

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE
CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS,
CHAPTER 95 PARKS AND RECREATION ADDING
SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF
CARE; REPLACING ALL ORDINANCES IN CONFLICT;
CONTAINING A SAVINGS CLAUSE AND DECLARING AN
EFFECTIVE DATE.**

WHEREAS, Human Resources Code Section 42.041 (b)(14) provides exemption to childcare licensure requirements for an elementary-age (ages 5-13) recreation program operated by a municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility; and

WHEREAS, the City of Pflugerville wishes to meet the requirements of Human Resources Code Section 42.041 (b)(14) and to adopt youth program standards of care to serve as the minimum standards by which the parks and recreation department will operate the city's youth programs; and

WHEREAS, the City of Pflugerville will each year conduct a public hearing and adopt the standards of care for its youth programs as required by Texas Human Resources Code §42.041 (b) (14);

WHEREAS, the City of Pflugerville has conducted a public hearing for this adoption on May 8, 2012 and finds it appropriate to now adopt these youth program standards of care;

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

I.

Miscellaneous

THAT the City Council of the City of Pflugerville hereby adds the following: **Chapter 95.50 Youth Programs Standards of Care** to the Code of Ordinances of the City of Pflugerville, Texas attached as Exhibit A; and

THAT the City Council will annually adopt Youth Program Standards of Care by ordinance following a public hearing for such programs in accordance with Human Resources Code Section 42.041 (b)(14).

II.

Severability.

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

III.

Effective Date.

This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____, 2012.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Jeff Coleman, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

George Hyde, City Attorney