

ORDINANCE NO. 787

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING APPENDIX A “FEE SCHEDULE” OF THE EVERMAN CODE OF ORDINANCES; PROVIDING FOR FEES RELATED TO RENTAL OF CITY-OWNED SPORTS FIELDS INCLUDING CONCESSIONS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Everman, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council has previously adopted a fee schedule for a variety of services provided by the City to the public which is incorporated into the City Code as Appendix A; and

WHEREAS, the City seeks to streamline a list of all its fees including the addition of the Parks and Recreation fees related to the rental of Sports Fields owned by the City; and

WHEREAS, the City Council deems it to be in the best interest of the general public to amend Appendix A of the City Code to add fees related to the rental of Sports Fields within the City of Everman.

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

SECTION 1. The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. Appendix A of the Code of the City of Everman, Texas is hereby amended to include the following fees related to the rental of Sports Fields owned by the City through the Parks and Recreation Department:

- Single Field Event Rental – \$75.00/hour
- All Field Rental/Per Day (7am – 11pm) – \$1,000.00
- Single Event Damage Deposit – \$500.00

SECTION 3. All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance, are hereby repealed, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

SECTION 4. That it is hereby declared to be the intention of the City Council of the City of Everman that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional be the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5. All rights and remedies of the City of Everman, Texas are expressly saved as to any and all violations of the provisions of the ordinances of the City of Everman which have accrued at the time of the effective date of this Ordinance, and such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. This Ordinance shall take effect immediately after its passage and publication as required by law.

PASSED AND APPROVED by the City Council of the City of Everman, Texas, this the _____ day of _____, 2022, by vote of _____ (ayes) to _____ (nays) to _____ (abstentions).

CITY OF EVERMAN, TEXAS

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary