

**REGULAR MEETING OF THE PARKS & RECREATION ADVISORY BOARD  
MONDAY, AUGUST 5, 2013 @ 4:00 P.M.  
HELD IN CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Present:** Chairman Mike Gallagher, Vice Chairman Evelyn Holguin, Member Neil Granath, Member Marla Price, Member Victoria Ochoa, Member Tanner Gandy, and Member Clint Laughrin.

**Also present:** City Manager James Williams, Assistant City Manager Jared Cobb, Administrative Assistant Imelda Gutierrez, City Clerk Carol Ann Hogue, Parks Supervisor Dennis Martin and Recreation Supervisor Jesse Munoz.

**Call to Order:** The meeting was called to order by Chairman Gallagher at 4:00 p.m.

**Approval of Regular Minutes of June 25, 2013:** Chairman Gallagher called for a motion to approve the regular minutes of June 25, 2013. Member Granath so moved. Vice Chairman Holguin seconded. Motion was approved.

**NON-ACTION ITEMS**

**Discussion of Parks & Recreation Master Plan:** City Manager James Williams addressed the committee about developing a master plan for the Parks & Recreation Board. The plan will serve as a framework for orderly and consistent planning and development; identify citizen's needs for the facilities, establishing priorities and direction based on a needs analysis. A survey is prepared for the committee for review and would like the public input. A citizen's survey would be mailed out with water bills, newspaper and on the website. No action was taken.

**Discussion of Aquatic Facility Exterior Improvements:** City Manager Williams stated that the City has entered into an agreement with the J.F. Maddox Foundation to provide funding for exterior landscape improvements at the Aquatic Facility. The project deadline is November 30, 2013 and the project components are:

- 4" Crushed Granite
- 10 Chinese Pistache Trees
- 17 Desert Willow Trees
- Pampas Grass
- Texas Sage & Salvia Greggii
- Park Benches
- Drip Irrigation.

A sign will be installed at the entrance of the Aquatic Center. No action was taken.

**ACTION ITEMS**

**Consideration of Recommendation of Restroom Facilities at Recreation Facilities:** Chairman Gallagher called for a motion to recommend restroom facilities at the parks & recreation facilities. Member Granath so moved to add 2 restrooms without concession stands at Ave D Park, 4 restrooms with 2 concession stands at Harold Runnels, 2 restrooms with 1 concession stand at Commercial, 4 restrooms with 1 concession stand at Love St, and 2 restrooms without concession stands at MLK Park. Member Price seconded. Motion was approved.

**Consideration of Recommendation of Park Equipment Funding:** Chairman Gallagher called for a motion to recommend park equipment funding. City Manager Williams stated that the City had budgeted \$20,000 for playground for the current fiscal year. The original proposal was to provide 2 swing sets. Member Granath so moved to table until the members get feedback on surveys. Member Price seconded. Motion was not approved.

**Consideration of Recommendation of Inflatable Structure Use at City Parks:** Chairman Gallagher called for a motion to recommend inflatable structure use at City Parks. City Manager Williams stated that a policy, as well as a permit, for the members to review and consider has been prepared. The specified area(s) still need to be identified, as well as any other issues (permit fees, if any) need to be considered. Member Granath so moved to table until further information is gathered and will be discussed on the next regular meeting. Member Price seconded. Motion was not approved.

**Consideration of Approval of Park & Recreation Facility Rules:** Chairman Gallagher called for a motion to approve Park & Recreation Facility Rules. City Manager Williams stated that additional rules were prepared for members to review. Member Laughrin so moved to table until further research of rules of other communities. Member Granath seconded. Motion was not approved.

**PUBLIC COMMENT**

**OTHER:** Member Gandy mentioned that the lights at the skate park on the eastside do not work.

**ADJOURNMENT**

There being no further business the meeting adjourned at 6:01 p.m.

**APPROVED:** \_\_\_\_\_  
**CHAIRMAN, MIKE GALLAGHER**

**ATTEST:** \_\_\_\_\_  
**VICE CHAIRMAN, EVELYN HOLGUIN**

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: September 30, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** 1st and Jefferson Land Donation Discussion  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** September 17, 2013

**STAFF SUMMARY:**

The City has been approached about a potential donation of land for a park. This issue was discussed at a recent City Commission meeting and prior to accepting the area, they have requested more information. Since that meeting, this information has been obtained, as well as additional details that were not provided at that time.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Map of area

**RECOMMENDATION:**

Discussion only.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager



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Google earth



**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: September 30, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Recommendation for Quality of Life Funding  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** September 23, 2013

**STAFF SUMMARY:**

The County of Lea has submitted an MOU to the City for funding of outdoor recreational facilities. Staff have met with the County Manager concerning this MOU, and we will be presenting the document to Commission for their approval at the October 14, 2013 meeting, as well as it being presented to County Commission for their approval at the October 17, 2013 meeting.

The attached document provides what the improvements may entail. Staff are requesting recommendations from this Board to determine what this funding may be used for.

All funds must be expended prior to May 31, 2014.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

*(Finance Director)*

**ATTACHMENTS:**

MOU Draft

**RECOMMENDATION:**

Provide recommendations for what this funding should be utilized for.

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
City Manager

**MEMORANDUM OF UNDERSTANDING BETWEEN  
LEA COUNTY AND THE CITY OF LOVINGTON  
FOR FUNDING FOR OUTDOOR RECREATIONAL FACILITIES**

THIS Memorandum of Understanding (MOU) made this \_\_\_\_\_ day of \_\_\_\_\_, 2013 between the City of Lovington (hereinafter “City”) and Lea County, New Mexico (hereinafter “County”).

WHEREAS, the Lea County Recreational Master Plan (see Exhibit “A”) was developed by community leaders, Dekker/Perich/Sabatini and Market & Feasibility Advisors; and

WHEREAS, the Recreational Master Plan was developed as a quality of life and economic development initiative; and

WHEREAS, the Recreational Master Plan recommends certain quality of life projects throughout Lea County; and

WHEREAS, outdoor park facilities (hereinafter “project”) in the City of Lovington will have a positive impact on recreational opportunities for City and County residents; and

WHEREAS, the City of Lovington has created a parks and recreation committee (see Exhibit “B”) to recommend park improvements to the Lovington City Commission; and

WHEREAS, outdoor park facilities can expand the identity of Lovington to be an even more desirable community where people want to work and raise a family; and

WHEREAS, this type of project can be a catalyst for significant, positive change for the residents of Lovington and Lea County.

NOW, THEREFORE, it is mutually agreed as follows:

**1. DESCRIPTION**

This project will improve existing or create new outdoor park facilities designed to encourage use by all ages. The project could be an entirely new or be located within an existing park that needs to be improved. Implementation of this project will illustrate a commitment to quality of life for all Lovington and County residents and will have a significant positive impact on recreational opportunities.

The park improvements may include, but not limited to:

- a loop trail
- playground
- splash pad
- skate zone
- fitness stations
- shelters
- picnic areas
- multi-purpose field
- restroom facilities.

**2. DESIGN AND CONSTRUCTION COST RESPONSIBILITIES**

A. City shall provide:

- 1) Property for the project.
- 2) If needed, procure professional design and construction services.
- 3) Oversee project improvements.
- 4) Procure necessary equipment to complete the project.
- 5) Updates to the County Commission on the progress of the project.

B. County will be responsible for:

- 1) Providing \$100,000.00 for the project during the fiscal year 2013/2014.
- 2) Providing technical assistance or input as requested by the City.

**3. MAINTENANCE RESPONSIBILITIES**

City shall be responsible for the maintenance of the park during the construction or renovation of the project and following the completion of the project.

**4. FUNDING**

County will transfer to City \$100,000.00 within thirty (30) days of execution of this MOU between County and City. Documentation specifying expenditure of \$100,000.00 for the project shall be submitted to County prior to May 31, 2014.

**5. TERMINATION OF MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding shall continue in full force and effect, subject to written amendments as described herein, until terminated by a party. The terminating party shall give written notice to the other Parties at least one year prior to the effective date of the notice.

Upon notice of termination of this Memorandum of Understanding, the Party wishing to terminate the Agreement shall bear all costs involved with separating the systems.

**6. AMENDMENT**

Any amendment shall be in writing, executed and approved by the parties hereto and the Secretary of the Department of Finance and Administration.

**7. SEVERABILITY**

If any one or more of the provisions contained in this Memorandum of Understanding shall be for any reason held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect other provisions hereof, and the Memorandum of Understanding shall be constructed as if such invalid, illegal or unenforceable provision had never been a part hereof.

**8. EFFECTIVE DATE**

This Memorandum of Understanding shall be in full force and effective upon execution and approval of all parties hereto and the Secretary of the Department of Finance and Administration.

**9. SURPLUS FUNDS**

Since this Memorandum of Understanding will be operated on a cost-reimbursement basis, there should be no surplus funds when the Agreement is terminated. To the extent there are surplus funds, the funds shall be returned to Lea County by June 30, 2014.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duly authorized officers, agents or representatives.

**LEA COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Gregory H. Fulfer, Chairman

\_\_\_\_\_  
Ron R. Black, Vice Chairman

\_\_\_\_\_  
Michael S. Whitehead, Member

\_\_\_\_\_  
Dale G. Dunlap, Member

\_\_\_\_\_  
Thomas G. Pierce, Member

**ATTEST:** Pat Chappelle  
Lea County Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

By: \_\_\_\_\_  
Kelli Williams, Deputy

\_\_\_\_\_  
Scotty A. Holloman, County Attorney

**City of Lovington, New Mexico**

\_\_\_\_\_  
Dixie Drummond, Mayor

\_\_\_\_\_  
Scotty Gandy, Mayor Pro-Tem

\_\_\_\_\_  
David Trujillo, Commissioner

\_\_\_\_\_  
Ava Bengé, Commissioner

\_\_\_\_\_  
Neil Granath, Commissioner

**ATTEST:** Sharon Williams  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Patrick B. McMahon, City Attorney

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: September 30, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Recommendation of Park Signage  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** September 23, 2013

**STAFF SUMMARY:**

Staff are requesting the Board provide a recommendation for the style of facility signs. We will be ordering a sign for the aquatic center and desire to replace or install signs of a similar type at our other parks and recreation facilities as funding becomes available.

Examples of sign styles were not available at the time of the release of this packet, but will be available at the meeting.

**FISCAL IMPACT:**

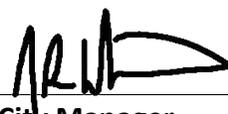
REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Provide recommendation on style of sign.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: September 30, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Approval of Citizen Survey Content  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** September 23, 2013

**STAFF SUMMARY:**

Staff are requesting formal approval from this Board as to the content of the citizen survey. Once additions or deletions are made, this survey will be opened for access by the public on the City website, mailed out with the next water bill run in mid October, and left in public places for the public to take and return to City Hall

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Survey

**RECOMMENDATION:**

Motion to approve survey with any changes requested.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**City of Lovington  
Parks and Recreation Survey**

Please return your completed survey to Lovington City Hall before December 30, 2013. You may also complete this survey online at [www.lovington.org](http://www.lovington.org). Thank you for taking the time to help improve your community.

1. How often do you or a family member visit the parks in Lovington?

- Daily
- At least 3 times per week
- At least weekly
- A few times during the year
- Rarely
- Never

2. Which parks or recreational facilities do you visit the most?

- Chaparral Park
- Avenue D Park
- Martin Luther King Park
- Polk Avenue Park
- Birch Park
- Harold Runnel Softball Complex
- Love Street Baseball Complex
- Commercial Street Softball Complex

3. How did you find out about the parks and recreation facilities in Lovington?

- Newspaper
- City website
- Street Signs
- Word of mouth
- Don't know how to find out
- Other
- Internet

4. Please rate the park facilities in Lovington.

- Excellent
- Good
- Needs some improvement
- Needs much improvement
- Don't know/unfamiliar

5. Please rate the recreational facilities in Lovington.

- Excellent
- Good
- Needs some improvement
- Needs much improvement
- Don't know/unfamiliar

6. Please rate the parks facilities you think are most important in the City of Lovington. (5: Very Important, 4: Important, 3: Neutral, 2: Somewhat Important, 1: Not at all important)

	5	4	3	2	1
Playgrounds for children	<input type="checkbox"/>				
Handicapped accessible facilities	<input type="checkbox"/>				
Benches/seating	<input type="checkbox"/>				
Picnic areas/pavilions	<input type="checkbox"/>				
Open spaces/natural areas	<input type="checkbox"/>				
Walking path/trail system	<input type="checkbox"/>				
Restrooms	<input type="checkbox"/>				
Bike Trails	<input type="checkbox"/>				

7. Please rate the recreation/athletic facilities you think are most important in the City of Lovington. (5: Very Important, 4: Important, 3: Neutral, 2: Somewhat Important, 1: Not at all important)

	5	4	3	2	1
Soccer Fields	<input type="checkbox"/>				
Basketball Courts	<input type="checkbox"/>				
Sand Volleyball Courts	<input type="checkbox"/>				
Skate Park	<input type="checkbox"/>				
Softball Fields	<input type="checkbox"/>				
Baseball Fields	<input type="checkbox"/>				
Tennis Courts	<input type="checkbox"/>				
Football Fields	<input type="checkbox"/>				
Practice Fields	<input type="checkbox"/>				

8. How many times per year do you utilize our parks and recreation facilities for special events? (i.e. birthdays, reunions, quincenera's, etc)

- 1 – 3
- 4 – 6
- 7 – 9
- 10 – 12
- More than 12
- Do not use facilities

9. When you do have special events at our parks and recreation facilities, how many people attend?

- 10 – 20
- 21 – 30
- 31 – 40
- 41 – 50
- More than 50

10. Please list the greatest infrastructure needs for the City of Lovington parks and recreation facilities (i.e. restrooms, irrigation, fountains, etc.).

11. Please list the greatest equipment needs for the City of Lovington parks and recreation facilities (i.e. playground, trash receptacles, etc.).

12. Please list the greatest area type needs for the City of Lovington parks and recreational facilities (i.e. dog park, skate park, picnic area, etc.).

13. Please list the single most important issue or need concerning the City of Lovington parks and recreation facilities.

14. How long have you lived in Lovington?

- Less than 2 years
- 2 to 5 years
- 6 to 10 years
- 11 to 20 years
- Over 20 years

16. What is your age?

- Under 25
- 25 to 34
- 35 to 44
- 45 to 54
- 55 to 64
- 65 to 74
- 75 or older

15. What age groups are represented in your household?

- 0 to 5 years of age
- 6 to 10 years of age
- 11 to 13 years of age
- 14 to 18 years of age
- No children in household

17. What City Commission district do you reside in?

- District 1
- District 2
- District 3
- District 4
- District 5
- Outside of City limits
- Do not know

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: September 30, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Recommend Approval of Inflatable Structure Use Policy  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** September 23, 2013

**STAFF SUMMARY:**

Staff are requesting a recommendation from this Board to approve or not approve this policy. Changes submitted since the initial review include the identification of approved locations.

Staff are also requesting a recommendation in regards to whether a permit fee should be charged or not. A map proposed locations will be provided at the meeting.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

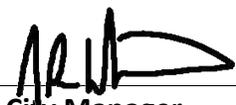
**ATTACHMENTS:**

Policy

**RECOMMENDATION:**

Provide recommendation to approve policy.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**City of Lovington**  
**Policy Regarding Inflatable Structures in City Parks**

**I. Purpose**

The City of Lovington has developed the following inflatable structure policy for the purpose of minimizing damage to park turf and irrigation systems from inflatable set-ups and maximizing the safety and enjoyment for park users.

**II. Definition**

Inflatable structures are used for the sole intent of recreational purposes to include, but not limited to:

- Bounce houses
- Castles
- Slides
- Water slides
- Jumpers
- Any similar structure

**III. Users**

- A. It is the responsibility of the party hiring the inflatable structure company to obtain a written permit from the City of Lovington and to inform the selected company with the exact site location, date, and time for set-up of the inflatable structure.
- B. Permit applications for use of an inflatable structure must be submitted one week in advance of the event. Submission of the permit application does not guarantee use of the park area on the requested date.
- C. If the permit application is approved, the applicant shall ensure this permit is posted in a visible location (i.e. on the inflatable structure) during the event.
- D. Only vendors approved by the City of Lovington may be utilized. Use of personal jumpers is prohibited.

**IV. Vendor**

- A. Vendors must be selected from the City of Lovington's list of approved vendors.
- B. In order to be an approved vendor with the City of Lovington, the vendor must meet the following requirements:
  1. Have a current insurance policy with one million dollar (\$1,000,000) liability coverage and naming the City of Lovington as an additional insured.
  2. Current business license on file with the City of Lovington.

3. Have approval from City Manager on file at City Hall to conduct business as an inflatable structure vendor at City of Lovington Parks.
4. The list of approved vendors will be posted on the city website or by contacting City Hall.
5. It is the responsibility of the Applicant to ensure that the vendor selected is on the approved list. The vendor selected from the list must be used on the permit on the day of the event.
6. The vendor list on the approved inflatable structure must be the same vendor that was originally selected and approved.

#### **V. ALLOWED SITES**

Inflatable structures may only be used at Chaparral Park. The only locations available at the park are at the large group shelter and the amphitheater.

1. Only one inflatable structure is allowed per site.
2. Obtaining a permit for the use of an inflatable structure at one of the approved sites does not reserve the site structure. The site reservation must also be made.

#### **VI. INFLATABLE STRUCTURE SET -UP**

- A. Vendors are to adhere to manufacturer guidelines in regards to anchoring the inflatable structure. If stakes are used, the Applicant is responsible for any damage to turf, irrigation system components, or improved surfaces.
- B. Placement of inflatable structures are limited to approved areas only
- C. Inflatable structures may not be set up the night prior to an event or left overnight in a park.

#### **VII. DAMAGES**

Applicant is responsible for any damage to park property incurred due to inflatable structure use, including damage to turf, irrigation system, improved surfaces, or electrical connections and wiring.

#### **VIII. PARK RULES AND REGULATIONS**

Applicant shall be responsible for adhering to all park rules and regulations as posted at the park and outlined on the City website.



**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: September 30 ,2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Recommendation of Park and Recreation Facility Rules  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** September 23, 2013

**STAFF SUMMARY:**

Attached are the recommended parks and recreation facility rules. In order to adopt these rules, an ordinance would be prepared and presented to Commission.

This Board requested staff obtain other community parks and recreation facility rules. Staff have attached to this summary rules that they have been able to obtain.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

Cost of producing signs at parks if rules are adopted.  
Cost of ordinance advertisement and publication.

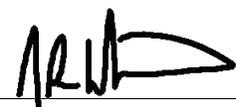
**ATTACHMENTS:**

City of Hobbs rules  
City of Eunice rules  
Draft of proposed changes

**RECOMMENDATION:**

Motion to recommend approval of new park and recreation facility rules

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

C. The permittee, Parade Chairman, any parade marshal or other participant in such parade shall violate any applicable law or ordinance. (Prior code § 24-51)

**12.24.140 Violations—Penalties.**

Anyone violating any of the provisions of this article shall be guilty of a misdemeanor. (Prior code § 24-52)

**Chapter 12.28 CITY PARKS AND RECREATION FACILITIES**

**12.28.010 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Park" means any area dedicated for use as a place of public resort, maintained for public use and laid out for the use of the public as a place of rest, exercise, pleasure and enjoyment.

"Pavilion" means a park shelter facility that provides seating to at least thirty-five (35) people.

"Recreation area" means any activity area set aside for the use of specific recreational activities such as team sports, including, but not limited to, baseball and softball fields, multipurpose fields and soccer fields.

"Special events" means any non-City-sponsored event held in a park or recreational area that encourages the assembling of the public to celebrate, commemorate, observe or participate in the event. Events that require equipment, apparatus, amenities or facilities that are not standard or normally provided to the public may be considered a special event and thus require permitting.

"Sports" events" means scheduled league games, tournaments, scrimmages, and practice sessions of competitive team sports, including, but not limited to, baseball, softball, basketball and soccer. (Prior code § 20-2)

**12.28.020 Parks locations and names.**

All park locations, names, and legal descriptions for City-owned parks shall be retained on file with the clerk's office. (Prior code § 20-3)

**12.28.030 Swimming pools—Rules, regulations and fees generally.**

Rules regarding use of the pools will vary according to each individual pool. All regulations regarding the use and policies of the two (2) municipally owned pools shall be established by the Director of Parks and Recreation, with advisement of the Park Board, subject to the approval of the City Manager. All regulations regarding the use and policies of the Demarious Badger Natatorium shall be established by the Director of Parks and Recreation subject to the approval of the City Commission according to joint use agreements formally adopted by the governing bodies of the City and the Hobbs Municipal Schools. The establishment or revision of appropriate fees for all swimming pools must receive approval of the City Commission by resolution as developed by City staff with advisement of the Park Board. (Prior code § 20-4)

**12.28.040 Agnes Kastner Head Community Center—Rules, regulations and fees generally.**

All regulations regarding the use and policies of Agnes Kastner Head Community Center shall be established by the parks and recreation division, with advisement of the Park Board, and are subject to the approval of the City Manager. The establishment or revision of appropriate fees for Agnes Kastner Head Community Center must receive approval of the City Commission by resolution as developed by City staff with advisement of the Park Board. (Prior code § 20-5)

**12.28.050 John J. Fletcher, Jr. Multi-Purpose Center—Rules, regulations and fees generally.**

All regulations regarding the use and policies of John J. Fletcher, Jr. Multi-Purpose Center shall be established by the parks and recreation division, with advisement from the Park Board, and are subject to the approval of the City Manager. The establishment or revision of appropriate fees for the multi-purpose center must receive approval of the City Commission by resolution as developed by City staff with advisement from the Park Board. (Prior code § 20-6)

**12.28.060 Seasonal recreation—Rules, regulations and fees generally.**

All regulations regarding the use and policies of seasonal recreational programs shall be established by the parks and recreation division, with advisement from the Park Board, and are subject to the approval of the City Manager. All seasonal recreational fees may be established or revised upon recommendation by City staff, with advisement from the Park Board, and approved by the City Manager.

Fees shall apply to specialty classes and programs, athletic field marking, and adult participation. (Prior code § 20-7)

**12.28.070 Special events—Rules, regulations and fees generally.**

All rules, regulations and policies regarding special event permitting shall be established by the parks and recreation division, with advisement from the Park Board, and are subject to approval by the City Commission and City Manager. The establishment or revision of appropriate fees associated with special events permitting must receive approval of the City Commission by resolution as developed by City staff with advisement from the Park Board. It is unlawful for a special event, as defined in Section 12.28.010 to be held without a permit. Events in violation are subject to disbanding by law enforcement officials. (Prior code § 20-8)

**12.28.080 Pavilion reservation—Rules, regulations and fees generally.**

All rules, regulations and policies regarding pavilion reservations shall be established by the parks and recreation division with advisement from the Park Board, and are subject to approval by the City Manager. The establishment or revision of appropriate fees for pavilion reservations must receive approval of the City Commission by resolution as developed by City staff with advisement of the Park Board. It is unlawful for individuals to refuse to relinquish occupancy of a facility when presented with approved reservation documentation. (Ord. 937 § 1, 2005; prior code § 20-9)

**12.28.090 Harry McAdams Park—Rules, regulations and fees generally.**

All rules, regulations and policies regarding Harry McAdams Park shall be established by the City staff with advisement from the Park Board, and are subject to approval by the City Manager.

The establishment or revision of appropriate user fees must receive approval of the City Commission by resolution as developed by City staff with advisement of the Park Board. (Ord. 850, 1998: prior code § 20-9.1)

**12.28.100 Ocotillo Park Golf Course—Rules, regulations and fees generally.**

All rules, regulations and policies regarding the Ocotillo Park Golf Course shall be established by the golf professional and are subject to approval by the City Manager. The establishment or revision of appropriate fees of Ocotillo Park Golf Course must receive approval of the City Commission by resolution. (Prior code § 20-10)

**12.28.110 Fees generally.**

Revision of all fees except seasonal recreational fees shall be established by resolution after discussion of the fees at an earlier regular commission meeting. (Prior code § 20-11)

**12.28.120 Alcoholic beverages.**

It is unlawful for any person to bring, drink or use alcoholic beverages in a park or recreation area. This section does not apply to Hobbs Industrial Air Park, Ocotillo Park Golf Course, and the John J. Fletcher, Jr. Multi-Purpose Center when all other alcohol-related ordinances, restrictions and regulations are complied with. (Prior code § 20-12)

**12.28.130 Controlled substances, glue and spray paint.**

It is unlawful for any person to use or bring a controlled substance, glue, or spray paint at anytime into a park or recreation area. (Prior code § 20-13)

**12.28.140 Intoxicated persons.**

It is unlawful for any intoxicated person or an individual under the influence of alcohol, controlled substances, glue, or spray paint to be in a park or recreation area. An intoxicated person means any natural person who is apparently so intoxicated in a public place that he or she has become disorderly or has become unable to care for his own safety. (Prior code § 20-14)

**12.28.150 Fireworks.**

It is unlawful for any person to have in his or her possession or set off any fireworks in a parks or recreation area. Permits may be given for conducting properly supervised fireworks programs in designated park and recreation areas; provided, that such fireworks programs have been approved by the Fire Department. (Prior code § 10-15)

**12.28.160 Park and recreation closing hours—Being in parks or recreation areas after closing hours or without authorization—Scheduling of sports events.**

A. It is unlawful for any person to be in any park or recreation area during the hours the park or recreation area is closed or to use or be in any recreation area without authorization from the parks and recreation division; provided, that law enforcement officers in the lawful performance of their duties are excepted from this restriction.

B. The parks and recreation division shall have the authority to schedule the use of recreation areas for sports events, and only those participants who have been properly scheduled may use or be in the recreation area.

C. Closing hours will be posted at all parks and recreation areas. The parks and recreation division may, upon proper application, authorize a variance to the closing hours. (Prior code § 20-16)

**12.28.170 Prohibited activities that shall be deemed unlawful generally.**

A. No person shall mark, deface, disfigure, injure, tamper with or displace or remove any buildings, tables, benches, fireplaces, railings, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances, either real or personal.

B. No person shall damage, cut, carve, mark, transplant or remove any plant, or injure the bark or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass area or in any other way injure the natural beauty or usefulness of any area.

C. No person shall hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird, nor shall he or she remove or have in his or her possession the young of any wild animal or the eggs or nest or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly poisonous may be killed on sight.

D. No person shall ride or lead a horse or any other animal that may damage any structure or is potentially dangerous to the public in any park or recreation area.

E. No person unless authorized shall ride a bicycle, motorcycle or motor vehicle of any kind (except for handicapped personal transports) within any park or recreation area, except those areas specifically designated and marked for parking and driving.

F. No person shall carry a deadly weapon as defined in Section 9.36.040.

G. No person shall engage in any other activities or events which the City prohibits in order to insure public peace and safety in the City parks system and as otherwise have been so designated by signs or other notices posted to inform the public of such prohibited activities. (Prior code § 20-17)

**Sec. 70-1. - Penalty.**

Any person violating any of the provisions of this chapter shall be punished as provided in section 1-8.

*(Code 1987, § 11-403; Ord. No. 207, 6-23-1969)*

**Secs. 70-2—70-20. - Reserved.**

**Sec. 70-21. - Community center fees.**

(a)Community center rental fees and deposits shall be assessed from time to time, by ordinance or resolution, by the city council, and made available for public viewing in the city clerk's office, for the following:

- (1)Basic usage fee, without use of kitchen;
- (2)Basic usage fee, with use of kitchen;
- (3)Business related activities, i.e., safety meeting or activities other than dances, for which admission is charged;
- (4)Wedding receptions;
- (5)Dances (excluding city-sponsored activities; including, but not limited to, activities conducted under city or school auspices, such as Eunice High School class reunions).

(b)Fees are payable two weeks in advance, and deposits are returnable. The deposit is for cleaning and breakage expense. The city will issue the deposit to the renter upon restoration/cleaning of premises with verification by the city.

*(Code 1987, § 11-301; Ord. No. 255, 5-12-1981; Ord. No. 261, 10-12-1982; Ord. No. 280, 5-14-1986; Ord. No. 333, 12-14-1999; Ord. No. 354, 9-25-2002)*

**Secs. 70-22—70-45. - Reserved.**

**Sec. 70-46. - Attendant required at pool.**

It is unlawful for any person to make use of the municipal swimming pool or related facilities for any purpose at any time when there is no attendant on duty.

*(Code 1987, § 11-401; Ord. No. 109, 7-13-1953)*

**Sec. 70-47. - Prohibited activities.**

It is unlawful for any person to swim in, operate boats on or to fish by use of a trotline or throw-line or jug line in the lake at the municipal recreational area. It is unlawful to discharge firearms within the recreational area.

*(Code 1987, § 11-402; Ord. No. 207, 6-23-1969)*

**Secs. 70-48—70-67. - Reserved.**

**Sec. 70-68. - Fees.**

(a)The golf course fee schedule shall be modified from time to time, by ordinance or resolution, by the city council, and made available for public viewing in the city clerk's office, for the following:

(1)Daily green fees for golf, by classification:

a.Weekdays.

b.Weekends and holidays.

c.Juniors (students 18 years and under), weekdays.

d.Juniors (students 18 years and under), weekends and holidays.

e.Seniors (persons 62 years and over), weekdays.

f.Seniors (persons 62 years and over), weekends and holidays.

(2)Semi-annual memberships shall be for a period of six months being January 1 to June 30 and July 1 to December 31. The fee for each six-month period shall be determined according to the following classifications:

a.Singles.

b.Family.

c.Seniors.

d.Senior and spouse.

e.Juniors.

Said fee must be paid in full for the entire semi-annual period, irrespective of the day of payment during said six-month period. Fees may be paid annually by doubling the semi-annual fees.

(3)Golf cart shed rental shall be per month. Golf cart road fee for carts brought in by nonmembers shall be per round of 18 holes.

(4)There shall be no complimentary green fees.

(5)The city shall issue official membership cards as determined in the golf rules, as amended from time to time.

(b)Unless otherwise provided herein, all fees, including membership and golf cart rentals, are payable in advance at the golf course.

(c) Play and use of the golf course shall be governed by golf rules adopted and revised from time to time by the city golf board and approved by the city council. The city clerk shall maintain the official copy of the rules, which shall be provided to the public during regular business hours at no cost and shall be posted at the golf course.

*(Code 1987, § 11-501; Ord. No. 283, 1-13-1987; Ord. No. 324, 1-23-1996; Ord. No. 335, §§ A—D, 12-28-1999)*

### **Sec. 70-69. - Golf course rules.**

The golf course rules adopted by the city golf board as the golf course rules for the municipal golf course are incorporated by reference as if published in full herein. These rules may be amended from time to time by resolution or motion of the governing body.

*(Code 1987, § 11-502; Ord. No. 262, 11-9-1982)*

## Public Park Regulations

### Sections:

- 12.28.010 Remaining in public parks overnight prohibited – Exceptions.
- 12.28.020 Parking vehicles overnight prohibited.
- 12.28.030 Overnight occupancy of vehicles prohibited.
- 12.28.040 Tents prohibited – Exceptions.
- 12.28.050 Permission for overnight parking.
- 12.28.060 Signs required.

### 12.28.010 Remaining in public parks overnight prohibited – Exceptions.

It is unlawful for any person to remain in, occupy, or use any public park in the municipality between the hours of ~~ten~~ 11 p.m. and four a.m., unless present in the furtherance or enforcement of this chapter or irrigation or maintenance of park lands and, or unless authorized by other provisions of this chapter. (Ord. 309 § 1, 1981).

### 12.28.015 General Rules – Parks facilities

- A. No peddling, soliciting or commercial enterprise is permitted in a municipal park except by approval of the City.
- B. Disorderly conduct, abusive language, noisy disturbances or disregard of these rules and regulations will be grounds for immediate removal of person(s) from the municipal park by the Lovington Police Department or as authorized by the City Manager.
- C. Park users are responsible for the conduct of and any damage to the park or its equipment caused by their legal dependents or other minors in their care at the time.
- D. Children under eight (8) years of age shall not be left unattended in any park.
- E. No person shall consume or have in their possession any intoxicating beverage or other drug or narcotic prohibited by federal law.
- F. Air rifles, BB guns, firearms, bows and arrows, rockets, slingshots, fireworks, or other guns and dangerous objects such as golf equipment may not be possessed or used while in a municipal park.
- G. Wading or swimming in fountains or ponds is prohibited.
- H. Motor vehicles shall be operated and parked only in designated areas that are specifically designed for motor vehicles or for parking.
- I. Speed limits in municipal parks is ten miles per hour and must be observed at all times.

- J. Bicycles, roller skates, skateboards and other types of non-motorized vehicles must be used safely, and in compliance with all posted rules.
- K. No person shall ride or lead any horse or pony in any park without approval by the City.
- L. No animals are permitted in municipal parks unless they are on a leash, except in designated off-leash areas, and shall be kept under supervision at all times; and, are not allowed to run at large or to commit any nuisance. All animal waste shall be picked up immediately by the owner and placed in an appropriate waste disposal container.
- M. Littering is strictly prohibited. No person shall bring non-park generated trash into the park for the purpose of discarding of such.
- N. Fires are permitted only in grills. No other open fires are permitted on municipal properties without the permission of the City.
- O. Inflatable structures are permitted only in designated areas and by permit issued by the City.
- P. It is unlawful to deface, destroy, or cause harm or damage to equipment, furniture, structures, trees, shrubbery, turf, signs, or wildlife.
- Q. The city, its representatives and its employees are not responsible for accidents, injuries, or loss of property by fire, theft, wind, flood or other natural acts which are beyond their control. All equipment furnished within municipal parks is solely for the convenience of the user and is utilized at the risk of the user.
- R. \*What about events? Some cities require organizations or companies that wish to hold public events (i.e. carnival or charity walk) to obtain a permit
- S. Shelter reservations?

**12.28.016 General Rules – Chaparral Lake**

- A. State fishing license is required.
- B. Trout validation stamp is required November 1 through March 31.
- C. Unauthorized fish are not allowed to be placed in lake.
- D. No boats of any kind are allowed in lake. \*What about remote control boats (I've been asked)?
- E. Wading or swimming in lake is prohibited.
- F. No trout or throw lines.

**12.28.017 General Rules – Aquatic Facility**

- A. Animals other than seeing eye dogs or assistance animals, are not allowed in the aquatic facility.

- B. Any person having an infection or communicable disease is prohibited from using the aquatic facility.
- C. All children under the age of eight years of age must be accompanied by a parent or responsible adult supervisor.
- D. Persons having open blisters, cuts, etc. are advised to not use the pool.
- E. Running, pushing, boisterous or rough play, or excessive noise is prohibited in the pool area, shower, or dressing rooms.
- F. Spitting, spouting water, blowing nose, or discharging wastes in the pool is strictly prohibited.
- G. No glass containers or objects are allowed in or around the pool area.
- H. No gum or tobacco products are allowed in the aquatic facility.
- I. All infants are required to wear swim diapers.
- J. Appropriate swim attire must be worn if swimming or entering the pool.
- K. All individuals entering the pool must pay for entrance.

**12.28.018 General Rules – Ballparks, athletic fields, recreation facilities**

**12.28.020 Parking vehicles overnight prohibited.**

It is unlawful for any person to park a motor vehicle in any street, alley, or public thoroughfare, or on any street, alley, or public thoroughfare adjacent to any public park for purposes of camping or overnight occupancy. (Ord. 309 § 2, 1981).

**12.28.030 Overnight occupancy of vehicle prohibited.**

- A. It is unlawful for any person to use or occupy a car, automobile, truck, trailer, camper or similar type vehicle or structure upon any public park, public parking area, street, alley, highway, or any public thoroughfare within the municipality for purposes of camping or overnight occupancy.
- B. "Camping" means temporary quarters for shelter, lodging, or sleeping.
- C. "Overnight occupancy" includes all of the following conditions:
  - 1. One or more persons are sleeping in the vehicle or structure;
  - 2. The vehicle has remained parked at such location for more than four hours;

3. No valid or legal purpose can be shown for such occupancy. (Ord. 309 § 3, 1981)

**12.28.040 Tents prohibited – Exceptions.**

It is unlawful for any person to set up tents or other temporary shelters on public parks or public thoroughfares, except for special circumstances when permission has been granted by the municipality. (Ord. 309 § 4, 1981)

**12.28.050 Permission for overnight parking.**

The municipality may authorize, permit or allow members of the general public, or any person to utilize public parks for overnight parking for periods not to exceed forty-eight hours at any one time; however, use of such public parks for periods longer than forty-eight hours shall be unlawful, whether the vehicles or structures are occupied or not. (Ord. 309 § 5, 1981)

**12.28.060 Signs required**

No regulations in this chapter shall be effective unless signs giving notice of prohibitions or limitations are erected and in place at the time of any alleged offense. (Ord. 309 § 6, 1981)