

**TOWN OF FLOWER MOUND, TEXAS**

**ORDINANCE NO. 04-18**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 54-2 “FEES,” OF CHAPTER 54 “PARKS AND RECREATION,” OF THE CODE OF ORDINANCES TO ADD A RENTAL POLICY FOR THE TOWN SENIOR CENTER; AMENDING APPENDIX A “FEE SCHEDULE,” OF THE CODE OF ORDINANCES TO ESTABLISH THE RENTAL FEES FOR USAGE OF THE TOWN SENIOR CENTER; 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 city 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 determined it is in the best interest of the Town of Flower Mound to permit the after-hours rental of banquet rooms in the Senior Center; and

**WHEREAS**, the Town Council wishes to establish hourly fees based on the number of rooms rented for public use and Town sponsored events.

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

**SECTION 1**

That Section 54-2 “Fees,” of Chapter 54 “Parks and Recreation” of the Code of Ordinances, Town of Flower Mound, Texas is hereby amended by adding Section 54-2(f) “Flower Mound Senior Center Banquet Rooms: Rental Policy” to read as follows:

*(f) Flower Mound Senior Center Banquet Rooms: Rental Policy*

*(1) Definitions*

*Nonresident* means a person who lives outside the territorial jurisdiction of the town.

*Operating hours* mean those hours the Flower Mound Senior Center is open for normal use. Operating hours are as follows: 8 am to 5 pm Monday, Wednesday, and Friday and 8 am to 8 pm Tuesday and Thursday.

*Resident* means a person who lives in the territorial jurisdiction of the town.

*Rental fees* mean those fees that are charged to persons desiring to rent the Flower Mound Senior Center. Such rental fees shall be established for hourly use.

*(2) Availability*

- a. The Flower Mound Senior Center Banquet Rooms are available for rental use by Town residents outside of normal operating hours.

(3) *Fees and Refunds*

a. *Fees*

- i. Rental fees for the Flower Mound Senior Center are hereby established. Such rental fees are set forth in Appendix A of this Code.

b. *Deposits*

- i. A deposit for the rental of all or a portion of the Flower Mound Senior Center is required. Applicable deposits are set forth in Appendix A of this Code.
- ii. Refundable deposit is required on Senior Center rentals, and on an entire Senior Center rental, along with completion of a rental agreement and full payment. The deposit will be refunded if the area used has been left in good order and all conditions of the rental agreement have been met. Refundable deposits may be reduced due to any and all damage caused by user or user's guests or invitees.

c. *Refunds*

- i. In order to receive a full refund for a Senior Center rental, notice must be given no less than 14 days prior to the date of the rental. If notice is not given 14 days prior to the rental date, the full amount of the rental will be retained; however the deposit will be refunded in full.

d. *Reservations*

- i. Reservations will be accepted on a first come, first serve basis based on availability and will be limited to one reservation per day.
- ii. Each reservation can be made no more than sixty (60) days in advance.

e. *Kitchen*

- i. Rental fees for the use of the Flower Mound Senior Center Kitchen are hereby established. Applicable fees are set forth in Appendix A of this Code.
- ii. Use of the Flower Mound Senior Center Kitchen is limited to catering, warming and/or staging.

**SECTION 2**

That Appendix A of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by adding the schedule of fees corresponding to Section 54-2(f) “*Flower Mound Senior Center Banquet Rooms: Rental Policy*” to read as follows:

Code Section Number	Description
54-2(f)	Flower Mound Senior Center Banquet Rooms: Rental Fees

Hourly Rates	Deposit	Room One (Stage Only)	Two Rooms	Three Rooms	Kitchen Usage
Public (Resident)	\$200	\$65	\$95	\$135	\$20
Town Sponsored Event <sup>1</sup>	\$200	\$60	\$87	\$123	\$20
Town Events <sup>2</sup>	N/A	N/A	N/A	N/A	N/A

1. Requires advanced TMO approval.
2. Must be scheduled with Flower Mound Senior Center Manager. The Town department hosting the event shall provide supervision.

**SECTION 3**

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 4**

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.

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**SECTION 5**

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 5TH DAY OF MARCH, 2018.**

**APPROVED:**

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**Thomas E. Hayden, MAYOR**

**ATTEST:**

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**Theresa Scott, TOWN SECRETARY**