

Amended Ordinance No: 81-7

AN ORDINANCE GOVERNING THE NEWCASTLE, TEXAS LAKES.

Section 1: Be it ordained by the City Council of the City of Newcastle, Texas that both lakes and dams owned by the City of Newcastle, Texas and located on the West side of Highway 380 on Whiskey Creek, which shall hereafter be officially known as Newcastle Lake #1; and that certain lake and dam owned by the City of Newcastle, Texas and located on the East side of Highway 380 on Whiskey Creek shall hereafter be officially known as Newcastle Lake #2. The terms "Newcastle Lake #1" and "Newcastle Lake #2" shall include the land contiguous thereto, which is owned by the City of Newcastle, Texas.

Section 2: It shall hereafter be unlawful for any person to approach within 200 feet of the water intake towers or the pump station, whether being utilized or not, at Newcastle Lake #1 and Newcastle Lake #2.

Section 3: It shall hereafter be unlawful for any person to approach within 50 feet of the storage tank or riser pipe to the storage tank, and unlawful for any person to climb upon any part of said tank or supports thereof.

Section 4: Warning signs may be erected and maintained by the City of Newcastle, Texas to indicate prohibition of public use in these areas. The lack of signs, however, shall not be a defense to any violation of any section of this ordinance.

Section 5: It shall hereafter be unlawful for any person to throw, place, leave or deposit and refuse, litter, rubbish, trash, filth or waste of any kind in or upon the water or land areas of Newcastle Lake #1 and Newcastle Lake #2.

Section 6: It shall hereafter be unlawful for any person to willfully mark, deface, disfigure, injure, tamper with, displace or remove any building, materials, water lines or other public utility parts or appurtenances thereof, signs, notices or placards whether permanent or temporary, stakes, fences, markers, structures or equipment, facilities or property whatsoever, either real or personal.

Section 7: It shall hereafter be unlawful for any person, firm or corporation to dig or remove any sand, soil, rock, stones, whether submerged or not, or any trees, shrubs or plants, down-timber, or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency at either of the Newcastle Lakes Properties, being Newcastle Lake #1 and Newcastle Lake #2.

Section 8: It shall hereafter be unlawful for any person to drive any vehicle on any area except the road, parking areas or such other areas as may on occasion be specifically designated by the City of Newcastle, Texas as temporary parking. Motor vehicles shall not be driven upon or otherwise be moved upon or over the dams or spillways belonging to Newcastle Lake #1 or Newcastle Lake #2.

Section 9: It shall hereafter be unlawful for any person to hunt or trap on Newcastle Lake #1 or Newcastle Lake #2. No person shall use any firearm, including but not limited to: air rifles, spring guns, bows and arrows, rifles, shot guns and pistols or any other form of weapon potentially inimical to wildlife and dangerous to human safety, or other instrument that can be loaded with and fire cartridges,

blank or otherwise, or any kind of trapping device, for the purpose of hunting wildlife on Newcastle Lake #1 or Newcastle Lake#2. It shall be unlawful for any person to shoot into the areas owned by the City of Newcastle, Texas, being all of Newcastle Lake #1 and Newcastle Lake #2, from beyond park boundaries with any of the aforementioned weapons.

Section 10: No person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor leave on the Newcastle Lake Properties any moveable structure or special vehicle to be used for such purposes, such as a house trailer, camp trailer, camp wagon or the likes thereof.

Section 11: It shall be unlawful for any person to drop, throw or otherwise scatter lit matches, burning objects or any other flammable or inflammable burning materials within the Newcastle Lake Properties.

Section 12: The general control of Newcastle Lake #1 and Newcastle Lake #2 shall be vested in the City Council of the City of Newcastle, Texas.

Section 13: Any person, firm or corporation who shall violate any provision of this article regulating conduct in, around or upon the Newcastle Lakes Properties shall be guilty of a Class C Misdemeanor and upon conviction thereof in the Municipal Court of the City of Newcastle, Texas shall be punished by a fine not to exceed five hundred dollars (\$500.00). Pursuant to Texas Penal Code Title 3, Chapter 12, Subchapter A, Section 12.01- 12.23.

Section 14: Authority shall reside with the governing body and appointed or employed Officers of the City of Newcastle, Texas to exercise their authority and carry out the power of the City of Newcastle, Texas in, around and upon the Newcastle Lakes Properties, which are owned by the City of Newcastle, Texas, in the same manner as if Newcastle Lake #1 and Newcastle Lake #2 were located within the territorial limits of the City of Newcastle, Texas.

Section 15: This Ordinance shall replace any parts of any ordinance which was preexisting regarding this topic.

PASSED AND APPROVED ON THIS THE 11TH DAY OF SEPTEMBER, 2017.

Gina Maxwell, Mayor

ATTEST:

Cory Spurlin, City Secretary