ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AMENDING ORDINANCE NO. 09-04, AND 2012-12, TO MODIFY PARK RENTAL FEES RELATING TO ALL PARK COMMUNITY ROOMS; PROVIDING FOR AN ADMINISTRATIVE WAIVER OF RENTAL FEES FOR ALL NONPROFITS OR COMMUNITY GROUPS FOR USE OF THE COMMUNITY ROOMS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk.]

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

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

WHEREAS, several community groups and nonprofit organizations do not have a regular location to meet and have expressed desire to use the community rooms at Coral Reef Park, Palmetto Bay Park, and the Edward and Arlene Feller Community Room at Ludovici Park; and,

WHEREAS, under ordinance 2012-12, the fee schedule was amended as it relates to the Edward and Arlene Feller Community Room, to provide use without a fee for community groups; and,

WHEREAS, there remain certain nonprofit organizations and community groups that do not have the funding available to rent facilities; and,

WHEREAS, waiver of the fees for all Village park community rooms may benefit the community; and,

WHEREAS, the Village desires to provide a waiver process for nonprofit organizations and community groups as to the rental fees associated with the use of any community room in a Village Park.

BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Ordinance 09-04, at Section 2, entitled "Park Fees" shall be amended as follows:

* * *

Park Fees

* * *

Edward and Arlene Feller Community Room and Amphitheater at Ludovici Park Fees

Community Room:

Accommodates up to 50 people; includes use of light-food/beverage prep area. All Community Room rentals are subject to prior written approval from Village Manager.

Weekdays 8:00 am to 5:00 pm: $75.00 per hour, with a minimum three (3) hour rental requirement; Daily rate: 8:00 a.m. to 5:00 p.m. = $375.00

Nights 5:00-11:00 pm, Weekends/Holidays 8:00 am to 11:00 pm: $100.00 per hour, with a minimum three (3) hour rental; Daily rate weekends/holidays = $500.00

*** AV equipment (set-up/break down by Village personnel only!)**
***$500.00 refundable damage/clean-up deposit for any of the above rentals**

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Coral Reef Park Recreation Room and Palmetto Bay Park Recreation Room:

Weekday (Non-Camp) Hourly
Recreation Room Rental

1	$30.00	$2.10	N/A	$32.10

Recreation Building Rental Reservations				
Total Hours	**Rental Fee**	**Tax**	**Deposit**	**Total Fee**
2	$80.00	$5.60	$65.00	$150.60
3	$120.00	$8.40	$65.00	$193.40
4	$160.00	$11.20	$65.00	$236.20
5	$200.00	$14.00	$65.00	$279.00
6	$240.00	$16.80	$65.00	$321.80

All Recreation Room rentals are subject to prior written approval from the Village Parks and Recreation Department.

Hours of Operation for use of the Recreation Room:

Coral Reef Park:	Monday through Friday:	8 am through 5 pm
Palmetto Bay Park:	Monday through Friday:	8 am through 7 pm

Administrative Waiver of Rental Fee:

1. The Village Manager is authorized to provide an administrative waiver of user rental fees for ~~the Edward and Arlene Feller~~ any Village Park Community Room (Coral Reef Park, Palmetto Bay Park, and the Edward and Arlene Feller community rooms), for nonprofit charitable organizations (registered with IRS) and community groups. A request for waiver of the rental fees must issue at least ten (10) days prior to the requested day of use. ~~The Ludovici~~ Each community Room ~~room~~ can only be used for up to 10 hours a week by community groups or nonprofits.

2. The Village Manager shall review the request for administrative waiver of rental fees for use of the ~~Edward and Arlene Feller~~ community rooms and determine if the request by the nonprofit organization or community group is accompanied by appropriate documentation to support the request. The administrative waiver applies solely to the rental fee, the refundable damage/clean-up deposit amount shall be required prior to use of the facilit~~y~~ies.

3. Use of the ~~Edward and Arlene Feller~~ Community Rooms is limited to once per week by nonprofit organizations and community groups who are seeking use through administrative waiver of rental fees. Use of the facilit~~y~~ies may be more frequent; however, the nonprofit organization or community group will be required to pay the full rental amount if the room(s) are ~~is~~ required more than once per week.

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

5. Village use of the ~~Edward and Arlene Feller~~ community room(s) has priority over any nonprofit organization or community group, and the organization or group will be required to move their meeting to another time or date to accommodate the Village's use of the rooms.

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

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

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

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

First reading: September 10, 2012

PASSED AND ENACTED this ____ day of October, 2012.

Attest: _____

Meighan Alexander
Village Clerk

_____

Shelley Stanczyk
Mayor

APPROVED AS TO FORM:

_____

Eve Boutsis
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore _____

Council Member Howard J. Tendrich _____

Council Member Joan Lindsay _____

Vice-Mayor Brian W. Pariser _____

Mayor Shelley Stanczyk _____

Additions shown by underlining and deletions shown by ~~overstriking~~.