

**ORDINANCE NO. O-2025-39**

**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 ADDING A NEW PROVISION FOR THE IMPLEMENTATION OF RATES AND FEES FOR SEC. 8-70, "SPECIAL USE PERMITS FOR SWIMMING POOL AND SPRAY GROUND FEES"; AMENDING AND ADDING A NEW PROVISION FOR THE IMPLEMENTATION OF RATES AND FEES FOR SEC. 8-74, "ROSE GARDEN CENTER FACILITIES CHARGES"; "ADDING A NEW PROVISION FOR THE IMPLEMENTATION OF RATES AND FEES FOR SEC. 8-77, "SPORTS TOURNAMENT FIELD USAGE FEE"; AMENDING SEC. 8-80, "GLASS RECREATION CENTER FACILITIES CHARGES"; AMENDING SEC. 8-81, "SENIOR CITIZENS' CENTER FACILITIES CHARGES"; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING 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 Fun Forest Pool fees, Rose Garden Center fees, sports tournament field usage fees, and Senior Center facilities fees; 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 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 necessary to revise and implement the below-described rates and charges for membership fees at the Glass Recreation Center; and

**WHEREAS**, the City Council finds it necessary to revise and adopt certain City of Tyler recreational fees and procedures to allow fair and equitable access to, and utilization of, the recreational facilities; and

**WHEREAS**, the City Council finds it necessary to revise and adopt certain fees and procedures for the continued improvement of recreational facilities, programs, and activities for all citizens; 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. 8-70 "Special use permits for swimming pool and spray ground," amending Sec. 8-74 "Rose Garden Center facilities charges," amending Sec. 8-77 "Sports tournament field usage fee," amending Sec. 8-80 "Glass Recreation Center facilities charges," and amending Sec. 8-81 "Senior Citizens' Center Facilities Charges" to read as follows:

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

##### **Sec. 8-70. Special use permits for swimming pool and spray ground.**

a.

The rates and charges for the use of Fun Forest Pool 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:

Rental Area/Item	Price per hour	Deposit (refundable)	Number of people	Available Times
Picnic Table	\$25	N/A	Seats 4-8	During Open Swim
Pavilion	\$75	N/A	Seats 24-48	During Open Swim

For each additional 10 people, an extra \$25/hour will be added for extra staffing.

Splash Pad	\$100	\$100	40	Outside of Open Swim and Lap Swim hours
Splash Pad and Pool	\$200	\$150	60	Outside of Open Swim and Lap Swim hours

For each additional 10 people, an extra \$25/hour will be added for extra staffing.

All rentals require a 2-hour minimum and 50% of the rental amount down in order hold the date. The remaining balance must be paid 10 days prior to the event.

All rentals include appropriate number of staff/lifeguards, access to restrooms.

(Ord. No. 0-2023-85; 9/13/23)

b. Special use permits may be obtained for a fee of fifty dollars (\$50.00) to reserve, for a specific period of time, any park spray ground or the Dolphin Fountain at Bergfeld Park. (Ord. No. O-96-53, 6-26-96) (Ord. No. O-2007-80, 7/11/07) (Ord. 0-2009-103, 9/23/09) (Ord. 0-2020-70; 7/22/20)(Ord. No. 0-2023-85;9/13/23)

c. Fun Forest Pool Admission Fees for Open Swim

1. \$1 per session for City of Tyler Residents.

\$1 per session – Year One – Beginning May 1, 2026

\$2 per session – Year Two – Beginning May 1, 2027

2. \$2 per session for Non-City of Tyler Residents.

\$3 per session – Year One – Beginning May 1, 2026

\$5 per session – Year Two – Beginning May 1, 2027

d. Fun Forest Family Pool Pass allows a total of sixty visits per pass for up to 4 family members. Each additional family member is \$5.00.

1. Resident Family Pass - \$60.00

Non-Resident Family Pass - \$70.00

2. Resident Family Pass with Glass Recreation Center Membership - \$20.00

Non-Resident Family Pass with Glass Recreation Center Membership - \$30.00

(Ord. No. 0-2025-39; 7/9/25)

**Sec. 8-77. Sports tournament field usage fee.**

The rates and charges for the usage of Sports field for tournaments 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:

a. Field Usage Fee-A fee of one hundred twenty-five dollars (\$125.00) per field shall be charged as a field usage fee for sports tournaments, in addition to the fifty dollars (\$50.00) special event permit fee described in section 8-76 above.

b. Permits must be completed at least 10 business days prior to the event or an additional fee of one hundred dollars (\$100.00) will be charged.

c. Tournaments- Are required to have paid Parks staff at the expense of PERMITTEE, at a rate of thirty-five dollars (\$35.00) per hour, per employee. (Ord. No. O-96-53, 6-26-96) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2015-78; 7/22/15) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2023-85;9/13/23)

d. Additional Tournament Fees – Additional fees for any field preparation occurring after the initial preparation will be as follows per field;

Drying agent/ bag: \$20.00

Field marking chalk/bag: \$10.00

Field marking paint/gallon: \$15.00

Game prep/field: \$25.00

e. Deposit - A \$150.00 deposit per field is due when the rental agreement is executed to hold a reservation unless other conditions are agreed upon with the City. Should the user choose to cancel the event, the deposit will be refunded per the following schedule:

Five (5) months or more prior to the event: 100% refund

Three (3) months or more before the event: 50% refund

Less than three (3) months before the event: No Refund

(Ord. No. 0-2025-39; 7/9/25)

**Sec. 8-80. Glass Recreation Center facilities charges.**

The rates and charges for the use of the Glass Recreation 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:

<b>Proposed Park Facility Rental Rates for Glass Recreation Center:</b>					
<b>Room</b>	<b>Current Rate</b>				
<b>Multi-Purpose Room</b>					

Half Room-Up to 100 people	\$40/hr; 2hr min; \$25 each add. hour				
Full Room-Up to 200 people	\$60/hr; 2hr min; \$35 each add. hour				
<b><i>Gym</i></b>					
Full Court	\$60/hr; 2hr min minimum				
<b><i>Arts &amp; Crafts</i></b>	\$30/hr; 2 hr min minimum				
<b><i>Equipment Damage Deposit</i></b>	\$50				
After Hours Rate	Any rentals after 10 p.m. will be charged \$10 for each additional hour				
TV/DVD	\$35/Event				
PA System/Podium	\$35/Event				
Ice Machine	\$25/Event				
<b><i>Damage Deposit</i></b>	\$150 to \$500				
<b><i>Catering Fee</i></b>	\$50/Event				
<b><i>Pavilion</i></b>	\$50 per day				
	\$50 Special use permit (Ord. No. 0-2013-90; 9/25/13) (Ord.No.0-2023-85;9/13/23)				
Damage Deposit	\$100 (Ord. No. 0-2023-85;9/13/23)				
<b><i>Amphitheater</i></b>	\$50 per day (Ord.No. 0-2023-85;9/13/23)				
Special use permit (Ord. No. 0-2023-90;9/25/13)	\$50				
Damage Deposit	\$100 (Ord. No. 0-2023-85;9/13/23)				
<b><i>Outside Basketball Court</i></b>					
Full Court	\$50/hr; 2hr minimum				

Special use permit (Ord. No. 0-2013-90; 9/25/13)	\$50 (Ord. No. 0-2023-85; 9/13/23)				
Damage Deposit	\$100 (Ord. No. 0-2023-85; 9/13/23)				
<b>Membership Fees</b>	June 1, 2024	June 1, 2025	June 1, 2026	June 1, 2027	June 1, 2028
Adult	\$35.00/person per year	\$40.00/person per year	\$45.00/person per year	\$50.00/person per year	\$55.00/person per year
Adult (Non-Resident)	\$45.00/person per year	\$50.00/person per year	\$55.00/person per year	\$60.00/person per year	\$65.00/person per year
Youth	\$15.00/person	\$20.00/person	\$20.00/person	\$20.00/person	
Day pass	\$7.00/person	\$8.00/person	\$9.00/person	\$10.00/person	
Recreation Classes	In order to take recreation classes at the Glass Center, a citizen must be a member of the Glass Recreation Center or purchase a day pass				
After School Program	\$20 per child per month				
Summer Day Camp at the Glass	\$200 per child per summer				

(Ord. 0-2005-78, 9/28/05) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2023-85; 9/13/23) (Ord. No. 0-2025-39; 7/9/25)

### Sec. 8-81. Tyler Senior Center's Facilities Charges

The rates and charges for the use of the Tyler Senior Center's 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:

Tyler Senior Center (Rentals on Saturdays only. Facility hours are from 8:00 a.m. to 10:00 p.m.)

Tyler Senior Center		
	Regular Rate	Add. Hour
Building	\$240 for first 4 hours with minimum of 4 hours	\$60 per hour or \$240 per 4 hour block

2025	Senior Discount \$205 for first 4 hours with minimum of 4 hours Public Rate \$265 for first 4 hours with minimum of 4 hours	\$30 per hour \$40 per hour
2026	Senior Discount \$205 for first 4 hours with minimum of 4 hours Public Rate \$290 for first 4 hours with minimum of 4 hours	\$30 per hour \$40 per hour
2027	Senior Discount \$205 for first 4 hours with minimum of 4 hours Public Rate \$315 for first 4 hours with minimum of 4 hours	\$30 per hour \$40 per hour
2028	Senior Discount \$205 for first 4 hours with minimum of 4 hours Public Rate \$340 for first 4 hours with minimum of 4 hours	\$30 per hour \$40 per hour
Damage Deposit	\$150	

(Ord. 0-2005-78, 9/28/05) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-63; 7/8/20) (Ord. No. 0-2025-39; 7/9/25)

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

a. 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. 0-2022-87; 09/14/22)

**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 based on availability.

Rose Garden Center Daily Rental Rates	Regular Rates	Non-Profit Rates (10% off)
Entire Facility	\$1,750	\$1,575
Bluebonnet AND Camellia	\$1,200	\$1,080
Bluebonnet OR Camellia Room	\$700	\$630
Rose Room	\$500	\$450
Women's Lounge	\$75	\$67.50
Azalea Room	\$50	\$45
Atrium	\$200	\$180
Exhibit Area	\$200	\$180
Patio	\$200	\$180
Rose Garden (Wagon Wheel Fountain, Meditation Garden, <u>IDEA</u> Garden, or Heritage Garden)	\$400	\$360
Queen's Court	\$500	\$450
Bag of Ice	City Cost	City Cost

Garden Chairs	\$1 each	\$.90 each
Stages (8x4)	\$20 each	\$18 each
Damage Deposit (variable, refundable)	\$500- \$2000	\$500- \$2000
Building Maintenance Fee (if alcohol is being served)	\$100-\$500	\$100-\$500
Additional Set Up / Reset Fee	\$50-\$500 per reset	\$50-\$500 per reset
Additional Hours	\$200/hour	\$180/hour
Storage Fee	\$100-\$1,000/day	\$100-\$1,000/day
Catering Fee	10% of total invoice	10% of total invoice
Food Truck/Trailer Permit	\$50	\$50

b. Additional Fees may be applied to rental contracts if applicable. These fees will be discussed and reviewed on a case-by-case basis:

1. A building maintenance fee of \$500 will be charged to events serving alcohol

2. Clients must maintain approved layouts during their event and return the facility in the same or better condition. All event items including rentals, décor, food, and trash must be removed by the end of the contract. No items may be stored at the facility outside of contracted hours. The following fees may apply:

a. Clients must submit their event layout for approval at least fourteen (14) days before the event start date. The initial layout setup is included in the rental cost. Any changes or resets during the event may incur a fee of \$50 - \$500 per reset, depending on complexity, staff required, and time needed.

b. A storage fee of \$100 - \$1,000 per day may apply for items left at the facility outside of contracted hours. The fee will depend on the amount, size, and nature of the items and the facility's booking schedule.

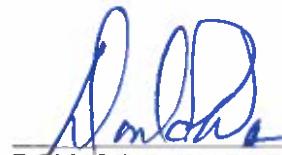
c. A cleaning fee of \$100 - \$1,000 may be charged if the facility is left with excessive trash, decorations, or other waste. The fee is based on the severity of the mess and the amount of time required to clean. Any damage to the facility will result in additional charges, as outlined in the contract.

(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. 0-2022-87; 09/14/22) (Ord. No. 0-2025-39; 7/9/25)

**PART 3:** That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 4:** That this ordinance shall take effect immediately upon its adoption.

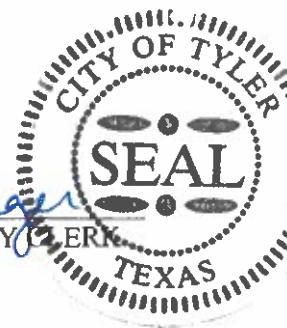
PASSED AND APPROVED this the 9<sup>th</sup> day of July, 2025.



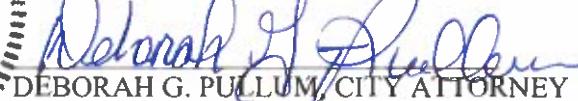
DONALD P. WARREN, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
DEBORAH G. PULLUM, CITY ATTORNEY