

**ORDINANCE NO. O-2022-33**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 8, "PARKS," ARTICLE V., "FEES," OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS BY AMENDING THE HARVEY HALL FACILITY CHARGES; PROVIDING NEW FACILITY FEES FOR THE ROSE COMPLEX CONFERENCE CENTER; ADDING A NEW PROVISION FOR THE IMPLEMENTATION OF RATES AND CHARGES FOR THE USE OF THE MAYFAIR BUILDING; AMENDING THE ROSE GARDEN CENTER FACILITY CHARGES; AND AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the City Council to promote the economic development, growth, and quality of life; and

**WHEREAS**, the Quality of Life Board has considered and recommends the implementation of the below-described rates and charges for use of the Rose Complex Facility, Mayfair Building, and Rose Garden Center; and

**WHEREAS**, park fees can only be changed by City ordinance; and

**WHEREAS**, the City of Tyler is a home-rule municipality acting under its Charter adopted by the electorate pursuant to Article 11, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, Texas Local Government Code Section 51.072(a) states that a home-rule municipality has full power of local self-government; and

**WHEREAS**, Texas Local Government Code Section 51.072(b) provides that the grant of powers to a municipality under the Texas Local Government Code does not prevent, by implication or otherwise, the municipality from exercising the authority incident to local self-government; and

**WHEREAS**, Section 1 of the Tyler City Charter states that the City of Tyler may make any and all rules and regulations by ordinances and resolutions; and

**WHEREAS**, Section 1 of the Tyler City Charter provides that the City of Tyler may acquire property in fee simple or lesser interest or estate by purchase, gift, devise, appropriation, lease, or lease with the privilege to purchase for any municipal purpose, may sell, lease, hold, manage, and control such property, and make any and all rules and regulations by ordinances or resolutions; and

**WHEREAS**, Section 1 of the Tyler City Charter provides that the City shall have all powers that now are, or hereafter may be granted to municipalities by the constitution or laws of Texas, and that all such powers, whether expressed or implied, shall be exercised and enforced, in

the manner prescribed by the Charter, or when not prescribed in the Charter, in such manner as shall be provided by ordinances or resolutions of the City Council; and

**WHEREAS**, Section 1 of the Tyler City Charter states that the City may regulate and control, for whatever purposes, public places; and

**WHEREAS**, Section 2 of the Tyler City Charter states that the enumeration of particular powers by the Charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated in the Charter, the City shall have, and may exercise all other powers which, under the constitution and laws of Texas, it would be competent for the Charter specifically to enumerate; and

**WHEREAS**, Section 6 of the Tyler City Charter states that pursuant to the provisions of and subject only to the limitations imposed by the State law and the Charter, all powers of the City shall be vested in an elective Council, which shall, among other duties, enact legislation; and

**WHEREAS**, the City Council finds, it is necessary to revise and adopt certain fees and procedures; and

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

**PART 1.** That the findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

**PART 2.** That Chapter 8 of the Code of Ordinances of the City of Tyler, Texas, "Parks", is hereby amended by amending Article V, Sec. 8-72 "Harvey Convention Center," to add Rose Complex Center Facility Fees, adding Article V, Sec. 8-73, "Mayfair Building Facility Charges," and amending Article V, Sec. 8-74 "Rose Garden Center Facility Charges," to read as follows:

#### **Article V. Fees**

##### **Sec. 8-72. Rose Complex Conference Center facility charges.**

The rates and charges for the use of the municipal meeting hall are as provided in this section. These rates are set by the city council. All such rates and charges shall be paid in advance of the actual use. All rents and charges in addition to those anticipated and paid in advance of such use, if any, shall be paid immediately upon a determination of their amount by the city as provided in this section.

##### **a. Rose Complex Conference Center facility charges.**

Non Profit - An organization or entity formed for the purpose of serving a purpose of public or mutual benefit other than the pursuit or accumulation of profits, i.e., 501(c)(3)s, schools, religious organizations, governmental organizations, etc. Proof of non profit status is required. All other entities will be charged for profit rates.

Rentals prices will include tables and chairs from 8 a.m. – Midnight

<b>Rates for Rose Complex Conference Center</b>	<b>Regular Rates</b>	<b>Non-Profit Rates (10% off)</b>
<b>Entire Facility</b>	\$7,000	\$6,300
<b>Main Hall</b>	\$5,000	\$4,500
<b>Half of Main Hall</b>	\$3,500	\$3,150
<b>Breakout Rooms 3, 4, or 5</b>	\$1,200	\$1,080
<b>Breakout Rooms 6, 7, or 8</b>	\$200	\$180
<b>Deposit – variable</b>	\$500 to \$2,000	N/A
<b>Building Maintenance Fee (<i>if alcohol is being served</i>)</b>	\$500	\$500
<b>Dance Floor Rental (24'x24')</b>	\$1,000	\$900
<b>Dance Floor Rental (16'x16')</b>	\$700	\$630
<b>AV Fee variable</b>	\$50 to \$75 per hour	\$50 to \$75 per hour
<b>Modular Stage (6x8)</b>	\$25 each	\$25
<b>Additional Hour</b>	\$200	\$180
<b>Additional Set Up</b>	\$100	\$100
<b>Catering Fee</b>	10% of total invoice	10% of total invoice
<b>Transit Services - minimum 3 hours</b>	\$75 per hour	\$75 per hour
<b>Rose Complex Park</b>	\$4,000	\$4,000
<b>Entire Complex – Rose Complex, Rose Garden Center, Mayfair</b>	\$10,000	\$9,000

**b. Rose Complex Conference Center Introductory Rates for Non-Profit Organizations.**

For an introductory period of 24 months, Non-Profit Organizations will receive 30% off building rental fees. After this time period, Non-Profit Organizations will receive 10% off building rental fees.

0-2005-78, 9-28-05) (0-2006-79; 9-13-2006) (0-2007-50; 5/9/07) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15)(Ord. No. 0-2022-33; 4/12/2022)

**Sec. 8-73. Mayfair Building facility charges.**

Non Profit - An organization or entity formed for the purpose of serving a purpose of public or mutual benefit other than the pursuit or accumulation of profits, i.e., 501(c)(3)s, schools, religious organizations, governmental organizations, etc. Proof of non profit status is required. All other entities will be charged for profit rates.

Rentals prices will include tables and chairs from 8 a.m. – Midnight

<b>Rates for the Mayfair Building</b>	<b>Regular Rates</b>	<b>Non-Profit Rates (10% off)</b>
---------------------------------------	----------------------	---------------------------------------

<b>Entire Facility</b>	<b>\$1,500</b>	<b>\$1,350</b>
------------------------	----------------	----------------

**Sec. 8-74. Rose Garden Center facilities charges.**

The rates and charges for the use of the Rose Garden Center facilities are as provided in this section. All such rates and charges shall be paid in advance. The rates shall be determined in accordance with the following:

(0-2005-78, 9-28-05) (0-2006-79; 9-13-2006) (0-2007-50; 5/9/07) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2022-33; 4/12/2022)

Non-Profit - An organization or entity formed for the purpose of serving a purpose of public or mutual benefit other than the pursuit or accumulation of profits, i.e., 501(c)(3)s, schools, religious organizations, governmental organizations, etc. Proof of non-profit status is required. All other entities will be charged for profit rates.

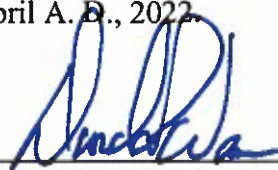
Rentals prices will include tables and chairs from 8 a.m. – Midnight

<b>Rose Garden Center Rental Rate Per Day</b>	<b>Regular Rates</b>	<b>Non-Profit Rates (10% off)</b>	<b>Each Additional Hour</b>
<b>Entire Building</b>	\$1,500.00	\$1,350.00	75.00
<b>Bluebonnet AND Camellia</b>	\$1,100.00	\$990.00	\$75.00
<b>Bluebonnet OR Camellia Room</b>	\$650.00	\$585.00	\$75.00
<b>Rose Room</b>	\$400.00	\$360.00	\$75.00
<b>Women's Lounge</b>	\$50.00	\$45.00	N/A
<b>Azalea Room</b>	\$50.00	\$45.00	N/A
<b>Atrium</b>	\$150.00	\$135.00	\$50.00
<b>Exhibit Area</b>	\$150.00	\$135.00	\$50.00
<b>Patio</b>	\$150.00	\$135.00	\$50.00
<b>Rose Garden (Wagon Wheel Fountain, Meditation Garden, or Heritage Garden)</b>	\$350.00	\$360.00	N/A
<b>Queen's Court</b>	\$400.00	\$360.00	N/A
<b>Bag of Ice</b>	<b>City Cost</b>	<b>City Cost</b>	N/A
<b>Garden Chairs</b>	\$1.00 each	\$.90 each	N/A
<b>Stages (8x4)</b>	\$20 each	\$18 each	N/A
<b>Damage Deposit</b>	\$150 - \$500		

(0-2005-78, 9-28-05) (0-2006-79; 9-13-2006) (0-2007-50; 5/9/07) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2022-33; 4/12/2022)

**PART 3:** That this ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED THIS the 12th day of April A. D., 2022.



DONALD P. WARREN, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,  
CITY ATTORNEY