

ORDINANCE NO. O-2023-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 8, "PARKS," ARTICLE V., "FEES," OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS BY AMENDING THE ROSE COMPLEX CONFERENCE CENTER A/V FEES; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to promote the economic development, growth, and quality of life; and

WHEREAS, park fees can only be changed by City ordinance; and

WHEREAS, the City of Tyler is a home-rule municipality acting under its Charter adopted by the electorate pursuant to Article 11, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Texas Local Government Code Section 51.072(a) states that a home-rule municipality has full power of local self-government; and

WHEREAS, Texas Local Government Code Section 51.072(b) provides that the grant of powers to a municipality under the Texas Local Government Code does not prevent, by implication or otherwise, the municipality from exercising the authority incident to local self-government; and

WHEREAS, Section 1 of the Tyler City Charter states that the City of Tyler may make any and all rules and regulations by ordinances and resolutions; and

WHEREAS, Section 1 of the Tyler City Charter states that the City may regulate and control, for whatever purposes, public places; and

WHEREAS, Section 2 of the Tyler City Charter states that the enumeration of particular powers by the Charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated in the Charter, the City shall have, and may exercise all other powers which, under the constitution and laws of Texas, it would be competent for the Charter specifically to enumerate; and

WHEREAS, Section 6 of the Tyler City Charter states that pursuant to the provisions of and subject only to the limitations imposed by the State law and the Charter, all powers of the City shall be vested in an elective Council, which shall, among other duties, enact legislation; and

WHEREAS, the City Council finds, it is necessary to revise and adopt certain City of Tyler Rose Complex Conference Center A/V fees and procedures to allow fair and equitable access and utilization; and

WHEREAS, the City Council finds, it is necessary that Rose Complex Conference Center "A/V Fees" be assessed to users for actual A/V usage at the Rose Complex Conference Center Facilities; and

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

PART 1. That the findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

PART 2. That Chapter 8 of the Code of Ordinances of the City of Tyler, Texas, "Parks", is hereby amended by amending Article V, Sec. 8-72(a) "Rose Complex Conference Center facility charges," to amend subsection "a. Rose Complex Conference Center facility charges," to read as follows:

Article V. Fees

Sec. 8-72. Rose Complex Conference Center facility charges.

a. Rose Complex Conference Center facility charges.

Non Profit - An organization or entity formed for the purpose of serving a purpose of public or mutual benefit other than the pursuit or accumulation of profits, i.e., 501(c)(3)s, schools, religious organizations, governmental organizations, etc. Proof of non profit status is required. All other entities will be charged for profit rates.

Rentals prices will include tables and chairs from 8 a.m. - Midnight

Rates for Rose Complex Conference Center	Regular Rates	Non-Profit Rates (10% off)
Entire Facility	\$7,000	\$6,300
Main Hall	\$5,000	\$4,500
Half of Main Hall	\$3,500	\$3,150
Breakout Rooms 3, 4, or 5	\$1,200	\$1,080
Breakout Rooms 6, 7, or 8	\$200	\$180
Deposit-variable	\$500 to \$2,000	N/A
Building Maintenance Fee (if alcohol is being served)	\$500	\$500
Dance Floor Rental (24'x24')	\$1,000	\$900
Dance Floor Rental (16'x16')	\$700	\$630
A/V Fee Variable	City Cost	City Cost
Modular Stage (6x8)	\$25 each	\$25
Additional Hour	\$200	\$180
Additional Set Up	\$100	\$100
Catering Fee	10% of total invoice	10% of total invoice

Transit Services-minimum 3 hours	\$75 per hour	\$75 per hour
Rose Complex Park	\$4,000	\$4,000
Entire Complex - Rose Complex, Rose Garden Center, Mayfair	\$10,000	\$9,000

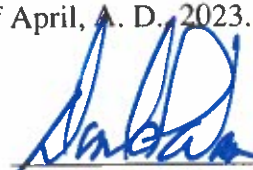
PART 3: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 4: The City Clerk is hereby directed to record and publish the above rules, regulations, and policies in the City of Tyler's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government.

PART 5: This ordinance shall become effective upon approval.

PART 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED THIS the 26th day of April, A. D. 2023.



DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY