ORDINANCE NO. 2015-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING EXHIBIT "A" OF ORDINANCE NO. 2010-08 AND SECTION IX (PARKS AND RECREATION) OF APPENDIX C (WYLIE COMPREHENSIVE FEE SCHEDULE) OF THE WYLIE CODE OF ORDINANCES, ORDINANCE NO. 2005-07, TO CLARIFY AND MODIFY CERTAIN FEES AND RULES APPLICABLE TO THE WYLIE RECREATION CENTER; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") established fees and rules applicable to the Wylie Recreation Center as set forth in Exhibit "A" of Ordinance No. 2010-08 and codified at Section IX (Parks and Recreation) of Appendix C (Wylie Comprehensive Fee Schedule) of the Wylie Code of Ordinances, Ordinance No. 2005-07 ("Code of Ordinances").

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to the City of Wylie, Texas ("City") and its citizens to amend Exhibit "A" of Ordinance No. 2010-08 and Section IX (Parks and Recreation) of Appendix C (Wylie Comprehensive Fee Schedule) of the Code of Ordinances, clarifying and modifying certain fees and rules applicable to the Wylie Recreation Center, as set forth below; and

WHEREAS, the City Council finds that the fees established herein are levied solely for the purpose of providing funds to help defray the costs of the services and equipment for which the fees are assessed.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Exhibit "A" of Ordinance No. 2010-08 and Section IX (Parks and Recreation) of Appendix C (Wylie Comprehensive Fee Schedule) of the Wylie Code of Ordinances, Ordinance No. 2005-07. Exhibit "A" of Ordinance No. 2010-08 and Section IX (Parks and Recreation) of Appendix C (Wylie Comprehensive Fee Schedule) of the Wylie Code of Ordinances, Ordinance No. 2005-07, are hereby amended as follows[1]:

"IX. Parks and Recreation

[1] For the sake of clarity, certain deletions are evidenced by ~~strikethrough~~.

A. Definitions.
As used in this Section IX (Parks and Recreation), the following terms shall have the meanings set forth below:

~~*Corporate* shall mean any company or business with an address in the City of Wylie. The City may require written proof of address of the company or business.~~

Adult shall mean any person aged 18-54 years. Proof of adulthood is required in the form of a valid driver's license or government-issued identification card.

Household Pass shall mean a pass granted to up to six members of the same household (residing at the same address) for entry to the Wylie Recreation Center.

Non-Resident shall mean any person who resides outside of the City of Wylie city limits and does not pay City of Wylie property taxes.

Resident shall mean any person who resides in the City of Wylie city limits. Proof of residency is required in the form of a current City of Wylie utility bill or tax statement and a valid driver's license or government-issued identification card.

Senior shall mean any person aged 55 years or older. Proof of senior status is required in the form of a valid driver's license or government-issued identification card.

Wylie Non-Profit Group shall mean a qualified non-profit group that provides a benefit and/or service in the City of Wylie. The City requires written proof of non-profit or 501(c)(3) status.

Youth shall mean any person aged 7-17 years or older. Youth must be accompanied by a parent or legal guardian or must provide a completed Youth Individual Recreation Pass form (to be supplied). A parent or legal guardian must present a valid driver's license or government-issued identification card.

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G. Wylie Recreation Center Fees

Pass Fees	Residents	Non-residents
Adult Annual Pass Fee	$175.00	$225.00
Youth Annual Pass Fee	$105.00	$135.00
Senior Annual Pass Fee	$105.00	$135.00
Household Annual Pass Fee (up to 6 pass holders)	$325.00	$405.00

Adult 1 Month (Auto Renew eligible)	$22.00	$27.00
Youth 1 Month (Auto Renew eligible)	$10.00	$14.00
Senior 1 Month (Auto Renew eligible)	$10.00	$14.00
Household 1 Month (Auto Renew eligible)	$40.00	$50.00
Adult Daily Pass	$8.00	$8.00
Youth Daily Pass	$5.00	$5.00
Senior Daily Pass	$5.00	$5.00
I.D. Card Replacement (per card)	$5.00	$5.00
Facility Fees		
Aerobics Room/hour	$35.00	$45.00
Classroom/hour	$30.00	$40.00
Climbing Wall/hour	$55.00	$65.00
Meeting Room (per section)/hour	$45.00	$55.00
Kitchen/hour	$35.00	$45.00
Gym (1/2 section)/hour	$55.00	$65.00
Gym (full section)/hour	$105.00	$135.00
Meeting Room (all sections/4 hour minimum)/hour	$81.25	$63.75
Meeting Room (all sections of gym and meeting rooms)/4 hour minimum-$125 per hour after 4 hours	$495.00	$645.00
Cancellation Fee	$50.00	$50.00
Deposits	$100.00	$100.00
Wylie Non-Profit Groups	Regular Rates	Regular Rates

The rate for a recreation pass (not including facility rentals) for use of the Wylie Recreation Center by City employees is free. Family members of City employees may receive a twenty-five percent (25%) discount on their pass fee to the Wylie Recreation Center, based on resident rates."

SECTION 3: Penalty. Any person, firm, corporation or entity violating or refusing to comply with any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding two thousand dollars ($2,000.00) for each offense if the offense relates to public health and sanitation, otherwise the fine shall be in an amount not exceeding five hundred dollars ($500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it under local, state and federal law.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full

force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 5: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of such ordinances shall remain in full force and effect.

SECTION 6: Effective Date. This Ordinance shall become effective on January 1, 2016.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS on this 25th day of August, 2015.

Eric Hogue, Mayor

ATTEST:

Carole Ehrlich, City Secretary

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