

ORDINANCE NO. 2018 - \_\_\_\_\_

AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS CHAPTER 86, BY ADDING ARTICLES VII AND VIII, SECTIONS 86-122 AND SECTION 86-125, REGARDING PARK USAGE FEES THAT INCLUDE RENTAL AND MEMBERSHIP FEES FOR DAS REC, NEW BRAUNFELS RECREATION CENTER; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council must adopt rental and membership fees for Das Rec, New Braunfels Recreation Center; and

**WHEREAS**, the Parks and Recreation staff is recommending that such fees as recommended by the Parks and Recreation Advisory Board be adopted by the City Council; and

**WHEREAS**, the City Council finds it is in the City's interests to grant the City Manager the authority to market and promote programs and services from time to time that may require special pricing as determined by the City Manager.

**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, and new Article VIII, Section 86-125, which shall read as follows:

**Sec. 86-122. – 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) *Adult*: Any person over the age of 15.
  - (3) *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.
  - (4) *Senior*. Any person who is 60 years of age or older.
- b) The following schedule of fees shall be paid by users of the Das Rec, New Braunfels Recreation Center when reserved for exclusive usage.

<b>Recreation Center Area</b>	<b>Hours</b>	<b>Member/Resident Fee</b>	<b>Non-Resident/Non Member Fee</b>	<b>Deposit Required</b>
½ Basketball Court	Regular operating hours	\$50.00 per hour	\$75 per hour	None
Full Basketball Court	Regular operating hours	\$100.00 per hour	\$150 per hour	None
Meeting Rooms A&B	Regular operating hours	\$100.00 per hour	\$150 per hour	None
Meeting Room A or B	Regular operating hours	\$50.00 per hour	\$75 per hour	None
Kitchen	Regular operating hours	\$30.00 per hour	\$45 per hour	\$100.00
Leisure Pool	Regular operating hours	\$400.00 per hour	\$600 per hour	\$200.00
Competition Pool	Regular operating hours	\$400.00 per hour	\$600 per hour	\$200.00
Competition Pool Lane Rental	Regular operating hours	\$15 per hour	\$45 per hour	None
Entire building	After operating hours	\$3,000.00	\$4,500 per hour	\$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.

<b>Member Type - Resident</b>	<b>Annual Fee</b>	<b>Daily Fee</b>
Youth/Senior	\$288 (\$24/month)	\$10
Adult	\$420 (\$35/month)	\$12
Family	\$684 (\$57/month)	\$24
<b>Member Type – Non-resident</b>		
Youth/Senior	\$324 (\$27/month)	\$10
Adult	\$504 (\$42/month)	\$15
Family	\$828 (\$69 month)	n/a

## **Article VIII- Sec. 86-125. – Parks and Recreation fees**

- a) The City Manager, or designee, may from time to time set special pricing for parks and recreation fees for promotional and marketing purposes.

**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 22nd day of January 2018

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

**CITY OF NEW BRAUNFELS, TEXAS**

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BARRON CASTEEL, Mayor

ATTEST:

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Patrick D. Aten, City Secretary

APPROVED AS TO FORM:

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Valeria M. Acevedo, City Attorney