

## **ORDINANCE NO. 3775**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, READOPTING SECTION 62-10 OF THE CITY OF NORTH RICHLAND HILLS, TEXAS CODE OF ORDINANCES READOPTING THE CITY OF NORTH RICHLAND HILLS YOUTH PROGRAMS STANDARDS OF CARE, FOLLOWING A PUBLIC HEARING; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of North Richland Hills, Texas ("The City") is a home rule city acting under its power 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 Human Resources Code; Section 42.041(b)(14), established requirements for exempting recreational programs operated by municipalities for elementary age (5-13) children from childcare licensing requirements; and

**WHEREAS,** in order to receive exempt status for a youth recreational program, a municipality must adopt standards of care by ordinance after a public hearing for the program and a copy of the ordinance adopting the standards forwarded to the State; and

**WHEREAS,** the City of North Richland Hills Youth Programs Standards of Care will provide basic child care regulations for day camp activities operated by Parks and Recreation and other departments in accordance with Section 42.041(b)(14) of the Human Resources Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS THAT:**

**SECTION 1.** The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

**SECTION 2.** Sec. 62-10 of the North Richland Hills Code of Ordinances is hereby adopted as follows:

**"Sec. 62-10. - YOUTH PROGRAMS STANDARDS OF CARE"**

"The City Council of the City of North Richland Hills hereby adopted the City of North Richland Hills Youth Programs Standards of Care for providing basic child care regulations for day camp activities operated by the Parks and Recreation Department as well as other departments. As required by

Section 42.041(b)(14) of the Human Resources Code, the Standards adopted by this ordinance include staffing ratios; minimum staff qualifications; minimum facility, health, and safety standards; and mechanisms for monitoring and enforcing the adopted local standards. A copy of the City of North Richland Hills Youth Programs Standards of Care is attached hereto and incorporated herein for all intents and purposes and shall be available on the City's website under the Parks and Recreation subhead."

**SECTION 3.** The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and applicable penalty clause of this ordinance as an alternative method of publication provided by law.

**SECTION 4.** This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 5.** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section 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 phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 7.** This ordinance shall be in full force and effective immediately after its passage and publication as required by law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this 23<sup>rd</sup> day of January, 2023.

**CITY OF NORTH RICHLAND HILLS**

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Oscar Trevino, Mayor

**ATTEST:**

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Alicia Richardson  
City Secretary/Chief Governance Officer

**APPROVED AS TO FORM AND LEGALITY:**

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Maleshia B. McGinnis, City Attorney

**APPROVED AS TO CONTENT:**

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Adrien Pekurney  
Director of Parks and Recreation