap and determine the earliest date the particular recognized sport is permitted to begin play and the latest date the particular recognized sport is permitted to conduct play for that season.
 - (2) The parks, recreation and open space department reserves the right to approve all post season play request on an individual and space available basis.

Youth sports	Seasons	Dates
Youth baseball	Spring	April 1—July 15
	Fall	September 15—November 21
Youth softball	Spring	May 1—July 15
	Fall	September 15—November 21
Youth soccer	Spring	March 1—May 15
	Fall	September 8—November 21
Youth in-line hockey	Winter	December 1—March 1
Youth football	Fall	September 1—November 21

Adult sports	Seasons	Dates
Adult softball	Spring	February 1—May 1
	Summer	July 15—September 14
	Fall	September 15—November 30
Adult soccer	Summer	June 18—August 1
Adult in-line hockey	Fall	December 1—March 1
Adult flag football	Fall	September 15—November 21

(b) Facility schedules. Facility schedules identify an annual facility usage for a particular sport on an annual basis.

- (1) Primary sport. Sports designated as primary will be sports that during their designated season will be assured playing opportunity at all or a portion of the listed facilities where their sport is designated primary. Amount of play at a particular facility, where designated primary, will be determined, but not limited to, the criteria set forth under league scheduling. Primary sport does not mean that the specific sport designated primary will have exclusive rights to a particular facility for that period of time designated as their season.
- (2) Secondary sport. Sports designated as secondary will be sports that during their designated season will be allocated playing opportunity at a particular facility on a space available basis once the primary sport has been scheduled.
- (3) Dual designations. Facilities with dual primary sport designations in a particular season will be scheduled games by the city at a specific facility according, but not limited, to the criteria set forth under league scheduling. Field allocation will be done in a fair and equitable manner.
- (4) Wilson Creek Softball Complex.

Dates	Primary sport	Secondary sport
December 1—January 31	(Facility closed to public for maintenance)	
February 1—May 1	Adult softball	MISD girls softball
		Youth baseball
May 1—July 15	Youth baseball	Adult softball tournaments
	Youth girls softball	
July 16—September 14	Adult softball	Adult softball tournaments
September 15—November 30	Adult softball	Youth girls softball

- (5) Al Rushaupt Soccer Complex.

Dates	Primary sport	Secondary sport
November 22—February 28	(Facility closed to public for maintenance)	
March 1—May 15	Youth soccer	

May 16—June 15	(Facility closed to public for maintenance)	
June 16—June 30	Soccer tournaments	Adult soccer
		Soccer camps
July 1—September 7	Adult soccer	Soccer camps
September 8—November 21	Youth soccer	Adult flag football
		Soccer tournaments

(6) Mouzon Fields.

Dates	Primary Sport	Secondary Sport
December 1—January 31	(Facility closed to public for maintenance)	
February 1—March 31	Available to public for reserved practices/tryouts	
April 1—July 15	Youth baseball	Youth girls softball
July 16—September 14	Post league youth baseball playoffs and bid tournaments	Available to public for reserved practices/tryouts
September 15—November 21	Youth baseball	Youth girls softball

(7) North Park Fields.

Dates	Primary Sport	Secondary Sport
December 1—January 31	(Facility closed to public for maintenance)	

February 1—March 31	Available to public for reserved practices/tryouts	
April 1—July 15	Youth baseball	Youth girls softball
July 16—September 14	Post league youth baseball playoffs and bid tournaments	Available to public for reserved practices/tryouts
September 15—November 21	Youth baseball	Youth girls softball

- (8) Right to schedule reserved. The city parks, recreation and open space department reserves the right to schedule all city-owned and city-maintained neighborhood park facilities as needed.
- (c) Other sports. Other sports will be addressed as they present themselves, subject to:
 - (1) Obtaining recognized status with the parks, recreation and open space department;
 - (2) Duplicate services;
 - (3) Facility availability; and
 - (4) Allocated maintenance funds.

(Code 1982, § 21-63; Ord. No. 2000-02-11, § 1, 2-1-2000; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-137. - Field allocation.

- (a) Recognized user groups.
 - (1) Purpose. To recognize groups that will be given priority use of the city parks and recreation facilities.
 - (2) Justification. The city has a limited number of facilities, staff and funding to support the operations of these recognized groups.
 - (3) Groups recognized.
 - a. McKinney Parks, Recreation and Open Space Department Organized Leagues.
 - b. McKinney BlackWatch Soccer Club.
 - c. McKinney Boys Baseball Association (MBBA).
 - d. McKinney Cheerleading Association (MCA).
 - e. McKinney Girls Softball Association (MGSA).
 - f. McKinney Little League Baseball Association (MLL).
 - g. McKinney Soccer Association (MSA).
 - h. McKinney Independent School District (MISD).
- (b) Obtaining recognized status.

- (1) Groups, clubs or leagues must complete a recognized status application and submit for review a minimum of three months prior to the planned start date to be considered for recognition. The following factors will be considered as significant reasons to consider granting recognized status to a new group, club or association:
 - a. New organizations caused by a mandated split due to national or state association bylaws of a current recognized sport;
 - b. A different activity or sport that is not currently offered or can not be offered by an existing organization. The city will recognize only one sport group to deliver that sport to the city residents; and
 - c. Facilities, staff and funding by the parks, recreation and open space department must be available to recognize new groups, clubs, or leagues.
 - (2) Along with subsection (b)(1) of this section, new team sport organizations must submit as part of their recognized status application and adhere to the following:
 - a. Written documentation demonstrating a need for their organization;
 - b. Registration of a minimum of 50 participants;
 - c. Ninety percent of registrant players must be residents of the city; and
 - d. One hundred percent of the athletic organization games played in the city must involve the city teams.
 - (3) The parks, recreation and open space department will give written notice of their approval or rejection of recognized status.
 - (4) Appeals can be made to the parks, recreation and open space director.
- (c) Maintaining recognized status.
- (1) All associations with recognized status are required on an annual basis to complete and submit a facility use agreement with the parks, recreation and open space department. It is mandatory that each recognized sport adhere to all criteria and responsibilities as listed on the facility use agreement in order to maintain recognized status.
 - (2) All associations with recognized status must attend the annual sport association meeting sponsored by the parks, recreation and open space department.
 - (3) The parks, recreation and open space director has the right to suspend or revoke a recognized group if they do not adhere to the specified criteria and responsibilities listed on the facility use agreement. Failure to correct specified criteria and responsibilities can result in suspension or permanent loss of an organization's recognized status.
 - (4) The group, organization or association may appeal this decision in writing to the city manager within five working days. While under appeal, the league may not participate on city facilities. The city manager will respond back to the group with the city's decision within five working days from receiving the appeal letter.
- (d) Financial report for each recognized sport. Each December, each recognized sport that utilizes city facilities for league play will be required to submit a financial report for each season of play during that particular year. Included in the report will be total fees collected and an expense report as to how these funds were administered.
- (e) Prevention of participation prohibited. It is established that no recognized sport can prevent participation in said recognized sport based on financial restraints, race, color, creed, national origin, religion, sex or disability.

(Code 1982, § 21-64; Ord. No. 2000-02-11, § 1, 2-1-2000; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-138. - League scheduling.

- (a) In order to optimize scheduling efficiency, reduce field maintenance costs and manage future growth, the parks, recreation and open space department will schedule all recognized association games that are played on city-owned facilities. Scheduling will be based on all pertinent information supplied by each recognized association. Scheduling includes both games and practices.
- (b) Organizations requiring city facilities for league games will submit their final team numbers, team rosters, field maintenance fees, nonresident fees, current insurance policies, field use agreement and all other pertinent information necessary to schedule league games. All required above information must be submitted a minimum of two calendar weeks prior to the designated start of that specific sport season. Completed schedules will be completed and returned one calendar week prior to the designated start of that specific sport season.
- (c) The athletic coordinator will develop a field scheduling plan based on, but not limited to, the following criteria:
 - (1) Required paper work and payment received by a set deadline;
 - (2) Preference will be given to "recognized organizations" accommodated the previous year;
 - (3) Unique characteristics of a particular league (age group) in a particular association or organization;
 - (4) Number of teams per league (age group) in a particular association or organization;
 - (5) Number of registered participants; and
 - (6) Available facilities.
- (d) The parks, recreation and open space department reserves the right to change desired scheduling and facility requests by that association, as stated in their facility use agreement, if deemed necessary:
 - (1) To complete season play by the established sport season date;
 - (2) To accommodate association requests that exceed available playing space at available facilities;
 - (3) If the association fails to maintain recognized status by violating the field use agreement;
 - (4) If scheduling and maintenance efficiency can be enhanced by field dimension compromise; or
 - (5) By excessive weather conditions that might affect playing surface.
- (e) Due to inclement weather and poor field conditions, the parks, recreation and open space department reserves the right to deny usage or cancel existing athletic leagues or tournament play for an undetermined amount of time for the following reasons:
 - (1) To ensure the safety of the participants; or
 - (2) To prevent city fields from abuse and destruction when such fields are in a vulnerable state.

(Code 1982, § 21-65; Ord. No. 2000-02-11, § 1, 2-1-2000; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-139. - Resident and nonresident.

- (a) Definitions.
 - (1) Resident means an individual or family that resides in the existing city limits and/or attends a school located within the McKinney Independent School District.

- (2) Nonresident means an individual or family that does not reside in the existing city limits and/or does not attend a school located within the McKinney Independent School District.
 - (3) Resident team means a team that has a minimum of 55 percent participants that are defined as residents.
 - (4) Nonresident team means a team that has more than 45 percent participants that are defined as nonresidents.
- (b) The city will not schedule or prepare facilities for leagues that are solely played on city facilities whereby the number of nonresident teams exceed the amount of resident teams and there is not a minimum of four resident teams within a particular league.

(Code 1982, § 21-66; Ord. No. 2000-02-11, § 1, 2-1-2000)

Sec. 74-140. - Practice sessions.

- (a) Youth practice. Except with prior approval by the parks, recreation and open space department, there shall be no practice upon park fields which have been prepared as game fields, McKinney Independent School District dedicated game or practice fields, or areas where games or practices have been canceled due to weather.
- (1) Each organization shall require in its bylaws that any team guilty of violating the prohibitions of practicing on any of the listed facilities shall forfeit one league game. Penalties may also be assessed as authorized herein. The parks, recreation and open space department may, however, allocate certain game fields as practice areas on a space available basis.
 - (2) Organizations desiring such lighted practice areas shall comply with the following conditions:
 - a. Practices must be scheduled through the parks, recreation and open space department for peak hours, evenings and weekends during primary sport seasons;
 - b. Each individual/organization will schedule its teams during its allotted time frames at each field and not otherwise;
 - c. Individuals/organizations may not schedule more than two teams per field practice session; and
 - d. Nonresident or out-of-town teams will not be allowed to schedule practices on city-owned facilities.
 - (3) The scheduled turn-on and turn-off of lights shall be the responsibility of the parks, recreation and open space department.
 - (4) All team practices and games involving players under 14 years of age will not start any new innings after 9:30 p.m., except in a tie, on school nights. Violation of this subsection will result in a one-game forfeit.
- (b) Adult practice. All reservations for adult practice are subject to the following conditions:
- (1) Reservation requests must be made through the athletic supervisor;
 - (2) The applicable light usage fee must be paid at least 24 hours in advance of a scheduled reservation;
 - (3) An approved facility reservation form must be obtained from the parks and recreation office when the fee is paid; and
 - (4) No refunds will be made unless the reservation is canceled by the parks, recreation and open space department or canceled due to inclement weather, in either case, the reservation may be rescheduled on a space available basis.

(Code 1982, § 21-67; Ord. No. 2000-02-11, § 1, 2-1-2000; Ord. No. 2008-08-082, § 2, 8-19-2008)

Sec. 74-141. - User fees.

- (a) Established. The city council has determined that it is necessary and proper to establish and levy user fees to be charged for the use of the city's public parks and recreation facilities.
- (b) Nonresident user fee.
 - (1) There is hereby established a nonresident user fee which shall be charged by the city or sponsoring association or organization to nonresidents. The nonresident user fee shall be as determined from time to time by city council per participant per season and shall be in addition to any other league or field maintenance fee.
 - (2) This fee applies to all nonresident individuals participating on a resident or nonresident team.
 - (3) Nonresident fees shall not apply to nonresident participants on a nonresident team whereby the nonresident team hosts an equal amount of play per season at their facility as the amount of play that is requested on city fields. In situations such as this, the city will be responsible for scheduling only games played on city facilities.
- (c) Member fees; collection and submission requirements. All individuals who are members of any city adult or youth athletic team will pay prescribed user fees as established by the city council. It shall be the responsibility of each sponsoring organization to collect all user fees and to submit these fees and team rosters to the parks, recreation and open space department no later than one week before the start of the season.
- (d) End of season playoff games and/or tournament play. End of season playoff games and/or tournament play whereby all league teams are eligible to participate will not be subject to field rental fees or field preparation fees but will be scheduled as part of the regular season.
- (e) Select and/or all-star games. Recognized sport associations that offer select and/or all-star games will be subject to follow the field reservation policy and pay the designated field rental and field preparation fees.

(Code 1982, § 21-68; Ord. No. 2000-02-11, § 1, 2-1-2000; Ord. No. 2008-08-078, 8-19-2008; Ord. No. 2008-08-082, § 2, 8-19-2008)

Secs. 74-142—74-165. - Reserved.

ARTICLE VI. - TRAFFIC

Sec. 74-166. - Traffic permitted only on designated areas.

It shall be unlawful for any unauthorized person to ride, use or operate any horse, motorcycle, motorscooter or any other vehicle in or upon the public parks, municipal golf course, school or college property or athletic field, except on the designated roadway, parking areas or equestrian trail.

(Code 1982, § 21-78; Ord. No. 1667, § 2, 8-5-1986)

Sec. 74-167. - Traffic signs.

It shall be unlawful for any person to fail to comply with the directions of any sign. The existence of any sign purporting to direct or regulate vehicular or pedestrian traffic shall be prima facie evidence that the same was posted by or at the direction of the director of the parks, recreation and open space department.

(Code 1982, § 21-79; Ord. No. 1667, § 2, 8-5-1986; Ord. No. 2008-08-082, § 2, 8-19-2008)

Secs. 74-168—74-187. - Reserved.

ARTICLE VII. - RESERVED

FOOTNOTE(S):

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Editor's note—Ord. No. 2011-06-037, § 3, adopted June 7, 2011, amended the Code by repealing former art. VII, §§ 74-188—74-194, in its entirety. Former art. VII pertained to special events, and derived from the Code of 1982, §§ 21-91—21-97; Ord. No. 92-04-11, adopted April 21, 1992; Ord. No. 2008-08-078, adopted August 19, 2008; and Ord. No. 2008-08-082, adopted August 19, 2008.

Secs. 74-188—74-211. - Reserved.

ARTICLE VIII. - MCKINNEY PERFORMING ARTS CENTER AT THE HISTORIC COLLIN COUNTY COURTHOUSE

Sec. 74-212. - Rental rates.

The schedule of rates as determined from time to time by city council shall be applicable to the McKinney Performing Arts Center at the Historic Collin County Courthouse.

(Code 1982, § 21-100; Ord. No. 2005-06-061, § 2, 6-21-2005; Ord. No. 2007-01-001, § 2, 1-2-2007; Ord. No. 2008-08-078, 8-19-2008)

Secs. 74-213—74-229. - Reserved.

ARTICLE IX. - MCKINNEY ARMED SERVICES MEMORIAL CORPORATION

Sec. 74-230. - Creation, membership, duties and responsibilities of the McKinney Armed Services Memorial Corporation.

- (a) McKinney Armed Services Memorial Corporation created. There is hereby created the McKinney Armed Services Memorial Corporation ("MASMC") under the authority of the city's Home Rule Charter and pursuant to its articles of incorporation and the procedures established in its corporate bylaws.
- (b) The board shall initially consist of seven persons. Directors of the corporation ("director" or "directors") shall be appointed to the board as follows:

- (1) The council shall approve each director to the board. The number of directors shall increase or decrease at the council's discretion in accordance with the approved bylaws. The number of directors shall never be less than five persons, and the board shall always be composed of an odd number.
 - (2) Each director shall serve for a two-year term, or until his or her successor is appointed by the council; provided, however, upon the death, resignation or removal of a director, the council shall appoint a replacement director to serve for the unexpired term of office of the replaced director. No term limits are imposed by this article. Any restriction as to term is governed by the council.
- (c) Any director may be removed from office at any time, with or without cause, by the council.
- (d) The city council shall endeavor to appoint persons who are representative of one or more of the following groups, organizations, or interests as voting members of the board:
- (1) A resident of Collin County, Texas; or
 - (2) A person employed within Collin County, Texas; or
 - (3) A Veteran of the United States Armed Forces; or
 - (4) A spouse of a Veteran of the United States Armed Forces.
- (e) The directors may hold their meetings and may have an office and keep the books of the corporation at such place or places as the board may from time to time determine; provided, however, in the absence of any such determination, such place shall be City Hall in the City of McKinney, Texas.
- (f) The board shall meet in accordance with and file notice of each meeting of the board for the same length of time and in the same manner and location as is required of a city under Chapter 551, Texas Government Code (the "Open Meetings Act").

(Ord. No. 2008-05-041, § 1, 5-6-2008)