

ORDINANCE NO. 2026-13

AN ORDINANCE OF THE CITY COUNCIL OF THE OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 58, PUBLIC FACILITIES, PARKS AND RECREATION AND THE CITY'S SCHEDULE OF FEES TO ESTABLISH FEES TO BE CHARGED FOR MANAGED ACCESS TO RIO VISTA PARK, FROM MEMORIAL DAY THROUGH LABOR DAY, INCLUDING WEEKENDS AND HOLIDAYS, WITH EXEMPTIONS FOR RESIDENTS ("LOCAL AREA PARTICIPANTS"), INCLUDING THOSE WHO RESIDE WITHIN THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOUNDARY OR LIVING WITHIN THE 78666 ZIP CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. Pursuant to applicable provisions of State law and City ordinances, the city council may establish fees to be charged for use of park and recreational facilities.
2. City Council of the City of San Marcos, Texas has determined that there is a need to recover costs to the city associated with the ongoing operation and maintenance of our riverfront parks during peak summer visitation.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Section 58.026 of the San Marcos City Code is hereby amended to include the definition of "Local Area Participant" as shown below.

Local Area Participant means any person who resides within the territorial limits of the City of San Marcos, within the boundaries of zip code 78666, or within the boundaries of the San Marcos Consolidated Independent School District.

SECTION 2. Section 58.028 of the San Marcos City Code is hereby amended as shown below. Added text is indicated by underlining.

Sec.58.028. Fees for park and recreational facilities.

(a) Fees and charges for the use of park and recreational facilities are established by the city council. A schedule of the fees will be kept at the main department offices.

(b) Fees to be charged for managed access to Rio Vista Park, from Memorial Day through Labor Day, including weekends and holidays, are established by city council. Local Area Participants are exempt from such fees

provided they shall register with the city and provide proof of eligibility for the exemption through one of the following:

- (1) Valid driver's license or government-issued identification card.
- (2) Current San Marcos Utilities statement accompanied by photo identification.
- (3) Current utility statement from another provider accompanied by photo identification.
- (4) Current Rental or Housing contract accompanied by photo identification.
- (5) Enhanced Library Card provided by the San Marcos Public Library.
- (6) Current paid parking permit.

SECTION 3. The Schedule of Fees annually adopted by the city council is amended to include Managed Access Fees and exemptions as set forth below:

MANAGED ACCESS FEE		
	Fee Amount	Unit of Measure
Local Area Participant	Free	Per Day
Non-Local Area Participant (under 17)	Free	Per Day
Non-Local Area Participant (18 and up)	\$5	Per Day

SECTION 4. All fees shall be retained and expended to support the on-going costs associated with the operation and maintenance within Rio Vista during times that managed access is operational.

SECTION 5. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 6. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed. To the extent the provisions of any ordinance provide for establishment of a fee or fees by resolution of the City Council, such provisions are superseded by this ordinance and the fees as adopted in this ordinance shall govern.

SECTION 7. After its passage, approval and adoption on second reading, this ordinance shall be effective on May 1, 2026.

PASSED AND APPROVED on first reading on March 31, 2026

PASSED, APPROVED AND ADOPTED on second reading on April 7, 2026.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney