

**ORDINANCE NO. 43-16**

**AN ORDINANCE TO AMEND CHAPTER 210.01 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR PARK FACILITIES, THE AVON –LIONS COMMUNITY CENTER AND AVON ISLE AND DECLARING AN EMERGENCY**

**WHEREAS**, the Mayor and the Director of Parks have reviewed the language and rental rates for the Park Facilities, the Avon-Lions Community Center and Avon Isle; and

**WHEREAS**, owing to the increase in expense to operate these facilities it was determined that the fees charged in Chapter 210.01 should be increased; and

**WHEREAS**, Council having reviewed the proposed amendments, finds them to be appropriate and in the best interests of the health, safety and welfare of the citizens of Avon and should be adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:**

Section 1 - That Section 210.01(e)(6A) which currently reads as follows:

(6A) Park facilities (Sec. 1064.03)

|  | Fees   |
|--|--|
| A. Park pavilions                                |  |
| 1. City residents                                | \$25.00  |
| 2. Nonresidents                                  | \$50.00  |
| B. Baseball fields                               |  |
| 1. City residents                                | No charge (permit to be obtained from Office of Director of Parks)   |
| 2. Nonresidents                                  | \$25.00 permit fee   |
| 3. Avon Little League                            | No charge (permit to be obtained from Office of Director of Parks)   |
| 4. Avon school sports programs                   | Fees for permit may be waived by consent of the Director of Parks and the Chairperson of the Parks and Recreation Commission |
| C. Soccer/football fields                        |  |
| 1. Avon exclusive programs or single events*     | No charge (permit to be obtained from Office of Director of Parks)   |
| 2. Avon non-exclusive programs or single events* | \$25.00 per hour rental (permit to be obtained from Office of Director of Parks)   |

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|                                      |  |
|--------------------------------------|--|
| 3. Avon-based* non-exclusive program | \$10.00 permit fee (permit to be obtained from the Office of Director of Parks)  |
| 4. Avon school sports programs       | \$25.00 permit fee (permit to be obtained from Office of Director of Parks; permit fee may be waived by the Director of Parks) |

**shall be amended as follows: (new language in bold print; deleted language stricken)**

(6A) Park facilities (Sec. 1064.03)

|  | Fees  |
|--|---|
| <b>A. Park pavilions permits</b>                 |   |
| 1. City residents                                | <b>\$25.00 per each 3 hr. increment</b>   |
| 2. Nonresidents                                  | <b>\$50.00 per each 3 hr. increment</b>   |
| <b>B. Baseball fields permits</b>                |   |
| 1. City residents                                | <del>No charge</del> <b>\$25.00</b> (permit to be obtained from Office of Director of Parks)  |
| 2. Nonresidents                                  | <del>\$25.00</del> <b>\$50.00</b> permit fee  |
| 3. Avon Little League                            | No charge (permit to be obtained from Office of Director of Parks)  |
| 4. Avon school sports programs                   | Fees for permit may be waived by <del>consent of the Director of Parks and the Chairperson of the Parks and Recreation Commission</del> |
| <b>C. Soccer/football/Lacrosse fields</b>        |   |
| 1. Avon exclusive programs or single events*     | No charge (permit to be obtained from Office of Director of Parks)  |
| 2. Avon non-exclusive programs or single events* | \$25.00 per hour rental (permit to be obtained from Office of Director of Parks)  |
| 3. Avon-based* non-exclusive program             | \$10.00 permit fee (permit to be obtained from the Office of Director of Parks)   |
| 4. Avon school sports programs                   | \$25.00 permit fee (permit to be obtained from Office of Director of Parks; permit fee may be waived by the Director of Parks)          |

Section 2 - That Section 210.01(e)(8) which currently reads as follows:

(8) Avon-Lions Community Center fees (Sec. 1072.03):

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A. For weekly, monthly or regularly scheduled meetings of not-for-profit groups such as school children and seniors and non-profit corporations organized in the City of Avon, a fee of \$5.00 per meeting is required. For weekly, monthly or regularly scheduled meetings of for-profit groups, a fee of \$5.00 per hour is required . Upon issuance of the permit

B. For Avon residents using the Center for a one-time only personal, for profit or a non-profit function, fee shall be as follows: Upon issuance of the permit

| Hours   | Fee                           |
|---|-------------------------------|
| 2   | \$ 50.00 (Minimum)            |
| 3   | 55.00                         |
| 4   | 60.00                         |
| 5   | 65.00                         |
| 6   | 70.00                         |
| 7 or more   | 5.00 for each additional hour |
| In addition, there shall be a fifty dollar (\$50.00) refundable deposit for damage and clean-up. See 1072.03(b)(1). |                               |

C. For nonresidents or individuals, businesses, organizations or groups using the Center for a one-time only personal, for-profit or a non-permit profit function, fee shall be as follows:  
Upon issue of the permit

| Hours  | Fee                            |
|--|--------------------------------|
| 2  | \$ 75.00 (Minimum)             |
| 3  | 85.00                          |
| 4  | 95.00                          |
| 5  | 105.00                         |
| 6  | 115.00                         |
| 7 or more  | 10.00 for each additional hour |
| In addition, there shall be a one hundred dollar (\$100.00) refundable deposit for damage and clean-up. See 1072.03(b)(3). |                                |

**shall be amended as follows: (new language in bold print; deleted language stricken)**

(8) Avon-Lions Community Center fees (Sec. 1072.03):

A. For weekly, monthly or regularly scheduled meetings of not-for-profit groups such as school children and seniors and non-profit corporations organized in the City of Avon, a fee of

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\$5.00 per meeting is required. For weekly, monthly or regularly scheduled meetings of for-profit groups, a fee of ~~\$5.00~~ **\$10.00** per hour is required. Upon issuance of the permit

B. For Avon residents using the Center for a one-time only personal, for profit or a non-profit function, fee shall be as follows: Upon issuance of the permit

| Hours   | Fee   |
|---|---|
| 2   | <del>\$ 50.00</del> <b>\$60.00</b> (Minimum)            |
| 3   | <del>55.00</del> <b>\$80.00</b>                         |
| 4   | <del>60.00</del> <b>\$100.00</b>                        |
| 5   | <del>65.00</del> <b>\$120.00</b>                        |
| 6   | <del>70.00</del> <b>\$140.00</b>                        |
| 7 or more   | <del>5.00</del> <b>\$20.00</b> for each additional hour |
| In addition, there shall be a fifty dollar (\$50.00) refundable deposit for damage and clean-up. See 1072.03(b)(1). |   |

C. For nonresidents or individuals, businesses, organizations or groups using the Center for a one-time only personal, for-profit or a non-permit profit function, fee shall be as follows: Upon issue of the permit

| Hours  | Fee  |
|--|--|
| 2  | <del>\$75.00</del> <b>\$100.00</b> (Minimum)             |
| 3  | <del>85.00</del> <b>\$125.00</b>                         |
| 4  | <del>95.00</del> <b>\$150.00</b>                         |
| 5  | <del>105.00</del> <b>\$175.00</b>                        |
| 6  | <del>115.00</del> <b>\$200.00</b>                        |
| 7 or more  | <del>10.00</del> <b>\$25.00</b> for each additional hour |
| In addition, there shall be a one hundred dollar (\$100.00) refundable deposit for damage and clean-up. See 1072.03(b)(3). |  |

Section 3 - That Section 210.01(e)(8A) which currently reads as follows:

(8A) Avon Isle fees (Sec. 1073.03):

|  |                              |
|--|------------------------------|
| A. For Avon residents using Avon Isle for a one-time only personal, for-profit or a non-profit function, fees shall be as follows: | <u>Payable</u>               |
|  | Upon issuance of the permit. |
| 2  | \$150.00 (Minimum)           |

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|  |                                  |
|--|----------------------------------|
| 3  | \$185.00                         |
| 4  | \$220.00                         |
| 5  | \$255.00                         |
| 6  | \$290.00                         |
| 7 or more  | \$35.00 for each additional hour |
| In addition, there shall be a two-hundred dollar (\$200.00) refundable deposit for damage and clean-up.  |                                  |
| B. For nonresidents or individuals, businesses, organizations or groups using the Center for a one-time only for-profit or non-profit function, fee shall be as follows: | <u>Payable</u>                   |
|  | Upon issuance of the permit      |
| 2  | \$200.00 (Minimum)               |
| 3  | \$250.00                         |
| 4  | \$300.00                         |
| 5  | \$350.00                         |
| 6  | \$400.00                         |
| 7 or more  | \$50.00 for each additional hour |
| In addition, there shall be a two-hundred fifty dollar (\$250.00) refundable deposit for damage and clean-up.  |                                  |

**shall be amended as follows: (new language in bold print; deleted language stricken)**

(8A) Avon Isle fees (Sec. 1073.03):

|  |  |
|--|--|
| A. For Avon residents using Avon Isle for a one-time only personal, for-profit or a non-profit function, fees shall be as follows: | <u>Payable</u>   |
|  | Upon issuance of the permit.                               |
| 2  | \$150.00 (Minimum)   |
| 3  | <del>\$185.00</del> <b>\$200.00</b>                        |
| 4  | <del>\$220.00</del> <b>\$250.00</b>                        |
| 5  | <del>\$255.00</del> <b>\$300.00</b>                        |
| 6  | <del>\$290.00</del> <b>\$350.00</b>                        |
| 7 or more  | <del>\$35.00</del> <b>\$50.00</b> for each additional hour |
| In addition, there shall be a two-hundred dollar (\$200.00) refundable deposit for damage and clean-up.                            |  |

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|  |  |
|--|--|
| B. For nonresidents or individuals, businesses, organizations or groups using the Center for a one-time only for-profit or non-profit function, fee shall be as follows: | <u>Payable</u>   |
|  | Upon issuance of the permit                                |
| 2  | \$200.00 (Minimum)   |
| 3  | <del>\$250.00</del> <b>\$275.00</b>                        |
| 4  | <del>\$300.00</del> <b>\$350.00</b>                        |
| 5  | <del>\$350.00</del> <b>\$425.00</b>                        |
| 6  | <del>\$400.00</del> <b>\$500.00</b>                        |
| 7 or more  | <del>\$50.00</del> <b>\$75.00</b> for each additional hour |
| In addition, there shall be a two-hundred fifty dollar (\$250.00) refundable deposit for damage and clean-up.  |  |

Section 4 - The codifier is hereby instructed to insert the amendments into the Codified Ordinances of the City of Avon as set forth herein.

Section 5 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend Chapter 210.01 to provide for increase in fees for the Park Facilities, "Avon-Lions Community Center" and Avon Isle; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
 Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
 Bryan K. Jensen, Mayor

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APPROVED AS TO FORM:

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John A. Gasior, Law Director

ATTEST:

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Ellen R. Young  
Clerk of Council

Posted: \_\_\_\_\_  
                  In Five Places as  
                  Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director