

RESOLUTION NO. R-23-33**A RESOLUTION OF THE CITY OF SEBASTIAN, INDIAN RIVER COUNTY, FLORIDA, ADOPTING UPDATED FEES AND PROCEDURES FOR OBTAINING PERMITS TO USE CERTAIN RECREATIONAL PARK AND FACILITIES PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, City of Sebastian Code of Ordinances §74-6 Park Event Permits provides that fees for park events and conditions for park event permit approvals shall be established by Resolution of the City Council; and

WHEREAS, City of Sebastian Code of Ordinances §74-7 Special Event Permits provides that procedures for special events and conditions for special event permit approvals shall be established by Resolution of the City Council; and

WHEREAS, due to rising costs and inflation and other market indicators, the City of Sebastian Parks and Recreation Department recommends that the fees for the rental of Riverview Park for park events and special events, Community Center, Yacht Club and Outdoor Pavilions be amended; and

WHEREAS, the City of Sebastian Parks and Recreation Department is presenting these fees and reimbursements and procedures in accordance with City Code of Ordinances §74-6 and §74-7 for approval by the City Council, and

WHEREAS, this Resolution shall amend Resolution No. R-10-15 as adopted and serve as supplementary guide for providing Rules, Regulations and Procedures when administering and granting recreational park and facility permit requests.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEBASTIAN, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS. The above Whereas Clauses are true, correct, and are hereby adopted and incorporated herein as the legislative findings of the City Council of the City of Sebastian.

SECTION 2. FEES FOR RIVERVIEW PARK EVENT PERMIT (75-300 Participants)

- A. Applications for park event permits shall be submitted to the Parks and Recreation Department, along with a non-refundable \$400 application/permit fee per day and a \$200 refundable security deposit to be refunded within 2 weeks after the use, if the required reimbursements are made and the facility is left in a clean and undamaged condition. In the event that the City, in its sole discretion, determines that cleaning or repairs are necessary after the permitted use, the deposit shall be forfeited.

- B. An application for facility use must be received at least two weeks prior to the date of the requested use, however, an application for a permit requiring City Council approval must be received at least two weeks before the next regular City Council meeting date which is prior to the date of the requested rental.**
- C. Applications must include the following minimum information:**
- 1) Name and address of permittee**
 - 2) Detailed description outlining the purpose of the event**
 - 3) A list of all vendors and others that will participate in event and guarantee that they meet all applicable permit or licensing requirements, and comply with all applicable laws, code provisions and duly promulgated rules and regulations governing the use of the subject facility.**
 - 4) A detailed site map showing placement of all vendors and activities within the property.**
- D. Applicants shall meet with the Parks & Recreation Director or designee to discuss:**
- 1) Provisions for traffic and parking, solid waste collection and removal, sanitary facilities, security, anticipated impact on use of the subject Recreation Facility by the general public, and any other implications for the public health, safety and welfare.**
 - 2) Need for City resources (staff and/or equipment) to adequately protect the public interest and the method of reimbursement.**
- E. The Parks & Recreation Director shall approve the permit if it is determined that said event will not adversely affect the interest of the public, and an agreement is reached for governing mitigation measures, and financial responsibility therefore of the public welfare issues raised by the event. In the event the Parks & Recreation Director denies the permit, the applicant may appeal the decision to the City Manager and/or City Council.**
- F. Alcoholic Beverages. Any request for alcoholic beverage use at a Park Event must be approved by the City Council and be a City-sponsored event.**
- G. Police Service Requirement. The permittee for any function at which 75-150 attendees are anticipated, shall be required to hire 1 (one) Sebastian Police Officer to attend the function for security purposes at the rate established by the City Manager for City officers hired for private duty, unless waived by City Council. Events at which 151-300 attendees are anticipated shall be required to hire 2 (two) Sebastian Police Officers to attend the function.**
- H. All general provisions for use of City Recreational Facilities as set out in the Code of Ordinances shall apply to Park Event permits.**

SECTION 3. FEES FOR RIVERVIEW PARK SPECIAL EVENT PERMIT (more than 300 participants)

- A. Applications for special event permits shall be submitted to the Parks and Recreation Department, along with a non-refundable \$800 application/permit fee per day and a \$400 refundable security deposit to be refunded within 2 weeks after the use, if the required reimbursements are made and**

the facility is left in a clean and undamaged condition. In the event that the City, in its sole discretion, determines that cleaning or repairs are necessary after the permitted use.

B. Applications must include the following minimum information:

- 1) Name and address of permittee
- 2) Detailed description outlining the purpose of the event
- 3) A list of all vendors and others that will participate in event and guarantee that they meet all applicable permit or licensing requirements, and comply with all applicable laws, code provisions and duly promulgated rules and regulations governing the use of the subject facility.
- 4) A detailed site map showing placement of all vendors and activities within the property.

C. The application must be received at least two weeks prior to the date of the requested use, however, an application for a permit requiring City Council approval must be received at least two weeks before the next Regular City Council meeting date which is prior to the date of the requested rental.

D. Applicants shall meet with the Parks & Recreation Director, or his/her designee, to discuss:

- 1) Provisions for traffic and parking, solid waste collection and removal, sanitary facilities, security, anticipated impact on use of the subject Recreation Facility by the public general, and any other implications for the public health, safety and welfare.
- 2) Method of reimbursement if City resources (staff and/or equipment) are needed to adequately protect the public interest.

E. City Council Approval. The Parks & Recreation Director, thru the City Manager shall forward the permit application to the City Council for their review. City Council has the sole authority to approve or deny any Riverview Park special event permit request.

F. Alcoholic Beverages. Any request for alcoholic beverage use at a Special Event must be approved by the City Council and be a City-sponsored event.

G. Police Service Reimbursement. The permittee for any special event must comply with the assignment of a police detail as required by the Police Chief's evaluation of the event, at the rate established by the City Manager for City Police Officers hired for private duty, unless waived by City Council.

H. All general provisions for use of City Recreational Facilities as set out in the Code of Ordinances shall apply to Special Event permits.

SECTION 4. FEES FOR FRIENDSHIP PARK PAVILION RENTAL

A. Applications for Friendship Park Pavilion rental permits shall be submitted to the Parks and Recreation Department along with a non-refundable \$75 application/permit fee and \$100 refundable security deposit to be refunded within 2 weeks after the use, if the required reimbursements are made and the facility is left in a clean and undamaged condition. In the event

that the City, in its sole discretion, determines that cleaning or repairs are necessary after the permitted use, the deposit shall be forfeited.

- B. The application must be received at least two weeks prior to the date of the requested use, however, an application for a permit requiring City Council approval must be received at least two weeks before the next Regular City Council meeting date which is prior to the date of the requested rental.
- C. Applications must include the following minimum information:
 - 1) Name and address of permittee
 - 2) Detailed description outlining the purpose of the event
 - 3) A list of all vendors and others that will participate in event and guarantee that they meet all applicable permit or licensing requirements, and comply with all applicable laws, code provisions and duly promulgated rules and regulations governing the use of the subject facility.
 - 4) A detailed site map showing placement of all vendors and activities within the property
- D. Permit shall be issued by the Parks and Recreation Director and may only be issued in the name of an adult or legally organized organization. Any adult obtaining a permit on behalf of a group comprised of minors shall be held responsible for the supervision of each minor participating in the Event.
- E. Alcoholic Beverages. Any request for alcoholic beverage use at a Special Event must be approved by the City Council and be a City-sponsored event.
- F. All general provisions for use of City Recreational Facilities as set out in the Code of Ordinances shall apply to Pavilion Rental permits.

SECTION 5. FEES FOR RIVERVIEW PARK PAVILION RENTAL

- A. Applications for Riverview Park Pavilion rental permits shall be submitted to the Parks and Recreation Department along with a non-refundable \$200 application/permit fee and \$100 refundable security deposit to be refunded within 2 weeks after the use, if the required reimbursements are made and the facility is left in a clean and undamaged condition. In the event that the City, in its sole discretion, determines that cleaning or repairs are necessary after the permitted use, the deposit shall be forfeited.
- B. The application must be received at least two weeks prior to the date of the requested use, however, an application for a permit requiring City Council approval must be received at least two weeks before the next Regular City Council meeting date which is prior to the date of the requested rental.
- C. Applications must include the following minimum information:
 - 1) Name and address of permittee
 - 2) Detailed description outlining the purpose of the event

- 3) A list of all vendors and others that will participate in event and guarantee that they meet all applicable permit or licensing requirements, and comply with all applicable laws, code provisions and duly promulgated rules and regulations governing the use of the subject facility.
 - 4) A detailed site map showing placement of all vendors and activities within the property
- D. Permit shall be issued by the Parks and Recreation Director and may only be issued in the name of an adult or legally organized organization. Any adult obtaining a permit on behalf of a group comprised of minors shall be held responsible for the supervision of each minor participating in the Event.
- E. Alcoholic Beverages. Any request for alcoholic beverage use at a Special Event must be approved by the City Council and be a City-sponsored event.
- F. Permit shall be issued by the Parks and Recreation Director and may only be issued in the name of an adult or legally organized organization. Any adult obtaining a permit on behalf of a group comprised of minors shall be held responsible for the supervision of each minor participating in the Event.
- G. Alcoholic Beverages. Any request for alcoholic beverage use at a Special Event must be approved by the City Council and be a City-sponsored event.
- H. All general provisions for use of City Recreational Facilities as set out in the Code of Ordinances shall apply to Pavilion Rental permits.

SECTION 6. FEES FOR INDOOR PUBLIC USE FACILITY RENTAL (Community Center or Yacht Club)

- A. Applications for Community Center Rental permits shall be submitted to the Parks and Recreation Department, along with the rental fee and security deposit outlined in this Resolution. The application must be received at least two weeks prior to the date of the requested use, however, an application for a permit requiring City Council approval must be received at least two weeks before the next Regular City Council meeting date which is prior to the date of the requested rental.

Rates for Community Center and Yacht Club are as follows:

<u>Public Use Facility</u>	<u>Resident Rates</u>	<u>Non-Resident Rates</u>
Community Center	Four (4) hr. flat rate \$300.00 Each additional hr. \$40.00	Four (4) hr. flat rate \$400.00 Each additional hr. \$50.00
Yacht Club	Four (4) hr. flat rate \$175.00 Each additional hr. \$30.00	Four (4) hr. flat rate \$250.00 Each additional hr. \$50.00

- B. A minimum deposit of Two Hundred Fifty Dollars (\$250.00) must accompany each application for use of the Community Center and Yacht Club. This deposit is refundable within 2 weeks after the use, if a facility is left in a clean and undamaged condition by the permittee. In the event that the

City, in its sole discretion, determines that cleaning or repairs are necessary after the permitted use, the deposit shall be forfeited.

- C. Applications must include the following minimum information:
- 1) Name and address of permittee
 - 2) Detailed description outlining the purpose of the event
 - 3) A list of all vendors and others that will participate in event and guarantee that they meet all applicable permit or licensing requirements, and comply with all applicable laws, code provisions and duly promulgated rules and regulations governing the use of the subject facility.
 - 4) A detailed site map showing placement of all vendors and activities within the property
- D. In accordance with the Code of Ordinances, in the event that the proposed use may include activities involving gambling, alcoholic beverages, the use of a facility after 11:00pm, selling of goods/services, or if an admission charge is to be assessed, then the City Manager shall not issue a use permit until directed to do so by the City Council. No alcoholic beverages of any type may be brought on to the premises, dispensed or otherwise consumed without prior authorization of the City Council. No admission fee or other charge may be imposed by the permittee unless expressly authorized in the use permit. Prior to issuance of the permit, the City Council shall make a determination that the proposed admission charge or other fee is not intended to further a commercial purpose.
- E. The Permit shall be issued by the Parks and Recreation Director and may only be issued in the name of an adult or legally organized organization. Any adult obtaining a permit on behalf of a group comprised of minors shall be held responsible for the supervision of each minor participating in the Event.
- F. The applicant shall disclose the nature of the proposed activity and the anticipated need for extra work by City personnel. If it is determined that the permittee will cause extra work by City personnel as a result of the proposed use, an additional fee shall be charged in order to fully cover such cost.
- G. No decoration of any type shall be permitted without prior approval. Any decoration utilized must be removed by the permittee. No nails or staples may be used to hang decorations.
- H. The permittee shall not, under any circumstances remove any chairs, tables or any other equipment from the facility.
- I. The permittee shall bear the responsibility for the control of the lights, thermostats (specifically turning off after events, and other equipment in the facility. Further the permittee shall bear responsibility for the unlocking and subsequent securing of the doors of the facility.
- J. The permittee is solely responsible and answerable to the City for damages to any injured person for any and all accidents or injuries to persons or properties resulting from the use of the facility during the permitted period. The permittee shall ensure that the facility is left in the same condition as it was in prior to the permitted use.
- K. Police Service Requirement. The permittee for any function at which 75-150 attendees are anticipated, shall be required to hire 1 (one) Sebastian Police Officer to attend the function for

security purposes at the rate established by the City Manager for City officers hired for private duty, unless waived by City Council.

- L. Non-Profit Organizations: In the event that the applicant is a school, church, or other tax exempt entity, as defined by the Internal Revenue Service Cod, the charges for use of the Sebastian Community Center or the Sebastian Yacht Club shall be one-half (1/2) the regular rate.
- M. All general provisions for use of City Recreational Facilities as set out in the Code of Ordinances shall apply to Indoor Public Use Facility Rental permits.

SECTION 7. CONFLICT. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 8. SCRIVENER’S ERRORS. Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager’s designee, without need of further action of City Council by filing a corrected copy of same with the City Clerk.

SECTION 9. EFFECTIVE DATE This Resolution shall take effect upon adoption.

The foregoing Resolution was moved for adoption by Council Member Nunn. Motion was seconded by Council Member Dixon and, upon being put to a vote, the vote was as follows:

Mayor Fred Jones	<u>aye</u>
Vice-Mayor Christopher Nunn	<u>aye</u>
Councilmember Ed Dodd	<u>aye</u>
Councilmember Bob McPartlan	<u>aye</u>
Councilmember Kelly Dixon	<u>aye</u>

The Mayor thereupon declared this Resolution duly passed and adopted this 25th day of October, 2023.

CITY OF SEBASTIAN, FLORIDA

By: [Signature]
Fred Jones, Mayor

ATTEST:

Jeanette Williams
Jeanette Williams, City Clerk

Approved as to form and legality:

By: Jennifer Cockcroft
Jennifer Cockcroft, City Attorney

