

**AN ORDINANCE AMENDING ORDINANCE 16-2012 THAT ESTABLISHED
FEES, SET CONDITIONS, AND OUTLINED THE PROCEDURES
FOR THE USE OF VILLAGE PARK FACILITIES**

WHEREAS, in 2012 through Ordinance 16-2012 Brewster Village Council established charges and fees for the use of Village Park facilities such as ballfields, pavilions, concession stands, skate parks, and so forth as a measure to provide the aforementioned availability, and to underwrite some of the operation and maintenance costs to insure the availability of the various facilities that are provided in the Village Park system, as well as to establish a criteria for those facilities' proper use; and

WHEREAS, in 2015 through an ODNR Grant a Gazebo was constructed in Bimeler Park in the park area adjacent to Second Street W.; and

WHEREAS, Brewster Village Council wishes to make this new Park facility available for public use.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:

SECTION A: Fees, conditions, and procedures shall be established for the use of the Gazebo structure adjacent to the Second Street W. area of Bimeler Park with said amending Ordinance 16-2012 Section 2 as reflected in the language shown below.

Ordinance 16-2012 shall be amended with changes shown in bold type –

*SECTION 2: Fees, conditions, and procedures required for the use of Village pavilions **and gazebos:***

- (A) *\$ 25.00 per day will be charged for the use of any Village pavilion by any individual, group, or organization. The \$ 25.00 will be returned to the users if the pavilion and pavilion area are returned to their original condition after use.*
- (B) ***For Village residents \$ 25.00 per day will be charged for the use of the Village gazebo by any individual, group, or organization. \$ 25.00 of the \$ 25.00 deposit will be returned to the users if the gazebo and the gazebo areas are returned to their original condition after use. For non-residents of the Village \$ 50.00 per day will be charged for the use of the Village gazebo by any individual, group, or organization. \$ 25.00 of the \$ 50.00 will be returned to the users if the gazebo and the gazebo areas are returned to their original condition after use.***
- (C) *It will be the responsibility of the Village Administrator to collect all fees, to schedule pavilion and gazebo use, and to monitor the contracted uses.*
- (D) *Persons or organizations renting pavilions **or gazebo** must have a representative present during rental. Total vacation terminates the rental*

SECTION B: With the intent of providing all fees and procedures for the use of park facilities in one document the original language in Ordinance 16-2012 as amended shall be shown next:

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FEES, CONDITIONS, AND THE PROCEDURES FOR THE USE OF VILLAGE PARK FACILITIES

SECTION 1: Fees, conditions, and procedures required for the use of Village ballfields:

- (A) \$ 40.00 per day shall be charged for the use of all ballfields by Adult Leagues
\$ 60.00 per field per day shall be charged for the use of all ballfields for daylight use only, for tournaments and/or practice by Adult teams
\$ 70.00 per field per day shall be charged for the use of all ballfields which require field lights at any time, for tournaments and/or practice by Adult teams
- (B) The Village will provide bases, field marking lime, and field repair materials for the above in (A), but preparation of the fields will be the responsibility of those charged.
- (C) The user in (A) will prepare all fields for safe play and will provide proof of liability insurance from a reputable underwriter.
- (D) It will be the responsibility of the Village Administrator to collect all fees, to schedule the above to prevent conflicts with other Park activities, and to monitor the contracted uses.

- (E) Persons or organizations renting fields must have a representative present during rental. Total vacation terminates the rental.
- (F) The residents of the Village and their guests will not be charged for the use of any field for casual play

SECTION 2: Fees, conditions, and procedures required for the use of Village pavilions and gazebos:

- (A) \$ 25.00 per day will be charged for the use of any Village pavilion by any individual, group, or organization. The \$ 25.00 will be returned to the users if the pavilion and pavilion area are returned to their original condition after use.
- (B) For Village residents \$ 25.00 per day will be charged for the use of the Village gazebo by any individual, group, or organization. \$ 25.00 of the \$ 25.00 deposit will be returned to the users if the gazebo and the gazebo areas are returned to their original condition after use.
For non-residents of the Village \$ 50.00 per day will be charged for the use of the Village gazebo by any individual, group, or organization. \$ 25.00 of the \$ 50.00 will be returned to the users if the gazebo and the gazebo areas are returned to their original condition after use.
- (C) It will be the responsibility of the Village Administrator to collect all fees, to schedule pavilion and gazebo use, and to monitor the contracted uses.
- (D) Persons or organizations renting pavilions or gazebo must have a representative present during rental. Total vacation of the facility terminates the rental

SECTION 3: Fees, conditions, and procedures required for the use of the Village Tennis Court, Basketball Court, or Skate Park:

- (A) \$ 60.00 per court of skate park per day shall be charged for the use of all of the above for daylight use only, any organized events such as tournaments or competitions. Night use for these events will not be permitted.
- (B) The Village will provide the facility as is and all preparation required will be the responsibility of those charged.
- (C) The user in (A) will prepare all facilities for safe play and will provide proof of liability insurance from a reputable underwriter.
- (D) Persons or organizations renting these facilities must have a representative present during rental. Total vacation terminates the rental
- (E) It will be the responsibility of the Village Administrator to collect all fees, to schedule the facility's use, and to monitor the contracted uses.

SECTION 4: Fees, conditions, and procedures required for the use of Village concession stands:

- (A) The Recreation Board may negotiate rental for the use of the concession stand with any non-profit organization. All others shall pay \$ 50.00 per day.
- (B) The Village will provide the facility as is and all preparation required will be the responsibility of the user.
- (C) The Recreation Board shall work with the Village Administrator to insure the availability, the condition, and safe use of the concession stands.
- (D) Persons or organizations renting the concession stand must have a representative present during rental. Total vacation terminates the rental.

SECTION 5: Rental fees

- (A) All moneys retained from the above collected fees will be deposited in the Village Recreation Fund.

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SECTION C: This ordinance shall be in force and full effect at the earliest date provided by law.

Mayor Michael E. Schwab

ATTEST:

Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on _____

Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

Clerk K. Kris King