

ORDINANCE NO. 2010 - _____

AN ORDINANCE AMENDING CHAPTER 86 SECTION 86-2, 86-9, 86-91, 86-95, 86-96, 86-97 AND SECTION 86-98 OF THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS REGARDING PARK USAGE FEES; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, fees for Parks and Recreation facilities and services are currently set both by ordinance and by staff; and

WHEREAS, the need to add new fees for Das Rec, New Braunfels Recreation Center has arisen; and

WHEREAS, the Parks and Recreation staff is recommending authorizing that fees be set as recommended by the Parks and Recreation Advisory Board and approved by the City Council to set certain parks and recreation usage fees;

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

I.

THAT Chapter 86 is hereby amended by adopting a new Article VII, Section 86-122, which shall read as follows:

Article VII, Sec. 86-102. – Das Rec, New Braunfels Recreation Center rental and use fees.

- a) Definitions. The following definitions shall apply to this section:
 - (1) *New Braunfels resident*. Any person whose permanent domicile is within the city limits of New Braunfels.
 - (2) *Junior*. Any person 15 years of age or younger, currently enrolled in high school or below. A junior under the age of 14 must be accompanied by an adult.
 - (3) *Senior*. Any person who is 60 years of age or older.
 - (4) *Family*. A family membership includes a maximum of four family members living in the same household, at least one of which shall be the parent or legal guardian of any children on the pass. Family members are defined as children under the age of 18 and their father, mother or legal guardian. Additional children may be added to the pass for \$20.00 each for residents and \$23 each for non-residents.
- b) The following schedule of fees shall be paid by users of the Das Rec, New Braunfels Recreation Center when reserved for exclusive usage.

Recreation Center Area	Fee	Deposit Required
½ Basketball Court	\$50.00 per hour	None
Full Basketball Court	\$100.00 per hour	None
Meeting Rooms A&B	\$100.00 per hour	None
Meeting Room A or B	\$50.00 per hour	None
Kitchen	\$20.00 per hour	\$100.00
Leisure Pool	\$400.00 per hour	\$200.00
Competition Pool	\$400.00 per hour	\$200.00
Competition Pool Lane Rental	\$15 per hour	None
Entire building	\$3,000.00	\$1,000.00

- 1) Gymnasium and/or meeting room rental/use fees paid by users of Das Rec, New Braunfels Recreation Center may be refunded under the following conditions:
 - Full refund of appropriate rental/use fees in those cases wherein the parks and recreation director or a designated representative is notified in writing of cancellation of rental/use not less than 14 days prior to the date of use of the facility less any handling fees.

- Refund of one-half of the appropriate rental/use fees may be authorized if the cancellation is received by the parks and recreation director or a designated representative in writing between 14 days and the date prior to the date of use of the facility less any handling fees.
- 2) All rental/use agreements for the use of all or any portion of the facility known as the Das Rec, New Braunfels Recreation Center shall be completed on the parks and recreation department's Das Rec, New Braunfels Recreation Center rental/use agreement form designed for such use. All such rental/use agreements shall be executed on behalf of the city by and through a duly designated member of the parks and recreation department. Such designated representative shall represent the city in all rental/use negotiations for this recreation facility.
- 3) All payments and charges pursuant to the rental/use agreements shall be due and payable to the city. The city, acting through its parks and recreation department, reserves the right to refuse to rent or allow the use of the Das Rec, New Braunfels Recreation Center facility or any part thereof to any individual, organization or group when it is deemed by the city that such rental would not be in the best interest of the city; provided, however, that any person denied use of the Das Rec, New Braunfels Recreation Center may appeal such decision to the city council, and the action taken thereon by the city council shall be final.
- c) The following schedule of fees shall be paid by users of the Das Rec, New Braunfels Recreation Center for memberships.

Member Type - Resident	Annual Fee	Daily Fee
Youth/Senior	\$288 (\$24/month)	\$10
Adult	\$420 (\$35/month)	\$12
Family	\$708 (\$59/month)	\$24
Member Type – Non-resident		
Youth/Senior	\$324 (\$27/month)	\$10
Adult	\$504 (\$42/month)	\$15
Family	\$900 (\$75 month)	n/a

Article VII, Sec. 86-103. – Parks and Recreation Fees

The City Manager, or designee, may from time to time adjust fees for specials and coupons to market and promote services.

II.

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

III.

THAT if any provision of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

PASSED AND APPROVED: First reading this the 11th day of January 22, 2018

PASSED AND APPROVED: Second reading this the 8th day of February 12, 2018.

CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, Mayor

ATTEST:

Patrick D. Aten, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney