

1
2
3 **ORDINANCE NO. 2012-12**

4 **AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE**
5 **VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND**
6 **RECREATION; AMENDING ORDINANCE NO. 09-04 TO MODIFY**
7 **PARK RENTAL FEES RELATING TO THE EDWARD AND ARLENE**
8 **FELLER COMMUNITY ROOM AT LUDOVICI PARK; PROVIDING FOR**
9 **AN ADMINISTRATIVE WAIVER OF RENTAL FEES FOR ALL**
10 **NONPROFITS OR COMMUNITY GROUPS FOR USE OF THE**
11 **EDWARD AND ARLENE FELLER COMMUNITY ROOM; PROVIDING**
12 **FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY**
13 **AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore**
14 **and Vice Mayor Brian Pariser.]**

15 **WHEREAS**, the Village adopted and established fees, permit conditions, requirements and
16 other guidelines for rental activities at all Park facilities, including the Edward and Arlene Feller
17 Community Room and Amphitheater at Ludovici Park, under Ordinance 09-04 relating to "Park
18 Fees"; and,

19
20 **WHEREAS**, the existing fees and conditions are deemed appropriate and comparable to
21 similar neighboring facilities; and,

22
23 **WHEREAS**, several community groups and nonprofit organizations do not have a regular
24 location to meet and desire to use the Edward and Arlene Feller Community Room at Ludovici
25 Park; and,

26
27 **WHEREAS**, the Edward and Arlene Feller Community Room, like all Village Park areas,
28 requires a fee for the use of said facilities; and,

29
30 **WHEREAS**, certain nonprofit organizations and community groups do not have the
31 funding available to rent facilities; and,

32
33 **WHEREAS**, the Edward and Arlene Feller Community Room, since the opening of Village
34 Hall, is not utilized as frequently as in the past, and expanded use of the asset may benefit the
35 community; and,

36
37 **WHEREAS**, the Village desires to provide a waiver process for nonprofit organizations and
38 community groups as to the rental fees associated with the use of the Edward and Arlene Feller
39 Community Room.

40
41 **BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE**
42 **OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
43

1
2 4. Should the nonprofit organization or community group requesting and/or receiving an
3 administrative waiver of the rental fees conduct a fund raising activity in the Edward and Arlene
4 Feller Community Room, the organization or group will be required to pay the full rental amount.
5

6 5. Village use of the Edward and Arlene Feller Community room has priority over any
7 nonprofit organization or community group, and the organization or group will be required to move
8 their meeting to another time or date to accommodate the Village's use of the room.
9

10 6. Any community or nonprofit group utilizing an administrative waiver will have to complete
11 the Edward and Arlene Feller Community room facility use agreement.
12

13 * * *

14
15 **Section 2.** All ordinances or parts of ordinances in conflict with the provisions of this
16 ordinance are repealed. The fee schedule shall be adopted in accordance with the Florida Statutes.
17

18 **Section 3.** If any section, clause, sentence, or phrase of this ordinance is for any reason held
19 invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the
20 validity of the remaining portions of this ordinance.
21

22 **Section 4.** This ordinance shall take effect immediately upon enactment. There will be a staff
23 review of the provisions and a report to the Council to determine the continuation, modification or
24 sunsetting of the program relating to community groups and nonprofit group use in six months.
25

26
27 PASSED AND ENACTED this 4th day of June, 2012.
28

29
30
31 Attest: 
32 Meghan Alexander
33 Village Clerk
34


35 Shelley Stanczyk
36 Mayor
37

38 APPROVED AS TO FORM:
39


40 Eve Boutsis
41 Village Attorney
42
43
44

1
2 FINAL VOTE AT ADOPTION:
3
4 Council Member Patrick Fiore YES
5
6 Council Member Howard J. Tendrich YES
7
8 Council Member Joan Lindsay NO
9
10 Vice-Mayor Brian W. Pariser YES
11
12 Mayor Shelley Stanczyk YES
13
14
15