

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2022-01-02**

Adding Article 10.07 of the Code of Ordinances – Parks and Trails

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, ADOPTING RULES AND REGULATIONS FOR CITY PARKS AND TRAILS BY AMENDING CHAPTER 10 “STREETS, PARKS, AND OTHER PUBLIC WAYS AND PLACES” TO ADD ARTICLE 10.07 “PARKS AND TRAILS”; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; PROVIDING SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the City Council of the City of Lavon ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Lavon, Texas ("Lavon") to amend Lavon's Code of Ordinances in Chapter 10 to add regulations for parks and trails in Lavon; and

**WHEREAS**, the City Council has authority under state law to adopt the regulations herein.

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

**SECTION 1. RECITALS**

The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

**SECTION 2. AMENDMENT**

Chapter 10 “Streets, Parks, and other Public Ways and Places” of Lavon’s Code of Ordinances is hereby amended to add Article 10.07 "Parks and Trails".

Article 10.07.001 "Penalty" is hereby added to the Lavon Code of Ordinances entirely as follows:

Any person violating any provision of this article shall, upon conviction, be fined a sum in accordance with the general penalty provided in section 1.01.009 of this code. Each day that a provision of this article is violated shall constitute a separate offense. An offense under this division is a misdemeanor.

Article 10.07.002 “Hours of Operation” is hereby added to the Lavon Code of Ordinances entirely as follows:

(a) The operating hours for all parks and trails located within the City and which are owned and/or managed by the City shall be from thirty (30) minutes before sunrise to thirty (30) minutes after sunset, unless otherwise provided by the City.

(b) Unless otherwise posted, all parks and trails within the City shall be closed to the public from thirty (30) minutes after sunset to thirty (30) minutes before sunrise.

Article 10.07.003 "Offenses" is hereby added to the Lavon Code of Ordinances:

(a) It shall be unlawful to enter or remain in a City park during times the park is closed to the public.

(b) It shall be unlawful to enter or remain in an area designated as a City trail during times the trail is closed to the public.

**SECTION 3. Effective Date**

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

**SECTION 4. Proper Notice and Meeting**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code and as required by Chapter 52 of the Texas Local Government Code.

**SECTION 5. Severability**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

**SECTION 6. Repealer and Savings**

This Ordinance shall be cumulative of all other ordinance of Lavon and shall not repeal any of the provisions of such ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance; whether such ordinances are codified or uncodified, and all other provisions of the ordinances of Lavon, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect. Any repeal occurring due to this provision shall not abate any pending prosecution or lawsuit and/or prevent any prosecution or lawsuit from being commenced for any violation occurring before the effective date of this Ordinance.

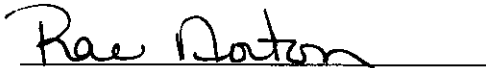
**SECTION 7. Open Meeting**

That it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Section 551.042, Texas Government Code.

**PASSED AND APPROVED** by the City Council of the City of Lavon, Texas this 18<sup>th</sup> day of January 2022.

  
Vicki Sanson Mayor

ATTEST:

  
Rae Norton, City Secretary

