

ORDINANCE NO. O-2022-38

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 ATHLETIC FIELD MAINTENANCE FEES; ADDING A NEW PROVISION FOR THE IMPLEMENTATION OF RATES AND FEES FOR THE USE OF LIGHTING AT CITY OPERATED ATHLETIC FIELDS; 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, the Quality of Life Board has considered and recommends the implementation of the below-described rates and charges for membership fees at the Glass Recreation Center; 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 recreational fees and procedures to allow fair and equitable access to, and utilization of, the recreational facilities; and

WHEREAS, the City Council finds, it is necessary that "Membership Fees" be increased for continued improvement of recreational facilities, programs, and activities for all citizens; 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. 8-80 "Glass Recreation Center facilities charges," to increase "Glass Recreation Center facilities charges," to read as follows:

Article V. Fees

Sec. 8-80. Glass Recreation Center facilities charges.

The rates and charges for the use of the Glass Recreation Center facilities are as provided in this section. All such rates and charges shall be paid in advance. The rates shall be determined in accordance with the following:

Park Facility Rental Rates for Glass Recreation Center:					
Room	Current Rate				
<i>Multi-Purpose Room</i>					
Half Room-Up to 100 people	\$40/hr; 2hr min; \$25 each add. hour				
Full Room-Up to 200 people	\$60/hr; 2hr min; \$35 each add. hour				
<i>Gym</i>					
Full Court	\$60/hr; 2hr min minimum				
Half Court	\$35/hr; 2hr min minimum				
<i>Arts & Crafts</i>	\$30/hr; 2 hr min minimum				

Equipment Damage Deposit	\$50				
After Hours Rate	Any rentals after 10 p.m. will be charged \$10 for each additional hour				
TV/DVD	\$35/Event				
PA System/Podium	\$35/Event				
Ice Machine	\$25/Event				
Damage Deposit	\$150 to \$500				
Catering Fee	\$50/Event				
Pavilion	\$50 per day				
	\$50 Special use permit (Ord. No. 0-2013-90; 9/25/13) (Ord.No.0-2023-85;9/13/23)				
Damage Deposit	\$100 (Ord. No. 0-2023-85;9/13/23)				
Amphitheater	\$50 per day (Ord.No. 0-2023-85;9/13/23)				
Special use permit (Ord. No. 0-2023-90;9/25/13)	\$50				
Damage Deposit	\$100 (Ord. No. 0-2023-85;9/13/23)				
Outside Basketball Court	\$50/Day/Court				
Full Court	\$60/hr: 2hr minimum				
Half Court	\$35/hr: 2hr minimum				
Special use permit (Ord. No. 0-2013-90;9/25/13)	\$50 (Ord. No. 0-2023-85; 9/13/23)				
Damage Deposit	\$100 (Ord. No. 0-2023-85; 9/13/23)				
Membership Fees	June 1, 2024	June 1, 2025	June 1, 2026	June 1, 2027	June 1, 2028
Adult	\$35.00/person per year	\$40.00/person per year	\$45.00/person per year	\$50.00/person per year	\$55.00/person per year

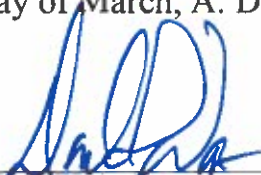
Adult (Non-Resident)	\$45.00/person per year	\$50.00/person per year	\$55.00/person per year	\$60.00/person per year	\$65.00/person per year
Youth	\$15.00/person	\$20.00/person	\$20.00/person	\$20.00/person	
Day pass	\$7.00/person	\$8.00/person	\$9.00/person	\$10.00/person	
Recreation Classes	In order to take recreation classes at the Glass Center, a citizen must be a member of the Glass Recreation Center or purchase a day pass				
After School Program	\$20 per child per month				
Summer Day Camp at the Glass	\$200 per child per summer				

(Ord. 0-2005-78, 9/28/05) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2019-80; 9/25/19)(Ord. No. 0-2023-85; 9/13/23) (Ord. No. 0-2024-38; 3/27/24)

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: This ordinance shall become effective upon approval.

PASSED AND APPROVED THIS the 27th day of March, A. D., 2024.


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

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY