

## **TOWN OF FLOWER MOUND, TEXAS**

### **ORDINANCE NO. 02-21**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING APPENDIX A “FEE SCHEDULE,” OF THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS; ESTABLISHING THE FEE FOR LEASE OF TOWN FACILITIES TO LEWISVILLE INDEPENDENT SCHOOL DISTRICT, PER A FACILITIES USE AGREEMENT; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the Town Council of the Town of Flower Mound has previously adopted a Fee Schedule as Appendix A to the Town’s Code of Ordinances; and

**WHEREAS**, the Town of Flower Mound has entered into a Facilities Use Agreement on or about September 15, 2020, and as part of that agreement will offer the lowest rates the Town offers to any person or group; and

**WHEREAS**, the Town Council wishes to amend the Fee Schedule to reflect rates for rental of Town-owned facilities to Lewisville Independent School District.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS:**

#### **SECTION 1**

That Appendix A of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by amending the schedule of fees regarding Rental Rates, to add specific rental rates applicable to Lewisville Independent School District (LISD) under the Facilities Use Agreement to read as follows:

**“Town of Flower Mound – Facility Rental Rates for Lewisville ISD**

Park/Facility Area Type	Rate (per hour)
Park Pavilion	\$5.00 per hour
Twin Coves Park Pavilion	\$50.00 fee to include up to four hours \$10.00 each additional hour
Community Activity Center - Outdoor Pool (After Hours)	10% off the lowest charged rate (includes lifeguards)
Community Activity Center - Indoor Pool (After Hours)	10% off the lowest charged rate
Community Activity Center – Swim Team Lap Lane Rental	10% off per hour of the lowest charged rate for non-peak times 10% off per hour of lowest charged rate for peak times
Community Activity Center – Catering Kitchen	10% off the lowest charged rate
Community Activity Center – Meeting Rooms	10% off per hour of the lowest charged rate for one room 10% off per hour of the lowest charged rate for two rooms 10% off per hour of the lowest charged rate for three rooms
Community Activity Center – Indoor Pool Party Room	10% off per hour the lowest charged rate
Community Activity Center – Gym	10% off per hour the lowest charged rate, half court 10% off per hour the lowest charged rate, full court 10% off per hour the lowest charged rate, Full Gym (After Hours)
Additional TOFM Personnel Costs	
TOFM Site Supervisor for Rental (not always applicable)	\$15.00 per hour
TOFM Custodial for Rental (not always applicable)	\$35.00 per restroom cleaning

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**SECTION 2**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

### **SECTION 3**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

### **SECTION 4**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 4TH DAY OF JANUARY, 2021.**

**APPROVED:**

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**Steve Dixon, MAYOR**

**ATTEST:**

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**Theresa Scott, TOWN SECRETARY**