



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		2/28/11		
Department:		Parks and Recreation		
Department Head		Amy Fortenberry		
Agenda Coordinator (include phone #): Susan Berger (7255)				
CAPTION				
<p>An Ordinance of the City of Plano, Texas amending Sections 15-3, 15-56, 15-57, 15-59, 15-60, 15-61, and 15-65, Chapter 15, Parks and Recreation of the Code of Ordinances of the City of Plano, Texas to replace with provisions containing new language regarding prohibited activities, sports seasons, allocations, tournaments/meets/camps/clinics/ tryouts, practice sessions, user fees and insurance; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2010/11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): GENERAL FUND				
<p>COMMENTS: The proposed changes to Chapter 15 - Parks & Recreation of the Code of Ordinances do not contain any substantive changes to user fee schedules or operational policies that will affect revenues from rental fees or charges from athletic field administration. Consequently this item has no financial impact to the City of Plano.</p> <p>STRATEGIC PLAN GOAL: Administration of the City's Athletic Fields relates to the City's Goal of a "Financially Strong City with Service Excellence."</p>				
SUMMARY OF ITEM				
<p>A framework for the disciplined management and use of the City's athletic facilities for league games, tournaments/meets, special uses, and practices is provided by sections dealing specifically with athletic facilities in the City's Code of Ordinances. These sections, last updated in March 2008, are reviewed periodically as stipulated in Section 15-55. Parks and Recreation staff and leadership of local sports organizations developed the proposed changes, which were reviewed and supported by the Parks and Recreation Planning Board at their January 4, 2011 meeting. Also included is cross-referencing of existing prohibited activities, specifically facsimile firearms, to Chapter 15 - Parks and Recreation.</p>				



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List of Supporting Documents: Memo	Other Departments, Boards, Commissions or Agencies Reviewed and supported by the Parks and Recreation Planning Board

MEMORANDUM

TO: Amy Fortenberry, Director of Parks & Recreation

THROUGH: Jim Fox, Park Services Manager

FROM: Ed Voss, Athletic Superintendent

DATE: January 28, 2011

SUBJECT: REVIEW OF CODE OF ORDINANCES / CHAPTER 15 – PARKS & RECREATION

Code of Ordinances for Chapter 15 - Parks & Recreation have been reviewed resulting in recommendations for consideration by City Council that address athletic field use and weapons in the parks.

Ordinances that regulate the City of Plano's athletic fields and facilities were reviewed in the fall of 2010 by Parks and Recreation staff with the sports groups that schedule local leagues, tournaments, camps, clinics, tryouts, etc. Proposed athletic changes to local ordinance resulting from those discussions were then reviewed January 4 with the Parks and Recreation Planning Board, who provided unanimous support for the changes.

Proposed athletic changes to the Code of Ordinances enables the City to keep pace with trends in recreational sports by shifting starting and ending dates of sports seasons for local leagues. This change works in tandem with proposed changes in the tournament section to expand opportunities for economic impact in the community through cooperative facilitation of outdoor athletic events under sponsorship of the Plano Convention and Visitor's Bureau. Other proposed changes clarify intent of respective sections.

Ordinance changes are also proposed and have been reviewed with the City's legal department to cross-reference existing weapons ordinances to also appear in Chapter 15-Parks and Recreation that focus on facsimile firearms.

Following is a summary for items of significant change followed by section-by-section changes recommended by the Parks and Recreation staff for consideration by City Council.

Sec. 15-3. Prohibited Activities.

Section changes address park issues with facsimile firearms by cross-referencing Section 14-12. Facsimile Firearms.

Sec. 15-56. Sports Seasons.

It is proposed that starting and ending dates of the City's sports seasons change to make each of the three seasons longer. This creates a window for programs to provide practice time to its teams on playing fields before the start of each season and to mitigate disruptions that may occur by the facilitation of in-season tournaments solicited by the Plano Convention and Visitor's Bureau.

It is also proposed that sports seasons begin on weekdays rather than the traditional Saturdays to simplify scheduling by programs and to assist the Parks and Recreation Department in its preparation of fields and facilities for scheduled use each sports season.

Baseball and girls softball seasons for player pitch (competitive) programs move to a start in late March and ends in late June to match up with dates of surrounding communities, prepare qualifying teams for post-season championship play, and to take advantage of opportunities for the community to facilitate state, regional and national tournaments in July. The season for non-player pitch programs (recreational) remains in May and June.

Sec. 15-59. Tournaments/meets.

Processes for the facilitation of camps, clinics and tryouts are proposed in this section that are similar to existing field use requirements for tournaments and meets.

Recommended changes also provide the Plano Convention and Visitor's Bureau with the authority to sponsor one event with community economic impact per athletic venue each sports season by pre-empting league scheduling.

Sec. 15-61. User fees.

Changes clarify the assessment of team-oriented user fees or individual-based user fees for field use. Beginning in 2011, team-based sports pay team-based fees set by budget approval in lieu of individual fees, which will continue to be applicable for individual-based programs.

EXISTING

Sec. 15-3. - Prohibited activities.

(a)

It shall be unlawful for any person to knowingly do any of the acts specified in this section in or upon any park facility, except as otherwise specifically provided:

(2)

Weapons.

a.

To carry a concealed handgun, as that term is defined in section 14-5 of the Code of Ordinances of the City of Plano, in a city park, except those persons who are duly licensed by the state to carry a concealed handgun in accordance with the provisions of the Texas Concealed Weapons Act.

b.

To carry or discharge firearms (unless permitted under subsection (a)(2)a. above), fireworks, air guns, bows and arrows, slingshots or any device which would or could project any object which would or could create a fire hazard or any hazard or danger to the public, except with written approval of the parks and recreation director.

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b.

To carry or discharge firearms (unless permitted under subsection (a)(2)a. above), facsimile firearms (as defined in section 14-12 of the Code of Ordinances of the City of Plano), fireworks, air guns, bows and arrows, slingshots or any device which would or could project any object which would or could create a fire hazard or any hazard or danger to the public, except with written approval of the parks and recreation director.

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EXISTING

Sec. 15-56. - Sports seasons.

(a)

The following specific sports seasons and primary sports are established for the equitable use and allocation of athletic facilities:

Season	Primary Sport	Secondary Sport
Spring	Adult softball—First Monday in March through third Sunday in May Youth soccer—Second Saturday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May Adult soccer—Second Saturday in February through third Sunday in May	Competitive youth baseball/softball— Third Saturday in March through last Sunday in July Adult baseball—Third Saturday in March through third Sunday in August Youth and adult lacrosse, rugby, cricket, flag football, field hockey—Second Saturday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May
Summer	Youth baseball and youth softball—First Saturday in May through last Sunday in July Adult baseball and adult softball—Fourth Monday in May through third Sunday in August	Youth and adult cricket, flag football—First Saturday in May through last Sunday in July
Fall	Youth and adult football—Third Saturday in August for practices only; second Saturday in September through third Sunday in November for games	Youth and adult soccer—Second Saturday in September through third Sunday in November Adult softball—Fourth Monday in August through third Sunday in November Youth baseball/softball—Second Saturday in September through third Sunday in November Youth and adult lacrosse, rugby, cricket, field hockey—Second Saturday in September through third Sunday in November

(b)

The primary sport within each season shall be given first priority with regard to field or facility allocation and scheduling. Secondary sports facilities will be allocated on a space available basis. The director of parks and recreation or the director's designee shall determine the eligibility for classification within primary and secondary sports designations.

(c)

Time made available in public swimming pools for competitive or recreational aquatics programs will be allocated on a bi-annual basis with an annual review. The need for more frequent aquatic allocations may be conducted at the discretion of the director of parks and recreation as changes occur in the availability of time within facilities or as new facilities are added.

(d)

Sports other than primary or secondary will be addressed as the need arises, subject to:

(1)

Facility availability.

(2)

Allocated maintenance resources.

(3)

Determination by the parks and recreation department of capacity of fields or facilities to withstand additional use.

(e)

The youth sports associations may enter into a written agreement with the parks and recreation department that allows use of designated fields or facilities outside of the official sports season under special circumstances deemed appropriate by the director of the parks and recreation department.

(Ord. No. 84-12-18, § IV, 12-18-84; Ord. No. 90-4-24, § I, 4-23-90; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 99-1-2, § III, 1-11-99; Ord. No. 2003-5-4, § IV, 5-6-03; Ord. No. 2008-3-10, § I, 3-25-08; Ord. No. 2009-4-22, § I, 4-27-09)

PROPOSED

Sec. 15-56. - Sports seasons.

(a)

The following specific sports seasons and primary sports are established for the equitable use and allocation of athletic facilities:

Season	Primary Sport	Secondary Sport
Spring	Adult softball—Fourth Monday in February through third Sunday in May Youth soccer—Second Tuesday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May Adult soccer—Second Tuesday in February through third Sunday in May	Competitive youth baseball/softball— Third Monday in March through last Sunday in June Adult baseball—Third Monday in March through third Sunday in August Youth and adult lacrosse, rugby, cricket, flag football, field hockey—Second Tuesday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May
Summer	Recreational youth baseball /softball—First Monday in May through last Sunday in June Adult baseball and adult softball— Third Monday in May through third Sunday in August	Youth and adult cricket, flag football— Third Tuesday in May through third Sunday in August
Fall	Youth and adult football—Third Tuesday in August through second Sunday in November	Youth and adult soccer— Third Tuesday in August through second Sunday in November Youth and adult softball— Third Monday in August through-second Sunday in November Youth and adult baseball—Third Monday in August through second Sunday in November Youth and adult lacrosse, rugby, cricket, field hockey— Third Tuesday in August through second Sunday in November

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PROPOSED (editing displayed)

Sec. 15-56. - Sports seasons.

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The following specific sports seasons and primary sports are established for the equitable use and allocation of athletic facilities:

Season	Primary Sport	Secondary Sport
Spring	<p>Adult softball—First Fourth Monday in March February through third Sunday in May</p> <p>Youth soccer—Second Saturday Tuesday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May</p> <p>Adult soccer—Second Saturday Tuesday in February through third Sunday in May</p>	<p>Competitive youth baseball/softball— Third Saturday Monday in March through last Sunday in July June</p> <p>Adult baseball—Third Saturday Monday in March through third Sunday in August</p> <p>Youth and adult lacrosse, rugby, cricket, flag football, field hockey—Second Saturday Tuesday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May</p>
Summer	<p>Recreational Youth baseball and youth /softball—First Saturday Monday in May through last Sunday in July June</p> <p>Adult baseball and adult softball— Fourth Third Monday in May through third Sunday in August</p>	<p>Youth and adult cricket, flag football—First Saturday Third Tuesday in May through last third Sunday in July August</p>
Fall	<p>Youth and adult football—Third Saturday Tuesday in August for practices only; second Saturday in September through third second Sunday in November for games</p>	<p>Youth and adult soccer— Second Saturday Third Tuesday in September August through third second Sunday in November</p> <p>Youth and Aadult softball—Fourth Third Monday in August through third second Sunday in November</p> <p>Youth and adult baseball/softball—Second Saturday Third Monday in September August through third second Sunday in November</p> <p>Youth and adult lacrosse, rugby, cricket, field hockey—Second Saturday Third Tuesday in September August through third second Sunday in November</p>

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The primary sport within each season shall be given first priority with regard to field or facility allocation and scheduling. Secondary sports facilities will be allocated on a space available basis. The director of parks and recreation or the director's designee shall determine the eligibility for classification within primary and secondary sports designations.

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Existing

Sec. 15-57. - Allocations.

(a)

Organizations requiring facilities for league games shall submit, in writing, their registration figures at the designated time determined by the parks and recreation department.

(b)

The parks and recreation department shall consider all requests and will allocate facilities in the best interest of the city. Guidelines which will be considered may include, but are not limited to, items listed under subsections (1) through (3) of this section. The director of parks and recreation or the director's designee may also consider any other alternatives in implementing the field or facility allocation for the various users, or make such variations or exceptions as the director deems in the best interest of the city, giving due consideration to the number of participants, facility requirements, nature of the activity, innovation of the program and other relevant factors.

Guidelines

(1)

Programs conducted the previous year. Groups who must reduce the number of their allocated fields or facility time from the previous season may be allowed to protect up to fifty (50) percent of fields or facility time of their choice. This alternative is available at the discretion of the parks and recreation department when reduced participation of the user group warrants this type of allocation.

(2)

Priority will be given to those individuals who reside within the city limits of the City of Plano. Participation by other individuals, teams and groups may be permitted by the parks and recreation department if facility availability permits.

(3)

Teams or sports requesting regular season play or meets with out-of-town teams on facilities owned by, leased or otherwise controlled by the city will be given consideration after fields or facility time has been allocated for all other teams of organizations made up of residents. Participation by such out-of-town teams is subject to approval by the parks and recreation department. If approved, such teams shall pay user fees as established by the city council.

(c)

The parks and recreation department may place more than one (1) organization on a given facility for the same sport. Primary sports will be accommodated prior to secondary sports.

(d)

Any existing organization wishing to initiate a new athletic program must meet with the parks and recreation department at least ninety (90) days prior to the proposed season starting date to discuss the availability of facilities. A new program is defined as any activity that is not currently offered by the requesting organization as determined by the parks and recreation department.

The parks and recreation department will attempt to accommodate new programs according to facility availability and considering participant registration.

(Ord. No. 84-12-18, § V, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 99-1-2, § IV, 1-11-99; Ord. No. 2003-5-4, § V, 5-6-03; Ord. No. 2009-4-22, § I, 4-27-09)

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(2) Priority will be given to those individuals who reside within the city limits of the City of Plano. Participation by other individuals, teams and groups may be permitted by the parks and recreation department if facility availability permits.

(3) Teams or sports requesting regular season play or meets with out-of-town teams on facilities owned by, leased or otherwise controlled by the city will be given consideration after fields or facility time has been allocated for all other teams of organizations made up of residents. Participation by such out-of-town teams is subject to approval by the parks and recreation department. If approved, such teams shall pay fees and charges as established by the city council through the City's annual budget process.

(c) The parks and recreation department may place more than one (1) organization on a given facility for the same sport. Primary sports will be accommodated prior to secondary sports.

(d) Any existing organization wishing to initiate a new athletic program must meet with the parks and recreation department at least ninety (90) days prior to the proposed season starting date to discuss the availability of facilities. A new program is defined as any activity that is not currently offered by the requesting organization as determined by the parks and recreation department.

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Priority will be given to those individuals who reside within the city limits of the City of Plano. Participation by other individuals, teams and groups may be permitted by the parks and recreation department if facility availability permits.

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The parks and recreation department will attempt to accommodate new programs according to facility availability and considering participant registration.

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EXISTING

Sec. 15-59. - Tournaments/meets.

(a)

Youth and adult sports tournament or meet requests which involve out-of-town teams will be considered on a space available basis subject to the following conditions:

(1)

The parks and recreation department may restrict the number, size, dates, and locations of tournaments or meets in order to protect field or facility conditions or to prevent overuse of fields or facilities. Defined criteria shall be utilized and communicated by the parks and recreation department in the process to approve or deny tournament or meet requests.

(2)

Requests for tournament play or meets will be restricted to Plano youth and adult athletic organizations meeting specified requirements of section 15-58, the Plano Convention and Visitor's Bureau, and Plano Parks and Recreation Department. Upon approval, fees shall be charged to the sponsoring organization for the city's standardized services involving lighting, personnel, materials, equipment and contractual resources utilized in support of the tournament or meet. The parks and recreation department shall estimate such expenses prior to approval based on the number of teams, scheduled use of fields and facilities, and number of games played or hours of use. The sponsoring organization shall also pay a designated tournament or meet fee.

(3)

Any request for tournament play or meets must be made in writing by the sponsoring organization no less than thirty (30) days prior to the scheduled tournament or meet. Existing tournaments or meets will receive first consideration. Approval of tournament play or meets does not guarantee field or pool condition or availability of parks and recreation personnel or equipment. Tournaments or meets with housing needs for teams, officials and administration must submit a plan for accommodating visitors to Plano that will be factored in the process for the event's approval or denial.

(4)

Prior to fields or facilities being allocated for youth sports associations for tournaments or meets, the tournament/meet usage agreement must be signed and on file with the parks and recreation department.

(b)

Inclement weather provisions for outdoor events are as follows:

(1)

The parks and recreation department may cancel a tournament or meet at any time in the interest of insuring the quality of the fields or pool and safety of the participants.

(2)

The decision to cancel the tournament or meet shall be made by authorized members from the parks and recreation department. Authorized representatives from the youth sports association may be contacted for their input in making the decision.

(3)

When the decision to cancel the tournament or meet due to inclement weather has been made, the head of the youth sports association will notify the tournament or meet director who will then cancel the tournament/meet at selected or all sites.

(4)

Whenever possible, games or the meet will first be delayed or postponed. The decision to resume play or the meet will rest with the parks and recreation department.

(5)

Failure to comply with this policy will result in the denial of future use of the facilities for tournaments or meets.

(c)

Churches, civic organizations, and teams based in Plano and individuals residing in Plano may request the use of the fields for the purpose of conducting softball tournaments subject to the following conditions. A designated reservation fee per field will be assessed which will be applied toward the tournament fee. The reservation fee is refundable only in the event of inclement weather as determined by the parks and recreation department.

Softball Tournament Regulations

(1)

Tournament use of facilities is subject to availability as determined by the director of parks and recreation or his authorized designee.

(2)

A designated tournament fee shall be assessed the sponsor and must be paid within three (3) working days prior to the tournament. A tournament bracket must accompany this fee. After the bracket is submitted, no additional teams may be accepted into the tournament.

(3)

All adult tournaments must be sanctioned by the Amateur Softball Association (ASA) and youth tournaments must be sponsored by locally recognized youth sports organizations meeting the requirements of section 15-58, or be sponsored by the City of Plano's Convention and Visitor's Bureau or Parks and Recreation Department.

(4)

If field space allows, more than one (1) tournament may be scheduled on any given date by the parks and recreation department.

(5)

The parks and recreation department will designate the maximum amount to be charged for entry fees.

(6)

Saturday games may not be scheduled to begin prior to 8:00 a.m. The final game or games may not be scheduled to start after 9:00 p.m. Sunday games may not be scheduled to begin prior to 8:00 a.m. Sunday games shall be complete and lighting extinguished by 9:00 p.m.

(7)

No rain dates will be allowed.

(8)

No refunds will be allowed after the reservation has been accepted by the parks and recreation department unless weather or city-related maintenance problems result in cancellation.

(9)

In the event that it rains within twenty-four (24) hours of the scheduled start of the tournament, permission to play must be gained from the athletic supervisor or his designated representative. Only approved drying agents may be used on the fields in the event of rain. At no time may any type of dirt be placed on or removed from the fields.

(10)

Umpires must be members of the Plano Softball Umpires Chapter of Dallas Metro ASA or affiliates. Two (2) umpires must be assigned to each game.

(11)

The sponsoring organization may not provide any type of concession services.

(12)

No special maintenance will be done to the fields during the tournament (dragging, marking, etc.) unless agreed to by the parks and recreation department. Tournament sponsors may employ approved independent contractors to drag and mark the fields or prepare the fields with hand tools following guidelines established by the parks and recreation department.

(13)

The City of Plano or the Plano Parks and Recreation Department's name shall not appear on any advertisement or promotion of the tournament.

(14)

Any individual or team involved in conducting the tournament shall not participate in the tournament as a manager, coach, player or umpire.

(15)

The Plano Parks and Recreation Department reserves the right to cancel any tournament reservation at any time should any of the above conditions not be followed.

(Ord. No. 84-12-18, § VI, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 92-9-19, § V, 9-14-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 96-6-29, § I, 6-24-96; Ord. No. 99-1-2, § VI, 1-11-99; Ord. No. 2008-3-10, § I, 3-25-08)

PROPOSED

Sec. 15-59. - Tournaments/meets/camps/clinics/tryouts.

(a)

Youth and adult sports tournament, meet, camp, clinic or tryout requests will be considered on a space available basis subject to the following conditions:

(1)

The parks and recreation department may restrict the number, size, dates, and locations of tournaments or meets in order to protect field or facility conditions or to prevent overuse of fields or facilities. Defined criteria shall be utilized and communicated by the parks and recreation department in the process to approve or deny tournament, meet, camp, clinic and tryout requests.

(2)

Requests for tournament play, meets, camps, clinics or tryouts will be restricted to Plano youth and adult athletic organizations meeting specified requirements of section 15-58, the Plano Convention and Visitor's Bureau, and Plano Parks and Recreation Department. Upon approval, fees shall be charged to the sponsoring organization for the city's standardized services involving lighting, personnel, materials, equipment and contractual resources utilized in support of the tournament, meet, camp, clinic or tryout. The parks and recreation department shall estimate such expenses prior to approval based on the number of teams or participants, scheduled use of fields and facilities, and number of games played or hours of use.

(3)

Any request for tournament play or meets, camps, clinics or tryouts must be made in writing by the sponsoring organization no less than thirty (30) days prior to the scheduled tournament or meet. Existing tournaments, meets, camps, clinics or tryouts will receive first consideration. Approval of the requested activity does not guarantee field or pool condition or availability of parks and recreation personnel or equipment. Tournaments, meets, camps, clinics or tryouts with housing needs for teams, officials and administration must submit a plan for accommodating visitors to Plano subject to review by the Plano Convention and Visitor's Bureau that will be factored in the process for the event's approval or denial. Plano Convention and Visitor's Bureau may sponsor events with community economic impact once per sports season at each athletic-oriented facility and pre-empt league scheduling only if notice can be provided to the Parks and Recreation Department prior to the allocation meeting for the respective season.

(4)

Prior to fields or facilities being utilized for tournaments, meets, camps, clinics or tryouts, a usage agreement must be signed and on file with the parks and recreation department. Insurance meeting specifications of the City's Risk Manager is required for events prior to access to athletic fields or facilities.

(b)

Inclement weather provisions for outdoor events are as follows:

(1)

The parks and recreation department may cancel a tournament, meet, camp, clinic or tryout at any time in the interest of insuring the quality of the fields or pool and safety of the participants.

(2)

The decision to cancel a tournament, meet, camp, clinic or tryout shall be made by authorized members from the parks and recreation department. Authorized representatives from the event sponsor may be contacted for their input in making the decision.

(3)

When the decision to cancel a tournament, meet, camp, clinic or tryout due to inclement weather has been made, the parks and recreation department will notify the event director who will then cancel the activity at selected or all sites.

(4)

Whenever possible, activity will first be delayed or postponed. The decision to resume activity will rest with the parks and recreation department.

(5)

Failure to comply with this policy may result in the denial of future use of the facilities for tournaments, meets, camps, clinics or tryouts.

(c)

Churches, civic organizations, teams based in Plano, businesses located in Plano and individuals residing in Plano may request the use of athletic fields for the purpose of conducting professionally officiated tournaments subject to the following conditions. These conditions also apply to tournaments sponsored by local adult and youth sports organizations, Plano Convention and Visitors Bureau and the Parks and Recreation Department. A designated reservation fee per field will be assessed which will be applied toward the tournament fees and charges. The reservation fee is refundable only in the event of inclement weather as determined by the parks and recreation department.

Tournament Regulations

- (1) Tournament use of facilities is subject to availability as determined by the director of parks and recreation or authorized designee.
- (2) Designated tournament fees and charges shall be assessed the sponsor and must be paid within three (3) working days prior to the tournament. A tournament bracket must accompany this fee. After the bracket is submitted, no additional teams may be accepted into the tournament.
- (3) All adult and youth softball tournaments must be sanctioned by the Amateur Softball Association (ASA) and youth tournaments must be sponsored by locally recognized youth sports organizations meeting the requirements of section 15-58, or be sponsored by the City of Plano's Convention and Visitor's Bureau or Parks and Recreation Department.
- (4) If field space allows, more than one (1) tournament may be scheduled on any given date by the parks and recreation department.
- (5) The parks and recreation department may designate the maximum amount to be charged for entry fees.
- (6) Saturday games may not be scheduled to begin prior to 8:00 a.m. The final game or games may not be scheduled to start after 9:00 p.m. Sunday games may not be scheduled to begin prior to 8:00 a.m. Sunday games shall be complete and lighting extinguished by 9:00 p.m.
- (7) No rain dates will be allowed.
- (8) No refunds will be allowed after the reservation has been accepted by the parks and recreation department unless weather or city-related maintenance problems result in cancellation.
- (9) In the event that it rains within twenty-four (24) hours of the scheduled start of the tournament, permission to play must be gained from the athletic superintendent or designated representative. Only approved drying agents may be used on the fields in the event of rain. At no time may any type of dirt be placed on or removed from the fields.
- (10) In the sport of softball, umpires must be members of the Plano Softball Umpires Chapter of Dallas Metro ASA or affiliates. Two (2) umpires must be assigned to each game. In other sports, professional referees or umpires are required meeting certification standards of the sport's sanctioning body.
- (11) The sponsoring organization may not provide any type of concession services.
- (12) No special maintenance will be done to the fields during the tournament (dragging, marking, etc.) unless agreed to by the parks and recreation department. Tournament sponsors may employ approved independent contractors to drag and mark the fields or prepare the fields with hand tools following guidelines established by the parks and recreation department.
- (13) The City of Plano or the Plano Parks and Recreation Department's name shall not appear on any advertisement or promotion of the tournament.
- (14) Any individual or team involved in conducting the tournament shall not participate in the tournament as a manager, coach, player, referee or umpire.
- (15) The Plano Parks and Recreation Department reserves the right to cancel any tournament reservation at any time should any of the above conditions not be followed.

(Ord. No. 84-12-18, § VI, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 92-9-19, § V, 9-14-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 96-6-29, § I, 6-24-96; Ord. No. 99-1-2, § VI, 1-11-99; Ord. No. 2008-3-10, § I, 3-25-08)

PROPOSED (editing displayed)

Sec. 15-59. - Tournaments/meets/camps/clinics/tryouts.

(a)

Youth and adult sports tournament, meet, **camp, clinic or tryout** requests ~~which involve out-of-town teams~~ will be considered on a space available basis subject to the following conditions:

(1)

The parks and recreation department may restrict the number, size, dates, and locations of tournaments or meets in order to protect field or facility conditions or to prevent overuse of fields or facilities. Defined criteria shall be utilized and communicated by the parks and recreation department in the process to approve or deny tournament, meet, **camp, clinic and tryout** requests.

(2)

Requests for tournament play, meets, **camps, clinics or tryouts** will be restricted to Plano youth and adult athletic organizations meeting specified requirements of section 15-58, the Plano Convention and Visitor's Bureau, and Plano Parks and Recreation Department. Upon approval, fees shall be charged to the sponsoring organization for the city's standardized services involving lighting, personnel, materials, equipment and contractual resources utilized in support of the tournament, meet, **camp, clinic or tryout**. The parks and recreation department shall estimate such expenses prior to approval based on the number of teams **or participants**, scheduled use of fields and facilities, and number of games played or hours of use. ~~The sponsoring organization shall also pay a designated tournament or meet fee.~~

(3)

Any request for tournament play or meets, **camps, clinics or tryouts** must be made in writing by the sponsoring organization no less than thirty (30) days prior to the scheduled tournament or meet. Existing tournaments, meets, **camps, clinics or tryouts** will receive first consideration. Approval of ~~tournament play or meets the requested activity~~ does not guarantee field or pool condition or availability of parks and recreation personnel or equipment. Tournaments, meets, **camps, clinics or tryouts** with housing needs for teams, officials and administration must submit a plan for accommodating visitors to Plano **subject to review by the Plano Convention and Visitor's Bureau** that will be factored in the process for the event's approval or denial. **Plano Convention and Visitor's Bureau may sponsor events with community economic impact once per sports season at each athletic-oriented facility and pre-empt league scheduling only if notice can be provided to the Parks and Recreation Department prior to the allocation meeting for the respective season.**

(4)

~~Prior to fields or facilities being allocated for youth sports associations~~ utilized for tournaments, meets, **camps, clinics or tryouts**, ~~the tournament/meet a~~ usage agreement must be signed and on file with the parks and recreation department. **Insurance meeting specifications of the City's Risk Manager is required for events prior to access to athletic fields or facilities.**

(b)

Inclement weather provisions for outdoor events are as follows:

(1)

The parks and recreation department may cancel a tournament, meet, **camp, clinic or tryout** at any time in the interest of insuring the quality of the fields or pool and safety of the participants.

(2)

The decision to cancel ~~the a~~ tournament, meet, **camp, clinic or tryout** shall be made by authorized members from the parks and recreation department. Authorized representatives from ~~the youth sports association~~ **the event sponsor** may be contacted for their input in making the decision.

(3)

When the decision to cancel ~~the a~~ tournament, meet, **camp, clinic or tryout** due to inclement weather has been made, ~~the head of the youth sports association will~~ **parks and recreation department** will notify the ~~tournament or meet event~~ director who will then cancel the ~~tournament/meet activity~~ at selected or all sites.

(4)

Whenever possible, ~~games or the meet activity~~ will first be delayed or postponed. The decision to resume ~~play or the meet activity~~ will rest with the parks and recreation department.

(5)

Failure to comply with this policy ~~will may~~ result in the denial of future use of the facilities for tournaments, meets, **camps, clinics or tryouts**.

(c)

Churches, civic organizations, ~~and teams based in Plano,~~ **businesses located in Plano** and individuals residing in Plano may request the use of ~~the athletic~~ fields for the purpose of conducting ~~softball~~ **professionally officiated** tournaments subject to the following conditions. **These conditions also apply to tournaments sponsored by local adult and youth sports organizations, Plano Convention and Visitors Bureau and the Parks and Recreation Department.** A designated reservation fee per field will be assessed which will be applied toward the tournament

fees and charges. The reservation fee is refundable only in the event of inclement weather as determined by the parks and recreation department.

~~Softball~~ Tournament Regulations

- (1) Tournament use of facilities is subject to availability as determined by the director of parks and recreation or ~~his~~ authorized designee.
- (2) A ~~d~~ Designated tournament **fees and charges** shall be assessed the sponsor and must be paid within three (3) working days prior to the tournament. A tournament bracket must accompany this fee. After the bracket is submitted, no additional teams may be accepted into the tournament.
- (3) All adult **and youth softball** tournaments must be sanctioned by the Amateur Softball Association (ASA) and youth tournaments must be sponsored by locally recognized youth sports organizations meeting the requirements of section 15-58, or be sponsored by the City of Plano's Convention and Visitor's Bureau or Parks and Recreation Department.
- (4) If field space allows, more than one (1) tournament may be scheduled on any given date by the parks and recreation department.
- (5) The parks and recreation department ~~will~~ **may** designate the maximum amount to be charged for entry fees.
- (6) Saturday games may not be scheduled to begin prior to 8:00 a.m. The final game or games may not be scheduled to start after 9:00 p.m. Sunday games may not be scheduled to begin prior to 8:00 a.m. Sunday games shall be complete and lighting extinguished by 9:00 p.m.
- (7) No rain dates will be allowed.
- (8) No refunds will be allowed after the reservation has been accepted by the parks and recreation department unless weather or city-related maintenance problems result in cancellation.
- (9) In the event that it rains within twenty-four (24) hours of the scheduled start of the tournament, permission to play must be gained from the athletic ~~supervisor~~ **superintendent** or ~~his~~ designated representative. Only approved drying agents may be used on the fields in the event of rain. At no time may any type of dirt be placed on or removed from the fields.
- (10) **In the sport of softball,** umpires must be members of the Plano Softball Umpires Chapter of Dallas Metro ASA or affiliates. Two (2) umpires must be assigned to each game. **In other sports, professional referees or umpires are required meeting certification standards of the sport's sanctioning body.**
- (11) The sponsoring organization may not provide any type of concession services.
- (12) No special maintenance will be done to the fields during the tournament (dragging, marking, etc.) unless agreed to by the parks and recreation department. Tournament sponsors may employ approved independent contractors to drag and mark the fields or prepare the fields with hand tools following guidelines established by the parks and recreation department.
- (13) The City of Plano or the Plano Parks and Recreation Department's name shall not appear on any advertisement or promotion of the tournament.
- (14) Any individual or team involved in conducting the tournament shall not participate in the tournament as a manager, coach, player, **referee** or umpire.
- (15) The Plano Parks and Recreation Department reserves the right to cancel any tournament reservation at any time should any of the above conditions not be followed.

EXISTING

Sec. 15-60. - Practice sessions.

(a)

Youth practices. Baseball and softball game fields, unless they have been prepared that day or designated for scheduled use only, may be used for practice. Game fields for intensive turf sports such as soccer and football, unless they have been designated for scheduled use only, may be used for practice on Tuesday, Wednesday and Thursday afternoons subject to approval of the parks and recreation department. Each organization will schedule their teams during their allotted time frames at each field and not otherwise. There shall be no practices upon (1) Plano Independent School District designated game or practice fields, or (2) areas where games and practices have been cancelled due to rain.

(1)

Each organization shall require in its bylaws that any team under its jurisdiction, after receiving one (1) warning for violating any part of section 15-60, shall forfeit one (1) league game. Penalties may also be assessed as authorized by section 15-51.

(2)

Organizations desiring lighted practice areas shall comply with the following conditions:

a.

Practices must be scheduled through the parks and recreation department no later than the Tuesday preceding the Monday through Sunday period in which the practices are to occur.

b.

The applicable light usage fee must be paid.

c.

Each organization will schedule their teams during their allotted time frames at each field and not otherwise.

d.

Organizations may not schedule more than four (4) teams per field per practice session.

(3)

The scheduled turn-on and turn-off of lights shall be the responsibility of the parks and recreation department.

(b)

Adult and general public practices. All reservations for practices by the general public and adult practices are subject to the following conditions:

(1)

Reservation requests must be made through the athletic operations office.

(2)

The applicable reservation and light usage fee must be paid at the time the reservation is made.

(3)

An approved facility reservation form must be obtained from the parks and recreation department when the fee is paid.

(4)

No refunds will be made unless the reservation is cancelled by the parks and recreation department or in case of inclement weather.

(Ord. No. 84-12-18, § VII, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 99-1-2, § VII, 1-11-99; Ord. No. 2001-2-14, § I, 2-12-01; Ord. No. 2008-3-10, § I, 3-25-08)

PROPOSED

Sec. 15-60. - Practice sessions.

(a)

Youth practices. Baseball and softball game fields, unless they have been prepared that day or designated for scheduled use only, may be reserved for practice by sponsoring leagues during identified sports seasons. Game fields for intensive turf sports such as soccer and football, unless they have been designated for scheduled use only, may be reserved for practice on Tuesday, Wednesday and Thursday afternoons or evenings for practice by sponsoring leagues during identified sports seasons. Teams scheduled for practices by sponsoring leagues must be documented with the Parks and Recreation Department for purposes of assessing fees and charges. There shall be no practices upon (1) Plano Independent School District designated game or practice fields, or (2) areas where games and practices have been cancelled due to rain.

(1)

Each organization shall require in its bylaws that any team under its jurisdiction, after receiving one (1) warning for violating any part of section 15-60, shall forfeit one (1) league game. Penalties may also be assessed as authorized by section 15-51.

(2)

Organizations desiring lighted practice areas shall comply with the following conditions:

a.

Practices must be scheduled through the parks and recreation department no later than the Tuesday preceding the Monday through Sunday period in which the practices are to occur.

b.

The applicable light usage fee and field reservation fee must be paid.

c.

Each organization will schedule their teams during their allotted time frames at each field and not otherwise.

d.

Organizations may not schedule more than four (4) teams per field per practice session.

(3)

The scheduled turn-on and turn-off of lights shall be the responsibility of the parks and recreation department.

(b)

Adult and general public practices. All reservations for practices by the general public and adult practices are subject to the following conditions:

(1)

Reservation requests must be made through the athletic operations office.

(2)

The applicable reservation and light usage fee must be paid at the time the reservation is made.

(3)

An approved facility reservation form must be obtained from the parks and recreation department when the fee is paid.

(4)

No refunds will be made unless the reservation is cancelled by the parks and recreation department or in case of inclement weather.

PROPOSED (editing displayed)

Sec. 15-60. - Practice sessions.

(a)

Youth practices. Baseball and softball game fields, unless they have been prepared that day or designated for scheduled use only, may be reserved used for practice by sponsoring leagues during identified sports seasons. Game fields for intensive turf sports such as soccer and football, unless they have been designated for scheduled use only, may be reserved used for practice on Tuesday, Wednesday and Thursday afternoons or evenings for practice by sponsoring leagues during identified sports seasons subject to approval of the parks and recreation department. Each organization will schedule their teams during their allotted time frames at each field and not otherwise. Teams scheduled for practices by sponsoring leagues must be documented with the Parks and Recreation Department for purposes of assessing fees and charges. There shall be no practices upon (1) Plano Independent School District designated game or practice fields, or (2) areas where games and practices have been cancelled due to rain.

(1)

Each organization shall require in its bylaws that any team under its jurisdiction, after receiving one (1) warning for violating any part of section 15-60, shall forfeit one (1) league game. Penalties may also be assessed as authorized by section 15-51.

(2)

Organizations desiring lighted practice areas shall comply with the following conditions:

a.

Practices must be scheduled through the parks and recreation department no later than the Tuesday preceding the Monday through Sunday period in which the practices are to occur.

b.

The applicable light usage fee and field reservation fee must be paid.

c.

Each organization will schedule their teams during their allotted time frames at each field and not otherwise.

d.

Organizations may not schedule more than four (4) teams per field per practice session.

(3)

The scheduled turn-on and turn-off of lights shall be the responsibility of the parks and recreation department.

(b)

Adult and general public practices. All reservations for practices by the general public and adult practices are subject to the following conditions:

(1)

Reservation requests must be made through the athletic operations office.

(2)

The applicable reservation and light usage fee must be paid at the time the reservation is made.

(3)

An approved facility reservation form must be obtained from the parks and recreation department when the fee is paid.

(4)

No refunds will be made unless the reservation is cancelled by the parks and recreation department or in case of inclement weather.

EXISTING

Sec. 15-61. - User fees.

(a)

The city council has determined that it is necessary and proper to establish and levy user fees to be charged for the use of the city's public parks and recreation facilities.

(b)

All individuals who are members of any city adult or youth athletic team will pay prescribed user fees as established by the city council. User fees will be deposited by the parks and recreation department into the city's general fund.

(1)

It shall be the responsibility of each sponsoring organization to collect all user fees and to submit these fees with corresponding documentation to the parks and recreation department no later than two (2) weeks after the start of season. A delinquent notice shall be mailed to any organization that fails to pay user fees and supply corresponding documentation within two (2) weeks after the start of the season. Delinquent notices shall specify a deadline upon which user groups must submit all user fees and corresponding documentation or pay a late fee of two hundred dollars (\$200.00) per day that city offices are open and available to accept payment after the delinquent notice's stated due date. Payments of user fees and any delinquent penalty must be submitted with corresponding documentation or scheduled use of athletic fields may be refused as provided in section 15-51.

(2)

Rosters must be available for inspection by the parks and recreation department.

(3)

Nonresidents may use Plano facilities as a participant in camps, clinics and classes or on a team in locally sponsored leagues if field availability permits. These individuals will be assessed the non-resident user fee.

(4)

Nonresident adults may play on a team in Plano if they work within the city or worship in Plano when participating, respectively, on a church-sponsored or business-sponsored team and shall pay resident user fees. All other non-resident adults may play in locally sponsored leagues if field availability permits. These individuals will be assessed the appropriate user fee.

(c)

An additional field use fee at a rate determined by city council shall be assessed per game or per practice for the preferred use of any surplus field not provided through the allocation process during each respective sports season.

(Ord. No. 84-12-18, § VIII, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 90-4-24, § I, 4-23-90; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 96-6-29, § I, 6-24-96; Ord. No. 2001-2-14, § II, 2-12-01; Ord. No. 2009-4-22, § I, 4-27-09)

Cross reference—User fees, § 15-81 et seq.

PROPOSED

Sec. 15-61. - User fees.

(a)

The city council has determined that it is necessary and proper to establish and levy user fees to be charged for the use of the city's public parks and recreation facilities.

(b)

All individuals or teams who are participants of any city adult or youth athletic activity will pay prescribed user fees as established by the city council. User fees will be deposited by the parks and recreation department into the city's general fund.

(1)

It shall be the responsibility of each sponsoring organization to collect all user fees and to submit these fees with corresponding documentation to the parks and recreation department no later than two (2) weeks after the start of season. A delinquent notice shall be mailed to any organization that fails to pay user fees and supply corresponding documentation within two (2) weeks after the start of the season. Delinquent notices shall specify a deadline upon which user groups must submit all user fees and corresponding documentation or pay a late fee of two hundred dollars (\$200.00) per day that city offices are open and available to accept payment after the delinquent notice's stated due date. Payments of user fees and any delinquent penalty must be submitted with corresponding documentation or scheduled use of athletic fields may be refused as provided in section 15-51.

(2)

Rosters must be available for inspection by the parks and recreation department.

(3)

Nonresidents may use Plano facilities as a participant in camps, clinics and classes or on a team in locally sponsored leagues if field availability permits. These individuals or teams will be assessed the non-resident user fee.

(4)

Nonresident adults and teams may participate in Plano leagues and athletic activities if they work within the city or worship in Plano when participating, respectively, on a church-sponsored or business-sponsored team and shall pay resident user fees. All other non-resident adults and teams may play in locally sponsored leagues and participate in Plano athletic activities if field availability permits. These individuals and teams will be assessed the appropriate user fee.

(c)

Field use reservation fees established by city council shall be assessed per game or per practice for the scheduled use of athletic fields by leagues or athletic activities in which individual or team registration is not documented or can not be verified.

(Ord. No. 84-12-18, § VIII, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 90-4-24, § I, 4-23-90; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 96-6-29, § I, 6-24-96; Ord. No. 2001-2-14, § II, 2-12-01; Ord. No. 2009-4-22, § I, 4-27-09)

Cross reference—User fees, § 15-81 et seq.

PROPOSED (editing displayed)

Sec. 15-61. - User fees.

(a)

The city council has determined that it is necessary and proper to establish and levy user fees to be charged for the use of the city's public parks and recreation facilities.

(b)

All individuals **or teams** who are ~~members~~ **participants** of any city adult or youth athletic ~~team~~ **activity** will pay prescribed user fees as established by the city council. User fees will be deposited by the parks and recreation department into the city's general fund.

(1)

It shall be the responsibility of each sponsoring organization to collect all user fees and to submit these fees with corresponding documentation to the parks and recreation department no later than two (2) weeks after the start of season. A delinquent notice shall be mailed to any organization that fails to pay user fees and supply corresponding documentation within two (2) weeks after the start of the season. Delinquent notices shall specify a deadline upon which user groups must submit all user fees and corresponding documentation or pay a late fee of two hundred dollars (\$200.00) per day that city offices are open and available to accept payment after the delinquent notice's stated due date. Payments of user fees and any delinquent penalty must be submitted with corresponding documentation or scheduled use of athletic fields may be refused as provided in section 15-51.

(2)

Rosters must be available for inspection by the parks and recreation department.

(3)

Nonresidents may use Plano facilities as a participant in camps, clinics and classes or on a team in locally sponsored leagues if field availability permits. These individuals **or teams** will be assessed the non-resident user fee.

(4)

Nonresident adults **and teams** may **participate** ~~play on a team~~ in Plano **leagues and athletic activities** if they work within the city or worship in Plano when participating, respectively, on a church-sponsored or business-sponsored team and shall pay resident user fees. All other non-resident adults **and teams** may play in locally sponsored leagues **and participate in Plano athletic activities** if field availability permits. These individuals **and teams** will be assessed the appropriate user fee.

(c)

~~An additional field use fee at a rate determined by city council shall be assessed per game or per practice for the preferred use of any surplus field not provided through the allocation process during each respective sports season.~~ **Field use reservation fees established by city council shall be assessed per game or per practice for the scheduled use of athletic fields by leagues or athletic activities in which individual or team registration is not documented or can not be verified.**

(Ord. No. 84-12-18, § VIII, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 90-4-24, § I, 4-23-90; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 96-6-29, § I, 6-24-96; Ord. No. 2001-2-14, § II, 2-12-01; Ord. No. 2009-4-22, § I, 4-27-09)

Cross reference—User fees, § 15-81 et seq.

EXISTING

Sec. 15-65. - Insurance.

Organizations or associations conducting organized leagues, tournaments, practices or other activities must provide and keep in force for the duration of the season or event with an insurance company duly licensed in the State of Texas and rated A- or better by A.M. Best, general liability insurance in an amount specified by the city's risk manager. Insurance limits will be reviewed on an annual basis for leagues and on an activity basis otherwise. In addition, the policy shall include the City of Plano as an additional named insured. No games may be played until an acceptable proof of insurance has been received by the parks and recreation department and reviewed for adequacy by the city's risk manager.

(Ord. No. 84-12-18, § XII, 12-18-84; Ord. No. 88-1-7, § I, 1-11-88; Ord. No. 92-2-9, § I, 2-10-92; Ord. No. 94-5-26, § I, 5-23-94; Ord. No. 2008-3-10, § I, 3-25-08)

PROPOSED

Sec. 15-65. - Insurance.

Organizations or associations conducting organized leagues, tournaments, practices or other activities must provide and keep in force for the duration of the season or event with an insurance company duly licensed in the State of Texas and rated A- or better by A.M. Best, general liability insurance in an amount specified by the city's risk manager. Insurance limits will be reviewed on an annual basis for leagues and on an activity basis otherwise. In addition, the policy shall include the City of Plano as an additional named insured. No games may be played or activity conducted until an acceptable proof of insurance has been received by the parks and recreation department and reviewed for adequacy by the city's risk manager.

PROPOSED (editing displayed)

Sec. 15-65. - Insurance.

Organizations or associations conducting organized leagues, tournaments, practices or other activities must provide and keep in force for the duration of the season or event with an insurance company duly licensed in the State of Texas and rated A- or better by A.M. Best, general liability insurance in an amount specified by the city's risk manager. Insurance limits will be reviewed on an annual basis for leagues and on an activity basis otherwise. In addition, the policy shall include the City of Plano as an additional named insured. No games may be played **or activity conducted** until an acceptable proof of insurance has been received by the parks and recreation department and reviewed for adequacy by the city's risk manager.

An Ordinance of the City of Plano, Texas amending Sections 15-3, 15-56, 15-57, 15-59, 15-60, 15-61, and 15-65, Chapter 15, Parks and Recreation of the Code of Ordinances of the City of Plano, Texas to replace with provisions containing new language regarding prohibited activities, sports seasons, allocations, tournaments/meets/camps/clinics/tryouts, practice sessions, user fees and insurance; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.

WHEREAS, the Parks and Recreation staff have reviewed and suggested changes to Article III of Chapter 15 of the Code of Ordinances related to the use and athletic activities conducted on Plano athletic facilities, and

WHEREAS, the Parks and Recreation Planning Board has reviewed the changes suggested by the Parks and Recreation staff and recommend their adoption by the Plano City Council, and

WHEREAS, the City Council deems it in the best interest of the citizens of the City of Plano that Sections 15-3, 15-56, 15-57, 15-59, 15-60, 15-61, and 15-65 of the Code of Ordinances be amended as set forth herein.

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

Section I. The following sections of Article III Athletic Activities of Chapter 15 Parks and Recreation of the Code of Ordinances of the City of Plano are hereby amended to read in their entirety as follows:

“Sec. 15-3. Prohibited activities.

- (a) It shall be unlawful for any person to knowingly do any of the acts specified in this section in or upon any park facility, except as otherwise specifically provided:
 - (2) *Weapons.*
 - a. To carry a concealed handgun, as that term is defined in section 14-5 of the Code of Ordinances of the City of Plano, in a city park, except those persons who are duly licensed by the state to carry a concealed handgun in accordance with the provisions of the Texas Concealed Weapons Act.
 - b. To carry or discharge firearms (unless permitted under subsection (a)(2)a. above), facsimile firearms (as defined in section 14-12 of the Code of Ordinances of the City of Plano), fireworks, air guns, bows and arrows, slingshots or any device which would or could project any object which would or could create a fire hazard or any hazard or danger to the public, except with written approval of the parks and recreation director.

“Sec. 15-56. Sports seasons.

- (a) The following specific sports seasons and primary sports are established for the equitable use and allocation of athletic facilities:

Season	Primary Sport	Secondary Sport
Spring	Adult softball—Fourth Monday in February through third Sunday in May Youth soccer—Second Tuesday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May Adult soccer—Second Tuesday in February through third Sunday in May	Competitive youth baseball/softball— Third Monday in March through last Sunday in June Adult baseball—Third Monday in March through third Sunday in August Youth and adult lacrosse, rugby, cricket, flag football, field hockey—Second Tuesday in February through last Sunday in April; fields unencumbered by Summer sports season to third Sunday in May
Summer	Recreational youth baseball /softball— First Monday in May through last Sunday in June Adult baseball and adult softball— Third Monday in May through third Sunday in August	Youth and adult cricket, flag football— Third Tuesday in May through third Sunday in August
Fall	Youth and adult football—Third Tuesday in August through second Sunday in November	Youth and adult soccer— Third Tuesday in August through second Sunday in November Youth and adult softball— Third Monday in August through-second Sunday in November Youth and adult baseball—Third Monday in August through second Sunday in November Youth and adult lacrosse, rugby, cricket, field hockey— Third Tuesday in August through second Sunday in November

- (b) The primary sport within each season shall be given first priority with regard to field or facility allocation and scheduling. Secondary sports facilities will be allocated on a space available basis. The director of parks and recreation or the director's designee shall determine the eligibility for classification within primary and secondary sports designations.
- (c) Time made available in public swimming pools for competitive or recreational aquatics programs will be allocated on a bi-annual basis with an annual review. The need for more frequent aquatic allocations may be conducted at the discretion of the director of parks and recreation as changes occur in the availability of time within facilities or as new facilities are added.
- (d) Sports other than primary or secondary will be addressed as the need arises, subject to:
 - (1) Facility availability.
 - (2) Allocated maintenance resources.
 - (3) Determination by the parks and recreation department of capacity of fields or facilities to withstand additional use.
- (e) The youth sports associations may enter into a written agreement with the parks and recreation department that allows use of designated fields or facilities outside of the official sports season under special circumstances deemed appropriate by the director of the parks and recreation department.

“Sec. 15-57. Allocations.

- (a) Organizations requiring facilities for league games shall submit, in writing, their registration figures at the designated time determined by the parks and recreation department.
- (b) The parks and recreation department shall consider all requests and will allocate facilities in the best interest of the city. Guidelines which will be considered may include, but are not limited to, items listed under subsections (1) through (3) of this section. The director of parks and recreation or the director's designee may also consider any other alternatives in implementing the field or facility allocation for the various users, or make such variations or exceptions as the director deems in the best interest of the city, giving due consideration to the number of participants, facility requirements, nature of the activity, innovation of the program and other relevant factors.

Guidelines

- (1) Programs conducted the previous year. Groups who must reduce the number of their allocated fields or facility time from the previous season may be allowed to protect up to fifty (50) percent of fields or facility time of their choice. This alternative is available at the discretion of the parks and recreation department when reduced participation of the user group warrants this type of allocation.
 - (2) Priority will be given to those individuals who reside within the city limits of the City of Plano. Participation by other individuals, teams and groups may be permitted by the parks and recreation department if facility availability permits.
 - (3) Teams or sports requesting regular season play or meets with out-of-town teams on facilities owned by, leased or otherwise controlled by the city will be given consideration after fields or facility time has been allocated for all other teams of organizations made up of residents. Participation by such out-of-town teams is subject to approval by the parks and recreation department. If approved, such teams shall pay fees and charges as established by the city council through the City's annual budget process.
- (c) The parks and recreation department may place more than one (1) organization on a given facility for the same sport. Primary sports will be accommodated prior to secondary sports.
- (d) Any existing organization wishing to initiate a new athletic program must meet with the parks and recreation department at least ninety (90) days prior to the proposed season starting date to discuss the availability of facilities. A new program is defined as any activity that is not currently offered by the requesting organization as determined by the parks and recreation department.

The parks and recreation department will attempt to accommodate new programs according to facility availability and considering participant registration.

“Sec. 15-59. Tournaments/meets/camps/clinics/tryouts.

- (a) Youth and adult sports tournament, meet, camp, clinic or tryout requests will be considered on a space available basis subject to the following conditions:
- (1) The parks and recreation department may restrict the number, size, dates, and locations of tournaments or meets in order to protect field or facility conditions or to prevent overuse of fields or facilities. Defined criteria shall be utilized and communicated by the parks and recreation department in the process to approve or deny tournament, meet, camp, clinic and tryout requests.
 - (2) Requests for tournament play, meets, camps, clinics or tryouts will be restricted to Plano youth and adult athletic organizations meeting specified requirements of section 15-58, the Plano Convention and Visitor's Bureau, and Plano Parks and Recreation Department. Upon approval, fees shall be charged to the sponsoring organization for the city's standardized services involving lighting, personnel, materials, equipment and contractual resources utilized in support of the tournament, meet, camp, clinic or tryout. The parks and recreation department shall estimate such expenses prior to approval based on the number of teams or participants, scheduled use of fields and facilities, and number of games played or hours of use.
 - (3) Any request for tournament play or meets, camps, clinics or tryouts must be made in writing by the sponsoring organization no less than thirty (30) days prior to the scheduled tournament or meet. Existing tournaments, meets, camps, clinics or tryouts will receive first consideration. Approval of the requested activity does not guarantee field or pool condition or availability of parks and recreation personnel or equipment. Tournaments, meets, camps, clinics or tryouts with housing needs for teams, officials and administration must submit a plan for accommodating visitors to Plano subject to review by the Plano Convention and Visitor's Bureau that will be factored in the process for the event's approval or denial. Plano Convention and Visitor's Bureau may sponsor events with community economic impact once per sports season at each athletic-oriented facility and pre-empt league scheduling only if notice can be provided to the Parks and Recreation Department prior to the allocation meeting for the respective season.
 - (4) Prior to fields or facilities being utilized for tournaments, meets, camps, clinics or tryouts, a usage agreement must be signed and on file with the parks and recreation department. Insurance meeting specifications of the City's Risk Manager is required for events prior to access to athletic fields or facilities.

- (b) Inclement weather provisions for outdoor events are as follows:
- (1) The parks and recreation department may cancel a tournament, meet, camp, clinic or tryout at any time in the interest of insuring the quality of the fields or pool and safety of the participants.
 - (2) The decision to cancel a tournament, meet, camp, clinic or tryout shall be made by authorized members from the parks and recreation department. Authorized representatives from the event sponsor may be contacted for their input in making the decision.
 - (3) When the decision to cancel a tournament, meet, camp, clinic or tryout due to inclement weather has been made, the parks and recreation department will notify the event director who will then cancel the activity at selected or all sites.
 - (4) Whenever possible, activity will first be delayed or postponed. The decision to resume activity will rest with the parks and recreation department.
 - (5) Failure to comply with this policy may result in the denial of future use of the facilities for tournaments, meets, camps, clinics or tryouts.
- (c) Churches, civic organizations, teams based in Plano, businesses located in Plano and individuals residing in Plano may request the use of athletic fields for the purpose of conducting professionally officiated tournaments subject to the following conditions. These conditions also apply to tournaments sponsored by local adult and youth sports organizations, Plano Convention and Visitors Bureau and the Parks and Recreation Department. A designated reservation fee per field will be assessed which will be applied toward the tournament fees and charges. The reservation fee is refundable only in the event of inclement weather as determined by the parks and recreation department.

Tournament Regulations

- (1) Tournament use of facilities is subject to availability as determined by the director of parks and recreation or authorized designee.
- (2) Designated tournament fees and charges shall be assessed the sponsor and must be paid within three (3) working days prior to the tournament. A tournament bracket must accompany this fee. After the bracket is submitted, no additional teams may be accepted into the tournament.
- (3) All adult and youth softball tournaments must be sanctioned by the Amateur Softball Association (ASA) and youth tournaments must be sponsored by locally recognized youth sports organizations meeting the requirements of section 15-58, or be sponsored by the City of Plano's Convention and Visitor's Bureau or Parks and Recreation Department.
- (4) If field space allows, more than one (1) tournament may be scheduled on any given date by the parks and recreation department.
- (5) The parks and recreation department may designate the maximum amount to be charged for entry fees.
- (6) Saturday games may not be scheduled to begin prior to 8:00 a.m. The final game or games may not be scheduled to start after 9:00 p.m. Sunday games may not be scheduled to begin prior to 8:00 a.m. Sunday games shall be complete and lighting extinguished by 9:00 p.m.
- (7) No rain dates will be allowed.
- (8) No refunds will be allowed after the reservation has been accepted by the parks and recreation department unless weather or city-related maintenance problems result in cancellation.
- (9) In the event that it rains within twenty-four (24) hours of the scheduled start of the tournament, permission to play must be gained from the athletic superintendent or designated representative. Only approved drying agents may be used on the fields in the event of rain. At no time may any type of dirt be placed on or removed from the fields.
- (10) In the sport of softball, umpires must be members of the Plano Softball Umpires Chapter of Dallas Metro ASA or affiliates. Two (2) umpires must be assigned to each game. In other sports, professional referees or umpires are required meeting certification standards of the sport's sanctioning body.
- (11) The sponsoring organization may not provide any type of concession services.

- (12) No special maintenance will be done to the fields during the tournament (dragging, marking, etc.) unless agreed to by the parks and recreation department. Tournament sponsors may employ approved independent contractors to drag and mark the fields or prepare the fields with hand tools following guidelines established by the parks and recreation department.
- (13) The City of Plano or the Plano Parks and Recreation Department's name shall not appear on any advertisement or promotion of the tournament.
- (14) Any individual or team involved in conducting the tournament shall not participate in the tournament as a manager, coach, player, referee or umpire.
- (15) The Plano Parks and Recreation Department reserves the right to cancel any tournament reservation at any time should any of the above conditions not be followed.

“Sec. 15-60. Practice sessions.

- (a) *Youth practices.* Baseball and softball game fields, unless they have been prepared that day or designated for scheduled use only, may be reserved for practice by sponsoring leagues during identified sports seasons. Game fields for intensive turf sports such as soccer and football, unless they have been designated for scheduled use only, may be reserved for practice on Tuesday, Wednesday and Thursday afternoons or evenings for practice by sponsoring leagues during identified sports seasons. Teams scheduled for practices by sponsoring leagues must be documented with the Parks and Recreation Department for purposes of assessing fees and charges. There shall be no practices upon (1) Plano Independent School District designated game or practice fields, or (2) areas where games and practices have been cancelled due to rain.
 - (1) Each organization shall require in its bylaws that any team under its jurisdiction, after receiving one (1) warning for violating any part of section 15-60, shall forfeit one (1) league game. Penalties may also be assessed as authorized by section 15-51.
 - (2) Organizations desiring lighted practice areas shall comply with the following conditions:
 - a. Practices must be scheduled through the parks and recreation department no later than the Tuesday preceding the Monday through Sunday period in which the practices are to occur.
 - b. The applicable light usage fee and field reservation fee must be paid.
 - c. Each organization will schedule their teams during their allotted time frames at each field and not otherwise.
 - d. Organizations may not schedule more than four (4) teams per field per practice session.
 - (3) The scheduled turn-on and turn-off of lights shall be the responsibility of the parks and recreation department.
- (b) *Adult and general public practices.* All reservations for practices by the general public and adult practices are subject to the following conditions:
 - (1) Reservation requests must be made through the athletic operations office.
 - (2) The applicable reservation and light usage fee must be paid at the time the reservation is made.
 - (3) An approved facility reservation form must be obtained from the parks and recreation department when the fee is paid.
 - (4) No refunds will be made unless the reservation is cancelled by the parks and recreation department or in case of inclement weather.

“Sec. 15-61. User fees.

- (a) The city council has determined that it is necessary and proper to establish and levy user fees to be charged for the use of the city's public parks and recreation facilities.
- (b) All individuals or teams who are participants of any city adult or youth athletic activity will pay prescribed user fees as established by the city council. User fees will be deposited by the parks and recreation department into the city's general fund.
 - (1) It shall be the responsibility of each sponsoring organization to collect all user fees and to submit these fees with corresponding documentation to the parks and recreation department no later than two (2) weeks after the start of season. A delinquent notice shall be mailed to any organization that fails to pay user fees and supply corresponding documentation within two (2) weeks after the start of the season. Delinquent notices shall

specify a deadline upon which user groups must submit all user fees and corresponding documentation or pay a late fee of two hundred dollars (\$200.00) per day that city offices are open and available to accept payment after the delinquent notice's stated due date. Payments of user fees and any delinquent penalty must be submitted with corresponding documentation or scheduled use of athletic fields may be refused as provided in section 15-51.

- (2) Rosters must be available for inspection by the parks and recreation department.
- (3) Nonresidents may use Plano facilities as a participant in camps, clinics and classes or on a team in locally sponsored leagues if field availability permits. These individuals or teams will be assessed the non-resident user fee.
- (4) Nonresident adults and teams may participate in Plano leagues and athletic activities if they work within the city or worship in Plano when participating, respectively, on a church-sponsored or business-sponsored team and shall pay resident user fees. All other non-resident adults and teams may play in locally sponsored leagues and participate in Plano athletic activities if field availability permits. These individuals and teams will be assessed the appropriate user fee.

(c) Field use reservation fees established by city council shall be assessed per game or per practice for the scheduled use of athletic fields by leagues or athletic activities in which individual or team registration is not documented or cannot be verified.

“Sec. 15-65. Insurance.

Organizations or associations conducting organized leagues, tournaments, practices or other activities must provide and keep in force for the duration of the season or event with an insurance company duly licensed in the State of Texas and rated A- or better by A.M. Best, general liability insurance in an amount specified by the city's risk manager. Insurance limits will be reviewed on an annual basis for leagues and on an activity basis otherwise. In addition, the policy shall include the City of Plano as an additional named insured. No games may be played or activity conducted until an acceptable proof of insurance has been received by the parks and recreation department and reviewed for adequacy by the city's risk manager.

Section II. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section III. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provision of any Ordinances at the time of passage of this Ordinance.

Section IV. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section V. Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this the 28th day of February, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, **CITY SECRETARY**

APPROVED AS TO FORM:

Diane C. Wetherbee, **CITY ATTORNEY**