

ORDINANCE NO. 66-23

AN ORDINANCE TO AMEND SECTION 1072.03 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF THE AVON-LIONS COMMUNITY CENTER, AND DECLARING AN EMERGENCY

WHEREAS, the Mayor and the Recreation Coordinator have reviewed the rental rates for the Avon-Lions Community Center; and

WHEREAS, recognizing that these fees have not been changed since 2012 and owing to the increase in expense to operate the facility, it was determined that Section 1072.03 should be amended to address these issues; 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 Sections 1072.03(b), (c), (d) and (e) which currently reads as follows:

(b) The following fees and deposits for use of the Avon-Lions Community Center shall be paid in full at the time of issuance of the required permit:

- (1) For weekly, monthly and other regularly scheduled meetings of non-profit groups such as school children (Pre-K through 12th grade) and seniors (55 and over) a fee of five dollars (\$5.00) per meeting is required.
 - A. Meeting duration: (two hour max).
 - B. Such non-profit groups must consist of a minimum of fifty-one percent Avon residents.
 - C. 501(c)(3) tax documentation is required for all charitable organizations.
- (2) For a one-time only personal or a non-profit event, fees shall be as follows:

AVON-LIONS COMMUNITY CENTER FEE SCHEDULE:

The following fees and deposits for use of Avon-Lions Community Center shall be paid at the time of issuance of the required permit. Both deposit and hourly fees are due with completed contract to reserve date.

Monday-Sunday	4 hour min.*	Additional hours	Deposit (refundable)
Resident/Avon Business	\$100.00	\$20.00	\$50.00
Non-Resident/Non-Resident Business	\$175.00	\$25.00	\$100.00

*4 hour minimum rental time will be charged for all rentals. All setup and cleanup time must be included in the charged rental time. If you need additional hours please note additional hours on fee schedule.

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- (c) Permits shall be non-assignable and may be used only by the individual, group or organization receiving the same.
- (d) In the event of a cancellation, a permit holder shall receive a full refund of both the rental fee and security deposit if notice is received by the office of the Recreation Coordinator at least sixty days prior to the date and time for which the permit is issued. If the cancellation occurs less than sixty days prior to the event, the permit holder forfeit their security deposit and hourly fees.
- (e) Usage fees or a portion thereof may be waived by the Recreation Coordinator with the consent of the Mayor or his designee.
(Ord. 12-93. Passed 2-8-93; Ord. 133-12. Passed 12-10-12; Ord. 44-16. Passed 4-11-16; Ord. 95-19. Passed 11-11-19.)

Shall be amended to read as follows: (New language in bold print; deleted text stricken)

- (b) The following fees and deposits for use of the Avon-Lions Community Center shall be paid in full at the time of issuance of the required permit:
 - (1) For weekly, monthly and other regularly scheduled meetings of non-profit groups such as school children (Pre-K through 12th grade) and seniors (55 and over) a fee of five dollars (\$5.00) per meeting is required.
 - A. Meeting duration: (two-hour max).
 - B. Such non-profit groups must consist of a minimum of fifty-one percent Avon residents.
 - C. 501(c)(3) tax documentation is required for all charitable organizations.
 - (2) For a one-time only personal or a non-profit event, fees shall be as follows:

AVON-LIONS COMMUNITY CENTER FEE SCHEDULE:

The following fees and deposits for use of Avon-Lions Community Center shall be paid at the time of issuance of the required permit. ~~Both deposit and hourly fees are due with completed contract to reserve date.~~ **Deposit is due with completed contract to reserve date. Hourly fees are due at the time of completion of the contract or sixty (60) days prior to date of event. Failure to timely pay hourly fees will result in the loss of venue and forfeiture of the deposit.**

Monday- Sunday Thursday	4 hour min.*	Additional hours	Deposit (refundable)
Resident/Avon Business	\$100.00 \$120.00	\$20.00	\$50.00 \$100.00
Non-Resident/Non-Resident Business	\$175.00 \$200.00	\$25.00	\$100.00

Friday-Sunday & Holidays	6 hour	ALL DAY 9 am-12 pm)	Deposit (refundable)
Resident/Avon Business	\$180.00	\$350.00	\$100.00
Non-Resident/Non-Resident Business	\$300.00	\$550.00	\$100.00

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~~*4 hour minimum rental time will be charged for all rentals. All setup and cleanup time must be included in the charged rental time. If you need additional hours please note additional hours on fee schedule.~~

(c) Permits shall be non-assignable and may be used only by the individual, group or organization receiving the same.

~~(d) In the event of a cancellation, a permit holder shall receive a full refund of both the rental fee and security deposit if notice is received by the office of the Recreation Coordinator at least sixty days prior to the date and time for which the permit is issued. If the cancellation occurs less than sixty days prior to the event, the permit holder forfeit their security deposit and hourly fees.~~

(e d) Cancellations:

(1) In the event of a cancellation, by a permit holder at any time up to sixty (60) days prior to the event, the permit holder shall receive a full refund of their security deposit and any hourly fees on deposit with the City of Avon.

(2) In the event the permit holder cancels less than sixty (60) days prior to the event, the permit holder forfeits their security deposit. If permit holder has paid all or any portion of their hourly fee said amount shall be refunded.

(3) If a permit holder cancels less than thirty (30) days prior to the event, the permit holder will forfeit both their security deposit and any portion of their hourly fees on deposit with the City of Avon.

(e) Usage fees or a portion thereof may be waived by the Recreation Coordinator with the consent of the Mayor or his designee.

(Ord. 12-93. Passed 2-8-93; Ord. 133-12. Passed 12-10-12; Ord. 44-16. Passed 4-11-16; Ord. 95-19. Passed 11-11-19.)

Section 2 -That this ordinance, once passed by City Council, shall not become effective until August 1, 2023.

Section 3 - The Codifier is hereby instructed to insert the amendments into the Codified Ordinances of the City of Avon as set forth herein. All other language contained in Chapter 1072 not specifically amended herein shall remain in full force and effect.

Section 4 - 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 5 - 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 Section 1072.03 to update language contained therein and provide for increases in fees for the Avon-Lions Community Center; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: May 8, 2023 DATE SIGNED: May 8, 2023

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By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: May 9, 2023

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

Posted: May 10, 2023
Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 66-23, passed by the Council of said City on May 8, 2023.

IN WITNESS WHEREOF, I have on this 9th day of May, 2023, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio