

Ordinance amending Section 36-10 of the City's Code of Ordinances to clarify the curfew applicable to Cole Park Plaza and confirm that fishing on the Cole Park Pier is allowed at all times.

WHEREAS, on December 17, 2021, the City opened the new Cole Park Pier and Plaza, which allows City residents to fish and enjoy the view of the Bay; and

WHEREAS, the City wishes to amend the park curfew ordinance to clarify when the Cole Park Pier and Plaza are open for fishing and for other purposes;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. That the Code of Ordinances of the City of Corpus Christi is amended by amending Chapter 36, Article I, Sec. 36-10 "Curfew; alcoholic beverages" by adding the underlined language and removing the ~~struck-through language~~, to read as follows:

Sec. 36-10. - Curfew; alcoholic beverages.

(a) Except in a city park on the Gulf of Mexico Beach, no person shall possess any alcoholic beverages in any city park or the parking lots connected therewith or adjacent thereto; however, it shall be a defense to prosecution that the person has or is acting under the terms of a lease, agreement or permit with the city or that the person is transporting closed containers across the L-Heads or T-Heads to a boat.

(b) Between the hours of 10:00 p.m. and 6:00 a.m., no person shall enter or be present in any city park or parking lots connected therewith or adjacent thereto, including Cole Park and the Cole Park Plaza and the Cole Park Pier, but excluding all other bayfront parks, the Bayfront Arts and Science Park, Barge Dock, Peoples Street T-Head, Lawrence Street T-Head, the L-Head, or any city park on the Gulf of Mexico Beach; and excluding a person permitted by ordinance to camp in particular city parks, a city employee in performance of the employee's duties, and a person permitted to engage in leisure and recreational activities ~~underby~~ the director of the parks and recreation department; and also excluding use of the Cole Park Pier in accordance with subsection (b)(1) below. ~~—a person fishing at the Cole Park fishing pier, upon proof that the person has a valid Texas Parks and Wildlife fishing license or that the person is exempt from that license requirement.~~

(1) Cole Park Curfew: A person may not enter or be present in Cole Park, including the Cole Park Plaza and the Cole Park Pier, between the hours of 10:00 p.m. and 6:00 a.m., except as necessary to allow a person to fish at the Cole Park Pier at any time of day or night with proof that the person has a valid Texas Parks and Wildlife fishing license or that the person is exempt

from that license requirement. No person may enter or be present in the parking lot at Cole Park between the hours of 10:00 p.m. and 6:00 a.m. except in the parking lot closest to the Cole Park Pier as necessary to access the Cole Park Pier for purposes of fishing as allowed by this subsection.

(c) Between the hours of 2:00 a.m. and 6:00 a.m., no person, except as specifically permitted by an ordinance permitting camping in particular city parks, and except for a city employee in performance of the employee's duties, shall enter or be present in any city bayfront park or parking lots connected therewith or adjacent thereto, excluding Cole Park, Corpus Christi Beach Park, Dolphin Park, Surfside Park, the Bayfront Arts and Science Park, Barge Dock, Peoples Street T-Head, Lawrence Street T-Head, and the L-Head.

(d) Between midnight and 5:00 a.m., no person may enter or be present in Corpus Christi Beach Park, Dolphin Park, or Surfside Park, or on the following portions of the beach located on land leased from the Texas General Land Office, known as "Corpus Christi Beach" or "North Beach," including any adjacent portions of the Corpus Christi Beach Beachwalk and adjacent parking lots:

BEING a tract of land containing 18 acres of land more or less out of a portion of Corpus Christi Beach, located in Corpus Christi, Nueces County, Texas. This 18 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a point at the southerly corner of Block A of the Brooklyn Addition as recorded in Volume 23, Page 14 of the Map Records of Nueces County, Texas;

THENCE N32°E along the southeasterly boundary line of said Block B and Blocks 18 - 23 and Block 385 of said Brooklyn Addition as recorded in Volume A, Page 32 of the Map Records of Nueces County, Texas, a distance of 2,850' to a point on the southerly corner of Block 387 of said Brooklyn Addition, being northwest corner of this tract;

THENCE southeasterly parallel to the existing jetty, a distance of 400' more or less to a point, which is on the extension of the low water line to the south, being the northeast corner of this tract;

THENCE southwesterly meandering with said low water line, a distance of 2,870' more or less to a point on the southeasterly extension of said Block A, being southeast corner of this tract;

THENCE N58°W crossing Corpus Christi Beach a distance of 190' more or less to the point and place of beginning and containing 18 Acres of land more or less.

Bearing is with reference to plat of the Brooklyn Addition recorded in Volume A,

(e) The portion of beach that is restricted by the curfew in subsection (d) must be clearly marked with signs advising that the beach is closed between midnight and 5:00 a.m. The signs must be posted at the northern and southern limits of the restricted beach and at the point where each city street intersects with the beach.

(f) The following parks must be clearly marked with signs advising the hours during which a curfew applicable to the park is in effect:

- (1) Corpus Christi Beach Park.
- (2) Dolphin Park.
- (3) Surfside Park.

(g) The restrictions in subsection (d) of this section do not apply to a city employee in performance of the employee's duties, a person permitted to engage in leisure and recreational activities who has been issued a permit for the activities at those hours by the director of parks and recreation department.

(Ord. No. 17051, § 1, 5-26-1982; Ord. No. 18814, § 1, 4-30-1985; Ord. No. 19364, § 1, 6-24-1986, Ord. No. 20448, § 1, 9-6-1988; Ord. No. 20576, § 1, 1-24-1989; Ord. No. 21231, § 2, 9-3-1991; Ord. No. 21444, § 2, 7-28-1992; Ord. No. 24739, § 1, 1-22-2002; Ord. No. 026506, § 1, 10-11-2005; Ord. No. 028830, § 2, 11-9-2010)

Editor's note— Formerly numbered § 36-11.

SECTION 2. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

SECTION 3. Publication shall be made one time in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 4. Penalties are as provided in Section 1-6 of the Code of Ordinances.

SECTION 5. This ordinance takes effect upon official publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2022, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2022, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

PASSED AND APPROVED on this the _____ day of _____, 2022.

ATTEST:

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor