

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING SECTION 86-3 (b) TO INCLUDE THAT THE CITY TUBE CHUTE PARK WILL CLOSE AT 7:00 P.M. DURING THE PEAK USE SEASON; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels has identified the need to close the City Tube Chute Park at 7:00 p.m. during the peak river season to protect the health and safety of park guests and City infrastructure;

WHEREAS, the City of New Braunfels has performed this closure in 2022 and 2023 by order of the Chief of Police;

WHEREAS, the Comal River will remain open and accessible, and visitors tubing on the Comal River will still be allowed to portage around the Tube Chute Dam but will be expected to return to the river to continue their float;

WHEREAS, the River Advisory Committee reviewed the proposed changes on February 15, 2024 and unanimously recommended the proposed ordinance for approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT City of New Braunfels Code of Ordinances, Section 86-3(b) is hereby amended new language indicated using underlined font:

Sec. 86-3. Rules and regulations for control of park and recreation areas.

(b) City owned properties shall be open to the public between the hours of 6:00 a.m. and 12:00 midnight each and every day, except for Cypress Bend Park, which shall be open to the public between the hours of 6:00 a.m. and dusk of each and every day, the City Tube Chute Park will close at 7:00 p.m. on Saturdays, Sundays, and Independence Day, including July 3rd when it falls on a Monday and July 5th when it falls on a Friday, starting Memorial Day weekend and ending Labor Day weekend, and the Comal Cemetery and the New Braunfels Cemetery which shall be open from 8:00 a.m. until 6:00 p.m. during Central Standard time and 8:00 a.m. to 8:00 p.m. during Daylight Savings time. All such city owned areas properties shall be open during the above described hours unless closed by order of the city manager or the parks and recreation director and/or the chief of police for the purposes of rehabilitation, cleaning, general supervision, or to protect the health, safety and general welfare of the public. If such areas are to be open prior to 6:00 a.m. in the morning or after the specific closing times set forth in this section, specific permission must be secured from the parks and recreation director for anyone to use such areas during those extra hours.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 3

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 4

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this _____th day of February, 2024.

PASSED AND APPROVED: Second reading this _____nd day of March, 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney