

ORDINANCE NO. 2024-14

AN ORDINANCE OF THE CITY OF GEORGETOWN, TEXAS, ADOPTING CHAPTER 8.40 OF THE CODE OF ORDINANCES RELATING TO ESTABLISHING MINIMUM STANDARDS OF CARE FOR YOUTH RECREATION PROGRAMS; PROVIDING A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City's Parks and Recreation Department has determined that certain minimum standards of care are necessary to health, safety, and welfare of individuals participating in youth recreation programs; and

WHEREAS, the State of Texas Human Resources Code Chapter 42 exempts certain after-school and summer recreation programs from state licensing requirements as identified in Subsection 42.041(14) stating "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 Council, at a meeting on March 12, 2024, held a public hearing prior to adopting Chapter 8.40 of the Code of Ordinances regarding Standards of Care for Youth Recreation Programs; and

WHEREAS, the City Council of the City of Georgetown finds it to be in the best interest of the citizens of Georgetown to adopt Chapter 8.40 of the Code of Ordinances regarding Standards of Care for Youth Recreation Programs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GEORGETOWN, THAT:

SECTION 1. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby

finds that this Ordinance implements the vision, goals, and policies of the Georgetown 2030 Comprehensive Plan and further finds that the enactment of this ordinance is not inconsistent or in conflict with any other policies or provisions of the 2030 Comprehensive Plan.

**SECTION 2.** It is hereby determined upon the basis of requirements set forth in the Texas Human Resource Code, the City of Georgetown shall be exempt from Texas Child Care Services regulations.

**SECTION 3.** Chapter 8.40 of the Code of Ordinance of the City of Georgetown is hereby amended in its entirety and shall provide as shown in Exhibit "A."

**SECTION 4.** All ordinances and parts of ordinances that are in conflict with this ordinance are hereby repealed, and are no longer of any force and effect.


**SECTION 5.** If any provision of this ordinance or application thereof to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

**SECTION 6.** The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective in accordance with the provisions of state law and the City Charter of the City of Georgetown.

**PASSED AND APPROVED on FIRST READING on this 12<sup>th</sup> day of March, 2024.**

**PASSED AND APPROVED on SECOND READING on this 26<sup>th</sup> day of March, 2024.**

**ATTEST:**

  
Robyn Densmore, City Secretary

**CITY OF GEORGETOWN, TEXAS**

By:   
Josh Schroeder, Mayor

**APPROVED AS TO FORM:**

  
Skye Masson, City Attorney