

ORDINANCE NO. 3245

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS , AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING TITLE XIII, CHAPTER 133 PARKS AND RECREATION, SECTIONS 133.02, 133.15, 133.31, 133.32 AND 133.33; ~~ADOPTING-AMENDING~~ THE ATHLETICS POLICIES, AND GUIDELINES, AND A YOUTH SPORTS COUNCIL; REPEALING SECTIONS 133.34, 133.35 AND 133.36; AND PROVIDING FOR A PENALTY, SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

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

SECTION 1.

~~That~~ Section 133.02 Definitions of the Code of Ordinances, City of Carrollton, Texas, is hereby amended to read as follows:

Section 133.02. Definitions

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Association. A group of sports coaches, players, volunteers, and board members who represent a specific sport.

Director. The Parks and Recreation Director or his designee.

League. An organization that provides sports programming for people who participate in a specific sport.

Loiter. The walking around aimlessly without apparent purpose; lingering; hanging around; lagging behind; the idle spending of time; delaying; or sauntering and moving about where such conduct is not due to physical defects or conditions.

Organized Game. Any sporting event where two teams are playing each other and may have uniforms, officials, or spectators present.

Park. A park, reservation, playground, recreation center or any area in the ~~city~~City owned or used by the ~~city~~City, and devoted to active or passive recreation, including all planted medians, parkways, triangles and traffic circles maintained by the ~~city~~City.

Person. Any person, firm, partnership, corporation, association, company or organization of any kind.

Vehicle. Any conveyance employing wheel, track, laying devices, runners, fans or propellers, whether motor-powered, animal-drawn or self-propelled. The term shall include trailers of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the ~~city~~City.

SECTION 2.

Section 133.15 of the Code of Ordinances, City of Carrollton, Texas, is hereby amended to read as follows:

Section 133.15 - Promulgation and posting of rules and regulations

The ~~Parks and Recreation Director~~ City Manager or his designee shall ~~recommend to the City Council~~ establish such rules and regulations as it deems best for the management of the public parks, and where ~~these said~~ rules have been ~~adopted so established~~ for a specific park area and posted in a manner sufficiently legible to be seen by an ordinarily observant person within the specific park so regulated, any person found guilty of violating these rules shall be guilty of a misdemeanor.

SECTION 2.

That Section 133.31 of the Code of Ordinances, City of Carrollton, Texas, is hereby amended to read as follows:

Section 133.31 Responsibility of Parks and Recreation Board.

It shall be the responsibility of the Parks and Recreation Board to:

- A. Periodically audit and review the effectiveness of this policy;
- B. Evaluate problems encountered by users and/or requesters of facilities; and
- C. Recommend changes to this policy to the City Council at those times as it or the Council deems necessary.

SECTION 3.

That Section 133.32 of the Code of Ordinances, City of Carrollton, Texas, is hereby amended to read as follows:

Section 133.32 General Policies and Guidelines

A. The Recognized Youth Associations within the City of Carrollton are as follows:

- 1. Carrollton Aqua Racers
- 2. Carrollton Farmers Branch Baseball Association
- 3. Carrollton Farmers Branch Girls Softball Association
- 4. Carrollton Farmers Branch Soccer Association
- 5. Carrollton Little League
- 6. Carrollton Youth Football League

~~A.B.~~ A. Associations desiring the use of ~~city~~ City facilities must agree to and sign a facility use agreement and must confine their association within the City of Carrollton corporate limits.

~~B.C.~~ B. All associations must be recognized by the state as a non-profit organization.

~~C.D.~~ C. Eligibility requirements for youth sports participants:

- 1. Youth eligibility is regulated by each individual association's organizational rules, but must allow for all Carrollton residents.

~~D.E.~~ D. Eligibility requirements for participating in adult sports:

- 1. Carrollton welcomes both residents and non-residents to participate in adult sports.

2. Fees may vary based on residency.

~~E.F.~~ All associations or teams playing on cityCity fields must submit the following:

1. Contact information of all board members in the association.
2. Master schedule of all games to be played including dates, times, facilities, and teams are due to the cityCity electronically one week prior to first scheduled game. This includes all rosters with address for participants.
3. Proof of non-profit status.
4. All associations must submit a copy of bylaws and all bylaws must be in harmony with the policies of the cityCity.
5. Insurance: All associations or organizations must provide (and keep in force for the duration of the playing season) general liability insurance of the occurrence type written by an insurance company acceptable to the City. This insurance must have insurance limits of not less than \$1,000,000 CSL (combined single limit). The insurance certificate must list the City as an Additional insured with a notice of cancellation clause of not less than 30 days. Insurance certificate must be on file prior to any practices or games.

~~F.G.~~ Any participant of an association shall have the right to request and receive a report of all revenues, expenses, and any other financial information from any association using cityCity facilities for leagues, tournaments, or concessions.

1. All associations must submit an annual report to the cityCity to include all of the above information.

~~G.H.~~ ~~For failure to comply with established policies, the~~ The cityCity may terminate the use of cityCity facilities for any failure to comply with established policies.

~~H.I.~~ Facility use guidelines

1. Closed Fields

- i. A closed field will be any field that is not open due to inclement weather or maintenance requirements.
- ii. ~~The City Manager or designee Parks and Recreation Director~~ is authorized to close any athletic field for the purpose of maintenance or to protect the playing surface from damage.
- iii. In most cases, the cityCity will post signs and lock gates at closed fields.
- iv. No association shall provide maintenance on any field unless authorized in advance and in writing by the ~~City Manager or designee Parks and Recreation Director.~~
- v. If there has been rain before a weekday game, coaches can call after 4:00 p.m. to check if facilities are playable. Some decisions may be made as late as 5:00 PM; extreme cases 6:00 PM. All league presidents must advise their participants that only coaches should call the rain out number. Coaches should then notify their team.

- vi. Prior to each season, the ~~city~~City ~~will may~~ designate rest days for maintenance during that season. ~~Wednesdays will be a standing rest day unless approved by the city. Fields will be closed for a minimum of two days per week (excludes cricket field).~~
 - ~~vii.~~ All soccer fields will be closed during the last two weeks of ~~May~~ June and all of ~~June~~ July for maintenance unless approved by the ~~City Manager or designee~~ Parks and Recreation Director. ~~All fields will be closed during the month of December and first two weeks of January. All soccer fields will closed for over seeding for a two-week period during the months of September and October on dates determined by the -Director.~~
 - ~~vii.~~
 - ~~viii.~~ ~~All soccer fields will close for a one two week period during the months of September and October for over seeding.~~
 - ~~ix.~~ ~~viii.~~ If fields are damaged during a closure (for any reason) the repair of damages will be charged to the person responsible for the field rental.
2. Parking
- i. All participants must park in designated areas. Motorized vehicles are prohibited on walkways, grass and trails. All vehicles are subject to ticketing and/or towing at the owner's expense.
3. Practices
- i. All teams must request a permit and pay for any practice time on or in City athletic facilities. **It is unlawful for any team or association to conduct organized practices on any athletic field without proper permit.**
 - ~~ii.~~ Practice fields in neighborhood parks shall not require a permit. They are first come, first served. There shall be no organized games on neighborhood practice fields.
 - ~~ii.~~ ~~iii.~~ Each Recognized Youth Association will be allotted one free week of practices/scrimmages the week prior to their regular season(s). Associations are responsible for scheduling teams and communicating their facility needs with the cityCity no less than one week in advance.
 - ~~iii.~~ ~~iv.~~ Due to the specialized nature of their sport, Carrollton Youth Football will be provided access to facilities for practice. Practice schedules must be provided to the cityCity by the association no less than one week in advance.
4. Make-up Games
- i. **All league make-up games and non-scheduled games must be approved in advance by the cityCity.** No game shall be rescheduled for any reason other than inclement weather or electrical failures. Any other reason for rescheduling must be submitted in writing for review and approval.
 - ii. All associations wanting to extend the season from its original request must submit a request in writing to the ~~city~~City.

- iii. Granting or denying the association's request shall be within the discretion of the ~~city~~City.

5. Keys

- i. The president of each association must submit a completed key request ~~form in writing~~ to the athletics office for review and approval by the- Director, stating which keys are needed and who will be responsible for the keys. Four keys shall be given to the league for each different lock and a \$25.00 deposit for each key will be required. All additional keys shall be \$5.00 each plus a \$25.00 deposit for each additional key.
- ii. A key audit will be performed on an annual basis. ~~during the August committee meeting.~~
- iii. Lost keys may result in a complete changing of the locks at the association's expense and loss of key privileges.

6. Litter Removal

- i. All associations and individual user-groups are responsible for cleaning up playing surface and surrounding areas of athletic complexes. Failure to comply may result in loss of playing privileges. Absolutely no glass containers shall be allowed at any park.

7. Lights

- i. ~~All lights are scheduled and controlled by the city.~~ Access will be given to specified board members to control lights using the Musco Control Link System at designated facilities during league games only.
- ii. ~~No association or user group is permitted to operate any electrical controls of the lighting system without prior approval.~~ Any association that abuses the use of the lights will lose access to the Musco Control Link System.

8. Concessions

- i. All associations shall have the right ~~of to~~ operate concession stands on a schedule determined by the- Director. If the association chooses not to operate the stand, the ~~city~~City will may operate the concession stand in whatever manner the Director deems appropriate. contract it out to a concessionaire.
- ii. In the case where associations share a concession stand, the two associations must come to an agreement amongst themselves. In cases in which there is no agreement, the City will may operate the concession stand in whatever manner the Director deems appropriate. Game days ~~will always~~ supersede practices when deciding who will have use of the stand.
- iii. All concession stands must meet the ~~city~~City's Environmental Services Department Guidelines.
- iv. All associations are responsible for the cleanliness of each stand they operate. Failed Health inspections ~~could~~may result in loss of rights to operate.

- v. All associations are required to purchase all soft drink supply from ~~Pepsi Bottling Group~~ the City's current contracted vendor unless otherwise approved by ~~city~~ the City.
 - vi. The ~~city~~ City ~~shall~~ may supply water, electricity, and make needed repairs to the concession stand. If the ~~city~~ City finds the concession stand dirty from food or other items, the association will be charged \$25 per hour for each employee needed to clean the facility.
 - vii. All associations must collect and remit all applicable sales tax for items sold on ~~city~~ City property.
 - ~~vii-viii.~~ Failure to comply with State law, the Carrollton Code of Ordinances, or park rules established by the City may result in the loss of rights to operate.
9. Field Maintenance
- i. No association shall provide any type of field maintenance, including the use of any product for drying infields and marking lines, unless a written request is submitted and approved by the ~~city~~ City ~~Director~~. ~~This includes the use of any product for drying infields and marking lines.~~
10. Alcohol in Parks
- i. It is unlawful to possess or consume alcoholic beverages within any ~~city~~ City park or athletic/recreation facility.
11. Scoreboard Control Boxes
- i. Control boxes will be ~~checked out~~ available to each association ~~prior to~~ throughout each season.
 - ii. If an association loses or damages the control boxes, that association will reimburse the ~~city~~ City for replacement parts or repairs. ~~This includ~~ ing wires and inserts to boxes.
 - ~~iii. All control boxes must be returned to city at end of season.~~
12. Goal Posts
- i. All goal posts shall remain secured in the ground at all times. No association or any user-group is permitted to move goal posts; ~~unless approved by the city~~ City without express approval from the Director. Failure to comply ~~will~~ may result in loss of rights to use the facility.
 - ii. Tape is not permitted as a method of securing nets to soccer goal posts.
13. Coaches Certification for Recognized Youth Associations
- i. Each association is responsible for having all coaches certified through a state or national organization, ~~or the city can certify them~~ through ~~Texas Amateur Athletic Federation~~ the City's current certification program. The association is responsible for all costs of the certification.
 - ii. Certifications must include a minimum of \$1,000,000 of liability insurance and background checks.

- iii. ~~Each associations shall submit r~~Rosters of certified coaches ~~must be submitted to the city~~City.
14. Criminal History Background -Checks for Recognized Youth Associations
- i. All associations are required to conduct ~~a~~criminal history background checks on all coaches and volunteers associated with any team or association.
15. Age Cut-off
- i. All associations set age cut-off dates in conjunction with their governing body or parent organization.
 - ii. All participants are placed in age divisions based on their age as of the current year of each date set by the association by laws.
 - iii. Dates can be changed subject to approval by the City.
16. Facility Allocation
- i. Primary Facilities used by Recognized Youth Associations for league games
 - 1. Carrollton Farmers Branch Youth Soccer
McInnish Soccer Complex Fields A-E and R.E. Good Soccer Complex Fields 1-5
 - 2. ~~Pony-Carrollton Farmers Branch~~ Baseball Association
McInnish Baseball Fields 6-9, 11
Josey Ranch Field 6
 - 3. Carrollton Farmers Branch Girls Softball
Josey Ranch Fields 1-4
 - 4. Carrollton Little League
Thomas Fields 1-2 and ~~Jimmy Porter 1-2~~
Josey Ranch Field 6 McInnish Baseball Fields 10, 12-15
 - 5. Carrollton Youth Football
Josey Ranch and Thomas Football Fields
 - 6. Carrollton Aqua Racers
Rosemeade Rainforest Aquatic Complex
 - ii. Note: The cityDirector may make changes to the ~~above~~allocations based on registration numbers for each association.

I.J. Scheduling/Reservations

- 1. The ~~City Manager or his designee Parks and Recreation Director~~ will make final decisions ~~about regarding permit issuance,~~ scheduling, and field allocation.
- 2. All ~~reservations-season requests~~ must be made in writing by each association and submitted to the City no later than ~~the regular scheduled committee meetings one month~~ prior to opening day of each season. Requests must include the following information:
 - i. Specific facilities being requested
 - ii. Beginning and ending dates of season
 - iii. Specific Estimated days and times each facility is needed
 - ~~iv. Number of teams and participants~~
- 3. All associations must submit game schedules to the cityCity ~~at least no less than~~ one week ~~prior prior to opening day~~ each season.

4. All ~~city~~City programs or events scheduled by the Ceity have first priority on any athletic facility.
5. All recognized youth associations ~~recognized as members of the Youth Sports Council~~ will have second priority on any athletic facility listed in this subsection.
6. All primary seasons will have priority over secondary or off-season sports. Each association must designate primary season.
7. All other user-groups must obtain a permit from the Director. ~~receive approval from the City. Permits will be given if approved.~~ Individual teams of associations must obtain and pay for field use.
8. The ~~City~~ Director may restrict any reservation length, time, and/or frequency.
9. All playoff dates must be submitted as part of the season schedule.
- 9.10. Failure to meet required deadlines could result in loss of priority use or use of facilities.

~~J.~~K. Tournaments

1. Each association may hold one tournament per year with no field rental charge.
2. The ~~city~~City may host any Regional, State, or National tournament ~~those which~~ would take precedence over any other tournament.
3. Tournament requests follow the same guidelines stated in this subsection.

~~K.~~L. Clinics or Camps

1. ~~Any clinic or camp must be outlined in the facility request form prior to each season.~~
- 2.1. ~~Any clinic or camp request by a non-committee member~~ must be submitted to the ~~city~~City for approval.
- 3.2. ~~The clinic or camp~~ host will pay field rental fees and a negotiated fee from sales or gate fees.
- 4.3. ~~Clinics and camps are secondary to all league play~~

~~L.~~M. Vendor Fee

1. A negotiated fee will be paid to the ~~city~~City when money is taken for goods or services on ~~city~~City owned park property.

~~M.~~N. Field Rentals

1. ~~Persons who do~~Any person who does not sign a facility use agreement may rent fields based on availability in accordance with the policies and guidelines (except insurance and audit requirements) and after paying the fees in accordance with Chapter 31 of the ~~city~~City's Comprehensive Fee Schedule and signing a field rental agreement. All field rentals must be approved by the ~~City Manager or designee~~ Parks and Recreation Director. A field rental permit issued by the Director ~~will be provided and~~ must be shown if asked for by a representative of the City.

O. Annual Meeting

1. Upon the request by the Director, each Recognized Youth Association shall meet with the City staff to review City ordinances and discuss expectations and field closures for the upcoming season/year."

SECTION 4.

That Section 133.33 of the Code of Ordinances, City of Carrollton, Texas, is hereby amended to read as follows:

Section 133.33. Youth Sports Council

- ~~A. The Youth Sports Council shall consist of members from each city approved youth athletic association. The city of Carrollton shall recognize one athletic organization for each sport, with the exception of youth baseball, which shall have two recognized organizations. Each athletic organization that is recognized by the City of Carrollton as of August 1, 2005 shall continue to represent their sport on the Youth Sports Council for the life of the organization.~~
- ~~B. Each representative to the Youth Sports Council shall be appointed by his or her organization. Membership in the Youth Sports Council is mandatory if a recognized youth organization wishes to use city athletic facilities.~~
- ~~C. The Youth Sports Council will have regular meetings two times per year which will coincide with seasonal dates. The first meeting will take place in February and the second meeting will take place in August. Special meetings may be called by the city or at the request of two or more council members. A minimum of 48 hours is needed to call a special meeting.~~
- ~~D. A youth organization representing a new sport and desiring membership on the council must petition and meet with the City ninety (90) days prior to the February meeting for Spring/Summer sports or ninety (90) days prior to the August meeting for Fall/Winter sports. The City must approve each organization for use of city athletic facilities and their membership must be ratified by a majority vote of the existing members.~~

SECTION 54.

That Sections 133.34, 133.35 and 133.36 of the Code of Ordinances, City of Carrollton, Texas, are hereby repealed.

SECTION 65.

That any person, ~~association or group~~ violating a provision of this ordinance, upon conviction, is guilty of a misdemeanor offense punishable as provided in Section ~~I~~ 10.99 of the Carrollton City Code.

SECTION 76.

That save and except as amended by this ordinance, all other ordinances of the City of Carrollton, Texas shall remain in full force and effect.

SECTION 87.

That the provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code. If any section, sub-section, paragraph, clause, phrase or provision of this ordinance, or its application to any person or circumstance shall be adjudged or held invalid, that invalidity shall not affect the provisions that can be given effect without the invalid provision or application.

SECTION 98.

That this ordinance shall take effect immediately from and after its adoption and publication.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this ____ day of [Month], [Year].

Matthew Marchant, Mayor

ATTEST:

Krystle F. Nelinson, City Secretary

APPROVED AS TO FORM:

Meredith Ladd
City Attorney

APPROVED AS TO CONTENT:

Scott Whitaker
Parks and Recreation Director