

ORDER NO. 22- 0324-01

**AN ORDER APPROVING REVISED RECREATIONAL PROGRAMMING REFUND POLICIES**

WHEREAS, Brushy Creek Municipal Utility District (the "District") is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Water Commission, now the Texas Commission on Environmental Quality ("TCEQ"), and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, Section 49.463 of the Texas Water Code authorizes a water district to own, develop, construct, improve, manage, maintain, and operate recreational facilities;

WHEREAS, pursuant to the foregoing authority, the District has constructed and operates a Community Center, parks and recreational facilities, and administers recreational programming;

WHEREAS, many of the District's recreational programs and camps require payment of registration or other fees as a condition of participation to partially offset the District's costs;

WHEREAS, the Board of Directors previously adopted policies relating to the refund of registration fees in the event of cancellation or otherwise; and

WHEREAS, the Board of Directors desires to approve a revised policy specifying the terms and conditions pursuant to which a registrant may be entitled to a refund of all or a portion of registration fees.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF BRUSHY CREEK MUNICIPAL UTILITY DISTRICT THAT:

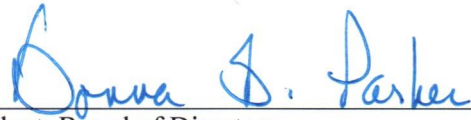
Section 1. The matters and facts recited in the preamble to this Order are found to be true and correct and the same are incorporated herein as a part of this Order.

Section 2. The Board of Directors hereby approves the Camp and Recreational Program Refund Policies in the form attached hereto. Such policies replace and supersede all prior camp and recreation program refund policies previously adopted by the Board addressing the same subject matter.

Section 3. The Camp and Recreational Program Refund Policies attached hereto shall become effective upon adoption of this Order.

Section 4. The President and Secretary of the Board are hereby authorized and directed to execute this Order. After this Order is executed, an original Order shall be filed in the permanent records of the District.

PASSED AND APPROVED this 24 day of March, 2022.



\_\_\_\_\_  
President, Board of Directors

ATTEST:



\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)

# **Brushy Creek Municipal Utility District Camp and Recreational Program Refund Policies**

## **GENERAL GUIDELINES**

- A full refund will be issued to a registrant if a class/activity/camp is canceled by the District.
- All refunds may take up to 30 days for processing.
- The Board of Directors of the District reserves the right to modify all policies, or institute special refund or credit policies, at all times due to extraordinary circumstances, including pandemics.
- As noted below, District refund policies differ according to whether a recreational program is conducted by the District utilizing its own employees or whether a program is conducted by a third party contractor on behalf of the District. Identification of programs conducted by third party contractors is available upon request.

## **RECREATIONAL CLASS AND PROGRAM REFUND AND CREDIT POLICIES FOR PROGRAMS CONDUCTED BY DISTRICT (WITHOUT THIRD PARTY CONTRACT INSTRUCTORS):**

**Notices of Withdrawal and Requests for Refunds/Credits should be submitted by using the "Refund/Pro-rate Request" form (either in person or online) to Customer Service.**

### **For Requests Given Seven (7) Days or More in Advance:**

Registrants who withdraw from a class/activity a minimum of seven days before the date of the first class/activity shall be entitled to a refund or credit as follows:

- Registrants that paid by credit card shall receive a refund to their credit card;
- Registrants that paid by check or cash shall receive a refund by check; and
- Upon request, a registrant may receive a credit to its recreation account in lieu of a refund.

### **For Requests Given Less than Seven (7) Days in Advance:**

- NO PROGRAM REGISTRATION FEES SHALL BE REFUNDED OR CREDITED.

## **REFUND POLICIES FOR SUMMER CAMP PROGRAMS, CAMP FOXTAIL AND COMBINATION CAMP CONDUCTED BY THE DISTRICT (WITHOUT THIRD PARTY CONTRACT INSTRUCTORS):**

**Notices of Withdrawal and Requests for Refunds/Credits should be submitted by using the "Refund/Pro-rate Request" form (either in person or online) to Customer Service.**

### **For Requests Given 61 Days or More in Advance:**

Registrants who withdraw from a camp a minimum of 61 days in advance of the camp shall be entitled to a refund as follows:

- 100% of the camp registration fee shall be refunded less a \$25 per week cancellation fee
- Example No. 1: \$135 paid for a one week camp - \$25/week cancellation fee = \$110 refund
- Example No. 2: Three weeks paid at \$405 - \$25/week cancellation fee = \$330 refund amount

**For Requests Given 60 -31 Days in Advance:**

Registrants who withdraw from a camp between 31 and 60 days in advance of the camp shall be entitled to a refund as follows:

- 50% of camp registration fee shall be refunded
- Example No. 1: One week paid at \$135 paid x 50% cancellation fee = \$67.50 refund amount
- Example No. 2: Three weeks paid at \$405 x 50% cancellation fee = \$202.50 refund amount

**For Requests Given 30 days or Less in Advance:**

- NO CAMP REGISTRATION FEES SHALL BE REFUNDED OR CREDITED

**REFUND POLICIES FOR YOUTH LEAGUE REGISTRATION CONDUCTED BY THE DISTRICT (WITHOUT THIRD PARTY CONTRACT INSTRUCTORS):**

Registrants who withdraw from a league more than 7 days in advance of the league start date shall be entitled to a refund as follows

- 100% of the registration fee shall be refunded less a \$20 cancellation fee

**EXTRAORDINARY HARDSHIPS FOR DISTRICT PROGRAMS (WITHOUT THIRD PARTY CONTRACT INSTRUCTORS):**

The General Manager may approve full or partial refunds or credits (as determined in the General Manager's discretion) of program, class or camp registration fees for District programs in extraordinary circumstances, including loss of income and medical emergencies. The approval of any such refund or credit shall be made in the General Manager's sole discretion, and the General Manager may require proof of the extraordinary circumstance as a condition of approval.

In the event the General Manager approves a refund or credit due to extraordinary circumstances that arise during the pendency of a program, the refund shall be prorated based on the number of days, sessions, classes or games remaining in the program.

All refunds approved by the General Manager shall be reported to the Board of Directors of the District at its next regular meeting.

**REFUND AND CREDIT POLICIES FOR PROGRAMS CONDUCTED BY THIRD PARTY CONTRACTORS INSTRUCTORS:**

The availability of refunds or credits for District programs conducted by third party contractors shall be determined on a case by case basis as determined by third party contractor. Upon receipt of a request for a refund or credit, the District shall contact the program instructor to request a refund or credit by the contractor. The District expressly disclaims any representation that registration fees will be refunded or credited for third party contractor programs.