

ORDINANCE NO. 97-19

**AN ORDINANCE TO AMEND SECTIONS 210.01(e)(8) & 210.01(e)(8A)
OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO
ELIMINATE REFERENCE TO FEES FOR USE OF AVON-LIONS
COMMUNITY CENTER AND AVON ISLE
AND DECLARING AN EMERGENCY**

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

WHEREAS, Section 210.01(e)(8) of the Codified Ordinances of the City of Avon, entitled "Avon-Lions Community Center Fees" has been amended and/or re-adopted in substantially its same form in Chapter 1072 of the Codified Ordinances; and

WHEREAS, Section 210.01(e)(8A) of the Codified Ordinances of the City of Avon, entitled "Avon Isle Fees" has been amended and/or re-adopted in substantially its same form in Chapter 1073 of the Codified Ordinances; and

WHEREAS, Council, after considering the recommendation of the Administration, finds that amending Sections 210.01(e)(8) and 210.01(e)(8A) are reasonable and necessary to eliminate duplication of provisions that are found in Chapters 1072 and 1073, and removing said duplication is in the best interests of the health, safety and welfare of the citizens of Avon.

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

Section 1 - That Section 210.01(e)(8) which currently reads as follows:

210.01 SCHEDULE ESTABLISHED.

(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 \$5.00 per meeting is required. For weekly, monthly or regularly scheduled meetings of for-profit groups, a fee of \$10.00 per hour is required.

Payable
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

<u>Hours</u>	<u>Fee</u>
2	\$60.00 (Minimum)
3	\$80.00
4	\$100.00

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5	\$120.00
6	\$140.00
7 or more	\$20.00 for each additional hour

In addition, there shall be a fifty dollar (\$50.00) refundable deposit for damage and clean-up. See Sec. 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:

<u>Hours</u>	<u>Payable</u> Upon issuance of the permit <u>Fee</u>
2	\$100.00 (Minimum)
3	\$125.00
4	\$150.00
5	\$175.00
6	\$200.00
7 or more	\$25.00 for each additional hour

In addition, there shall be a one hundred dollar (\$100.00) refundable deposit for damage and clean-up. See Sec. 1072.03(b)(3).

shall be amended by as follows: (new language in bold; 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 \$5.00 per meeting is required. For weekly, monthly or regularly scheduled meetings of for-profit groups, a fee of \$10.00 per hour is required.~~

~~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:~~

<u>Hours</u>	<u>Payable</u> Upon issuance of the permit <u>Fee</u>
2	\$60.00 (Minimum)
3	\$80.00
4	\$100.00
5	\$120.00
6	\$140.00
7 or more	\$20.00 for each additional hour

~~In addition, there shall be a fifty dollar (\$50.00) refundable deposit for damage and clean-up. See Sec. 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~~

~~Payable Upon issuance of the~~

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function, fee shall be as follows:

<u>Hours</u>	<u>permit Fee</u>
2	\$100.00 (Minimum)
3	\$125.00
4	\$150.00
5	\$175.00
6	\$200.00
7 or more	\$25.00 for each additional hour

~~In addition, there shall be a one hundred dollar (\$100.00) refundable deposit for damage and clean-up. See Sec. 1072.03(b)(3).~~

Section 2 - 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)
3	\$200.00
4	\$250.00
5	\$300.00
6	\$350.00
7 or more	\$50.00 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	\$275.00
4	\$350.00
5	\$425.00
6	\$500.00
7 or more	\$75.00 for each additional hour

shall be amended by as follows: (new language in bold; 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	\$200.00
4	\$250.00
5	\$300.00
6	\$350.00
7 or more	\$50.00 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	\$275.00
4	\$350.00
5	\$425.00
6	\$500.00
7 or more	\$75.00 for each additional hour

Section 3 - The codifier is hereby instructed to make the necessary changes to the existing Codified Ordinances to reflect the amendments contained herein.

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 Sections 210.01(e)(8) & 210.01(e)(8A) by eliminating the fees for 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.

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PASSED: _____

DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasiar, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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