

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE’S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED; APPENDIX A (WYLIE COMPREHENSIVE FEE SCHEDULE), SECTION IX (PARKS AND RECREATION); PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has adopted a Comprehensive Fee Schedule (“Comprehensive Fee Schedule”) for the City of Wylie, Texas (“Wylie”), which is codified in Appendix A to the Wylie Code of Ordinances, Ordinance No. 2021-17, as amended (“Code of Ordinances”); and

WHEREAS, the City has reviewed the following provisions of the Comprehensive Fee Schedule as provided herein: Section IX (Parks and Recreation); and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Wylie to amend Appendix A of the City’s Code of Ordinances, Ordinance No. 2021-17, as amended (“Code of Ordinances”), as set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Appendix A (Wylie Comprehensive Fee Schedule) of the Wylie Code of Ordinances. Appendix A (Comprehensive Fee Schedule) of the Code of Ordinances is hereby amended as follows:

“APPENDIX A

WYLIE COMPREHENSIVE FEE SCHEDULE

...

IX. Parks and Recreation.

A. Parks and Recreation Department User Fees.

The city manager or designee shall have the authority to establish and/or amend fees related to the Parks and Recreation Department’s programs, classes, memberships, rentals, concessions, merchandise, and all other related services available through Wylie Parks and Recreation.

1. *City Manager Authority:* The city manager or designee shall submit a proposed schedule of membership and rental fees to the city council for input and approval as part of the city's annual budget process. The city council may require the fees to be adjusted at any time. Such fees are charged to help offset maintenance and operational costs associated with recreation offerings. The city manager or designee may evaluate fees from time to time and revise them as necessary to reflect changes in costs and/or competition and to conform to the budget requirements adopted by the city council.
2. *Director Authority:* The director is authorized to add programs and classes, adjust the minimum and maximum participation requirements, and omit programs as necessary to meet the needs of the community and maintain appropriate cost recovery. The director is authorized to establish fees for such programs based on a combination of the amounts charged by contracted service providers, the maintenance and use costs of facilities and equipment, the costs associated with offering and administering the programs, and the budget requirements adopted by the city council.

The director is granted discretion to reduce or eliminate fees for events or activities that further the city's mission including, without limitation, those events or activities that are highly attended by Wylie residents or which promote tourism and enhance the quality of life. City support of such events or activities will be addressed during the city's budget process.

B. Park Land Dedication Fees (land dedication—minimum five acres and five acres per 100 lots).

Five or more lots per acre, per lot: \$1,500.00.

Three or four lots per acre, per lot: \$2,000.00.

One or two lots per acre, per lot: \$3,000.00.

Apartment units, per unit: \$800.00.

...”

SECTION 3: Penalty. Any person, firm, corporation or entity that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding two thousand dollars (\$2,000.00) if the violation relates to the public health and sanitation, otherwise the fine shall be a sum not exceeding five hundred dollars (\$500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Savings/Repealing. All provisions of the Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause

or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 12th day of March, 2024.

Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

Stephanie Storm, City Secretary

DATE OF PUBLICATION: in The Wylie News on March 20, 2024