

ORDINANCE NO.: 96 -2016
INTRODUCED BY: Mayor Roche

**AN ORDINANCE AMENDING SECTIONS 959.01, 959.04,
AND 959.07 OF THE CODIFIED ORDINANCES OF THE
CITY OF RICHMOND HEIGHTS TO ESTABLISH A
METHOD FOR RENTAL FEES FOR CITY PLAYING
FIELDS; AND DECLARING AN EMERGENCY.**

WHEREAS, this Council finds it is in the best interest of the City of Richmond Heights to amend Sections 959.01, 959.04, and 959.07 of Chapter 959 of the Codified Ordinances to provide a more definitive method to establish fees for the rental of playing fields within the City of Richmond Heights.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, STATE OF OHIO, THAT:

Section 1. Existing Sections 959.01, 959.04, and 959.07, within Part Nine – Streets and Public Services Code, Title Five – Other Public Services, Chapter 959, “Use of Parks by Large Groups/Organizations”, of the Codified Ordinances of the City of Richmond Heights are amended as follows:

959.01 DEFINITIONS.

As used in this chapter:

- (a) “Meeting” means an assembly for the sole purpose of conducting business.
- (b) “Engagement” means any activity, including meetings.
- (c) “Resident” means, with respect to an individual, an applicant who lives in the City or is a full-time employee of the School Board or City of Richmond Heights.
- (d) “Sanctioned organization” means a group or organization as defined in Section [959.02](#).
- (e) “Parks” means Richmond Park on Highland Road (except the Kiwanis Lodge) and DeSan Park on Trebisky Road or some portion of these Parks.
- (f) “Administrative Authority” means the Mayor of the City or his/her designated representative.
- (g) “Playing Field(s)” means any outdoor open area(s) in a Park which is used for a team sporting event.**

959.04 PERMIT REQUIRED; APPLICATIONS.

(a) Any group of persons eligible to use a Park that is greater than thirty (30) persons, **or any other group regardless of size using a Playing Field at a Park,** shall have been issued a permit therefor prior to use of a Park in compliance with this section.

(b) Any group of persons eligible to use the Parks, or a portion thereof, that exceeds seventy-five (75) persons on a weekend or legal holiday or exceeds one hundred (100) persons on any other day must also apply for and reserve the Kiwanis Lodge at Richmond Park pursuant to the requirements of Chapter 953.

(c) The Administrative Authority is hereby authorized to issue a permit for the use of Park facilities upon written application therefor in such form as is prescribed by the Administrative Authority and upon the terms and conditions and subject to charges hereinafter provided in this chapter.

(d) All applications for a permit shall be subject to the approval of the Administrative Authority after an application is properly completed.

(e) An application containing false information or any false statements regarding the application by the applicant will render the application invalid.

959.07 FEES.

(a) No fees shall be charged for the use of Park facilities, except for fees for use of the Kiwanis Lodge building, **and for fees for use of any Playing Field which shall be established by the Administrative Authority.**

(b) A deposit of \$100.00 shall accompany the permit application and shall be retained to cover additional cleaning charges or damages. The balance shall be refunded upon the approval of the Administrative Authority.

(c) All deposits shall be paid to the City at the time the application is approved or is being determined by the Administrative Authority.

(d) The organization or individual holding a permit may cancel the same by giving notice, in writing, to the Administrative Authority one month in advance of the date and time for which the permit is issued. If such advance notice is not given, the organization or individual to whom the permit is issued shall forfeit the deposit.

Section 2. Existing Sections 959.01, 959.04, and 959.07 of the Streets and Public Service Code are amended only as set forth in Section 1 of this Ordinance.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is declared to be an emergency measure necessary for the preservation of the public health, safety and general welfare of the citizens, property owners, business tenants of, and visitors to, the City of Richmond Heights, and for the further reason that it is necessary to immediately amend the Streets and Public Service Code to provide a more definitive method to establish fees for playing field rentals within the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____, 2016

David H. Roche, Mayor

APPROVED: _____, 2016

ATTEST: _____
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council