

ORDINANCE NO. 2024-

AN ORDINANCE RE-ADOPTING STANDARDS OF CARE FOR THE LEAGUE CITY YOUTH RECREATION PROGRAMS TO ADDRESS STAFFING RATIOS, HEALTH STANDARDS AND STAFF QUALIFICATIONS, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of League City (the “City”) is a home rule municipality that operates recreation programs for children, including elementary age children (ages 6 through 15); and

WHEREAS, Section 42.041 of the Texas Human Resources Code provides that no person may operate a child-care facility or a child-placing agency without a license issued by the Texas Department of Family and Protective Services, but provides an exception from that requirement in Section 42.041(b)(14) of the said Code for an elementary-age (ages 6 through 15) 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; and

WHEREAS, in accordance with Section 42.041(b)(14) of the Human Resources Code, the City Council conducted an annual public hearing regarding the adoption of standards of care for its recreation programs for elementary age children (ages 6 through 15) as set forth herein and following such public hearing the City Council desires by this Ordinance to adopt such standards of care.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The standards of care set forth in **Exhibit A** attached hereto and made a part of this Ordinance for all purposes (the “Standards of Care”) are hereby adopted as the standards of care for all elementary age (ages 6 through 15) recreation programs operated by the City (collectively the “Programs” and each a “Program”), including, without limitation, any summer camp program or any spring break program.

Section 3. All Programs are to be operated by the City’s Department of Parks and Cultural Services (the “Department”). The Director of the Department, or the Director’s designee, (individually or collectively, the “Director”), shall administer the Programs in accordance with the Standards of Care. The Director may adopt rules in writing relating to the operation of the Programs, which rules may be more restrictive than the Standards of Care. The Programs shall be

operated in accordance with the Standards of Care (or, in the event the Director adopts rules that are more restrictive than the Standards of Care, in accordance with such rules).

Section 4. The Director shall provide the Standards of Care to the parents of each Program participant (and, in the event the Director adopts rules that are more restrictive than the Standards of Care, shall provide such rules to the parents of each Program participant). Further, the Director, or the Director’s designee, shall inform the parents of each Program participant that the Program is not licensed by the State of Texas.

Section 5. The Program shall not be advertised as a child-care facility.

Section 6. The Director is authorized to take all steps, if any, as may be necessary to confirm the Program’s exemption from state law as set forth in Section 42.041 of the Texas Human Resources Code.

Section 7. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 8. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 9. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 10. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. This Ordinance shall become effective upon passage.

PASSED first reading the ____ day of _____, 2024.

PASSED AND ADOPTED the ____ day of _____, 2024.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney