

ORDINANCE NO. 2019-676

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING CHAPTER 15, ARTICLE VIII, OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS, PROVIDING NEW DEFINITIONS AND PROVISIONS RELATED TO YOUTH STANDARDS OF CARE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Cedar Hill, Texas, is a home-rule municipal corporation within the State of Texas with full power of local self governance; and

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that the City's current Parks & Recreation Ordinance is in need of an amendment related to the operations of camps for youths and entitled "Youth Standards of Care;" and

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Cedar Hill, Texas, to amend the Youth Standards of Care Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1. AMENDMENT OF CHAPTER 15, ARTICLE VIII, OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

The City Council of the City of Cedar Hill, Texas, hereby amends Chapter 15, Article VIII, of the Code of Ordinances of the City of Cedar Hill as follows:

ARTICLE VII. YOUTH PROGRAM STANDARDS OF CARE

Sec. 15-34. Definitions.

The following definitions apply to this article, in addition to the definitions outlined in Article I, Section 15-1.

Camp Director: The Youth Program Camp Director, a full-time, professional employee of Cedar Hill Action Team or Dogwood Canyon Audubon Center or other organization, not less than 21 years of age with a minimum two years of experience planning and implementing recreational, youth activities.

Counselor(s): Those individuals hired and employed by the City or Cedar Hill Action Team and/or the City of Cedar Hill who are assigned responsibility for managing, administering, or implementing some portion of the Youth Program.

- conducts criminal background checks on all City employees. No Person is allowed to be hired as staff for the Youth Program if the Person fails to satisfy the general City background check standards.
- (2) Before a Participant may be enrolled, a Parent must sign registration forms that contain:
 - a. Name, address, home telephone number of the Participant;
 - b. Name, address and telephone number of both Parents who may need to be contacted during Youth Program hours;
 - c. Alternate emergency contact information;
 - d. The names, telephone numbers and driver's license numbers of people to whom the Participant may be released;
 - e. A statement of the Participant's special problems or needs, including allergies;
 - f. Emergency medical authorization;
 - g. Proof of residency; and
 - h. A liability release that encompasses all personal injury, including death, and property damage resulting from participation in the Youth Program.
 - (3) A monthly inspection report will be initiated by the Camp Director of each Youth Program to confirm adherence to the Youth Program Standards of Care. Inspection reports will be sent to the Recreation Center Manager for review and kept on record for at least two years. The Recreation Center Manager will review the report and establish deadlines and criteria for compliance with the Youth Program Standards of Care. The Recreation Center Manager will make visual inspections of the Youth Program no less than twice during each Youth Program period.
 - (4) Complaints regarding enforcement of the Youth Program Standards of Care will be directed to the Camp Director. The Camp Director will be responsible to take the necessary steps to resolve the problems. Complaints not involving threats to life safety, regarding enforcement of the Youth Program Standards of Care and their resolution, will be recorded by the Recreation Center Manager. Complaints involving life safety as related to enforcement of the Youth Program Standards of Care will be addressed by the Recreation Center Manager and the complaint and resolution will be noted.
 - (5) The Recreation Superintendent or designee will make an annual report to the Park Board on the overall status of the Youth Program and their compliance with the Youth Program Standards of Care.

Sec. 15-37. Standards of care.

- (1) Staff-Participant ratio.
 - a. The standard ratio of Participants to Counselors will be no more than twenty (20) to one. In the event a Counselor is unable to report to the Site, a replacement will be assigned; and
 - b. Each Participant shall have a Youth Program employee who is responsible for him or her and who is aware of the Participant's habits, interests, and any special problems as identified by the Participant's Parent during the registration process.
- (2) Discipline.
 - a. Youth Program employees will implement discipline and guidance in a consistent manner based on the best interests of Participants;

- a. Before a Participant may be transported to and from Youth Program activities, an authorization form, completed by the Parent of the Participant, must be filed with the Camp Director;
 - b. First aid supplies and a first aid and emergency care guide will be available in all Youth Program vehicles that transport children; and
 - c. All Youth Program vehicles used for transporting Participants for field trips and other activities offered as part of the program during typical program hours must have available a 6-BC portable fire extinguisher which will be installed in the passenger compartment of the vehicle and must be accessible to the adult occupants.
- (6) Safety.
- a. Youth Program employees will inspect the Site daily to detect sanitation and safety concerns that might affect the health and safety of the Participants;
 - b. Buildings, grounds, and equipment on the Site will be inspected, cleaned, repaired, and maintained as needed to protect the health and safety of the Participants;
 - c. Youth Program employees must have first aid supplies and a guide to first aid and emergency care readily available at the Site, during transportation to an off-site activity, and for the duration of any off-site activity;
 - d. Youth Program air conditioners, electric fans, and heaters must be mounted out of the reach of Participants or have safeguards that keep Participants from being injured; and
 - e. Youth Program porches and platforms more than 30 inches above the ground must be equipped with railings Participants can reach.
- (7) Fire.
- a. In case of fire, danger of fire, explosion, or other emergency, the first priority of Youth Program employees is to evacuate the Participants to a designated safe area;
 - b. The Site will have an annual fire inspection by the local fire department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review and establish deadlines and criteria for compliance. Information from this report will be included in the Director's annual report to the Park Board;
 - c. The Site must have at least one fire extinguisher approved by the fire marshal readily available to all Youth Program employees. The fire extinguisher is to be inspected quarterly, and a quarterly report will be forwarded to the Recreation Center Manager who will keep the report on file for a minimum of two years. All program employees will be trained in the proper use of fire extinguishers; and
 - d. Fire drills will be initiated at the Site during each weekly, program period.
- (8) Illness or injury.
- a. A Participant who is considered to be a health or safety concern to other Participants or employees will not be admitted to the Youth Program;
 - b. Illnesses and injuries will be handled in a manner to protect the health of all Participants and employees;

Sec. 15-38. Youth Program staff.

Staff qualifications and responsibilities:

- (1) Camp Director qualifications:
 - a. Will be a full-time, professional employee of the contract instructor not less than 21 years of age;
 - b. Must have two years' experience planning and implementing youth recreational activities;
 - c. Must pass a background investigation including testing for illegal substances;
 - d. Must be CPR / AED certified; and
 - e. Must be certified in First Aid
- (2) Camp Director responsibilities:
 - a. Administers the daily operations of the Youth Program in compliance with the Youth Program Standards of Care;
 - b. Recommends for hire, supervises, and evaluates Counselors;
 - c. Plans, implements, and evaluates the daily activities of Youth Program; and
 - d. Investigates allegations or concerns regarding suspected child abuse and will report suspected child abuse or neglect immediately to the Recreation Center Manager or other authority in accordance with the Texas Family Code.
- (3) Counselor qualifications:
 - a. Part-time or temporary employees of the contract instructor;
 - b. Will be age 17 or older; however, each site will have at least one Counselor 18 years or older present at all times;
 - c. Must pass a background investigation including testing for illegal substances;
 - d. Must be CPR / AED certified;
- (4) Counselor responsibilities:
 - a. Be able to consistently exhibit competence, good judgment, and self-control when working with Participants;
 - b. Relate to Participants with courtesy, respect, tolerance, and patience;
 - c. Provide Participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers;
 - d. Be responsible to know and follow all City and Departmental standards, policies and procedures that apply to the Youth Program; and
 - e. Ensure that Participants are released only to a Parent or Person on record as being authorized by the parent for pickup. All Youth Program Sites will have a copy of the Department approved plan to verify the identity of a Person authorized to pick up a Participant.
- (5) Training and orientation:
 - a. The contractor will provide training and orientation to Counselors in working with Participants and for specific job responsibilities. Each Counselor will be provided with a Youth Program Manual specific to the Youth Program;
 - b. Counselors will be trained in appropriate procedures to handle emergencies;
 - c. Counselors will receive training in pertinent City, and Youth Program policies and procedures; and

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Ron G. MacFarlane, Jr.", written over a horizontal line.

Ron G. MacFarlane, Jr., City Attorney