

ORDINANCE NO. 2011-07

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PHENIX CITY, ALABAMA, CHAPTER 15. OFFENSES AND MISCELLANEOUS PROVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL THAT THE CODE OF ORDINANCES OF THE CITY OF PHENIX CITY, ALABAMA, CHAPTER 15. OFFENSES AND MISCELLANEOUS PROVISIONS IS HEREBY AMENDED BY ADDING THE FOLLOWING SECTION:

SECTION 15.58. PAVILIONS, GYMNASIUM AND FACILITIES RESERVATION RULES.

a. Application / Fees.

1. All groups/parties wishing to use the facility must fill out a Facility/Area/Parks Application for Department Head approval. Submit application to the Main office at 1500 Airport Road at least 7 days prior to the requested date.
2. A \$25 application fee may be required at the time the application is submitted to reserve your time slot. All fees for rental of the facility must be paid at least 7 days prior to the event unless otherwise noted. Payment to be made at the main office between the hours of 8:00 a.m. – 5:00 p.m. Monday through Friday. Payment will be refunded if the application is not approved.
3. The facility/area is not reserved until payment has been made and the application is approved by the Director of Phenix City Parks & Recreation Department.
4. The Parks & Recreation Department will notify the person making the request that the reservation and any other items requested has been granted or denied. This notification is made by telephone. The renter(s) will be required to pick up a Reservation Form, if required, from the main office once they are notified by Parks & Recreation Staff.
5. Anyone providing a paid service for any function, such as catering, entertainment, etc. will be required to have a Phenix City Business License. It is the responsibility of the renter to verify this.

b. Refunds / Rights Reserved.

1. Refunds are given only when the activity is canceled two or more days prior to the event. Application fees are not refunded unless the cancellation is made by the Parks and Recreation Department. The Parks & Recreation Office must be notified in order to receive a refund.
2. No program may be scheduled that interferes with a regular planned event or activity sponsored by the Phenix City Parks & Recreation Department.
3. The Phenix City Parks & Recreation Department reserves the right to refuse the use of any of its facilities to any group or individual which may be in direct conflict with the goals of the department or the City of Phenix City.

4. Any violation of rules, regulations, policies and or procedures pertaining to the use of the facility/area will result in forfeiture and possible restriction from future use of any Recreation Department Facilities.

c. Supervision/Security.

1. The city reserves the right through its representatives to eject any objectionable person or persons from the building or area. Failure to leave when asked could result in police assistance and suspension of future use of Parks and Recreation Facilities.
2. Any group using the facility/area must be organized with a responsible adult (19 years or older) leader. Adequate adult supervision is required at all times.
3. The person or organization making application for use of the facility/area will be held responsible for all damages to the facility, furniture, area and equipment. Failure to do so will forfeit the use of any city facility/area for future use by the person or organization.
4. The activity may be canceled and the participants sent home if the person responsible for the request does not arrive within the first fifteen minutes of the reservation for the facility area. All fees are still applicable.
5. The City of Phenix City requires a Recreation Department staff member(s) to be on duty during or after hours at all centers while center is reserved. Exception would be annex rooms or other facilities that a key is furnished to the renter.
6. The City of Phenix City may require the renter at his/her own expense to provide policemen for security/safety purposes at functions. They will be required to schedule with the Phenix City Police Department. The Phenix City Police Department will determine the number of police officers needed based on the event.
7. The City of Phenix City expects the responsible renting organization/individual to maintain control and care of their attendees and/or guests, and to conduct their events with dignity and class. The City also expects the responsible renting organization to personally accept responsibility for any damages done to the room, building, or premises by persons in their group.
8. The City of Phenix City shall not be responsible for any damage or injury that may happen to the lessee, or the lessee's agents, servants, employees or property from any cause whatsoever, prior, during, or subsequent to the period covered by this lease.

d. Facilities Rules/Regulations.

1. No function may exceed the capacity limits.
2. Food tables cannot be set up in hallways. No food may be prepared on site. Kitchens may be used for warming food only.
3. All food, beverages, trash, decorations, equipment, etc. must be removed from the facility and the site returned to its original state at the end of the activity.
4. City of Phenix City staff members are not responsible for chaperoning an event, setting up, decorating, or event clean up.

5. Decorating is to be done during the period of time reserved by the rental group. Decorations must be attached in a manner that does not damage the facility and is easily removed. Absolutely no nails, staples, screws, hot glue, or duct tape are to be used to secure decorations to any park structure. All decorations must be completely removed at the end of the event. No wall decorations allowed at inside facilities. Table and freestanding only allowed at inside facilities. No glitter, confetti, rice, or wax candles are allowed.
6. Tables and chairs, if available and only in a limited number, must be returned to their original locations.
7. People will park only in the designated parking areas.

e. Gymnasium Rules.

Gymnasium rules will apply to all gymnasium rentals.

- a) Tape or other adhesives on the wall or floors are prohibited at all the centers.
- b) Food and drink allowed in designated areas only.
- c) No profanity, horseplay, fighting or unlawful conduct.
- d) No alcohol, smoking or chewing tobacco allowed.
- e) Proper attire required. Non-marking shoes required in gym. Shirts will be worn in lobby and public areas.
- f) Equipment must be used in designated areas only.
- g) No dunking, hanging on rims or nets allowed.
- h) Parents or guardians are responsible for small children.
- i) The City of Phenix City is not responsible for stolen, lost or misplaced items.
- j) Age restrictions may apply.

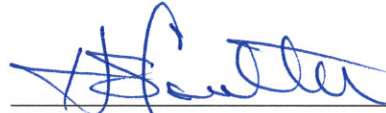
f. Reservations – Parks, Covered Pavilions, Clubhouse, Annex Rooms, Ball Fields, etc.

1. Only one group will be booked per day.
2. Reservations of pavilions allows access to the pavilions only, not the adjacent facilities or playing fields. Park areas remain open to the general public at all times.
3. Activities are expected to start and end on time. All activities/events shall conclude by 11:00 p.m.
4. City noise ordinance is in effect and must be adhered to at all times.
5. No alcoholic beverages are permitted on City Property.
6. Use of power and water must have prior approval.
7. Rental rates for any group or individual do not include the sale of concessions or merchandise. The City of Phenix City reserves the right to all concession sales.
8. When the renting party charges admission fees, The City of Phenix City will receive 10% of the gate or rental fee, whichever is greater.

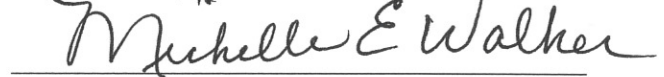
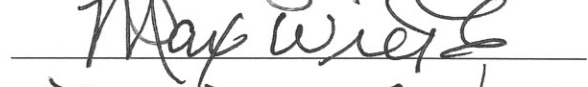
Any ordinance heretofore adopted by the City Council of the City of Phenix City, Alabama which is in conflict with this ordinance is hereby repealed to the extent of such conflict.

If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.


PASSED, APPROVED AND ADOPTED this 7th day of June, 2011.



MAYOR



ATTEST:


CITY CLERK
MEMBERS OF THE CITY COUNCIL OF
THE CITY OF PHENIX CITY, ALABAMA



Office Use Only Date Copy Given _____ Staff Initial _____

City of Phenix City-Parks & Recreation Reservation Rules

The facilities which you will be using belong to the citizens of Phenix City and are under the supervision of the City of Phenix City Parks & Recreation Department. To preserve the rights of the public for use of a public recreation facility, rules and regulations are necessary and we ask you and your group to cooperate. By signing the document below you acknowledge receipt of the rules pertaining to the facility requested. Below are several key items you will be asked to initial and sign off on:

PLEASE NOTE: YOUR RESERVATION ENTITLES YOU TO USE THE AREA YOU HAVE RESERVED. PARK AREAS REMAIN OPEN TO THE GENERAL PUBLIC AT ALL TIMES

1. The renter agrees that placement and use of any inflatable, tents, sound system or other outside entertainment equipment is subject to approval by Parks and Recreation at the time the reservation is approved and that it is the renter's responsibility to provide an outside power source (such as a generator) to power the equipment. Parks and Recreation will not provide repair to interruptions to the Parks electrical service on the day of an event that is caused by violation of this policy. _____ Initial.
2. No alcoholic beverages are permitted on City Property. _____ Initial.
3. Parking is allowed only in designated parking areas. _____ Initial.
4. All food, beverages, trash, decorations, equipment, etc. must be removed from the facility and the site returned to its original state at the end of the activity. If a facility is not returned to its original state, any future use will require a refundable cleaning deposit at an amount to be determined by the Parks and Recreation Director. _____ Initial.
5. No open flames, candles or bonfires (except for pre installed grills) will be allowed. _____ Initial

On behalf of _____ I (print) _____

Acknowledge that a copy of the City of Phenix City Parks & Recreation Reservation Rules have been made available to me and my organization. By signing below, I agree to follow these rules and understand that failure to do so will result in loss of privileges and possible/potential monetary damages.

Signature: _____ Date: _____