

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 95 “PARKS AND RECREATION”, ARTICLE V “RECREATIONAL PROGRAMS STANDARDS OF CARE”, OF THE CITY’S CODE OF ORDINANCES; TO ADOPT STANDARDS OF CARE FOR THE CITY’S YOUTH RECREATIONAL PROGRAMS AS REQUIRED BY STATE LAW AND AMENDING VARIOUS SECTIONS WITHIN THIS ARTICLE TO UPDATE THE STANDARDS; CONTAINING A CUMULATIVE AND SEVERABILITY CLAUSES; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, the City of Pflugerville, through its Parks and Recreation Department (the “Department”), provides recreational programs for children, including the elementary age (ages 5-13); and

WHEREAS, Chapter 42, Texas Human Resources Code, requires: 1) the City to annually adopt standards of care by ordinance after a public hearing for such programs; 2) that the standards are provided to the parents of each program participant; 3) that the ordinance includes, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; 4) that parents be informed that the program is not licensed by the state; and 5) that the program may not be advertised as a child-care facility; and

WHEREAS, the City historically adopts these standards each year to maintain its state-granted exemption for its summer camp and youth recreation programs, as these programs are recreational in nature and are not child-care programs; and

WHEREAS, the standards include new provisions for operational direction during heavy rain events or localized flooding; and

WHEREAS, the Department proposes amending Chapter 95, Article V of the City’s Code of Ordinances as shown in **Exhibit A**, to adopt standards of care in accordance with state law, and with revisions made to some of the sections to bolster the Department’s administration of safety for its youth programs; and

WHEREAS, City Council finds it to be in the public interest to amend Chapter 95, Article V of the Code of Ordinances, in its entirety by adopting the standards provided in **Exhibit A**;

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

SECTION 1. Chapter 95 "Parks and Recreation", Article V "Recreational Programs Standard of Care" of the Code of Ordinances is amended by replacing it in its entirety as provided in **Exhibit A**.

SECTION 2. The City Secretary is authorized and directed to submit this amendment to the publisher of the City's Code of Ordinances and the publisher is authorized to amend said Code to reflect this amendment and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code, as appropriate.

SECTION 3. The provisions of this Ordinance are to be cumulative of all other Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior Ordinances or parts of Ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of such inconsistency or conflict.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. City Council declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____ 2026.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ day of _____, 2026.

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Doug Weiss, Mayor

ATTEST:

Trista Evans, City Secretary