

Sec. 7-2.- Park and recreation commission.

A. *Definitions.* The following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future.

Words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

City means the City of Sachse, Texas.

City park shall mean any public park located wholly within the city limits of the City of Sachse, Texas.

Curfew shall mean a regulation enjoining the withdrawal of usage of a public park or facilities of a public park wholly within the city limits of the City of Sachse, Texas.

Facilities shall mean any facilities in a public park of the City of Sachse, Texas.

Park is a park, reservation, playground, recreation center or any other area in the city owned or used by the city, and devoted to active or passive recreation, including all areas within public rights-of-way and adjacent to a public street or highway within the city and which is planted with grass, shrubs or flowers.

Permission shall mean the permission secured by the individual from the park and recreation commission authority to utilize any public park facilities for holding of recreational use under the provisions of this section.

Person is any person, firm, partnership, corporation, association, company or organization of any kind.

Vehicle is any conveyance employing wheels, track-laying devices, runners, fans or propellers, whether motor powered, animal-drawn, or self-propelled. The term shall include trailers of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city.

B. *Created.*

- (1) There is hereby created a park and recreation commission consisting of seven members. The commission shall elect a chairman from its membership who shall be a voting member.
- (2) Members shall be qualified voters of the City of Sachse, Texas.
- (3) Members of the commission shall be appointed by the city council for two-year terms.
- (4) In the event the city council has not designated a replacement upon the end of a member's term, then that member shall continue his membership until a replacement has been named.
- (5) Members shall serve without compensation.
- (6) A majority of the members of the commission in attendance at any meeting shall constitute a quorum. However, a vacancy on the commission shall not be considered for this purpose.
- (7) Whenever a member is absent from any meeting, it shall be so stated in the minutes of the meeting. In the absence of a quorum for a meeting, the chairman will submit, or cause to have submitted, a report to the city council stating all members absent.

(8) The city council, by a majority vote may remove any member of the commission at any time without cause.

If a member of the park and recreation commission is absent from three of five consecutive regular meetings, without explanation acceptable to a majority of the city council members, his office shall be declared vacant at the next regular meeting of the city council by resolution. In addition, any member of the park and recreation commission who has been absent for four consecutive regular meetings due to any reason shall have his seat declared vacant at the next regular meeting of the city council.

C. *Officers.*

(1) The commission shall elect a chairman, vice-chairman and secretary among its membership. The terms of office for each shall correspond with the terms of the designated member.

(2) The chairman shall preside at all meetings when he is present. He shall implement or cause to have implemented any practice or procedure in the calling of meetings, conduct of meetings and reporting of activities, that he considers in the best interest of the commission and shall so inform the council or consult with them when necessary or desirable. It shall be the responsibility of the chairman to request support activity needed from any officer or employee of the city. It shall be the responsibility of the chairman to submit reports to the city council, when necessary or requested, relative to participation by members, effectiveness of the support given by the officers or employees of the city, and any other matter significant relative to the commission's functions. The chairman shall represent the commission at public functions.

(3) The vice-chairman shall assist the chairman in directing the total affairs of the commission and, in the absence of the chairman, shall assume all duties of the chairman.

(4) The secretary shall record the minutes of the meetings of the commission and shall assist the commission and the chairman with the submission of reports and preparation of correspondence.

D. *Powers and duties.*

(1) The park and recreation commission shall have the duty of acting in an advisory capacity to the council in all matters pertaining to parks and recreation. It shall acquaint itself with and make a continuous study and inspection of the complete park and recreation system of the city, and shall advise the council as to present and future maintenance, operation, planning, acquisition, development, enlargement and use policy of the city park and recreation system.

(2) The commission shall study and encourage development of park and recreation areas and study and encourage the development of wholesome recreation for all residents of the city.

(3) The commission shall recommend standards to the council for the acquisition of park and recreation areas and facilities, and for the planning of programs and the securing of financial support.

(4) The commission shall undertake the preparation of a master planning guide of park and recreation facilities for the city. Such guide shall be submitted for consideration and action by the council. The master planning guide shall be reviewed at least annually and periodically updated by the commission. The commission shall review periodically all recreation services within the city and shall make recommendations to the council of services that may be needed. In the conduct of this activity, the commission shall, at the request of the city council, hold public hearings, provided that

notice is published in the official city newspaper at least ten days prior to such public hearing.

(5) The commission shall aid in the coordination of programs for parks and recreation with other governmental agencies and voluntary organizations.

(6) The commission shall review the effectiveness of the support provided by the officers and employees of the city and shall report to the council.

(7) The commission shall, prior to the 15th day of July of each year, review and study, and make recommendations to the council for priorities of projects and activities considered to be desirable for the park and recreation department. Such recommendations shall include the commission's views on the inclusion of improvements within the budget or long-range capital improvement program of the city.

(8) The city council may from time to time adopt additional rules and regulations for the conduct of business by the commission.

(9) The commission shall recommend to the city council rules and regulations governing the use of park and recreation facilities. The commission shall make any other recommendations to the city council regarding park and recreation matters that it considers advisable.

(10) The commission may solicit for the City of Sachse, revenues, gifts, bequests or endowments of money or property as donations or grants from persons, firms or corporations, subject to the approval and acceptance by the city council.

(11) The commission shall meet monthly. Such meetings shall be conducted at a time, date and place designated by the chairman and all members of the commission shall be notified at least three days in advance, as prescribed by law. An agenda shall be posted at the city hall in accordance with the Texas Open Meetings Law and meeting shall be conducted under same.

E. Policies. Rules and regulations for utilization of all city parks and park facilities. The following rules shall apply to the utilization of all municipal parks and park facilities:

(1) General rules and regulations.

(a) Any person(s) desiring to hold an occasional gathering in a city park shall be able to do so without permission so long as said gathering does not create a public disturbance or nuisance, and so long as said gathering disbands by curfew time described in paragraph (g).

(b) No unauthorized wheeled vehicles shall be allowed on park property outside of designated parking areas and park roadways.

(c) The consumption of alcoholic beverages is prohibited within the park area.

(d) Gambling is prohibited within the park area.

(e) Cutting or burning of any trees, shrubs, dead or alive located in the park area is prohibited.

(f) All fires shall be confined to the city's barbecue grills. Open fires in other than these designated areas are prohibited.

(g) Any person(s) shall not be allowed in, on, about or around a public park and/or facility between curfew of 11:30 p.m. to 6:00 a.m. on week nights and 12:00 midnight to 6:00 a.m. on weekends. No exceptions shall be allowed without written permission from the parks and recreation commission.

(2) *Rules and regulations regarding the use of ball fields.*

(a) Any persons desiring to reserve the ball field(s) for recreational entertainment or team practice may do so at the Sachse city hall between the hours of 8:00 a.m. and 5:00 p.m. Reservations must be made in person. Telephone reservations will be held until 4:00 p.m. at which time a team representative must appear in person to complete the reservation form and make the required deposit. Reservations for practice will be accepted for the current week only. Teams will be placed on a calendar on a first come basis and will receive a card stating the date and time of reservation. Practice time will not exceed two hours.

(b) The use of lights will be required 15 minutes prior to sunset for the safety of all players. The amount of these fees are specified in subsection (4), rules and regulations regarding fees and deposits.

(c) No games played on the ball fields in the city parks shall begin before 8:00 a.m. All lights shall be turned off by 11:00 p.m. on Monday through Thursday and by 12:00 midnight on Friday and Saturday. The use of the lights on Sunday is prohibited.

(d) The Sachse police department will be provided a list of all persons/teams which have reservations to use the ball field. A warning will be given first, and a citation may be issued for use of lights and/or ball fields without proper authority.

(e) A clean up deposit, as scheduled in subsection (4)(a)(3) will be required for all tournaments. This clean up deposit is to be applied to the city's cost for clean up in the event the sponsoring group fails to properly clean up the reserved area. Deposits are to be paid two weeks in advance and will be refunded when the city manager's designee inspects the field on the day following the tournament and finds that all litter generated by the group's usage is placed in proper receptacles.

(f) All tournament cancellations must be received at the Sachse city hall in writing not less than one week prior to the tournament date. Failure to cancel the fields one week prior to the tournament date will result in forfeit of the deposit. Rainouts are the exception.

(3) *Rules and regulations regarding the use of the covered picnic facilities at city parks.*

(a) The covered picnic facility is available for use by families, churches, businesses, and organizations for public purposes or related park activities.

(b) Reservations for the use of the covered picnic facility can be made only by a Sachse resident who is a member of the group using the facility. Any person(s) desiring to reserve the covered picnic facility shall secure written permission from the parks and recreation commission representative at city hall between the hours of 8:00 a.m. and 5:00 p.m.

(c) The parks and recreation commission or their designee has the right to refuse rental if the proposed event conflicts with scheduled events or if the proposed use is perceived to be physically detrimental to the facilities and/or grounds adjoining the facilities.

(d) Advance request for reservations may be accepted up to 12 months in advance of the requested date, and may be made either in person or by telephone. Any reservation may not exceed seven consecutive days and only one facility may be reserved. Entire reservation must be completed before additional dates or facilities may be requested.

(e) Rental agreement must be signed and fees received two weeks after the request for reservation(s) is submitted, if requested date is less than two weeks, rental agreement must be signed and fees received within two days after the request has been made. Failure to do so will void the reservation and facility will be opened for other requests.

(f) If lessee wished to cancel, written notice signed by lessee must be received one week in advance of scheduled use date, and then refund in the amount of 75 percent will be made. If cancellation notice is given less than one week, all rental fees will be forfeited. If cancellation is initiated by the parks and recreation commission, due to park closing (i.e. flooding, damage, etc.) lessee will be notified as far in advance as possible. Lessee will be permitted to reschedule, and, if not able to reschedule, full refund will be made.

(g) A deposit in the amount scheduled in section (4)(b)(2) is required for keys to lights. Keys must be returned the day following the reservation, or in the case of weekend, on the Monday following. If not returned as specified, the deposit will be forfeited.

(h) Two chaperons (age 21 or over) shall be required for functions of 50 youth or less (age 18 and under) with one additional chaperon for each additional 25 youth.

(i) All litter generated by group's usage shall be placed in proper receptacles.

(j) Lessee shall be responsible for payment of repair costs for damages to city property and equipment caused as a result of group's use of facility.

(k) Lessee, as additional consideration, shall covenant promise and agree to hold the City of Sachse fully harmless and indemnify it against any and all suits, damages, claims, causes or actions which may arise out of use of the facility.

(4) *Rules and regulations regarding fees and deposits.*

(a) Ball field reservations and deposits shall be as follows:

(1) All sports associations or leagues approved by the City of Sachse requesting to reserve ball fields for league or season games, practices and tournaments shall make all field preparations for games and practices including dragging the fields, striping fields, setting up bases, scoreboards and goals for softball, baseball, soccer and football. Clean up and placing trash in proper containers is required after every event.

(2) Requests to reserve ball fields for league or season play must be submitted to the city two weeks before practice or league play begins. Proof of insurance and a complete season schedule must be provided to the city parks department at the time of request.

(3) Clean up deposit shall be \$50.00.

(4) Light key deposit shall be \$25.00.

(5) Families, churches, businesses, organizations or individuals requesting to reserve

ball field(s) shall be charged:

- (a) Twenty-five dollars per day per field.
- (b) Twenty-five dollars light key deposit.
- (c) Fifty dollars clean up deposit.
- (d) Two hundred dollars minimum charge for tournaments.
- (e) Twenty-five dollars per team in excess of eight teams in a tournament.

(6) City approved Sports Associations or Leagues shall pay \$25.00 light key deposit, \$50.00 clean up deposit and comply with stipulations in (4)(a)(1).

(b) Covered picnic facilities and deposits shall be as follows:

- (1) Reservation fee shall be \$25.00 per day.
- (2) Light key deposit shall be \$10.00.

(Ord. No. 187, 4-23-74; Ord. No. 299, 10-12-81; Ord. No. 317, 4-12-82; Ord. No. 1050, 11-2-92; Ord. No. 1103, 8-16-93; Ord. No. 1824, §§ I, II, 2-5-01; Ord. No. 2002, § 1, 3-17-03; Ord. No. 2227, § 2, 6-19-06; Ord. No. 3258, § 1, 11-1-10)

ORDINANCE NO. 3344

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 7 "PERSONNEL" BY AMENDING SECTION 7-2 TITLED "PARK AND RECREATION COMMISSION" BY AMENDING 7-2(D) TITLED "POWERS AND DUTIES" TO INCLUDE THE NAMING OF PUBLIC FACILITIES MANAGED BY THE PARKS AND RECREATION DEPARTMENT; AMENDING 7-2(E) TITLED "POLICIES, RULES AND REGULATIONS FOR UTILIZATION OF ALL CITY PARKS AND FACILITIES" TO PROHIBIT SMOKING AND TOBACCO USE IN CITY PARKS; TO INCLUDE THE CITY COMPLEX AMPHITHEATER AS A FACILITY COVERED UNDER THE RULES AND REGULATIONS; AND ADDING A NEW SECTION 7-2(E)(5) TO ESTABLISH USER FEES FOR RECREATION FACILITIES BY CITY COUNCIL RESOLUTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 7 "Personnel" of the City of Sachse Code of Ordinances be, and the same is hereby amended by amending Section 7-2 titled "Park and recreation commission" by amending 7-2D titled "Powers and duties" and 7-2E titled "Policies, Rules and regulations for utilization of all city parks and park facilities" to read as follows:

"Chapter 7

PERSONNEL

...

Sec. 7-2. Park and recreation commission.

...

D. *Powers and duties.*

- (1) The park and recreation commission shall have the duty of acting in an advisory capacity to the council in all matters pertaining to parks and recreation. It shall acquaint itself with and make a continuous study and inspection of the complete park and recreation system of the city, and shall advise the council as to present and future maintenance, operation, planning, acquisition, development, enlargement and use policy of the city park and recreation system, and naming of public facilities managed by the parks and recreation department.

...

E. *Policies. Rules and regulations for utilization of all city parks and facilities.* The following rules shall apply to the utilization of all municipal parks and park facilities.

(1) *General rules and regulations.*

...

(h) Smoking and tobacco use is prohibited in City Parks.

...

(3) *Rules and regulations regarding the use of covered picnic facilities at city parks and the City Complex Amphitheater.*

(a) Covered picnic facilities and the City Complex Amphitheater are available for use by families, churches, businesses, and organizations for public purposes or related park activities.

(b) Reservations for the use a covered picnic facility and the City Complex Amphitheater can be made only by a Sachse resident who is a member of the group using the facility. Any person(s) desiring to reserve a covered picnic facility or City Complex Amphitheater shall secure written permission from the parks and recreation department at city hall between the hours of 8:00 a.m. and 5:00 p.m.

(c) The parks and recreation department has the right to refuse rental if the proposed event conflicts with scheduled events or if the proposed use is perceived to be physically detrimental to the facilities and/or grounds adjoining the facilities.

...

(g) Two chaperones (age 21 or over) shall be required for functions of 50 youth or less (age 18 and under) with one additional chaperon for each additional 25 youth.

...

(4) *Rules and regulations regarding ball field reservations and deposits.*

(a) Ball field reservations and deposits shall be as follows:

...

(3) Fees for the use of ball fields shall be established by City Council resolution.

(5) *Establishment of user fees for recreation facilities.*

- (a) Fees for the use of park and recreation facilities shall be established by City Council resolution.

Sec. 7-3. Emergency and disaster management"

SECTION 2. That all provisions of the Ordinances of the City of Sachse, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 5. That any person violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Sachse as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

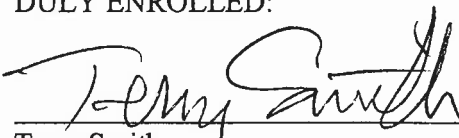
PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the 21 day of NOVEMBER, 2011.

APPROVED:



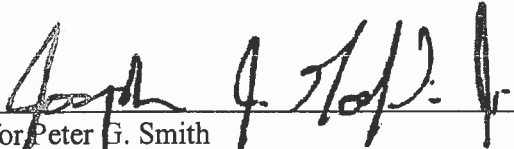
Mike Felix
Mayor

DULY ENROLLED:



Terry Smith
City Secretary

APPROVED AS TO FORM:



for Peter G. Smith
City Attorney
(PGS/JJG/08-05-11/52405)