

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 10- 09

AN ORDINANCE UPDATING TIGARD MUNICIPAL CODE CHAPTER 9.04 PARKS, GENERAL PROVISIONS

WHEREAS, the City of Tigard Municipal Code Chapter 9.04, Parks, General Provisions was last updated December 2003; and

WHEREAS, the park system has grown since 2003 resulting in increased demands; and

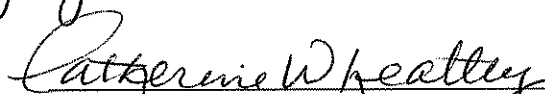
WHEREAS, this Tigard Municipal Code chapter requires an update to meet the demands on the city park system.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The specific Tigard Municipal Code 9.04 General Provisions attached as Exhibit A to this ordinance is hereby adopted and approved by the City Council.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By unanimous vote of all Council members present after being read by number and title only, this 27th day of July, 2010.



Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 27th day of July, 2010.



Craig Dirksen, Mayor

Approved as to form:



City Attorney

7/27/10

Date

TIGARD MUNICIPAL CODE

Chapter 9.04 GENERAL PROVISIONS.

Sections:

9.04.005 Adoption of Administrative Rules and Supplemental Regulations

9.04.010 Purpose.

9.04.020 Facility Reservation.

9.04.040 Refund Of Fees And Change In Reservation.

9.04.050 Repealed By Ord. 92-33.

9.04.060 Waiver Of Fees.

9.04.005 Adoption of Administrative Rules and Supplemental Regulations

The City Manager, or designee, has the authority to adopt and amend administrative rules and supplemental regulations related to the provisions of park facility reservations.

9.04.010 Purpose.

The purposes of these rules and regulations are to:

- (1) Facilitate maximum use of public facilities by the citizens of Tigard;
- (2) Coordinate the use of park facilities, thus assuring maximum opportunity for use through the convenience of advance reservations;
- (3) Provide for use of park facilities by the citizens of Tigard, but where exclusive use takes place, or special handling is required, to recover associated costs;
- (4) Coordinate the public use of park facilities with maintenance, construction and other activities. (Ord. 92-33 §1(Exh. A)(part), 1992: Ord. 83-55 §1(part), 1983: Ord. 78-13 §1, 1978).

9.04.020 Facility Reservation.

To provide advance reservation of park facilities, the following procedures are adopted:

- (1) A formal application must be made through the Public Works Department to reserve any public park and recreation facility for the exclusive use of a particular group.
- (2) All fees and any required deposit must be paid at the time the reservation is made. Field users may pay field rental charges in installment payments as agreed upon by the Public Works Director, or designee. Fees shall be set by the City Council in the Master Fees and Charges Resolution.
- (3) A responsible person, 18 years or older, must sign the application and be present at the function.
- (4) Primary field reservations shall be made through the Tigard Field Use Committee comprised of Tigard-based non-profits benefiting Tigard youth, including, but not limited to, Tigard-Tualatin School District 23J, Tigard Little League, and Southside Soccer Club.
- (5) The number of persons allowed in the total reservation and for each separate reservation shall be set by the Public Works Director, or designee. The policy for allowable reservations shall be routinely reviewed and adjusted to meet the purpose of reservations as stated in 9.04.010. Capacity shall not be exceeded at any given time unless approved by the Public Works Director, or designee.
- (6) City of Tigard sponsored activities shall have first priority for the use of park facilities and shall reserve space for their programs and activities first. The second priority for park field scheduling is for the members of the Tigard field use committee. All other park users will be scheduled on a first-come, first-serve basis.
- (7) Park reservations allow for exclusive use of those areas indicated on the permit only. At no time will the reserving party block or inhibit in any way access to other areas or facilities. No "roping off" of specific areas is allowed.

(8) (A) Additional costs incurred by the City because of abuse or excessive cleanup and/or repair, as determined by the Public Works Director, or designee, shall be charged to the reserving group creating the added cost.

(B) Fees for special equipment, circumstances, and/or personnel unknown or unreported at the time of application will be billed to the person in charge after the activity and upon computation of the charge.

(C) An advance deposit may be required at the time of application. Deposits may be retained to cover additional costs and fees as outline in 8(A) and (B) above. Deposits may be used to reimburse the City for violations of City codes and policies, misuse of, or damage to property. The amount of deposit retained shall be determined by the Park and Facilities Manager. Any disagreement concerning the retention of deposit may be appealed to the Public Works Director, or designee, in writing within 30 days of notice of retention.

(9) (A) Use of Tigard parks for profit making activities by an individual or organization is regulated by Section 7.52.080 of this code.

(B) Fundraising activities by state of Oregon designated nonprofit organizations or individuals must be approved by the Public Works Director, or designee. (Ord 03-08, Ord. 92-33 §1(Exh. A) (part), 1992; Ord. 83-55 §1(part), 1983; Ord. 80-95 §2, 1980; Ord. 80-83 §3, 1980; Ord. 78-13 §2, 1978).

(10) A formal application must be made to the Public Works Director, or designee, for the reservation of an entire park for the exclusive use of a particular group.

9.04.040 Refund Of Fees And Change In Reservation.

(a) Any group seeking a credit or refund because of inability to use facilities as requested shall submit a written statement of credit or refund request. In no case shall the application fee be eligible for credit or refund.

(b) All credit or refund requests must be approved by the Public Works Director, or designee.

(c) No credit or refunds shall be made to any individual or organization based on weather conditions.

(d) Requests for credits or refunds must be made two weeks prior to the reserved date.

(e) The City reserves the right to cancel any scheduled usage of a park facility at any time. Every effort shall be made to find an acceptable alternative date or location. A full credit or refund including the application fee shall be issued when the City cancels a reservation. .

9.04.050 Repealed By Ord. 92-33.

9.04.060 Waiver Of Fees.

The Public Works Director, or designee, shall hear appeals to waive fees. (Ord. 92-33 §1(Exh. A)(part), 1992; Ord. 86-27 §2, 1986). •

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The City Manager or designee has the authority to adopt and amend administrative rules and supplemental regulations related to the provisions of park facility reservations.

9.04.010 Purpose.

The purposes of these rules and regulations are to:

- (1) Facilitate maximum use of public facilities by the general public/citizens of Tigard;
- (2) Coordinate the use of park facilities, thus assuring maximum opportunity for use through the convenience of advance reservations;
- (3) Provide for use of park facilities at minimal cost to by the general public/citizens of Tigard, but where exclusive use takes place, or special handling is required, to assess the appropriate fees/recover associated costs;
- (4) Coordinate the public use of park facilities with maintenance, construction and other activities. (Ord. 92-33 §1(Exh. A)(part), 1992; Ord. 83-55 §1(part), 1983; Ord. 78-13 §1, 1978).

9.04.020 Facility Reservation.

~~In order to~~To provide for the convenience of advance reservation of park facilities, the following procedures are adopted:

(1) ~~The A~~A formal application must be made through ~~City Hall~~the Public Works Department to reserve any public park and recreation facility for the exclusive use of a particular group.

(2) ~~(A)~~ All applications shall include the name of the organization/group, the facility requested, date and time requested, name, address and phone number of person in charge, type of activity and any special requests.

~~(B2)~~ All fees and any required deposit must be paid at the time the reservation is made. Field users may pay field rental charges in installment payments as agreed upon by the City Manager/Public Works Director or designee. Fees shall be set by ~~resolution of the City Council in the Master Fees and Charges Resolution.~~

(3) A responsible person, ~~in charge~~ 18 years or older, ~~must~~ sign the application and be present at the function.

(4) ~~Not for profit league field users, including, but not limited to, School District 23J, Tigard Little League and Tigard Soccer Association shall reserve fields through the Tigard field use committee.~~Primary field reservations shall be made through the Tigard Field Use Committee comprised of Tigard-based non-profits benefiting Tigard youth, including, but not limited to, Tigard-Tualatin School District 23J, Tigard Little League, and Southside Soccer Club.

(5) ~~Total reservations at any one time shall not exceed five hundred people.~~The number of persons allowed in the total reservation and for each separate reservation shall be set by the Public Works Director or designee. The policy for allowable reservations shall be routinely reviewed and adjusted to meet the purpose of reservations as stated in 9.04.010. Capacity shall not be exceeded at any given time unless approved by the Public Works Director or designee.

(6) City of Tigard sponsored activities shall have first priority for the use of park facilities and shall reserve space for their programs and activities first. The second priority for park field scheduling is for the members of the Tigard field use committee. All other park users will be scheduled on a first-come, first-serve basis ~~year~~ around-up to one year in advance.

(7) Park reservations allow for exclusive use of those areas indicated on the permit only. At no time will the reserving party block or inhibit in any way access to other ~~parts~~ areas of or facilities in the park. No "roping off" of specific areas is allowed.

(8) (A) Additional costs incurred by the City because of abuse or excessive cleanup and/or repair, as determined by the ~~Public Works~~ Public Works ~~department~~ Director, or designee, shall be charged to the reserving group creating the added cost. ~~All such excessive cleanup and/or repair shall be documented by the public works crew, including photographs, and filed with the City Manager or designee.~~

(B) Fees for special equipment, circumstances, and/or personnel unknown or unreported at the time of application will be billed to the person in charge after the activity and upon computation of the charge.

(C) An advance deposit may be required at the time of application. Deposits may be retained to cover additional costs and fees as outline in 8(A) and (B) above. Deposits may be used to reimburse the City for violations of City codes and policies, misuse of, or damage to property. The amount of deposit retained shall be determined by the Park and Facilities Manager. Any disagreement concerning the retention of deposit may be appealed to the Public Works Director or designee in writing within 30 days of notice of retention.

(9) (A) Use of Tigard ~~city~~ parks for profit making activities by an individual or

~~organization not defined as a nonprofit organization by the state is~~ is regulated by Section 7.52.080 of this code.

(B) Fundraising activities by state of Oregon designated nonprofit organizations or individuals must be approved by the ~~City Manager~~ Public Works Director or designee. (Ord 03-08, Ord. 92-33 §1(Exh. A) (part), 1992; Ord. 83-55 §1(part), 1983; Ord. 80-95 §2, 1980; Ord. 80-83 §3, 1980; Ord. 78-13 §2, 1978).

(10) A formal application must be made to the Public Works Director or designee for the reservation of an entire park for the exclusive use of a particular group.

9.04.040 Refund Of Fees And Change In Reservation.

(a) Any group seeking a credit or refund because of inability to use facilities as requested shall submit a written statement of credit or refund request, to include: In no case shall the application fee be eligible for credit or refund.

~~(1) Name of group, address and telephone;~~

~~(2) Name, address and phone number of persons/group to whom refund is to be paid;~~

~~(3) The reason for seeking the refund and the amount requested;~~

~~(4) In no case shall the application fee be eligible for refund.~~

(b) All credit or refund requests must be approved by the ~~City Manager~~ Public Works Director or designee.

(c) No credit or refunds shall be made to any individual or organization based on weather conditions.

(d) Requests for credits or -refunds must be made two weeks prior to the reserved date.

(e) The City reserves the right to cancel any scheduled usage of a park facility at any time.

Every effort shall be made to find an acceptable alternative date or location. A full credit or refund including the application fee shall be issued when the City cancels a reservation. (~~Ord. 03-08, Ord. 92-33 §1(Exh. A)(part), 1992; Ord. 83-55 §1(part), 1983; Ord. 78-13 §4, 1978~~).

9.04.050 Repealed By Ord. 92-33.

9.04.060 Waiver Of Fees.

The ~~Figard City Council~~Public Works Director or designee shall hear appeals to waive fees. (Ord. 92-33 §1(Exh. A)(part), 1992; Ord. 86-27 §2, 1986). •