

ORDINANCE NO. 2021-06

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING THE CITY CODE OF ORDINANCES SECTION 74-38 GOLF COURSE RATES, SECTION 74-39 DELAWARE SPRINGS PAVILION RENTAL RATES AND REGULATIONS AND SECTION 74-40 ADMINISTRATIVE RULES; PROVIDING FOR SEVERABILITY AND OPEN MEETINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS.

**WHEREAS**, the City provides, or causes to be provided, golf services to the citizens of the City of Burnet and to the general public; and

**WHEREAS**, in order to administer the operations of the course, facilitate the efficient implementation of this Article, provide an inviting golfing experience, and protect the best interest of the city, City Council delegates course rule making authority to the City Manager; and

**WHEREAS**, in order to properly manage the golf course and remain fiscally responsible to its citizens certain reasonable daily rates and dues are proper to assess; and

**WHEREAS** City Council finds that the following dues and rates are reasonable and fair given the golf services provided.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT;**

**Section. 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section. 2. Amendment.** Section 74-37 (entitled "reserved") is amended by adding the language that follows:

Section 74-37 Definitions. In this Article the terms in italics below shall have the definitions that follow:

*Administrator* shall mean the City Manager or the person the City Manager designates to administer this Article.

*Cart Fee* shall mean the fee for use of a Public Cart.

*Dynamic Pricing* shall mean a decrease of up to 50% of the rates established in this Article to manage golf course use in high volume periods and generate more golf course use in low volume periods.

*First Responder* shall mean a law enforcement, fire protection, or emergency medical services employee or volunteer as defined in Section 421.095(1) of the Texas Government Code.

*Golf Cart* shall mean a motorized or electric powered vehicle manufactured for the purpose of transporting golfers and equipment on the Golf Course.

*Holiday(s)* shall mean an official holiday as adopted in the City of Burnet Personnel Policy.

*Juniors* shall mean a person 18 years of age or younger, or a member of the Burnet High School Golf Team.

*Private Cart* shall mean a privately owned Golf Cart.

*Promotional Rates* shall mean a discount of the Rates established by this Article, up to 50%, to promote a special event or activity.

*Public Cart* shall mean a Golf Cart that is the property of the City.

*Seniors* shall mean a person 60 years of age or older.

*Twilight* shall begin at 2:00 p.m. during standard time and 3:00 p.m. during daylight savings time.

*Trail Fee* shall mean the fee for use of a Private Cart on the Golf Course.

*Weekday* shall mean Monday, Tuesday, Wednesday, or Thursday (does not include Friday).

*Weekend* shall mean Saturday, or Sunday and Holidays.

**Section. 2. Amendment.** Section 74-38 Golf Course Rates of the City of Burnet Code of Ordinance shall be amended in its entirety as follows:

Section 74-38 Golf Course Rates. Rates established for use of the Golf Course do not include applicable sales tax and are as follows:

**(a) DAILY RATES**

<b>GREEN FEES</b>	<b>Weekday Rate</b>	<b>Friday Rate</b>	<b>Weekend/Holiday Rate</b>
18 Holes*	\$ 27.00	\$32.00	\$37.00
9 Holes**	\$15.00	\$18.00	\$20.00
Twilight Rate***	\$ 17.00	\$21.00	\$25.00

\*Seniors, Juniors, Active-Military and First Responders shall receive a \$5.00 discount off 18-hole rates. Discounts do not apply to Twilight Rate.

\*\*Seniors, Juniors, Active-Military and First Responders shall receive a \$2.00 discount off 9-hole rates. Discounts do not apply to Twilight Rate.

\*\*\*Children fourteen (14) years of age and under shall receive a free Green Fee and Cart during Twilight hours with a paying adult (1 child for each paying adult). Members of the BCISD Junior High and High School Golf Teams shall receive a free Green Fee during Twilight hours (Cart not included).

<b>RANGE BALLS*</b>	<b>Rate</b>
Standard Rate	\$4.62
Junior Rate	\$2.77
<i>*Sales tax not included</i>	

**CART/TRAIL FEES**

The Cart Fees for use of a Public Cart are:

Cart 18 Holes - per person*	\$16.00
Cart 9 Holes - per person*	\$13.00
Twilight Cart – per person*	\$12.00
Private Cart Trail Fee - per cart 9 or 18 Holes	\$13.00

*\*Sales tax not included*

All players who use a City owned cart must pay a Cart Fee. Anyone over the age of 14 riding in a City owned cart not playing shall be required to pay the applicable Cart Fee.

All players who use a Private Cart must pay a Trail Fee.

## (b) ANNUAL DUES AND MONTHLY RATES

The following rates are charged to permit play in lieu of posted daily rates.

Type	ANNUAL DUES* (12 Month Commitment)			NON COMMITMENT
	Annual Payment	Semi-annual Payment	Monthly Payment	Monthly Payment**
Single	\$ 1,082.00	\$ 568.00	\$ 99.00	\$ 124.00
Spouse	\$ 541.00	\$ 284.00	\$ 50.00	\$ 63.00
Junior	\$ 361.00	\$ 190.00	\$ 33.00	\$ 42.00
Trail Fee – Single Cart	\$ 578.00	\$ 303.00	\$ 53.00	\$ 67.00
Trail Fee – Second Cart	\$ 289.00	\$ 152.00	\$ 27.00	\$ 34.00
Cart Storage – Single Stall***	\$ 509.00	\$ 266.98	\$ 47.11	\$ 59.12
Cart Storage – Second Stall***	\$ 254.97	\$ 133.95	\$ 23.09	\$ 29.56
Cart Rental – Single Cart***	\$ 969.98	\$ 509.00	\$ 88.68	\$ 110.86
Cart Rental – Second Cart***	\$ 484.99	\$ 254.97	\$ 44.34	\$ 55.43

\* When player commits to a twelve (12) month program (October through September of the current year).

\*\*The non-commitment rate applies to players who wish to pay a monthly rate but do not want to commit to a 12-month program. The non-commitment rate is based on calendar months.

\*\*\*Does not include sales tax.

### ANNUAL DUES AND MONTHLY RATE RESTRICTIONS:

- Spouse rate only applies to spouse of Annual Dues and Monthly Single Player.
- Annual and Monthly dues are non-transferable.
- Annual Dues Player must commit to twelve (12) month program (October through September) of the current fiscal year to be eligible for semi-annual or monthly payments.
- Second Cart must be owned and/or operated by the Spouse or minor child of the Single Player.
- New Annual Dues Players who join after the beginning of the fiscal year and have not been an Annual Dues Player in the last twelve (12) months, shall be eligible to enroll on the semi-annual or monthly payment plan for the remainder of the current fiscal year.

- Annual Dues and Monthly Players may be subject to designated tee times as established by the City Manager and/or his or her designee.
- Annual Dues Players and Monthly Players who use a private cart must pay a Trail Fee.
- Annual Dues Players and Monthly Players who use a City owned cart must pay a Cart Fee.
- In the event an Annual Dues Player is unable to play for a period of thirty (30) consecutive days or more due to an illness or injury, then with medical verification of said illness or injury, the Administrator shall have the authority to suspend, or in the event of pre-payment refund, that portion of the fees incurred during the period of absence.

**(c) GENERAL RATE PROVISIONS**

- (1) The Administrator, as he or she may reasonably determine to be in the best interest of the City, is authorized to do any of the following:
- A. establish Promotional Rates and implement Dynamic Pricing to effectively manage utilization and income generation of the Golf Course;
  - B. establish player programs as the Administrator finds appropriate; and
  - C. establish fees and charges for other goods and services not specifically established by ordinance.
- (2) This Article does not constitute an offer of contract between the City and any person and shall not be construed as such.
- (3) Payment of a fee or dues as prescribe by this Article gives the payer a license to use the Golf Course which is revocable, without refund, by the Administrator for violation of any law, ordinance or Golf Course Administrative Rule.

**Section 74-39 Pavilion Rental of the City of Burnet Code of Ordinance shall be amended in its entirety as follows:**

Section 74-39 Delaware Springs Pavilion Rental Rates and Regulations.

The Delaware Springs Golf Course Pavilion (“Pavilion”) shall be available for rental at a daily or hourly rate subject to availability as follows:

- a. Rental fees:
  - 1. Daily Rental Fee shall be \$500 per day with a damage deposit of \$250.
  - 2. Hourly Rental Fee shall be \$75 per hour with a \$250 damage deposit. Hourly Rental shall be subject to the following:
    - i. Minimum rental shall be for two (2) hours.
    - ii. Set-up fee for Hourly Rental shall be \$100 if set up is requested.

3. Annual dues payers may receive up to one (1) free rental of the pavilion per year for up to two (2) hours for a birthday party of the annual dues payer, their spouse, or their minor child; or for an anniversary party for the annual dues payer and their spouse.
- b. There shall be no fees or deposits for the Pavilion when, in the sole discretion of the City, the use of the Pavilion is necessary for a golf tournament.
- c. Events shall begin no earlier than 7 a.m. and end no later than 10 p.m.

**Section 74-40 Administrative Rules of the City of Burnet Code of Ordinance shall be amended in its entirety to read as follows:**

Sec. 74-40. Administrative Rules. The city manager is authorized to develop rules to effectively administer the operations of the course, facilitate the efficient implementation of this Article, provide an inviting golfing experience, and protect the best interest of the city.

**Section 3. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

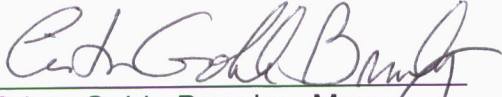
**Section 4. Effective Date.** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

**Section 5. Open Meetings.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code; as suspended, or otherwise modified, by executive orders of the governor of this state in response to the COVID-19 pandemic.

**PASSED AND APPROVED** on first reading this the 9<sup>th</sup> day of February, 2021.

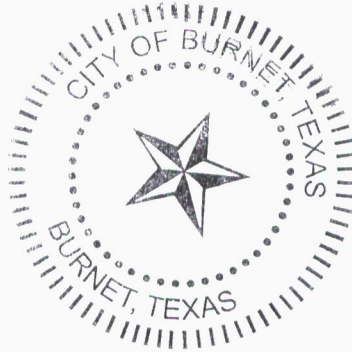
**FINALLY PASSED AND APPROVED** on this the 23<sup>rd</sup> day of February, 2021.

**CITY OF BURNET, TEXAS**

  
Crista Goble Bromley, Mayor

**ATTEST:**

  
Kelly Dix, City Secretary



## Summary of Major Changes

- 1) Added definitions.
- 2) Limited discounts for dynamic pricing and promotional rates to 50%. Previously there was no limit to how much a price could be discounted.
- 3) Reduced the age to qualify as a senior from 62 to 60.
- 4) Clarified that Senior, Junior, Active-Military and First Responder Discounts do not apply to twilight rates or already discounted rates.
- 5) Amended Twilight hours to be 2pm during standard time and 3pm during daylight savings time.
- 6) Included a different rate for Fridays. Previously Fridays were at the same price as Monday through Thursday.
- 7) Added a discount for First Responders.
- 8) Added children fourteen years of age and younger could play for free with an adult during Twilight hours. Also, added that members of the junior high and high school golf teams could play for free during Twilight hours. Both are intended to help grow the game and encourage parents to introduce their kids to the game.
- 9) Clarified that sales tax is not included in the posted price for range balls and carts.
- 10) Added a Twilight rate for carts to help lower the overall posted price for Twilight rounds.
- 11) Amended prices on annual dues table to show pre-tax amounts.
- 12) Clarified that the second cart owned by an annual dues player is limited to use by a spouse or MINOR child of the annual dues player.
- 13) Reduced the hourly rate, daily rate, and deposit amount for the pavilion.
- 14) Added that annual dues players can use the pavilion for up to 2 hours per year for a birthday party or anniversary party.