

Chapter 74 PARKS AND RECREATION

**Chapter 74 PARKS AND RECREATION** [\[1\]](#)

ARTICLE I. - IN GENERAL

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ARTICLE III. - MUNICIPAL SWIMMING POOL

ARTICLE IV. - STANDARD OF CARE FOR PARKS AND RECREATION DEPARTMENT RECREATION PROGRAM

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FOOTNOTE(S):

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**Cross reference**— Streets, sidewalks and other public places, ch. 86. [\(Back\)](#)

**State Law reference**— Municipal parks and recreation, Vernon's Ann. Civ. St. art. 1015c et seq.; public improvements, bonds, occupancy tax, Vernon's Ann. Civ. St. art. 1269j-4.1; city parks, Vernon's Ann. Civ. St. art. 6081h et seq.; local parks and other recreational and cultural resources, V.T.C.A., Local Government Code chs. 315, 331 et seq.; lease of land from state parks and wildlife department, V.T.C.A., Parks and Wildlife Code § 13.006; local boating regulations, V.T.C.A., Parks and Wildlife Code § 31.092; safety standards for publicly funded playgrounds, V.T.C.A., Health and Safety Code § 756.061. [\(Back\)](#)

**ARTICLE I. IN GENERAL**

[Sec. 74-1. Alcoholic beverages generally.](#)

[Sec. 74-2. Playing of golf and other dangerous sports in certain city parks.](#)

[Sec. 74-3. Medina Park.](#)

[Sec. 74-4. Baines Park.](#)

[Secs. 74-5—74-35. Reserved.](#)

**Sec. 74-1. Alcoholic beverages generally.**

(a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Alcoholic beverages* means spirits, wine, beer, ale or other liquid containing more than one-half of one percent of alcohol by volume, which is fit for beverage purposes or intended for beverage purposes.

(b) *Consumption prohibited in certain areas.* No person shall consume any alcoholic beverage while in or upon prohibitive areas defined in this section.

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- (c) *Sale.* It shall be unlawful for any person, firm or corporation to sell alcoholic beverages within the boundaries of Kokernot and Centennial Parks, including the Kokernot Park athletic complex, within the city.
- (d) *Possession and consumption.*
  - (1) It shall be unlawful for any person to consume alcoholic beverages, or to have in his possession an alcoholic beverage, within the parking lots, baseball fields, walking and jogging track and soccer field located in Kokernot Park, within the city.
  - (2) It shall be unlawful for any person to consume, or to have in his possession, an alcoholic beverage within the boundary of Centennial Park, in the city.
- (e) *Signs and notices.* Signs shall be posted in appropriate locations stating substantially "No alcoholic beverage may be brought into this park or consumed in this park in violation of city ordinances which are strictly enforced." The signs shall be placed in locations to be visible on entering areas where possession or consumption of alcoholic beverages are prohibited.

(Code 1978, § 19-8(a)—(d))

**Sec. 74-2. Playing of golf and other dangerous sports in certain city parks.**

- (a) *Application.* This section shall not apply to the Alpine Municipal Golf Course operated by the Alpine Country Club.
- (b) *Prohibited; signs to be posted.* It shall be unlawful for any person to practice, hit golf balls or play golf in the Kokernot Park and Centennial Park as well as the Kokernot Park Athletic Complex located within the city. It shall further be unlawful for any person to carry on any activity for which the park was not specifically designed and the performance of which would constitute a hazard to the health and safety of those lawfully using the park facilities. Signs shall be posted in appropriate locations determined by the city council or the city manager advising citizens of the restricted activities permitted in Kokernot Park and Centennial Park as well as the Kokernot Park Athletic Complex.

(Code 1978, § 19-9(a), (b))

**Sec. 74-3. Medina Park.**

- (a) *Hours of operation.* Medina Park will be open for the public's use and enjoyment only between the hours of 8:00 a.m. and 9:00 p.m. daily, and closed to the public between the hours of 9:00 p.m. and 8:00 a.m. daily. No one, except with specific city authorization, shall be permitted to be on the premises of Medina Park during the hours that such park is closed.
- (b) *Alcoholic beverages.* No person shall, at any time, transport to and/or carry upon such park, any alcoholic beverage, whether any of the alcoholic beverage is consumed upon such park or not. It is a violation of this section, and constitutes an illegal association, for any person to knowingly be in the company of any person who are in obvious violation of this section.
- (c) *Violation; penalty.* Any person in violation of the mandates of this section will be prosecuted as criminal trespassers and if found guilty may be assessed the maximum fine that, by law, may be assessed by the municipal court.

(Code 1978, §§ 19-51—19-53)

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**Sec. 74-4. Baines Park.**

*Hours of operation.* Baines Park will be open for the public's use and enjoyment only between the hours of 8:00 a.m. and 10:30 p.m. daily. No one, except with specific city authorization, shall be permitted to be on the premises of Baines Park during the hours that such park is closed.

(Ord. No. 2002-5-4, 7-9-02)

**Secs. 74-5—74-35. Reserved.**

**ARTICLE II. PARKS AND RECREATION BOARD <sup>[2]</sup>**

[Sec. 74-36. Board established; appointment, terms.](#)

[Sec. 74-37. General purposes.](#)

[Sec. 74-38. Quorum.](#)

[Sec. 74-39. Appointment, duties of chairperson.](#)

[Sec. 74-40. Regular meetings.](#)

[Sec. 74-41. Meetings to be public; exception.](#)

[Sec. 74-42. Suggestions and recommendations; action thereon.](#)

[Secs. 74-43—74-75. Reserved.](#)

**Sec. 74-36. Board established; appointment, terms.**

There is created and established for the city, being a home rule municipality, a parks and recreation board which shall be composed of five members, each of whom shall represent one of the five election wards of the city. The members shall be resident citizens, taxpayers and qualified voters of the city. The members shall be recommended by a councilmember representing each ward and shall be appointed by the mayor subject to confirmation by the city council. The members shall serve terms of two years, and each member's term shall align and coincide with that of the recommending councilmember. All vacancies shall be filled for the unexpired term in the same manner as provided for in the original appointments. All expired terms shall be filled as provided for in the original appointments and in the same manner. Members of the board may be removed by the mayor, with the consent of the city council, after being absent from three consecutive meetings without being excused by the mayor. The reason for an absence shall be reported to the mayor or city secretary before the meeting occurs and recorded in the minutes of the scheduled meeting together with the mayor's decision on the absence. The members of the board shall serve without compensation.

(Code 1978, § 19-1; Ord. No. 2016-10-02, 11-1-16)

**Sec. 74-37. General purposes.**

The general purposes of the parks and recreation board shall be to receive suggestions, study situations, plans, projects and generally to act in an advisory capacity to such extent as the city council may desire to be advised, relative to the parks and recreation program of the city and, when requested by the city council, to interview applicants for positions, discuss employee relationships and make such

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reports as the council may request regarding such, to the end that the council may have the benefit of the opinions of interested citizens and groups who have time, and are willing to make more indepth study of, and reports on, park and recreation matters than time will permit the council to engage in, considering the variety of other city business to be dealt with.

(Code 1978, § 19-6)

**Sec. 74-38. Quorum.**

All five members of the parks and recreation board shall have a vote. A majority of three members shall be necessary to constitute a quorum, hold a meeting and transact business.

(Code 1978, § 19-2)

**Sec. 74-39. Appointment, duties of chairperson.**

A chairperson of the parks and recreation board shall be appointed annually by the city council from among the members of such board, and such chairperson's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the city manager and city council as such board may vote to be submitted; resolve by his vote any tie votes of such board and generally act as liaison between such board and the city manager and city council. The board may appoint an acting chairperson for any regular meeting that such appointed chairperson is unable to attend and, such acting chairperson shall have a vote in all matters before the board requiring a vote.

(Code 1978, § 19-3; Ord. No. 2016-10-02, 11-1-16)

**Sec. 74-40. Regular meetings.**

Regular meetings of the parks and recreation board shall be held at least quarterly at such times and places as the chairman may, from time to time, establish.

(Code 1978, § 19-4; Ord. No. 2016-10-02, 11-1-16)

**Sec. 74-41. Meetings to be public; exception.**

All meetings of the parks and recreation board shall be open to the public except such executive sessions as the city council may authorize to interview applicants for park and recreation work, or to discuss employees and their relationship to the program, when requested to do so by the council.

(Code 1978, § 19-5)

**Sec. 74-42. Suggestions and recommendations; action thereon.**

The parks and recreation board, upon placing its request upon the city council's agenda, may make such suggestions and recommendations to the city council, from time to time, as such board may deem advisable and in the best interest of the parks and recreation programs of the city. Each suggestion and recommendation must first be approved by a majority of those members present and voting, and no such suggestions or recommendations shall be made by the parks and recreation board, as such, unless a

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quorum is present at the meeting where such is made. Nothing in this section shall be construed to prevent any individual from bringing any matter before the council or to prevent the making of the minority report by the members of such board so desiring. The council may act, or not, upon any matter brought before it by the board, upon any minority report, or any suggestion or recommendation of any individual or group.

(Code 1978, § 19-7)

**Secs. 74-43—74-75. Reserved.**

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FOOTNOTE(S):

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**Cross reference—** Boards and commissions, § 2-176 et seq. ([Back](#))

**ARTICLE III. MUNICIPAL SWIMMING POOL** <sup>[3]</sup>

DIVISION 1. - GENERALLY

DIVISION 2. - CONDUCT IN POOL AREA

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FOOTNOTE(S):

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**State Law reference—** Authority to provide swimming pools, Vernon's Ann. Civ. St. art. 1015c-2. ([Back](#))

***DIVISION 1. GENERALLY***

[Sec. 74-76. Council designated administrator.](#)

[Sec. 74-77. Admission charges.](#)

[Sec. 74-78. Additional rules.](#)

[Secs. 74-79—74-100. Reserved.](#)

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**Sec. 74-76. Council designated administrator.**

The council is designated as the administrator of the municipal swimming pool under rules, regulations and directives that it may, from time to time, promulgate.

(Code 1978, § 19-19)

**Sec. 74-77. Admission charges.**

Charges to be made for admission to the municipal pool shall be set by the council, by resolution, annually.

(Code 1978, § 19-20)

**Sec. 74-78. Additional rules.**

Such other rules, regulations and administrative policies that, from time to time, are adopted by the council, shall be and become a part of this article as supplementary rules and regulations to this article, and violations thereof shall be subject to the penalties provided for violation of this Code.

(Code 1978, § 19-39)

**Secs. 74-79—74-100. Reserved.**

***DIVISION 2. CONDUCT IN POOL AREA***

[Sec. 74-101. Applicability of regulations.](#)

[Sec. 74-102. Running prohibited.](#)

[Sec. 74-103. Drinks prohibited.](#)

[Sec. 74-104. Number of divers on diving board.](#)

[Sec. 74-105. Swimming in diving area.](#)

[Sec. 74-106. Use of safety ropes.](#)

[Sec. 74-107. Rough play.](#)

[Sec. 74-108. Toys, floats, etc.](#)

[Sec. 74-109. Number of swimmers.](#)

[Sec. 74-110. Playing with pool equipment.](#)

[Sec. 74-111. Talking to lifeguard.](#)

[Sec. 74-112. Alcoholic beverages.](#)

[Sec. 74-113. Shower required.](#)

[Sec. 74-114. Bathing caps required.](#)

[Sec. 74-115. Accompaniment of small children.](#)

[Sec. 74-116. Smoking.](#)

[Sec. 74-117. Refuse disposal.](#)

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[Sec. 74-118. Trespassing.](#)

[Secs. 74-119—74-125. Reserved.](#)

**Sec. 74-101. Applicability of regulations.**

This division shall govern all persons using the municipal pool or pool property, or present at such municipal pool or pool property. Failure to comply with this division shall constitute a misdemeanor.

(Code 1978, § 19-21)

**Sec. 74-102. Running prohibited.**

There shall be no running in the pool area.

(Code 1978, § 19-22)

**Sec. 74-103. Drinks prohibited.**

No drinks or containers of drinks of any kind shall be permitted in the fenced-in pool area.

(Code 1978, § 19-23)

**Sec. 74-104. Number of divers on diving board.**

There may be only one diver on the diving board at any given time.

(Code 1978, § 19-24)

**Sec. 74-105. Swimming in diving area.**

No swimming shall be permitted in the diving area, or under any diving board, except upon returning to the pool surface from a dive.

(Code 1978, § 19-25)

**Sec. 74-106. Use of safety ropes.**

Swimmers shall not use safety ropes except for emergency safety, and there shall be no playing upon or with such ropes.

(Code 1978, § 19-26)

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**Sec. 74-107. Rough play.**

No dunking of others or rough play shall be allowed in the pool or pool area.

(Code 1978, § 19-27)

**Sec. 74-108. Toys, floats, etc.**

Inflatable toys, floats or other paraphernalia shall be permitted in the pool area only at the discretion of the pool manager.

(Code 1978, § 19-28)

**Sec. 74-109. Number of swimmers.**

The pool manager shall have the authority to determine the number of swimmers in the pool at any given time.

(Code 1978, § 19-29)

**Sec. 74-110. Playing with pool equipment.**

No playing shall be permitted upon ladders or boards, or upon or with other pool equipment.

(Code 1978, § 19-30)

**Sec. 74-111. Talking to lifeguard.**

There shall be no talking to the lifeguard on duty, except to call for assistance or instructions regarding pool safety or etiquette.

(Code 1978, § 19-31)

**Sec. 74-112. Alcoholic beverages.**

No alcoholic beverages in any form shall be permitted in the pool area or in the parking area adjacent to the pool area.

(Code 1978, § 19-32)

**Sec. 74-113. Shower required.**

All swimmers must take showers before entering the pool area.

(Code 1978, § 19-33)



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**Sec. 74-114. Bathing caps required.**

Swimmers with long hair must wear bathing caps in the pool.

(Code 1978, § 19-34)

**Sec. 74-115. Accompaniment of small children.**

All children under six years of age in the pool area must be accompanied by a parent or other responsible adult person who is 18 years of age or older.

(Code 1978, § 19-35)

**Sec. 74-116. Smoking.**

No smoking in the pool area shall be permitted.

(Code 1978, § 19-36)

**Sec. 74-117. Refuse disposal.**

No refuse of any kind or nature shall be deposited, or permitted to be deposited, in any manner, in the swimming or wading pool, or in any other portion of the pool area, other than in designated receptacles.

(Code 1978, § 19-37)

**Cross reference**— Solid waste, ch. 82.

**Sec. 74-118. Trespassing.**

No one, except authorized pool personnel, or other city employees engaged in their respective duties relative to city business, garbage collection or other designated duties, shall be permitted within the pool area except when the pool is open for business and regular attendants are on duty. Any violation of this section shall be declared a trespass, per se.

(Code 1978, § 19-38)

**Secs. 74-119—74-125. Reserved.**

**ARTICLE IV. STANDARD OF CARE FOR PARKS AND RECREATION DEPARTMENT  
RECREATION PROGRAM**

DIVISION 1. - GENERALLY

DIVISION 2. - OVERVIEW

DIVISION 3. - VENDORS/SUBCONTRACTORS

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DIVISION 4. - RULES AND STANDARDS

DIVISION 5. - MINIMUM FACILITY

DIVISION 6. - HEALTH AND SAFETY STANDARDS

DIVISION 7. - MONITORING

DIVISION 8. - SIGN POSTING

***DIVISION 1. GENERALLY***

[Sec. 74-126. Purpose.](#)

[Secs. 74-127—74-150. Reserved.](#)

**Sec. 74-126. Purpose.**

The purpose of this chapter is to protect the health, safety and well being of the children in the city by establishing the minimum standards for their safety and protection for the parks and recreation programs sponsored by the city. It is the policy of the state that all recreation programs operated by a municipality adopt such standards of care by ordinance after a public hearing for such programs. The standards of care are to include, but are not limited to, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health and safety standards, and a mechanism for monitoring and enforcing the adopted local standards. Further, all parents will be provided with information on the programs and be advised that the programs are not licensed by the state.

(Ord. No. 2001-3-5, § 1.01, 3-28-01)

**Secs. 74-127—74-150. Reserved.**

***DIVISION 2. OVERVIEW***

[Sec. 74-151. Program description.](#)

[Sec. 74-152. Open-ended programs.](#)

[Sec. 74-153. Structured programs.](#)

[Secs. 74-154—74-175. Reserved.](#)

**Sec. 74-151. Program description.**

Program descriptions must be submitted to the parks and recreation department to determine if exemption status from child and licensing can be awarded.

(Ord. No. 2001-3-5, § 2.01, 3-28-01)

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**Sec. 74-152. Open-ended programs.**

- (a) Open-ended programs are defined as programs where the children in attendance have the right to "come and go" as they please.
- (b) Activities in open-ended programs are subject to attendance by participants on an "at-will" basis.
- (c) Supervision of open-ended programs and child/staff ratios are the sole responsibility of the vendor.
- (d) Open-ended programs will not require registration from child participants.

(Ord. No. 2001-3-5, § 2.02, 3-28-01)

**Sec. 74-153. Structured programs.**

- (a) Structured programs shall be defined as programs that are required to meet the criteria set forth in the childcare licensing rules and regulations.
- (b) Childcare programs must meet the requirements based on section 74-153 and all other requirements of this chapter.
- (c) Application for licensing of a structured program is the sole responsibility of the vendor.
- (d) Renewal of vendor agreement of structured programs is subject to application and approval of childcare licensing.

(Ord. No. 2001-3-5, § 2.03, 3-28-01)

**Secs. 74-154—74-175. Reserved.**

***DIVISION 3. VENDORS/SUBCONTRACTORS***

[Sec. 74-176. Definition of vendor/subcontractor.](#)

[Sec. 74-177. Vendor rights and obligations.](#)

[Secs. 74-178—74-190. Reserved.](#)

**Sec. 74-176. Definition of vendor/subcontractor.**

- (a) Vendors and/or subcontractors shall be defined as any organization or agency, federal, state or local, that contracts with the city's parks and recreation department to facilitate a structured or open-ended program for children under 18 years of age.
- (b) All vendors/subcontractors will comply with the municipality guidelines and standard of care rules in this chapter and public health and safety standard.
- (c) Renewal of vendor agreement/contract by the department will be subject to the approval of an annual evaluation of contract, submission for renewal of vendor contract, and verification of compliance with childcare licensing if applicable.

(Ord. No. 2001-3-5, § 3.01, 3-28-01)

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**Sec. 74-177. Vendor rights and obligations.**

The city has the right to subcontract recreation programs to vendors. Vendors that are awarded the contract to provide municipality programs must demonstrate that the program(s) provided will meet the minimum rules and standards of care set forth by the city:

- (1) Vendors shall submit a vendor's agreement with the city parks and recreation department. The vendor's agreement shall include but is not limited to:
  - a. An indemnity policy that will indemnify and hold the city harmless against any and all claims, liabilities or expenses, including attorneys' fees arising directly or indirectly, or any way connected with the performance or services under the agreement.
  - b. All fiscal responsibilities are the sole responsibility of the vendor. The vendor will bear the administrative cost of all fiscal functions of programs, personnel costs to include: Federal Income Tax, or Social Security, benefit programs, Workers' Compensation Insurance, Unemployment Compensation Insurance, or any other insurance or benefits coverage provided by the vendor to its employees.
  - c. Vendor shall enter into a mutual agreement with the city parks and recreation department. The mutual agreement shall be renewed annually by the vendor.
  - d. Hours of program and program description shall be provided in the vendor agreement, and any and all reimbursement rates listed, and transportation rates listed if applicable.
  - e. A vendor data worksheet/descriptive information document must also be submitted. This document shall include facility type, facility name, facility address, facility owner, contact person, authorized vendor representative, capacity of rooms if applicable, group size, period of operation, transportation, snacks and other food supplied, special disabilities programs, and insurance/bond information.
  - f. Notice of ages of children not under contract information (children under seven years of age).

(Ord. No. 2001-3-5, § 3.02, 3-28-01)

**Secs. 74-178—74-190. Reserved.**

***DIVISION 4. RULES AND STANDARDS***

[Sec. 74-191. Rules and standards—Generally.](#)

[Sec. 74-192. Staffing ratios.](#)

[Sec. 74-193. Minimum staff qualifications.](#)

[Secs. 74-194—74-200. Reserved.](#)

**Sec. 74-191. Rules and standards—Generally.**

- (a) The city shall make rules to carry out the provisions of the chapter.
- (b) The city shall conduct an annual comprehensive evaluation and review of the ordinance to comply with childcare licensing rules and standards where applicable and maintain exemption status of

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programs that meet exemption criteria. The review shall be conducted at least on the last day of the first annual quarter of the programs or at:

- (1) The conclusion of the annual review of the rules and standards;
  - (2) A decision by the city to revise the rules and standards;
  - (3) A decision by the city council not to revise the rules and standards; or
  - (4) By the city council adopting of new standards.
- (c) The city parks and recreation department shall promulgate minimum standards that apply to parks and recreation programs covered by this chapter that will:
- (1) Promote the health, safety, and welfare of children in attendance program.
  - (2) Promote minimum physical facilities for programs that fall under the jurisdiction of this chapter.
  - (3) Ensure adequate supervision of children attending programs by capable, healthy and qualified personnel.
  - (4) Prohibit racial discrimination in any programs.
  - (5) Provide parental information on programs.
  - (6) Provide parents with liability information.
  - (7) Post all city waiver of liability information in every area inside and outside where activities take place.

(Ord. No. 2001-3-5, § 4.01, 3-28-01)

**Sec. 74-192. Staffing ratios.**

Child/staff ratios shall be in compliance with Texas State Licensing Rules and Regulations of structured programs.

- (1) Renewed or amended regulations according to state statutes for structured and open-ended programs must be in compliance within a 30-day period of amendment.
- (2) The child/staff ratio is based on the age of more than half the children in any group.
- (3) Volunteers may be counted to meet the child/staff ratios.
- (4) Children six to 13 years of age in an open-ended program must be in a group size of one adult to 26 children and a maximum group size not to exceed one adult to 35 children.
- (5) A parent or guardian in open-ended programs must accompany children under six years of age.

(Ord. No. 2001-3-5, § 4.02, 3-28-01)

**Sec. 74-193. Minimum staff qualifications.**

- (a) Minimum staff qualifications prescribed by the parks and recreation department to ensure the safety and well being of children in municipality programs shall include:
- (1) Structured programs must follow state recommendations for childcare centers on all staff, directors, coordinators and volunteers.
  - (2) Open-ended programs must have a minimum of a high school diploma for general staff.

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- (3) Open-ended programs must have a director/coordinator/supervisor with a minimum of two years of university level course work or an AA degree or higher.
- (4) All staff must submit to a background and criminal history check from:
  - a. The state department of public safety under V.T.C.A., Government Code § 411.114, or by the Federal Bureau of Investigation or any other criminal justice agency under V.T.C.A., Government Code § 411.087; and
  - b. The department record of reported abuses and neglect.

(Ord. No. 2001-3-5, § 4.03, 3-28-01)

**Secs. 74-194—74-200. Reserved.**

***DIVISION 5. MINIMUM FACILITY***

[Sec. 74-201. Minimum facility—Definitions.](#)

[Secs. 74-202—74-215. Reserved.](#)

**Sec. 74-201. Minimum facility—Definitions.**

Minimum facility shall be defined as any edifice that is currently under the jurisdiction of the city.

- (1) Facilities shall have running water.
- (2) Facilities shall have minimum adequate lighting.
- (3) Facilities shall have emergency exits.
- (4) Facilities shall have minimum electricity available.
- (5) Facilities shall have adequate ventilation.
- (6) Facilities must permit city employees to have access to facility.
- (7) Facility shall have adequate parking for recreation program participants/parents.
- (8) Facility shall have handicapped access.

(Ord. No. 2001-3-5, § 5.01, 3-28-01)

**Secs. 74-202—74-215. Reserved.**

***DIVISION 6. HEALTH AND SAFETY STANDARDS***

[Sec. 74-216. Health standards—Generally.](#)

[Sec. 74-217. Safety standards.](#)

[Secs. 74-218—74-225. Reserved.](#)

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**Sec. 74-216. Health standards—Generally.**

The department retains the right to facilitate minimum health and safety standards of recreation programs and the edifice in which the program is housed.

- (1) Health standards of structured and open-ended programs must include a minimum of:
  - a. All personnel in general good health.
  - b. All personnel shall have a basic knowledge in first aid procedures.
  - c. Programs will be posted in every room where children are present and an emergency evacuation plan.
  - d. Staff shall maintain minimum housekeeping of facility.

(Ord. No. 2001-3-5, § 6.01, 3-28-01)

**Sec. 74-217. Safety standards.**

- (a) The department for all recreation programs in the city shall promulgate minimum safety standards. These safety standards shall include but are not limited to:
  - (1) Free access to all entrance/exits.
  - (2) Facilities free from refuse.
  - (3) Visual inspection of facilities must take place on a regular basis to ensure proper upkeep of outside/inside areas where children are present.
- (b) Staff of the facility or program must call the fire department in case of fire or danger of fire, explosion, toxic fumes, or other chemical release.
- (c) Fire extinguishers must be mounted on wall by a bracket or hanger and made readily available for immediate use by staff.
- (d) Extinguishers must be serviced when required.
- (e) Evacuation plans must be posted in every area where children are present. The plan must show all emergency exits from area.
- (f) Emergency exits must be kept clear at all times.
- (g) All structured programs must be in compliance with all childcare licensing safety, fire and emergency rules and regulations.
- (h) Heating devices and areas near heat sources must not present fire hazards and must not present hazards to children.

(Ord. No. 2001-3-5, § 6.02, 3-28-01)

**Secs. 74-218—74-225. Reserved.**

***DIVISION 7. MONITORING***

[Sec. 74-226. Monitoring—Generally.](#)

[Secs. 74-227—74-240. Reserved.](#)

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**Sec. 74-226. Monitoring—Generally.**

Monitoring mechanisms for recreation programs are defined as procedures and processes that ensure that programs are in compliance with minimum standards of care, minimum rules and safety and health and safety standards in these chapters.

- (1) Monitoring mechanisms shall include but are not limited to:
  - a. Annual approval of submitted renewal vendor/subcontractor agreement with city.
  - b. All structured programs that are subject to childcare licensing rules and regulations are verified annually that the program and facility are in compliance with set standards of the state.
- (2) Enforcing local standards shall be the province of the city.
  - a. All recreation programs must notify in writing within a 30-day period to the city parks and recreation department upon the approval, revocation, suspension or modification of existing or new programs, licensing, or vendor/subcontractor agreements.
  - b. The city will require a written statement of compliance with all standards in these chapters annually of all recreation programs in the city.

(Ord. No. 2001-3-5, § 7.01, 3-28-01)

**Secs. 74-227—74-240. Reserved.**

***DIVISION 8. SIGN POSTING***

[Sec. 74-241. Signs on, in or near facility or program.](#)

**Sec. 74-241. Signs on, in or near facility or program.**

Signs required by the State of Texas Regulation of Certain Facilities, Homes, and Agencies that Provide Childcare Services and Human Resource Code as amended, 76th Legislature, September 1, 1999 will be posted in a conspicuous location that is accessible to all employees and customers that to include:

- (1) Human Resource Code Section 42.041(14) states that parents be informed that the program is not licensed by the state and that the program not be advertised as a childcare facility.
- (2) Section 42.055, a description of the provisions of the Family Code relating to the duty to report child abuse or neglect, and a description of the penalties for violating the reported provisions of the Family Code.

(Ord. No. 2001-3-5, § 8.01, 3-28-01)