

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 58, BY AMENDING AND RESTATING SECTIONS 58-1 THROUGH 58-90; PROVIDING FOR UPDATED DEFINITIONS; PROVIDING FOR PARK USE PERMIT REQUIREMENT; PROVIDING FOR NEW RELATED FEES; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Council has determined it necessary to update the regulations regarding the use of the Town’s public parks and related facilities, and require a park use permit for large gatherings, to safeguard the health, property, and welfare of the Town’s citizens and its public parks.

WHEREAS, the City Council finds it necessary to protect the Town’s public parks and related facilities by revising the Town’s code of ordinances to provide for park use regulations and enforcement provisions.

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

SECTION 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

SECTION 2. That Chapter 58, sections 58-1 through 58-90 are hereby amended and restated to read as set forth in Exhibit A, which is attached hereto and incorporated herein for all purposes.

SECTION 3. The provisions of the Town of Addison Code of Ordinances, as amended, shall remain in full force and effect save and except as amended by this ordinance.

SECTION 4. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to penalty as provided for in the Code of Ordinances, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, Section 1-7 of the Code of Ordinances for the Town of Addison.

SECTION 5. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

SECTION 6. All ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas, on this the ____ day of _____ **2021**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney

Chapter 58 PARKS AND RECREATION¹

ARTICLE I. IN GENERAL

Sec. 58-1. Definitions.

The following words, terms and phrases when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AAC means Addison Athletic Club, which is located at 3900 Beltway Drive, Addison, Texas.

Addison membership card means a photographic identification card issued by the Town to persons upon showing proof of Town residency as provided in Section 58-67, and payment of the fee, if any.

Adopted Plan refers to the Parks, Recreation and Open Space Plan, adopted in April 2019; a copy is on file in the office of the City Secretary.

Director means the Director of Parks and Recreation for the Town or his designee.

Dependent is an individual linked to a primary membership account at the Addison Athletic Club. The primary member has legal guardianship of the dependent.

Fitness Training means fitness instruction for compensation of one or more persons either by an individually paid trainer or a trainer employed by a for-profit entity.

League Play means an organized group of people that regularly practice and/or play an organized sport.

Neighborhood Gathering is an event produced by a community based, Homeowner's Association (HOA) or neighborhood group for the benefit of their members and does not require use of parking.

Organized Sport means any game, competition, or practice which is played by three or more persons and is carried out under an agreed set of rules.

Park Use Permit is a permit that is issued by the Department of Parks and Recreation upon application and approval for group gatherings or neighborhood gatherings of more than 20 but less than 100 people.

Park Property means any park, athletic facility, reservation, playground, recreation center or any other area in the Town, owned or used by the Town and devoted to active or passive recreation, but is not acquired or designated by the Town for use as a public park. Park Properties are identified in the Parks, Recreation and Open Space Plan. The Plan also classifies parks in the following categories: Destination Park, Community Facility, Urban Park, Neighborhood Park and Greenbelt Trail.

Town means the Town of Addison, Texas.

¹Charter reference(s)—Acquisition of land for park purposes, § 11.22.

Cross reference(s)—Environment, ch. 34; streets, sidewalks and other public places, ch. 70.

State law reference(s)—General authority relative to parks, V.T.C.A., Local Government Code ch. 331 .

Town Park means that area designated by the Town as a park located south of Sidney Drive and west of Woodway Drive.

User means any authorized person to be present on Park Property other than Town employees.
(Code 1982, § 10.1-1; Ord. No. 018-004, § 2, 2-13-18)

Cross reference(s)—Definitions generally, § 1-2.

Secs. 58-2—58-30. Reserved.

ARTICLE II. USE OF PUBLIC PARKS

Sec. 58-31. Chapter applicable to all municipal park properties.

Unless otherwise specified, the terms of this chapter shall apply to all Park Property.
(Code 1982, § 10.1-2)

Sec. 58-32. Request by Director to stop or leave.

When the Director or the Director's designee, in his sole discretion and judgment, determines that a person is behaving in a manner or is performing an act which is likely to endanger or is endangering the health, safety or welfare of himself or of other users, guests, employees of the Town or other persons, the Director or the Director's designee may ask the person to cease his activity. Upon the person's refusal to so cease, or upon his resumption of such activity or similar activity, the Director or the Director's designee may ask such person to leave the Park Property. It is unlawful and an offense to disobey a lawfully issued order of the Director or the Director's designee.
(Code 1982, § 10.1-12; Ord. No. 018-004, § 3, 2-13-18)

State law reference(s)—Trespass, V.T.C.A., Penal Code § 30.05 .

Sec. 58-33. Confiscation of certain articles.

The Director may confiscate and hold any sharp, pointed object or any article which is inappropriate to the use of Park Property and equipment or which may cause injury. Such article will be returned to the person upon his departure from Park Property.
(Code 1982, § 10.1-13)

Sec. 58-34. Hours of operation; loitering prohibited.

Normal operating hours of Park Property shall be from 5:00 a.m. to 11:00 p.m. every day of the year. Any Park Property or section thereof may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), as the Director shall find reasonably necessary. No person shall remain, stay, or loiter in or on any Park Property between the hours of 11:00 p.m. and 5:00 a.m. No person shall sleep overnight on the seats, benches, couches or other areas on Park Property.
(Code 1982, § 10.1-7; Ord. No. 018-004, § 3, 2-13-18)

State law reference(s)—Trespass, V.T.C.A., Penal Code § 30.05 .

Sec. 58-35. Closed areas.

No person on Park Property shall enter an area posted as "Closed to the Public" nor shall any person use any area in violation of posted notices.

(Code 1982, § 10.1-9)

State law reference(s)—Trespass, V.T.C.A., Penal Code § 30.05 .

Sec. 58-36. Vending and peddling prohibited.

No person on Park Property shall expose or offer for sale any article, service or thing, nor shall they station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. No Fitness Training is allowed on Park Properties unless the Fitness Training has applied for and been approved by the Department of Parks and Recreation as an outdoor vendor. Concessionaires acting by and under the express written authority and regulation of the Director are excepted.

(Code 1982, § 10.1-8)

Cross reference(s)—Peddlers, solicitors and handbill distributors, § 22-61 et seq.

Sec. 58-37. Disfiguration and removal prohibited.

No person on Park Property shall willfully mark, deface, disfigure, injure, tamper with, or displace or remove, any building, tables, benches, railings, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, recreation sporting goods, towels, weight training equipment and other health or athletic equipment or accessories, trees or landscaping materials, televisions, furniture, carpet or other structures or equipment, facilities or Park Property or appurtenances whatsoever, either real or personal.

(Code 1982, § 10.1-3)

State law reference(s)—Criminal mischief, V.T.C.A., Penal Code § 28.03 .

Sec. 58-38. Littering prohibited.

No person shall deposit or leave in or on any Park Property any glass, bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or other trash. No such refuse or trash shall be placed or left anywhere on the grounds thereof, but shall be placed in the proper receptacles, where provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the Park Property by the person responsible for its presence, and properly disposed of elsewhere.

(Code 1982, § 10.1-4)

Cross reference(s)—Solid waste, ch. 66.

State law reference(s)—Litter control, V.T.C.A., Health and Safety Code ch. 365 .

Sec. 58-39. Alcoholic beverages prohibited.

Service, dispensing, use, consumption, and/or possession of alcoholic beverages is prohibited at all times on Park Properties except as allowed by the city council.

(Code 1982, § 10.1-5)

Cross reference(s)—Alcoholic beverages, ch. 6.

Sec. 58-40. Parking.

No person shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with any posted directions in such established or designated parking area and with the instructions of any attendant who may be present.

(Code 1982, § 10.1-6)

Cross reference(s)—Traffic and vehicles, ch. 78.

Sec. 58-41. Games.

No person on Park Property shall take part in any games involving thrown or otherwise propelled objects, including but not limited to golf balls, stones, arrows, javelins, or model airplanes, except in areas specifically designated for such forms of recreation. The playing of rough or comparatively dangerous games, including but not limited to football, baseball, soccer, hockey, or any other Organized Sport is prohibited except on the fields and courts or areas specifically designated for such games.

League Play is prohibited on all Park Property except for those League Play that have applied for and been approved by the Department of Parks and Recreation. Any approved League Play must abide by all rules and regulations of the Department of Parks and Recreation, including but not limited to, days of League Play, time of League Play, and any insurance requirements. Approved League Play is only permitted on Park Property specifically designated for Organized Sports. Per Addison's License Agreement with Dallas Independent School District (DISD), Addison may not facilitate League Play at Bush Elementary.

(Code 1982, § 10.1-10)

Sec. 58-42. Prohibited conduct generally; enforcement.

- (a) In the interest of the public health, safety and welfare, each of the following enumerated acts is forbidden and unlawful on Park Property:
- (1) Cursing, swearing or using indecent language.
 - (2) Creating a disturbance or unnecessary or boisterous noises.
 - (3) Taking or permitting dogs or other pets within the Park Property unless on a leash.
 - (4) Climbing fences.
- (b) Enforcement. The Director and/or the Town's Police Department shall, in connection with their duties, diligently enforce the provisions of this Chapter, as it exists or may be amended, or any other ordinances applicable to parks and recreation usage, as it/they exist or may be amended. The Director and/or the Town's Police Department shall have the authority to eject from Park Property any person acting in violation

of this Chapter, as it exists or may be amended, or any other ordinances applicable to parks and recreation usage, as it/they exist or may be amended.

(Code 1982, § 10.1-11; Ord. No. 018-004, § 3, 2-13-18)

Sec. 58-43. Group Gatherings.

- (a) Group gatherings or Neighborhood Gatherings of more than 20 but less than 100 people on Park Property must obtain a Park Use Permit. All applications for a Park Use Permit must be submitted to the Director, or their designated representative, for review and either approval or denial. Group gatherings or Neighborhood Gatherings of more than 100 people will require a Special Events Permit.
- (b) Park Use Permit Requirements:
 - (i) Applicant must be a current Addison resident or a business located in Addison, with the exception of a request to use a Destination Park.
 - (ii) Group gatherings are only allowed between the hours of 8:00 a.m. and 8:00 p.m.
 - (iii) Applicable to Parks classified as Destination Parks, Urban Parks, Neighborhood Parks, or Les Lac Pavilion in the Adopted Plan. Only Neighborhood Gatherings, that do not require parking, are allowed in Neighborhood Parks except for Les Lac Pavilion where parking is provided.
 - (iv) Destination Parks permits will only be issued 30 days, or less, in advance. All other permits may be issued 6 months in advance.
- (c) Fees:
 - (i) Addison Residents - \$150.00 refundable deposit
 - (ii) Addison Businesses - \$150.00 refundable deposit plus \$75 for the first 3 hours of use. Each additional hour will be \$25 per hour.
 - (iii). Non-Addison Resident or Business (Destination Park Only) - \$150 refundable deposit plus hourly rate that correlates with Special Events Rental Rates for Destination Parks. Refer to Special Events Permit for rates.
 - (iii) An inspection fee of \$25.00 will be required for any equipment that must be staked in the ground.
- (d) Rules
 - (i) Applicant is responsible for:
 - (1) Printing and displaying the permit;
 - (2) Damage;
 - (3) Clean-up and off-site disposal of garbage; and
 - (4) Ensuring compliance with any and all provisions of a Park Use Permit, this chapter, or any other city ordinance or applicable law, rule, standard, or regulation.
 - (ii) A Park Use Permit is for a specific area of the Park Property. The Park Property shall remain open for public use.
 - (iii) Application must identify all portable items, including but not limited to, music, games, and food trucks. Separate approval is required for the set-up of any such portable item.
- (e) Enforcement. The Director of Parks and Recreation and/or their designee and/or the Town's Police Department, shall have the authority to enforce the provisions of this chapter.

(f) Offenses.

- (i) A person commits an offense if the person commences or conducts a group gathering or Neighborhood Gathering of more than 20 but less than 100 people:
 - (1) Without a Park Use Permit; or
 - (2) In violation of any provision of a Park Use Permit, this chapter, or any other city ordinance or applicable law, rule, standard, or regulation.
- (ii) A culpable mental state is not required for the commission of an offense under this section.

(g) Penalty.

- (i) An offense is punishable by:
 - (1) a fine not to exceed \$500.00;
 - (2) loss of deposit; and/or
 - (3) actual costs of damages including remediation costs.

Secs. 58-44—58-65. Reserved.

***ARTICLE III. ADDISON ATHLETIC CLUB ~~AND TRINITY CHRISTIAN ATHLETIC~~
COMPLEX***

Sec. 58-66. Use restricted to members and guests.

The use of the grounds, facilities and equipment of the AAC is restricted to current members of AAC and guests of such members of the AAC. Only bona fide residents of the Town and their Dependents, ages three months through 18, shall be eligible to become members of the AAC. Dependents 18 through 23 years of age may remain on their parents' or legal guardian's membership application, as Dependents, if enrolled as full-time college students. Proof of full-time college enrollment may be accepted in place of the minimum requirements listed below. Employees of the Town may become conditional members of the AAC upon the terms and conditions established by the Director. Minimum membership requirements include the following:

- (1) A valid state department of public safety driver's license or state department of public safety identification card which shows a current residential address within the corporate limits of the Town;
- (2) A current document such as a utility bill, vehicle registration, voter's registration, credit card statement, vehicle insurance, or other document, as approved by the director, which shows the same address as in (1) above; and
- (3) If an applicant is living in an apartment, a signed leasing office verification form from the owner or manager of the apartment.

The Director may require additional information if deemed necessary. Birth certificates of Dependent children or guardianship documents may be requested in order to establish age and guardianship of Dependents. Exceptions to the minimum membership requirements listed above shall only be made for: (i) residents participating in the Texas Department of Public Safety Confidentiality Program; or (ii) residents who are active military. The Town may request documentation from a resident to support these exceptions.

Individuals with a Town business address or hotel address, including extended stay, are not eligible for membership. Owners of residential properties are not eligible for membership unless they currently reside on the property or at another Town residence.

(Code 1982, § 10.1-15; Ord. No. 003-006, § 1A, 3-11-03; Ord. No. 018-004, § 4, 2-13-18)

Sec. 58-67. Process for membership.

Any adult person who is a current resident of the Town may make an application at the AAC for membership on an application form prescribed by the Town. Upon presentation of proof of residency as required in Section 58-66 and upon completion of the application process to the satisfaction of the Town and payment of fees, if any, the applicant will be issued a photograph membership card. After issuance of a membership card, memberships shall be renewed annually with proof of current residency.

Code 1982, § 10.1-16; Ord. No. 018-004, § 4, 2-13-18)

Sec. 58-68. False representation of residency prohibited.

It is unlawful and an offense for a person to knowingly make a false representation on any document or to present to Town employees any document containing false information in order to gain membership in the AAC. It is unlawful and an offense for a person to knowingly give false verification of residency of a tenant of rental property to Town employees in order for the tenant to gain membership in the AAC.

(Ord. No. 1982, § 10.1-17; Ord. No. 018-004, § 4, 2-13-18)

Sec. 58-69. Failure to exhibit membership card.

Members of the AAC shall present Town membership cards upon request by the Director or the Police Department. Failure to produce and exhibit such card may result in ejection from the AAC.

(Code 1982, § 10.1-18; Ord. No. 018-004, § 4, 2-13-18)

Sec. 58-70. Fees.

A nonrefundable fee for processing the application for AAC membership shall be charged at the time of application or reapplication. The amount of the fee shall be determined by the City Council. Additional fees associated with the use of the AAC are listed below:

Recreation Fee Schedule		
Membership Fees		
One-Time Membership Administrative Fee	\$10.00	Nonrefundable
Replacement ID Card	\$10.00	
Children's Activity Center (CAC)		
CAC Drop In	\$1.00	
CAC Punch Pass - 15 Punches	\$10.00	
Late Pick Up Fee		
1 to 14 minutes	\$10.00	
15 to 29 minutes	\$20.00	

30 to 59 minutes	\$50.00	
Group Exercise Classes		
3-Months	\$75.00	
3-Months 50 Plus	\$37.50	
15 Punch Pass	\$40.00	
15 Punch Pass 50 Plus	\$20.00	
Drop in Group Exercise	\$4.00	
Drop in Group Exercise 50 Plus	\$2.00	
Summer Camp		
Weekly Fee	\$125.00	
Late Pick Up Fee		
1 to 14 minutes	\$10.00	
15 to 29 minutes	\$20.00	
30 to 59 minutes	\$50.00	
Miscellaneous Fees		
Small Towel Rental	\$0.25	
Large Towel Rental	\$0.50	
Towel Punch Pass	\$15.00	
Lost Large Towel	\$14.00	
Lost Small Towel	\$5.00	
Outdoor Pool Guest Fee	\$3.00	
Guest Fee Ages 15 and Older	\$8.00	
Guest Fee Ages 8-14	\$4.00	
Guest Fee Ages Under 7 years old	\$2.00	
Lost Key	\$10.00	
Independent Contractor Reimbursement	20%	
Equipment Replacement/Damage	Based on replacement or repair cost	
NSF Check Fee	\$35.00	
Pavilion Rental Outdoor Pool (maximum 4 hours)		
Refundable Deposit	\$50.00	
20 people	\$50.00/hour	
21 to 30 people	\$75.00/hour	
Pavilion Rental Les Lacs Park: Resident (maximum 3 hours)		
Refundable Deposit	\$150.00	
3-hour maximum	\$0.00	
Pavilion Rental Les Lacs Park: Business (maximum 8 hours)		
Refundable Deposit	\$150.00	
First 3 hours	\$75.00	
Each additional hour up to max of 8	\$25.00	
Other Program Fees		
50 Plus Trips and Programs	Fees Vary	
Children's Programs	Fees Vary	
Fitness and Adult Programs	Fees Vary	

(Code 1982, § 10.1-19; Ord. No. 018-004, § 4, 2-13-18)

Sec. 58-71. Enforcement.

- (a) *Ejection from the AAC.* The Director and Town's Police Department shall have the authority to eject from the AAC any person acting in violation of this Chapter or any person whose membership in AAC has been suspended or revoked.
- (b) *Revocation and suspension of membership.* Membership in the AAC is a privilege and not a right, which privilege is revocable by the Director at any time for any reason including the violation of or failure to comply with the terms of this Chapter or any administrative policies, procedures or regulations concerning the AAC or Park Property. Written notice of such suspension or revocation shall be mailed by certified mail or delivered to the member. The suspension or revocation is effective immediately upon issuance of the notice. The member has the right to appeal such suspension or revocation to the City Manager or his designee within ten days from the member's receipt of the notice.

(Code 1982, § 10.1-20; Ord. No. 018-004, § 4, 2-13-18)

Secs. 58-72—58-85. Reserved.

ARTICLE IV. YOUTH RECREATION PROGRAMS

DIVISION 1. ELEMENTARY AGE (5—13) RECREATION PROGRAMS²

Sec. 58-86. Standards of care.

The following Standards of Care are adopted in compliance with Section 42.041(b)(14) of the Texas Human Resources Code. The Standards of Care herein set forth are intended to be minimum standards applicable to all elementary age (ages five through 13) recreation Programs operated by the Town of Addison Recreation Department, including, without limitation, any summer camp program and any spring break program. The Programs are not licensed by the State of Texas and shall not be advertised as a child-care facility.

(Ord. No. 020-30, § 2(Exh. A), 5-26-20 ; Ord. No. 021-12 , § 2(Exh. A), 4-13-21)

Sec. 58-87. General administration.

- (a) *Organization.*
 - (1) The governing body of the Youth Programs is the City Council of the Town of Addison, Texas.
 - (2) Implementation of the Youth Programs Standards of Care is the responsibility of the Parks and Recreation Department Director or his or her designee and Department employees.

²Editor's note(s)—Ord. No. 020-30, adopted May 26, 2020 , amended Div. 1 in its entirety to read as herein set out. Former Div. 1 pertained to the same subject matter, and derived from Ord. No. 019-12, adopted April 9, 2019 .

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- (3) These Standards of Care will apply to all Programs, including, without limitation, the Summer Camp Program and Spring Break Program.
 - (4) Each Program Site will have available for public and staff review a current copy of the Standards of Care.
 - (5) Parents of participants will be provided a current copy of the Standards of Care during the registration process for a Program. Further, a copy of the Standards of Care shall be placed online on the City's primary website.
 - (6) Criminal background checks will be conducted on prospective Program employees. If results of a criminal background check indicate that a prospective Program employee has been arrested, charged with, or convicted of any of the following offenses, the prospective Program employee will not be considered for employment:
 - a. A felony or a misdemeanor classified as an offense against a person or family member;
 - b. A felony or misdemeanor classified as public indecency;
 - c. Any offense for which a person is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure;
 - d. A felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
 - e. Any offense involving moral turpitude;
 - f. Any offense that would, in the Director's sole opinion, potentially put youth participants or the City at risk.

(b) *Definitions.* For purposes of these Standards of Care, the following words shall have the respective meanings ascribed to them:

Assistant Director of Recreation means a full-time Department employee and who oversees the Program Coordinator and the operation of all Programs.

City means the Town of Addison, Texas.

City Council means the City Council of the City.

Department means the Parks and Recreation Department of the City.

Director means the Parks and Recreation Department Director of the City or his or her designee.

Employee(s) means people who have been hired to work for the Town of Addison and have been assigned responsibility for managing, administering, or implementing some portion of a Program.

Parent(s) means one or both parent(s) or adults who have legal custody and authority to enroll their child(ren) in a Program.

Participant means a youth whose parent(s) have completed all required registration procedures and determined to be eligible for a Program.

Program Coordinator or *Coordinator* means a full-time Department employee who is a recreation coordinator and has been assigned administrative responsibility for the Programs.

Program Manual means a notebook of policies, procedures, required forms, and organizational and programming information relevant to each Program.

Program Site means area and facilities where a Program is held, consisting of the Addison Athletic Club, 3900 Beltway Drive, Addison, Texas 75001.

Program Summer Camp Counselor or Counselor means a Department part-time or seasonal employee who has been assigned responsibility by the Assistant Director of Recreation to implement the City's Summer Camp Program.

Programs means all (and Program means any of the) elementary age (ages five through 13) recreation programs operated by the Department, including, without limitation, the City Summer Camp Program (Summer Camp Program) and the City Spring Break Camp Program (Spring Break Program).

(c) *Inspections/Monitoring/Enforcement.*

- (1) A written inspection report will be prepared by the Program Coordinator each month to confirm the Standards of Care are being adhered to.
 - a. Each monthly inspection report will be sent by the Program Coordinator to the Assistant Director of Parks and Recreation for review and kept on record in accordance with the City's records retention policy.
 - b. The Assistant Director of Parks and Recreation will review the report and establish deadlines and criteria for compliance with the Standards of Care where failure to comply is determined.
- (2) The Assistant Director of Parks and Recreation will make visual inspections of the Programs based on the following schedule:
 - a. The Summer Camp Program will be inspected a minimum of two times during the Summer Camp Program's schedule.
 - b. The Spring Break Camp Program will be inspected at least once during the Spring Break Camp Program schedule.
 - c. Each other Program will be inspected at least once each week during the schedule for the Program.
- (3) Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible to take the necessary steps to address any complaints and to resolve the problem(s), if any. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded in writing by the Coordinator. All complaints regarding enforcement of the Standards of Care where a deficiency is determined will be forwarded to the Assistant Director of Parks and Recreation, with the complaint and the resolution noted.

(d) *Enrollment.* Before a child can be enrolled in a Program, the parents must sign Registration forms that contain the following information about the child:

- (1) Name, address, home telephone number;
- (2) Name and address of parent(s) and telephone number(s) during Program hours;
- (3) The names and telephone numbers of people to whom the child can be released;
- (4) A statement of the child's physical health, including a physician's signed statement and current immunization (shot) records, detailing any special problems or needs of the child;
- (5) Proof of residency within the City when appropriate; and
- (6) A fully executed liability waiver and release.

(e) *Suspected Abuse.* Program employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where an employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the Assistant Director of Parks and Recreation. The Assistant Director of Parks and Recreation will then immediately notify the Director, the City Police Department, and any other agency as may be appropriate.

Texas state law requires the employees of the Programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1,000.00 and/or confinement up to 180 days. Confidential reports may be made by calling 1-800-252-5400.

(Ord. No. 020-30, § 2(Exh. A), 5-26-20 ; Ord. No. 021-12 , § 2(Exh. A), 4-13-21)

Sec. 58-88. Staffing—Responsibilities and training.

(a) *Program Coordinator Qualifications.*

- (1) The Coordinator will be a full-time, professional employee of the Department.
- (2) The Coordinator must be at least 21 years old.
- (3) The Coordinator must have received a bachelor's degree from an accredited college or university. Acceptable degrees include:
 - a. Recreation Administration or General Recreation;
 - b. Physical Education; and
 - c. Any other comparable degree plan or experience that would lend itself to working in a public recreation environment.
- (4) The Coordinator must have at least two years' experience planning and implementing recreational activities.
- (5) The Coordinator must pass a background investigation, including testing for alcohol and illegal and unauthorized drugs.
- (6) The Coordinator must have successfully completed a course in first aid and cardio pulmonary resuscitation (CPR) based on either American Heart Association or American Red Cross standards.

(b) *Coordinator's Responsibilities.*

- (1) The Coordinator is responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.
- (2) The Coordinator is responsible to recommend for hire, supervise, and evaluate Program seasonal employees.
- (3) The Coordinator is responsible to plan, implement, and evaluate Programs.

(c) *Program Summer Camp Counselor Qualifications.*

- (1) Counselors will be part-time or seasonal employees of the Department.
- (2) Counselors working with children must be age 18 or older.
- (3) Counselors must be able to consistently exhibit competency, good judgment, and self-control when working with children.
- (4) Counselors must relate to children with courtesy, respect, tolerance, and patience.
- (5) Counselors must have successfully completed a course in first aid and CPR based on either American Heart Association or American Red Cross standards.
- (6) Counselors must pass a background investigation, including testing for alcohol and illegal and unauthorized drugs.

(d) *Counselor Responsibilities.*

- (1) Counselors will be responsible to provide Program participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
- (2) Counselors will be responsible to know and follow all City, Department, and Program standards, policies, and procedures that apply to the Program.
- (3) Counselors must ensure that Program participants are released only to a parent or an adult designated by the parent. The Program Site will have a copy of the approved plan to verify the identity of a person authorized to pick up a Program participant if that person is not known to the Counselor.

(e) *Training/Orientation.*

- (1) The Department is responsible for providing training and orientation to Program employees working with children and for specific job responsibilities. The Coordinator will provide each Counselor with a Program manual specific to the applicable Program.
- (2) Program employees must be familiar with the Standards of Care for Program operation as adopted by the City Council.
- (3) Program employees must be familiar with the Program's policies, including discipline, guidance, and release of Program participants as outlined in the Program Manual.
- (4) Program employees will be trained in appropriate procedures to handle emergencies.
- (5) Program employees will be trained in areas including City, Department, and Program policies and procedures, provision of recreation activities, safety issues, and organization goals.
- (6) Program employees will be required to sign an acknowledgement that they received the required training.

(Ord. No. 020-30, § 2(Exh. A), 5-26-20 ; Ord. No. 021-12 , § 2(Exh. A), 4-13-21)

Sec. 58-89. Operations.

(a) *Staff-Participant Ratio.*

- (1) The standard ratio of Program participants to employees will be 15 to one. In the event an employee assigned to a Program is unable to report to the Program Site, a replacement will be assigned.
- (2) Each participant shall have a Program employee who is responsible for the participant and who is aware of the participant's habits, interests, and any special problems as identified by the participant's parent(s) during the registration process.

(b) *Discipline.*

- (1) Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- (2) There must be no cruel, harsh or corporal punishment or treatment used as a method of discipline.
- (3) Program employees may use brief, supervised separation from the group if necessary.
- (4) As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.

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- (5) A sufficient number and/or severe nature of discipline reports as detailed in the Program Manual may result in a participant being suspended or removed from the Program or all Programs.
 - (6) In instances where there is a danger to participants or employees, offending participants will be removed from the Program Site as soon as possible.
- (c) *Programming.*
- (1) Program employees will attempt to provide activities for each Program group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and well-being. The activities also must be flexible and promote the participants' emotional, social, and mental growth.
 - (2) Program employees will attempt to provide indoor and outdoor time periods that include:
 - a. Alternating active and passive activities;
 - b. Opportunity for individual and group activities; and
 - c. Outdoor time each day weather permits.
 - (3) Program employees will be attentive and considerate of participants' safety on field trips and during any transportation provided by the Program.
 - a. During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
 - b. Program employees must have a written list of the participants in the Program group and must check the roll frequently.
 - c. Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.
- (d) *Communication.*
- (1) The Program Site will have a cell phone to allow the Program employees to be contacted by Department recreation employees and vice versa.
 - (2) The Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees:
 - a. City ambulance or emergency medical services;
 - b. City Police Department;
 - c. City Fire Department;
 - d. The Addison Athletic Club front desk; and
 - e. Numbers at which parents may be reached.
- (e) *Transportation.*
- (1) Before a participant may be transported to and from City-sponsored activities, a transportation form, completed by the parent of the participant, must be filed with the Coordinator.
 - (2) First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.
 - (3) Program employees will carry a cell phone at all times.

(Ord. No. 020-30, § 2(Exh. A), 5-26-20 ; Ord. No. 021-12 , § 2(Exh. A), 4-13-21)

Sec. 58-90. Facility standards.

(a) *Safety.*

- (1) Program employees will inspect Program Sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.
- (2) Buildings, grounds, and equipment on the Program Site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- (3) Program equipment and supplies must be safe for the participants' use.
- (4) Program employees must have first aid supplies readily available at the Program Site, during transportation to an off-site activity, and for the duration of any off-site activity.

(b) *Fire.*

- (1) In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the participants to a designated safe area.
- (2) The Program Site will have an annual fire inspection by the local Fire Marshal, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Assistant Director of Recreation who will review and establish deadlines and criteria for compliance if any deficiencies or concerns are determined to exist.
- (3) The Program Site must have at least one fire extinguisher readily available to all Program employees. All Program employees will be trained in the proper use of fire extinguishers.
- (4) Fire drills will be initiated at Program Sites based on the following schedule:
 - a. Summer Camp Program: A fire drill twice during the session.
 - b. Spring Break Camp Program: A fire drill once during the session.
 - c. Other Programs: A fire drill at least once during the session.

(c) *Health.*

- (1) *Illness or Injury.*
 - a. A participant who is considered to be a health or safety concern to other participants or employees will not be admitted to a Program.
 - b. Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
 - c. Program employees will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the Program Manual.
 - d. Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.
- (2) Program employees will administer medication (limited only to an epinephrine pen (auto-injector) and an asthma inhaler) to participants only if:
 - a. Parent(s) complete and sign a medication form provided by the Town (to include, among other things, an indemnity and hold harmless provision, and a waiver and release provision) that provides authorization for Program employees to dispense the medication, with details as to time and dosages.

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- b. The medication is in its original container labeled with the participant's name, a date, directions, and the physician's name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the medication's expiration date.

Program employees will not administer any other medication.

(3) *Toilet Facilities.*

- a. The Program Site will have inside toilets located and equipped so participants can use them independently and Program employees can supervise as needed.
- b. An appropriate and adequate number of lavatories will be provided.

(4) *Sanitation.*

- a. The Program facilities will have adequate light, ventilation, and heat.
- b. The Program will have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
- c. Program employees will see that garbage is removed from buildings daily.

(Ord. No. 020-30, § 2(Exh. A), 5-26-20 ; Ord. No. 021-12 , § 2(Exh. A), 4-13-21)