

ORDINANCE NO. 2012-38

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 74, SECTION 74-1 IN ITS ENTIRETY; SETTING MEMBERSHIP FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

**WHEREAS**, The City provides, or causes to be provided, recreational services to the City of Burnet and to the general public

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT;**

**Section 1. Findings.** The foregoing recitals are hereby adopted by the City Council and made a part here of for all purposes as findings of fact.

**Section 2. Amendments.** Chapter 74 Section 74-1 shall be amended in its entirety as follows:

Section 74-1 shall be amended in its entirety as follows:

**Sec. 74-1. Galloway-Hammond Recreation Center Membership Fees**

The following fees shall be in effect for Galloway-Hammond Recreation Center:

(a) Membership Fees

(1) Type of Membership	Monthly
Student	\$28.00
Individual	\$40.00
Couple	\$57.00
Family I (1 Adult & 1 Child or 1 Student)	\$57.00
Family II (2 Adults & Children/Students)	\$74.00
Senior	\$28.00
Sr. Couple	\$51.00

(1) An initiation fee of \$50 shall be charged on all new memberships, with the exception of Student and Corporate memberships.

(b) Day Use – Day Use rates shall include one day access to the facility in the same manner as a member. Specialty programs are not included.

Adult            \$5.00/day  
 Children        \$3.00/day

(c) Child Care – Child care services may be offered from time to time as scheduled by GHRC. Child care services, if available, shall be included in the monthly membership rate, or at a rate of \$3.00 per child, per day, for non-members. Parent or guardian must remain on the premises.

(d) Locker Fee – Lockers may be made available to members for an additional fee of \$10.00 per month, or \$.25 per day to members or non-members paying a Day Use rate.

(e) City Employee / Council Members  
 Current and/or retired City employees in accordance with the City's Personnel Policy, and past and present City of Burnet City Council Members shall have an Individual membership at no charge.

(1) Type of Membership	Monthly
Employee / Council Member	No charge
1 <sup>st</sup> Dependent	\$19.00
Each Additional Dependent	\$5.00

(2) For purposes of this subsection, Dependents shall mean any individual eligible as a Family sub-member of the Main Member as defined in this section..

(f) Corporate Membership Fees shall be set at the following rates subject to the requirements noted herein:

Type of Membership	Annual Fee
Corporate Student	\$252.00
Corporate Individual	\$360.00
Corporate Couple	\$513.00
Corporate Family I	\$513.00
Corporate Family II	\$666.00
Corporate Senior	\$252.00
Corporate Senior Couple	\$459.00

(1) A minimum of ten (10) participants at the time of plan initiation and renewal are required to qualify for the Corporate Rate.

(g) Restrictions

- (1) Memberships do not include special programming as defined in the GHRC policies and procedures as adopted from time to time.
- (2) Accounts not paid by the due date are subject to forfeiture of membership.
- (3) Forfeited memberships which have not been re-instated and paid-in-full within 30 days shall be considered as a new membership and all applicable fees shall apply.
- (4) All fees under this section are inclusive of tax, if applicable.
- (5) No refunds will be given for the balance of an unused membership except in the case of reassignment and relocation of more than fifty (50) miles, critical illness or death of the participating member. Refund shall apply to any balance from the date of notification until the end of the existing prepaid membership.
- (6) Members may request a temporary suspension of pre-paid membership, not to exceed ninety (90) days, in the event of critical illness of the participating member. Reactivation of the account may not exceed the balance of the initial term at the time of the request for suspension.
- (7) Members who maintain an additional residency of more than one-hundred and fifty (150) miles from the City of Burnet, may request temporary suspension of their membership of up to seven months, without forfeiture of membership.
- (8) The City Manager shall develop and implement rules for the administration of memberships in a manner consistent with this ordinance.

(h) Facility Rental Fees

Facility	Rental Fee	Deposit
Main Gym Floor	\$2,000/day standard rate	\$1,000
	\$1,000/day (Non-profit/Governmental)	\$1,000
Alcohol Deposit		\$1,000
Swimming Pool	Non-Exclusive Rental	
	\$75/2 hrs/1-25 people	\$75
	\$125/2 hrs/over 25 people	\$125
	\$200/2hrs/51-100 people	\$200
	\$300/2hrs/100+ people	\$300
	Exclusive Rental	
	\$500/ (1/2) day standard rate	\$250
\$250/ (1/2) day non-profit rate	\$175	

	\$1000/Full day standard rate	\$500
	\$500/Full day non-profit rate	\$250
Ball Fields	\$100/day/per field	\$250
	\$20/per Field/per Setup	
	\$10/hr/per field (Light Fee)	

Non-City run leagues using the city owned fields will enter into an annual contract, prior to field usage, agreed upon by the City and the organization operating the league.

GHRC Pavilion	\$100/day	\$100
Disk Golf Course	\$100/day	\$100

(1) Non-profit/Governmental shall be defined as Local, State, or Federal agencies or groups, or organizations with legal non-profit status registered with the Federal or State government.

(i) Definitions. In this **section 74**, terms in *italics* shall have meanings as follows:

- (1) *Adult* shall mean an individual who is eighteen years of age or older.
- (2) *Child(ren)* shall mean an individual(s) who is seventeen years of age or younger.
- (3) *Couples* shall mean two Adults living in the same household.
- (4) *Family* shall mean Adults (including Seniors), Children, or Students living in the same household. For the purpose of a Family Membership, incapacitated Adult dependents in the legal guardianship of one of the two Adult members shall be considered a Child.
- (5) *Main Member* shall mean the individual designated as the main member on the membership registration form.
- (6) *Senior* shall mean an Adult who is fifty-five years of age or older.
- (7) *Senior Couple* shall mean two Seniors living in the same household.
- (8) *Student* shall mean an individual, 25 years of age or less, who is a full-time student in primary or secondary school (public, private, or home school), or college or university of higher education. Proof of enrollment shall be required at time of enrollment and periodically thereafter to verify eligibility.

**Section 3. Severability.** It is hereby declared to be the intention of the City Council that the section, paragraphs, sentences, clauses and phrases of this Ordinance

are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**Section 4. Effective Date** This ordinance shall be in force and effect from and after its final passage on second reading on the date shown below.

**Section 5. Open Meetings** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act Chapt. 551. Tex. Gov't. Code.


PASSED AND APPROVED on First Reading this 11<sup>th</sup> day of December, 2012.

FINALLY PASSED AND APPROVED on this the 8<sup>th</sup> day of January, 2013

CITY OF BURNET, TEXAS

ATTEST:

  
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Gary Wideman, Mayor

  
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Kelly Dix, City Secretary

