

ORDINANCE NO. 340-93

AN ORDINANCE AMENDING CHAPTER 1, SECTION 1.1800, ADMISSION FEE TO LICENSED RACETRACKS, OF THE CODE OF THE CITY OF WILLOW PARK, TEXAS, RELATING TO AN ESTABLISHMENT OF AN ADMISSION FEE TO STATE LICENSED RACETRACKS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

I.

WHEREAS, Texas Revised Civil Statutes provides that a municipality with a state licensed racetrack within its borders may collect a fee not to exceed fifteen cents (15¢) as an admission fee to a licensed racetrack located within the corporate city limits of said municipality and the city is authorized to provide for procedures for persons holding a racetrack license to keep records and file reports necessary,

BE IT THEREFORE RESOLVED, that the City of Willow Park hereby passes this ordinance in accordance with the provisions of said legislation and its successor legislation that a fee of fifteen cents (15¢) be collected from each admitted person as an admission fee to the association grounds of Trinity Meadows Raceway and in order to achieve same enacts the following:

ARTICLE 1.1800 ADMISSION FEE TO LICENSED RACETRACKS

Section 1.1801 Definitions

The terms "association" and "association grounds" shall have the same meaning herein as defined in Section 301.1 of the Texas Rules concerning parimutuel racing promulgated by the Texas Racing Commission, and its successor rules. The term "admitted person" herein means any person admitted to the association grounds during a race meeting to wager or to observe a race, including children of all ages.

Section 1.1802 Admission Fee

The Association or its assigns or receivers shall collect fifteen cents (15¢) from each and every admitted person to said association grounds and shall tender the same to the City of Willow Park, Texas under the following terms:

- A. The association may collect a stated fee in any manner not contrary to the law that the association deems efficient.
- B. The stated fee shall be collected for each day that an admitted person goes

upon the association grounds.

- C. In the event that an admitted person has purchased a season ticket or any membership that entitles the admitted person to enter upon the association grounds without paying a daily admissions fee to the association, the association is not required to collect from the admitted person the stated fee each day. However, the association shall nevertheless, tender to the City of Willow Park the stated fee for each day that such an admitted person goes upon the association grounds.

Section 1.1803 Reporting Attendance

Each licensed racetrack within the City, subject to the provisions of this article, shall furnish to the City weekly reports, and maintain records, of the attendance at the facility during the week of the report.

Section 1.1804 Collection of

It shall be the duty of the licensed facility to tender the report and applicable fee to the City by the Thursday following the end of the preceding racing week. For the purposes of this article, the end of a racing week shall be Sunday.

II.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

III.

Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid

IV.

Wherever in this Ordinance an act is prohibited or made or declared to be unlawful or an offense or a misdemeanor, or wherever the doing of an act is required or the failure to do an act is declared to be unlawful, the violation of any such provision of this Ordinance shall be punished as provided in Chapter 1, Section 1F of the Code of the City of Willow Park, Texas, for each offense or for each day such offense shall continue if it is one classified as a continuing offense. No penalties shall be greater or less than the penalty provided for the same or similar offense under the laws of the State of Texas.

V.

This ordinance shall be in full force and effect from and after the date of its

passage and publication as required by law.

PASSED AND ADOPTED this the 23rd day of June, 1993

APPROVED:

William J. Clemens

William J. Clemens, Mayor

ATTEST:

Barbara Kilough

City Secretary

APPROVED:

Walter W. Leonard

WALTER W. LEONARD, City Attorney