

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING CHAPTER 133 OF THE CITY OF CARROLLTON CODE OF ORDINANCES OF THE CITY BY REVISING AND ADDING DEFINITIONS; REVISING PROHIBITED ACTIVITIES IN PARKS; REVISING RESTRICTIONS ON THE USE OF MOTOR VEHICLES WITHIN PARKS; REVISING RESTRICTIONS REGARDING ALCOHOL IN PARKS; CREATING A PARKS PERMIT PROCESS; CREATING A HISTORIC LANDMARK AND HISTORIC DESIGNATION PROCESS; CREATING AN ADAPTIVE SPORTS ACCESSIBILITY PROGRAM; PROVIDING FOR PENALTY, SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (the “City”) is a Home-Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, the City Council finds it necessary to amend Chapter 133 of the Code of Ordinances to better reflect the current needs and priorities of the community regarding the use, management, and accessibility of City parks; and

WHEREAS, the City Council recognizes the importance of regulating alcohol use in parks to ensure public safety; and

WHEREAS, the establishment of a parks permit process is necessary to regulate the use of public park facilities for parks events; and

WHEREAS, the relocation the historic landmark and historic designation process to Parks and Recreation provides for a central location for regulations related to Parks consistent with other Parks and Recreation programs ; and

WHEREAS, the City Council desires to enhance park access for all residents by establishing an adaptive sports accessibility program to ensure inclusive recreational opportunities for persons with disabilities; and

WHEREAS, the City Council has determined that these amendments are in the best interest of the health, safety, and welfare of the residents of the City of Carrollton.

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

SECTION 1

Chapter 133, Parks and Recreation, of Title XIII, of the Carrollton Code of Ordinances is amended to read as follows:

“CHAPTER 133. – PARKS AND RECREATION

GENERAL PROVISIONS

Sec. 133.01. Short title.

This chapter shall be commonly known and cited as the Parks and Recreation Code.

Sec. 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 their 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 owned or used by the city, and devoted to active or passive recreation, including all planted medians, parkways, triangles and traffic circles maintained by the 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.

Bet. An agreement to win or lose something of value solely or partially by chance.

Thing of value. Any benefit, but does not include an unrecorded and immediate right of replay not exchangeable of value as defined in Texas Penal Code Sec. 47.01.

Firearm. As defined by the Texas Penal Code, as amended.

Archery Equipment. A bow, longbow, compound bow, recurved bow, crossbow or other device which by means of a drawn or stretched line or chord may be employed to discharge an arrow or projectile at a velocity which, if shot at a person or animal, may cause injury.

Airgun. Air rifle or air pistol, bb gun, or other instrument, by whatever name known, which by means of compressed air, compressed gas, springs, or by any other means is capable of discharging shots, pellets, or any solid object.

Fireworks. Any sparkler, squib, rocket, firecracker, roman candle, torpedo, fire balloon, star shell, cannon cracker, or any other substance in whatever combination by designated name used to obtain a visible or audible pyrotechnic display, including all articles or substances within the commonly accepted meaning of the term fireworks, whether herein specifically designated and defined or not.

Special Event Permit. As referenced in chapter 117 of this Code of Ordinances.

Park Permit. As referenced in section 20 of this chapter.

Alcohol Use. As referenced in section 19 of this chapter.

Park Board. As referenced in chapter 34 of this Code of Ordinances.

Museum and Historic Advisory Committee. As referenced in chapter 34 of this Code of Ordinances.

Secs. 133.03—133.14. Reserved.

RULES AND REGULATIONS

Sec. 133.15. Promulgation and posting of rules and regulations.

The Parks and Recreation Director shall recommend to the City Manager such rules and regulations as it deems best for the management of the public parks, and where these rules have been adopted for a specific park area and posted in a manner sufficiently 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.

Sec. 133.16. Certain activities prohibited.

Within the limits of any public parks, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, except as may be otherwise provided ~~or by written agreement or permit issued by the city:~~

- (A) To hitch, fasten, lead, drive or let loose any animal, reptile or fowl of any kind, provided that this shall not apply to dogs when led by a cord or chain, not more than six feet long, except in designated areas.
- (B) To ride or drive any horse or other animal, except in designated areas. To ride, drive or go at a rate of speed faster than speed limits as posted on standard traffic signs, upon any bicycle, motorcycle, automobile or any other vehicle whatsoever, upon any drive or street in any park of the city, or to ride or drive any motorcycle, automobile or other motorized vehicle upon any walk in that park, except in designated areas.
- (C) To carry ~~or discharge~~ any firearm, ~~firecrackers, rockets, torpedoes or any other fireworks, airguns, BB guns, bow and arrows, slingshots; or hit golf balls except in designated areas.~~ other than a handgun carried by a person not otherwise prohibited by law from carrying a handgun, air gun, or fireworks. This section does not apply to a law enforcement peace officer when acting in the performance of an official duty.

- (D) To discharge any firearm, air gun, or fireworks; or hit golf balls, except in designated areas. This section does not apply to a law enforcement peace officer when acting in the performance of an official duty.
- (E) To damage, cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus, or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface any building, monument, fence, bench or other structure.
- (F) To cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer.
- (G) To swim, to bathe, wade in or pollute the water of any fountain, pond, lake or stream.
- (H) To make or kindle a fire, except in picnic stoves, braziers, fire pits or designated areas provided for that purpose.
- (I) To wash dishes or to empty salt water or other waste liquids elsewhere than in sinks provided for those purposes.
- (J) To leave garbage, cans, bottles, papers or other refuse elsewhere than in receptacles provided therefor.
- (K) To participate or engage in any activity on any public park area when that activity will create a danger to the public or may be considered a public nuisance. The Parks and Recreation Board or the Director may designate particular locations within park areas for specific activities. Overnight camping is prohibited on any park property, ~~except by special permit issued by the Director of Parks and Recreation.~~
- (L) To ~~play or~~ bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device, for money, ~~chips, shells, credit or any other representative of value,~~ or to maintain or exhibit any gambling table or other instrument of gambling or gaming ~~for the purpose of betting.~~
- ~~(L) To possess or consume any alcoholic beverage except as allowed on the municipal golf course or as referenced in chapter 117 of the Code of Ordinances. TABC licensing laws must be adhered to.~~
- (M) To use or speak any threatening, abusive, insulting or indecent language in any of the public parks, and no person shall commit, in any public parks, any obscene, lewd or indecent act or create any nuisance.
- (N) To disturb ~~the peace or disrupt~~ in any manner any picnic, meeting, service, concert, exercise or exhibition.
- (O) To distribute, post, place or erect any advertising handbill, circular, bill, notice, paper or other advertising device ~~without prior permission of the Parks and Recreation Department.~~
- (P) To sell or offer for sale any food, drinks, confections, merchandise or services, ~~unless that person has a written agreement or a permit issued by the Parks and Recreation Department.~~

- (Q) To practice, carry on, conduct or solicit for any trade, occupation, business or profession or to circulate any petition of whatsoever kind or character ~~without approval of the Parks and Recreation Department.~~
- (R) To remain, stay or loiter in any public park between the hours of 10:30 p.m. and 5:00 a.m. of the following day or remain, stay or loiter in any park in other than open hours if posted as open other than 5:00 a.m. to 10:30 p.m. of the same day, ~~except by special permit issued by the Director of Parks and Recreation.~~
- ~~(S) For any person over the age of six years to use the restrooms and washrooms designated for the opposite sex.~~
- (S) To remain, stay or loiter on any piece, part or portion of a park after receiving notice that said piece, part or portion has been reserved by the Parks and Recreation Department for the use or benefit of another.
 - (1) ~~In this division, "notice" of reservation must be in writing, must reflect the name of the person for whom the piece, part or portion of the property is reserved, the date and time that the reservation is effective, and must bear the signature or initials of the Director or his designee. Reservation documentation must clearly state time and date, including set up and clean up time, and must be issued by the city.~~
 - (2) It is a defense to prosecution that the person is remaining, staying or loitering on the piece, part or portion of a park that has been reserved at the invitation of the person for whose use or benefit the piece, part or portion has been reserved.

Sec. 133.17. Use of commercial vehicles.

All vehicles used for the purpose of transporting freight and merchandise, or brick, stone or gravel, and all those commonly known as floats, moving wagons, express or delivery wagons are prohibited from entering upon or being driven through any of the public parks of the city, except by ~~special permission of the Director of Parks and Recreation~~ written agreement or permit issued by the city subject to appropriate conditions and safeguards.

Sec. 133.18. Motor vehicles; traffic and parking restrictions.

- (A) No vehicle shall be driven over or across ~~the~~ curbs, sidewalks, grass or lawn within any park area unless signs permit.
- (B) No vehicle shall be parked in the greenbelt areas adjacent to alleyways. Parking is to be done in areas set aside for this purpose only. In areas having no parking set aside, all parking will take place outside of the boundary or curb line, where existing.
- (C) Where parking stalls have been designated all vehicles shall be parked on those lots within and between the lines designating a single vehicle parking space and not otherwise.
- ~~(D) here parking lots or areas within public parks of the city have been designated for head in parking to front on a visible parking line without delineated single vehicle spaces, the front of the vehicle shall be placed on the parking line and as near as practicable to side of the last parked vehicle in line.~~
- ~~(E) No vehicle shall be parked or left behind any other vehicle in the parking line or back of the parking line in any manner so as to obstruct, block or hinder ingress or egress from the line.~~

- (E) No vehicle, ~~except the city fleet~~, shall be parked or remain parked on any park property between the hours of 10:30 p.m. and 5:00 a.m.
- (F) Officers of the Police Department shall issue to violators of this section traffic tickets or notices to answer ~~to~~ charges in the manner prescribed by the applicable ordinances, and the case shall proceed in accordance with such applicable sections. Where a vehicle is parked or left in violation of this section in a manner as to obstruct or block traffic and the owner or operator of the vehicle cannot be found, police officers may move the vehicle so that traffic will not be impeded.
- (G) No variation to the requirements of this section shall be allowed except by ~~special permit issued by the Director of Park and Recreation~~ written agreement or permit issued by the city.
- (H) Culpable mental state not required. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this section.

Sec. 133.19. ~~Reserved Alcohol in parks.~~ Permitted only with a Park permit at Indian Creek Golf Course, Crosby Recreation Center, Carrollton Senior Center, A.W. Perry Homestead, or as permitted in Chapters 117 or 130.26 of the Code of Ordinances.

Sec. 133.20. ~~Reserved Park Permit.~~

~~Park permits are required when an exemption for use of property or specific use is requested within the city Parks system. Permit applications can be received through the Parks and Recreation Administrative Office, and approval is granted by the Parks and Recreation Director. Park permit fees are in addition to other fees as outlined in chapter 31 of this Code of Ordinance. Permit applications must be submitted at least 30 days prior to use.~~

~~Park Permits are required for the following:~~

- ~~(A) An exemption for use of property which requires written approval from the city as referenced within this chapter and does not necessitate a special event permit as referenced in Chapter 117.~~
- ~~(B) Specialty equipment such as or similar to bounce houses, portable cooking trailers or stoves, any items requiring stakes, barrels or other items to tether objects.~~
- ~~(C) Priority or exclusive use to areas that are not listed within Chapter 31. G of this Code of Ordinance.~~
- ~~(D) Operate a business when not approved by another written agreement or Special Event Permit such as photography, fitness classes, private lessons or training camps or the like.~~

Sec. 133.21. ~~Reserved Historic Designation~~

~~The City Council of Carrollton hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of designations of historical and cultural importance and significance are necessary to promote the economic, cultural, educational, and general welfare of the public and that such designations represent the unique confluence of time and place that~~

shaped the identity of generations of citizens, both collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage.

The designation of an historic landmark and/or historic district is intended to:

1. Protect and enhance the landmarks and areas which represent distinctive elements of Carrollton's historic, architectural, and cultural heritage
2. Protect and enhance Carrollton's attractiveness to residents, visitors and tourists
3. Support the harmonious, orderly, and efficient growth and development of the community
4. Promote, maintain and stimulate economic prosperity and the general welfare of the community, and
5. Encourage stabilization, restoration, and improvements of properties and their values.
6. Educate Carrollton residents and visitors about Carrollton's history.

(A) HISTORIC PRESERVATION OFFICER: (Also referred to as the "HPO")

The City Manager or their designee shall appoint a qualified city official or staff person of the City of Carrollton to serve as a Historic Preservation Officer. This officer shall administer this ordinance in accordance with CZO Article XX.3.

(B) MUSEUM AND HISTORIC PRESERVATION STAFF LIAISON: (Also referred to as the "MHPL")

The City Manager or their designee shall appoint a staff person from the city to serve as Museum and Historic Preservation Staff Liaison. This person shall coordinate with various departments and city personnel to aid in the preservation and education of Carrollton's history. The MHPL shall meet with and serve as staff liaison to the Museum and Historic Advisory Committee at their regular meetings and advise them on matters regarding the A.W. Perry Homestead Museum, historical designations and landmarks, other Carrollton history issues as well as the administration of this ordinance.

The MHPL may advise and assist the HPO in historical research, documents, and recommendations, but shall not be responsible for items related to planning and zoning laws.

This officer shall also provide assistance to applicants as pertained to the A.W. Perry Homestead, Carrollton history, and markers unrelated to zoning laws and shall coordinate the city's historic preservation activities with those of federal and state agencies, and with local, state and federal preservation organizations with the HPO as needed.

(C) MUSEUM AND HISTORIC ADVISORY COMMITTEE: (Also referred to as "the Committee" and "MHAC")

The Museum and Historic Advisory Committee shall conduct meetings as established in Chapter 34 of this Code of Ordinances.

(E) APPLICATION FOR HISTORIC DESIGNATION:

Application for a designation for a historic landmark may be submitted if the landmark has received National or State historical recognition or satisfies at least 2 points within the below criteria. Source verification is required for all information pertaining to claims of significance.

Designations requiring a marker or text panel at a particular location, the applicant must be sole owner or have written permission granting approval for application from current property owner(s), any persons named in the application, or any other company, corporation or individual who may have a say or right of objection to the designation.

1. Definitions:

Age: Most topics must date back at least 50 years, although historic events may be marked after 30 years. The city may waive age requirements for topics of overwhelming importance.

Historical significance: A topic is considered to have historical significance if it had influence, effect, or impact on the course of history or cultural development; age alone does not determine significance.

2. Criteria:

a. Structures

- i. Possesses significance in history, architecture, archeology or culture
- ii. Embodies the distinctive characteristics of a type, period, style or method of architecture or construction
- iii. Represents the work of a significant builder or craftsman
- iv. Possesses high artistic values
- v. Has yielded, or is reasonably likely to yield, information important to history or prehistory

b. Location

- i. Place of an established and familiar feature of the community
- ii. Possesses significance in history, architecture, archeology or culture
- iii. Possesses high artistic values
- iv. Has yielded, or is reasonably likely to yield, information important to history or prehistory

c. Event

- i. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state or national history
- ii. Has yielded, or is reasonably likely to yield, information important to history or prehistory

d. Person – *person's death date must fall within the age requirements*

- i. Is associated with the life of a person or persons significant to the community by positively contributing to the community's quality of life, growth, and/or prosperity.
- ii. Represents and/or contributes to a significant and distinguishable entity whose components may lack individual distinction
- iii. Has yielded, or is reasonably likely to yield, information important to history or prehistory

(F) PROCESS FOR APPROVAL OF HISTORIC DESIGNATION:

MHAC shall discuss applications during the next scheduled meeting when the completed application is received no less than 10 days from the scheduled meeting.

- a. MHAC shall send approved recommendations to City Council, and a report containing the following information, as applicable:
 - i. An explanation of the significance of the nomination as it relates to the Criteria for Designation
 - ii. An explanation of the integrity and authenticity of historic character of the nominated designation.
 - iii. Recommendation for location of displaying designation information e.g., in the form of historical marker, educational panel, website viewing or the like.
 - iv. Testimony or evidence received by MHAC as part of the application.
- b. Upon approval from City Council, the designation shall be recorded as a resolution and noted as recommended by MHAC.
- c. Text, manufacturing, and placement for designation display shall be decided and approved by MHPL.

(G) REMOVING A DESIGNATION:

A designation for a historic claim may be removed in the same manner and by the same process by which it was enacted.

(H) HISTORIC DISTRICT – Historic Preservation Overlay District shall function as outlined in the CZO Article XX.3 of this Code of Ordinance.

Secs. 133.19 22—133.29. Reserved.

ATHLETIC ACTIVITIES

Sec. 133.30. Purpose.

This subchapter is hereby adopted to serve as a guide for the comprehensive and effective usage of athletic/recreational facilities owned, leased, scheduled or otherwise controlled by the city.

Sec. 133.31. Responsibility of Parks and Recreation Board.

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

- (A) Act in accordance with Chapter 34 of ~~the City~~ this Code of Ordinances;
- (B) Periodically audit and review the effectiveness of this ordinance;
- (C) Evaluate problems encountered by users and/or requesters of facilities; and
- (D) Recommend changes to this ordinance to the City Council at those times as it or the Council deems necessary.

Sec. 133.32. ~~General policies and guidelines~~ Youth Associations.

- (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; and
 - (5) Carrollton Youth Football League.
- (B) Associations desiring the use of city facilities must agree to and sign a facility use agreement and their association must be located within the City of Carrollton corporate limits.
- (C) All associations must be recognized by the state of Texas as a non-profit organization.
- (D) 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.
- (E) All associations or teams playing on city fields must submit the following annually:
 - (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 city electronically one week prior to first scheduled game.
 - (3) All rosters that include the listing of the city of residence for each participant.
 - (4) Proof of non-profit status.
 - (5) All associations must submit a copy of bylaws and all bylaws must be in harmony with the policies of the city.
 - (6) 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 \$1,000,000.00 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) 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 city facilities for leagues, tournaments, or concessions.
 - (1) All associations must submit an annual report to the city to include all of the above information along with a copy of their most recent tax return.
- (G) The city may terminate the use of city facilities for any failure to comply with established policies.
- (H) Facility use guidelines
 - (1) Closed fields.

- (a) A closed field will be any field that is not open due to a determination made by the Director,
 - (b) The Director is authorized to close any athletic field for inclement weather, maintenance requirements, or to protect the playing surface from damage.
 - (c) In most cases, the city will update the rainout line and lock gates for closed fields.
 - (d) No association shall provide maintenance on any field unless authorized in advance and in writing by the Director.
 - (e) If there has been rain before a weekday game, coaches may check the rainout line after 4:00 p.m. to verify whether facilities are playable. Some decisions may be made as late as 6:00 p.m. in extreme cases.
 - (f) Prior to each season, the city may designate rest days for maintenance during that season.
 - (g) 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.
- (a) All participants must park in designated areas.
 - (b) Motorized vehicles are prohibited on walkways, grass and trails.
 - (c) All vehicles are subject to ticketing and/or towing at the owner's expense.
- (3) Practices.
- (a) Rosemeade practice fields are available for teams under nine years of age that are registered with a recognized youth baseball, softball or soccer association. Each team is limited to one hour per week and space is available to be reserved Monday - Friday evenings during the spring and fall seasons.
 - (b) All teams, other than those described in H(3)(i) of this section, 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 the required permit.
 - (c) 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.
 - (d) 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 city no less than one week in advance.
 - (e) Due to the specialized nature of their sports, Carrollton Youth Football and Carrollton Aqua Racers will be provided access to facilities for practice. Practice schedules must be provided to the city by the association no less than one week in advance.
- (4) Make-up games.

- (a) All league make-up games and non-scheduled games must be approved in advance by the city. Notice of make-up games must be provided at least 48 hours in advance. 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 by the Director.
 - (b) All associations wanting to extend the season from its original request must submit a request in writing to the city.
 - (c) Granting or denying the association's request shall be within the discretion of the city.
- (5) Keys.
 - (a) The president of each association must submit a key request to the parks office for review and approval by the Director.
 - (b) Keys need to be returned at the end of each season.
 - (c) Lost keys may result in a complete changing of the locks at the association's expense and loss of key privileges.
- (6) Litter removal.
 - (a) 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.
 - (a) Access will be given to two specified board members to control lights using the Musco Control Link System at designated facilities during league games only.
 - (b) Any association that abuses the use of the lights will lose access to the Musco Control Link System.
- (8) Concessions.
 - (a) Recognized Youth Associations may operate their designated concession stands on a schedule determined by the Director. If the association chooses not to operate the stand during league games, tournaments or special events, the city may operate the concession stand in whatever manner the Director deems appropriate.
 - (b) 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 may operate the concession stand in whatever manner the Director deems appropriate. Game days supersede practices when deciding who will have use of the stand.
 - (c) All concession stands must meet the city's Environmental Services Department Guidelines.
 - (d) All associations are responsible for the cleanliness of each stand they operate. Failed Health inspections may result in loss of rights to operate.

- (e) All associations are required to purchase all soft drink supply from the city's current contracted vendor unless otherwise approved by the city.
 - (f) The city may supply water, electricity, and make needed repairs to the concession stand. If the city finds the concession stand dirty from food or other items, the association will be charged \$25.00 per hour for each employee needed to clean the facility.
 - (g) All associations must collect and remit all applicable sales tax for items sold on city property.
 - (h) 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.
- (a) 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 Director.
- ~~(10) Alcohol in parks.~~
- ~~(a) It is unlawful to possess or consume alcoholic beverages within any city park or athletic/recreation facility.~~
- ~~(11)~~ 10) Scoreboard control boxes.
- (a) Control boxes will be available to each association throughout each season.
 - (b) If an association loses or damages the control boxes, that association will reimburse the city for replacement parts or repairs, including wires and inserts to boxes.
- ~~(12)~~ 11) Goal posts.
- (a) All goal posts shall remain secured in the ground at all times. No association or any user-group is permitted to move goal posts without express approval from the Director. Failure to comply may result in loss of rights to use the facility.
 - (b) Tape is not permitted as a method of securing nets to soccer goal posts.
- ~~(13)~~ 12) Coaches certification for recognized youth associations.
- (a) Each association is responsible for having all coaches certified through a state or national organization, or through the city's certification program. The association is responsible for all costs of the certification.
 - (b) Certifications must include a minimum of \$1,000,000.00 of liability insurance and background checks.
 - (c) Each association shall submit rosters of certified coaches to the city.
- ~~(14)~~ 13) Criminal history background checks for recognized youth associations.
- (a) All recognized youth associations are required to conduct criminal history background checks on all coaches and volunteers associated with any team or association.
- ~~(15)~~ 14) Age cut-off.

- (a) All associations set age cut-off dates in conjunction with their governing body or parent organization.
- (b) 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.
- (c) Dates can be changed subject to approval by the city.
- (16 15) Facility allocation.
 - (a) Primary facilities used by recognized youth associations for league games
 - (i) Carrollton Farmers Branch Youth Soccer
Veterans Soccer Complex Fields A-E and R.E. Good Soccer Complex Fields 1-5
 - (ii) Carrollton Farmers Branch Baseball Association
~~Meinisch~~McInnish Baseball Fields 6-9, and 12-15
 - (iii) Carrollton Farmers Branch Girls Softball
Josey Ranch Fields 1-4
 - (iv) Carrollton Youth Football
Josey Ranch Field 5 and Thomas Football Field 3
 - (v) Carrollton Aqua Racers
Rosemeade Rainforest Aquatic Complex
 - (b) The Director may make changes to the allocations based on registration numbers for each association.
- (I) Scheduling/reservations.
 - (1) The Director will make final decisions regarding permit issuance, scheduling, and field allocation.
 - (2) All season requests must be made in writing by each association and submitted to the city no later than one month prior to opening day of each season. Requests must include the following information:
 - (a) Specific facilities being requested
 - (b) Beginning and ending dates of season
 - (c) Estimated days and times each facility is needed
 - (3) All associations must submit game schedules to the city no less than one week prior to opening day each season.
 - (4) All city programs or events scheduled by the city have first priority on any athletic facility.
 - (5) All Recognized Youth Associations 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. Individual teams of associations must obtain and pay for field use.
 - (8) The Director may restrict any reservation length, time, and/or frequency.
 - (9) All playoff dates must be submitted as part of the season schedule.
 - (10) Failure to meet required deadlines could result in loss of priority use or use of facilities.
- (J) Tournaments.
- (1) Each association may hold one tournament per year with no field rental charge.
 - (2) The city may host any regional, state, or national tournament which would take precedence over any other tournament.
 - (3) Tournament requests follow the same guidelines stated in this subsection.
- (K) Clinics or camps.
- (1) Any clinic or camp request must be submitted to the city for approval.
 - (2) The clinic or camp host will pay field rental fees and a negotiated fee from sales or gate fees.
 - (3) Clinics and camps are secondary to all league play
- (L) Vendor fee.
- (1) A negotiated fee will be paid to the city when money is taken for goods or services on city owned park property.
- (M) Field rentals.
- (1) 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's comprehensive fee schedule and signing a field rental agreement. All field rentals must be approved by the Director. A field rental permit issued by the Director must be shown if asked for by a representative of the city.
- (N) Annual meeting.
- (1) Upon 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.

Sec. 133.33. ~~Reserved~~ Adaptive Sports Accessibility Program.

- (A) **Purpose.** The Adaptive Sports Accessibility Program (ASAP) provides structured facility usage for approved adaptive sports organizations, ensuring consistent, high-quality programming for individuals with disabilities. Facilities may include indoor venues or outdoor sports fields.

(B) Eligible Organizations. Applicants must demonstrate a commitment to adaptive sports and serve individuals with disabilities. Applicants will be approved by the Parks and Recreation Director based on program sustainability, demonstrated need, and community impact.

(C) Criteria for Participation.

- a. Be a registered 501(c)(3) non-profit or have equivalent charitable status.
- b. Demonstrate a history of providing adaptive sports programming.
- c. Serve a population that includes individuals with physical, intellectual, developmental, visual, or hearing disabilities.
- d. Provide proof of liability insurance and safety protocols, including emergency action plans and background checks for staff and volunteers.
- e. Provide and maintain a track record of community engagement and positive program impact.

(D) Financial Support and Facility Usage.

- a. All fees considered will be given at the posted resident rate.
- b. The City will waive facility rental fees.
- c. A deposit is required and will be administered per standard procedures for Carrollton residents at the posted resident rate.
- d. Other posted fees, as referenced in Chapter 34 of this Code of Ordinances, shall be determined at the discretion of the City Manager or designee.
- e. Approved organizations shall make a good faith effort to secure grant funding, sponsorships, and financial support from corporate sponsors and local businesses to promote the program's sustainability. This effort will be a factor in the evaluation of initial applications and renewals for participation in ASAP.

(E) Scheduling and Administration.

- a. Scheduling will be overseen through the Parks and Recreation Department.
- b. The Parks and Recreation Department will evaluate the program annually based on participation, community impact, and facility utilization.

(F) Process for Approval. All organizations seeking participation in ASAP must submit a formal application to the Parks and Recreation Department, including proof of eligibility and compliance with the program criteria.

- a. Application Submission. Organizations must submit a complete application, including required documentation and proof of eligibility.
- b. Department Review. The Parks and Recreation Department will evaluate applications based on criteria such as community impact, sustainability, and adherence to program requirements.

(G) Final Approval.

- a. The City Manager or designee will grant final approval based on department assessment.

- b. Approved organizations must enter into a formal agreement with the City outlining terms of facility use, compliance expectations, and reporting requirements.

Secs. 133.33 34—133.36. Reserved.

Sec. 133.37. Violation of provisions; refusal of scheduled usage of facilities.

Any person or group violating any provision of this subchapter or the rules and regulations adopted pursuant to this subchapter may be refused the scheduled usage of athletic/recreation facilities.

Secs. 133.38—133.97. Reserved.

Sec. 133.98. Enforcement remedies.

- (A) *Officials.* The Director of Parks and Recreation, park attendants designated by the Director and the Police Department, shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.
- (B) *Ejection.* The Director, park attendants designated by the Director and any member of the Police Department shall have the authority to eject from the park any person acting in violation of this chapter.
- (C) *Seizure of property.* The Director, park ~~attendants~~ **staff** designated by the Director or any member of the Police Department shall have the authority to seize and confiscate any property, thing or device in the park or used in violation of this chapter.

Sec. 133.99. Penalty.

Any person or group violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 10.99.

YOUTH PROGRAM STANDARDS OF CARE

Sec. 133-105. Definitions.

The following definitions apply to this article, in addition to the definitions outlined in the document.

Department. The Carrollton Parks & Recreation Department.

Parent(s). One or both parents or other adult with legal custody and authority to enroll a child or children in the youth program.

Participant. A youth whose parent(s) have completed all required registration procedures and who is eligible for the youth program.

Recreation supervisor. The full-time department employee or his/her designated representative, who is responsible for the management of customer service and the facility including personnel, programs, space allocation and overseeing management, administration, and implementation of the youth program.

Program site. Crosby Recreation Center, 1610 East Crosby Road, Carrollton, TX 75006

Recreation coordinator. Serves as youth program camp manager, a full-time, professional employee of city who is responsible for overseeing implementation of the youth program.

Camp coordinator. A part-time or seasonal employee of city who is responsible for day to day operations of the youth program.

Program staff. City of Carrollton Parks and Recreation Department full-time, part-time, seasonal, and temporary staff, contract instructor or volunteer assigned responsibility for managing, administering, or implementing some or all portions of one or more Carrollton Parks and Recreation Department Youth Programs. This definition also includes Recreation Supervisor, Recreation Coordinator, and Camp Coordinator.

Youth. A child aged five to 12 years.

Youth program. The city children's recreation camp program.

Youth program manual. The notebook of policies, procedures, required forms, and organizational and programming information relevant to the youth program.

Sec. 133-106. Purpose.

This article shall define the standard of care for the city's youth program.

Pursuant to Rule §745.115 of Title 40 of the Texas Administrative Code, this article allows the city to operate the youth program without adopting the state-prescribed daycare standards of care and licensing requirements.

THE CITY DECLARES ITS YOUTH PROGRAM IS NOT REQUIRED TO BE AND IS NOT LICENSED BY THE STATE OF TEXAS, AND THE YOUTH PROGRAM IS NOT A CHILD-CARE OPERATION AND WILL NOT BE ADVERTISED AS A CHILD-CARE FACILITY OR PROGRAM IN ACCORDANCE WITH STATE LAW.

Sec. 133-107. Administration.

(A) The governing body of the youth program is the City Council. Implementation of the Youth Program Standards of Care is the responsibility of the Parks and Recreation Department Director and the department employees. These standards of care will apply to the youth program. The program site will have available, for public and staff review, a current copy of the Youth Program Standards of Care. Parents of participants will be provided a current copy of the Youth Program Standards of Care during the youth program registration process. Criminal background checks and drug and alcohol screens will be conducted on prospective program staff in the same manner in which the city conducts screens of potential city employees. No person is allowed to be hired as staff for the youth program if the person fails to satisfy all city screening standards.

(1) Before a participant may be enrolled, a parent must sign registration forms that contain:

- (a) Name, photograph, address, and home telephone number of the participant;
- (b) Name, address, and telephone number of both parents who may need to be contacted during youth program hours;
- (c) Alternate emergency contact information;

- (d) The names and telephone numbers of people to whom the participant may be released;
 - (e) A statement of the participant's special problems or needs, including allergies;
 - (f) Emergency medical authorization;
 - (g) Proof of residency; and
 - (h) A liability release that encompasses all personal injury, including death, and property damage resulting from participation in the youth program.
- (B) A monthly inspection report will be initiated by the Recreation Coordinator of youth program to confirm adherence to the Youth Program Standards of Care. Inspection reports will be sent to the Recreation Supervisor for review and kept on record for at least five years. The Recreation Supervisor will review the report and establish deadlines and criteria for compliance with the Youth Program Standards of Care. The Recreation Supervisor will make visual inspections of the youth program no less than twice during each youth program session.
- (C) Complaints regarding enforcement of the Youth Program Standards of Care will be directed to the Recreation Coordinator. The Recreation Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints not involving threats to life safety, regarding enforcement of the Youth Program Standards of Care and their resolution, will be recorded by the Recreation Supervisor. Complaints involving life safety as related to enforcement of the Youth Program Standards of Care will be addressed by the Recreation Supervisor and the complaint and resolution will be noted.
- (D) The Recreation Manager or designee will make an annual report to the Park Board on the overall status of the youth program and their compliance with the Youth Program Standards of Care.

Sec. 133-108. Standards of care.

- (A) Staff-participant ratio.
 - (1) The standard ratio of participants to Counselors will be no more than 20 to one. In the event a Counselor is unable to report to the site, a replacement will be assigned; and
 - (2) Each participant shall have a program staff who is responsible for him or her and who is aware of the participant's habits, interests, and any special needs as identified by the participant's parent during the registration process.
- (B) Discipline.
 - (1) Program staff will be based on the best interests of participants;
 - (2) There shall be no cruel, harsh, or physically administered punishment or treatment;
 - (3) Program staff may use brief, supervised separation from the group if necessary;
 - (4) As necessary, program staff will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised of specific problems or incidents;
 - (5) A sufficient number and/or severe nature of discipline reports as detailed in the youth program manual may result in participant being suspended from the youth program; and

- (6) In instances where there is a danger to participants or staff, the offending participant will be removed from the site as soon as possible.

(C) Programming.

- (1) Program staff will attempt to provide activities for each group according to the participants' ages and appropriate to participants' health, safety, and well-being. The activities will be flexible and attempt to promote the participants' emotional, social, and mental growth;
- (2) Program staff will provide youth programs that include, but not limited to:
 - (a) Alternating active and passive activities;
 - (b) Opportunity for individual and group activities; and
 - (c) Outdoor time at frequent intervals when weather permits.
- (3) Program staff will be attentive and considerate of the safety of participants on field trips and during any transportation provided by the youth program;
- (4) During trips, program staff supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant;
- (5) Program staff must have a list of the participants in the group and must check the roll frequently; and
- (6) Program staff 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 telephone to allow contact by department personnel and for use in contacting the city or making emergency calls; and
- (2) The Recreation Coordinator will post the following telephone numbers adjacent to a telephone accessible to all youth program employees at the site:
 - (a) City ambulance or emergency medical services;
 - (b) Recreation Supervisor;
 - (c) Recreation Superintendent;
 - (d) City police department;
 - (e) City fire department;
 - (f) City Hall;
 - (g) Administrative Offices with Parks and Recreation Department; and
 - (h) The telephone number for the site itself.

(E) Transportation.

- (1) Before a participant may be transported to and from youth program activities, an authorization form, completed by the parent(s) of the participant, must be filed with the Recreation Coordinator

- (2) First aid supplies and a first aid and emergency care guide will be available in all youth program vehicles that transport children; and
- (3) All youth program vehicles used for transporting participants for field trips and other activities offered as part of the program during normal program hours must have available a 6-BC portable fire extinguisher which will be accessible to the program staff.

(F) Safety.

- (1) Program staff will inspect the site daily to detect sanitation and safety concerns that might affect the health and safety of the participants;
- (2) Buildings, grounds, and equipment of and on the site will be inspected, cleaned, repaired, and maintained as needed to protect the health and safety of the participants;
- (3) Program staff must have first aid supplies and a guide to first aid and emergency care readily available at the site, during transportation to an off-site activity, and for the duration of any off-site activity;
- (4) Youth program air conditioners, electric fans, and heaters must be mounted out of the reach of participants or have safeguards that keep participants from being injured; and

(G) Fire.

- (1) In case of fire, danger of fire, explosion, or another emergency, the priority of program staff is to evacuate the participants to a designated safe area;
- (2) The site will have an annual fire inspection by the local fire department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Recreation Supervisor who will review and establish deadlines and criteria for compliance.
- (3) The site must have at least one fire extinguisher approved by the fire marshal readily available to all program staff. The fire extinguisher is to be inspected quarterly, and a quarterly report will be forwarded to the Recreation Supervisor who will keep the report on file for a minimum of five years. All program employees will be trained in the proper use of fire extinguishers; and
- (4) Fire drills will be initiated at the site during each month of the Program.

(H) Illness or injury.

- (1) A participant who is considered to be a health or safety concern to other participants or program staff will not be admitted to the youth program;
- (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and staff;
- (3) Program staff will follow plans to provide emergency care for injured participants with symptoms of acute illness as specified in the youth program manual; and
- (4) Program staff will follow the recommendation of the Texas Department of Health concerning the admission or re-admission of any participant after a communicable disease.

(I) Medication.

- (1) No medications will be allowed at Camp Wonder other than the following exceptions:
 - (a) Staff will administer an epinephrine pen for life threatening situation if provided for the camper. Staff will be trained to administer the medication.
 - (b) Campers are not allowed to bring medicines to camp and administer themselves other than insulin and inhaler.
- (J) Toilet facilities.
 - (1) The program site will have toilets located and equipped so participants can use them independently and program staff can supervise as needed;
 - (2) An appropriate and adequate number of toilets and lavatories will be provided.
- (K) Sanitation.
 - (1) The program site must have adequate light, ventilation, and heat;
 - (2) The youth program must 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; and
 - (3) Program staff must properly dispose of garbage and debris from the program area daily.

Sec. 133-109. Youth program staff.

- (A) Staff qualifications and responsibilities:
 - (1) Recreation Supervisor qualifications:
 - (a) Will be a full-time, professional employee of the department with a bachelor's degree in Recreation, Recreation Administration or related field;
 - (b) Responsible for supervising recreation programs, special events, facility activities, memberships, and maintenance;
 - (c) Recommends for hire, supervises, and evaluates Counselors;
 - (d) Must pass a background investigation including testing for illegal substances and alcohol in accordance with city hiring standards;
 - (e) Must be CPR/AED certified; and
 - (f) Must be certified in First Aid.
 - (2) Recreation Coordinator qualifications:
 - (a) Will be a full-time, professional employee of the department with a bachelor's degree in Recreation, Recreation Administration or related field;
 - (b) Working knowledge of recreation programming and facilities planning;
 - (c) Plans and evaluates the daily activities and weekly off-site activities of youth program; and program staff will report suspected child abuse to the Texas Department of Family; and
 - (d) Protective Services, in accordance with the Texas Family Code, telephone number, 1-800-252-5400;

- (e) Program staff will receive information related to child abuse identification and prevention, and how to report suspected abuse;
 - (f) Must pass a background investigation including testing for illegal substances and alcohol in accordance with city hiring standards;
 - (g) Must be CPR/AED certified; and
 - (h) Must be certified in First Aid.
- (3) Camp Coordinator responsibilities:
- (a) Administers the daily operations of the youth program in compliance with the Youth Program Standards of Care;
 - (b) Implements, monitors, and evaluates the daily activities and field trips of youth program;
 - (c) Serves as an immediate authority figure to counselors and participants in the absence of the Recreation Coordinator;
 - (d) Must be CPR/AED certified; and
 - (e) Must be certified in First Aid.
- (4) Counselor qualifications:
- (a) Part-time or temporary employees of the city;
 - (b) Will be age 17 or older; however, each site will have at least one Counselor 18 years or older present at all times;
 - (c) Must pass a background investigation including testing for alcohol and illegal substances in accordance with city hiring standards;
 - (d) Must be CPR/AED certified;
 - (e) Must be First Aid certified.
 - (f) Counselor responsibilities:
 - (i) Be able to consistently exhibit competence, good judgment, and self-control when working with participants;
 - (ii) Relate to participants with courtesy, respect, tolerance, and patience;
 - (iii) Provide participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers;
 - (iv) Be responsible for knowing and follow all city and departmental standards, policies, and procedures that apply to the youth program; and
 - (v) Ensure that participants are released only to a parent or person on record as being authorized by the parent(s) for pickup. Youth program site will have a copy of the department approved plan to verify the identity of a person authorized to pick up a participant.
 - (g) Training and orientation:

- (i) The city will provide training orientation to Counselors in working with participants and for specific job responsibilities. Each Counselor will be provided with a youth program manual specific to the youth program;
- (ii) Counselors will be trained in appropriate procedures to handle emergencies;
- (iii) Counselors will receive training in pertinent city, department, and youth program policies and procedures; and
- (iv) Program staff will be required to sign an acknowledgment that they received the required training and are expected to conduct activities in accordance with training and the Youth Program Standards of Care.”

SECTION 2

Any person violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

SECTION 3

All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance shall be and are hereby repealed.

SECTION 4

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

SECTION 5

All other provisions of the Carrollton Code of Ordinances not expressly amended as stated herein shall remain in full force and effect.

SECTION 6

This Ordinance shall take effect from and after May 21, 2025.

PASSED AND APPROVED THIS 20th DAY OF MAY 2025.

CITY OF CARROLLTON, TEXAS

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatky, City Secretary

APPROVED AS TO FORM

Meredith Ladd, City Attorney

APPROVED AS TO CONTENT

Chrystal Davis, Asst. City Manager