

CHAPTER 32-PARKS AND RECREATION PROPOSED ORDINANCE UPDATES

Presentation to City Council
Quality of Life Committee
September 30, 2015



Mayor Annise D. Parker



WHAT IS CHAPTER 32?

- ▶ Chapter 32 governs the Parks and Recreation Department
 - Duties and authority of the Director
 - Use of parks
 - Events in parks
 - Park use permits
 - Trees, plants and shrubs
 - Authorized uses of park revenues
 - Dog parks
 - Park food vendors
 - Miller Theatre Advisory Board
 - Houston Parks Board

WHY ARE WE UPDATING CHAPTER 32?

- ▶ U.S. Court of Appeals, 5th Circuit Ruling
 - Article III, Public Gatherings is unenforceable
 - Must be updated
- ▶ Minor periodic updates, but no comprehensive review and update in over 25 years

Chapter 32 – ARTICLE III

▶ **Current: Article III, Public Gatherings**

- Requires a permit for:
 - Public meeting or gathering
 - In designated areas of the park
- Public meeting/gathering is undefined
- No list designating specific areas of the parks for which permits are required

COURT RULING ON ARTICLE III

- ▶ Held to be unenforceable because of vague requirements for permits
- ▶ City must provide definition of *public gathering*
- ▶ City must designate areas of the park to which permitting requirements apply

PROPOSED CHANGES TO ARTICLE III

- ▶ **Current: Article III, Public Gatherings**

- ▶ **Proposed: Article III, Park Events**

- Require permit for group of 30 or more
- Smaller groups are not required to get permit unless to reserve facility
- Special event permit required for any park event requiring the significant provision or coordination of city services (MOSE)

OTHER PROPOSED CHANGES

- ▶ **Article I, Sect. 31-11 – Off-leash dog recreation areas**
 - Simplifies the current ordinance
 - Recognizes Director's authority
 - To designate off-leash areas
 - To make rules and regulations for their operation
 - Must be countersigned by the Director of ARA (BARC)

OTHER PROPOSED CHANGES

- ▶ Remove **Article V, Garden Center**
 - McGovern Centennial Garden replaced Houston Garden Center
 - 2013 - City Council approved amendments to Concession and Development agreements with Hermann Park Conservancy
 - HPC manages McGovern Centennial Garden facility

OTHER PROPOSED CHANGES

- ▶ Remove **Article VII, Tennis Centers**
 - Unnecessary
 - Only facility type with its own section
 - Falls under any park facility

OTHER PROPOSED CHANGES

- ▶ Substantial changes in **Article IX, Park Food Vendors**
- ▶ Article IX – New Section on Food Trucks
 - Define options for operating a food truck in a park:
 - Special Events Permit through MOSE
 - Contract awarded pursuant to Chapter 15
 - Concession contract approved by City Council pursuant to Section 32-8(b)

OTHER PROPOSED CHANGES

- ▶ Other changes to Article IX:
 - Defines types of Park Food Vendors
 - Defines permit and requirements by type of vendor
 - Cleans up application requirements
 - Renames “license” to “permit”
 - Defines condition of permit

OTHER PROPOSED CHANGES

- ▶ Delete **Article X, Motorized Mobile Vendors**
 - Moved to Article IX
- ▶ Other changes throughout to update and clarify
- ▶ Review Chapter 32 redline at www.houstonparks.com

Public Input & Council Action

- ▶ 30 day public input period starts October 1st, 2015
- ▶ Review redline at www.houstonparks.com
- ▶ Send comments to Ch32PublicInput@houstontx.gov
- ▶ Submit to City Council for adoption of the Ordinance in November 2015

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Q & A

Contact us at:

Ch32PublicInput@houstontx.gov

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