

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 58, PARKS AND RECREATION, ARTICLE III, ADDISON ATHLETIC CLUB, BY AMENDING AND RESTATING SECTION 58-66 IN ITS ENTIRETY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council desires to amend Section 58-66, Use Restricted to Members and Guests, to provide for updated exceptions to the minimum membership requirements.

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

**SECTION 1.** That Chapter 58, Article III, Section 58-66 of the Code of Ordinances for the Town of Addison, Texas, is hereby amended and restated to read as follows:

**“Chapter 58 - PARKS AND RECREATION**

...

**ARTICLE III. - ADDISON ATHLETIC CLUB**

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

- (a) 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 resident 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.

(b) 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 be made for:

- (1) Residents participating in the Texas Department of Public Safety Confidentiality Program; or
- (2) Residents who are active military and their spouse and dependents
- (3) Residents who reside in a facility that provides services related to health, infirmity or aging.
- (4) Residents with a license issued under Transportation Code Sections 521.121(c) or 521.1211.
- (5) Residents that provide additional documentation, at the discretion of the Director, in lieu of identification required in (a) (1).

The Town may request documentation from a resident to support these exceptions.

(c) 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.

**SECTION 2.** 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 in accordance with Chapter 1, Section 1-7 of the Code of Ordinances for the Town of Addison.

**SECTION 3.** 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 4.** 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 5.** This ordinance shall become effective from and after its passage and approval and after publication as may be required by law.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas, on this the **28<sup>th</sup>** day of **FEBRUARY 2023.**

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Irma Parker, City Secretary

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Whitt Wyatt, City Attorney