

ORDINANCE NO. 14,305

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,946, passed May 7, 2001, by amending Sections 74-61, 74-101, 74-114, 74-177 and 74-178 thereof, regarding the deletion of responsibility for the operation of the Botanical Center from the Park and Recreation Department.

Be It Ordained by the City Council of the
City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,946, passed May 7, 2001, is hereby amended by amending Sections 74-61, 74-101, 74-114, 74-177 and 74-178, regarding the deletion of responsibility for the operation of the Botanical Center from the Park and Recreation Department, as follows:

Sec. 74-61. Horticulture division.

(a) The horticulture division of the park and recreation department shall be supervised by an administrator, the horticulture manager, who shall be responsible to the park and recreation director for its activities.

(b) This division shall provide a variety of culturally and educationally enriching exhibits related to plants; also, activities in citizen education, floral plantings, volunteer services, public information, employee training. This division shall also perform such other duties as may be assigned by the park and recreation director.

Sec. 74-101. Park facility hours.

The hours of operation for all public parks, community centers, and city recreational facilities, except for the Botanical Center, shall be established by the Des Moines park and recreation board and must receive two readings for final

approval. The park and recreation director shall thereafter have authority to adjust park and recreation facility hours, except for the Botanical Center, for a period of one season, unless otherwise directed by the Des Moines park and recreation board. For the purposes of this section, "one season" shall mean the first weekend in April through the last weekend in October and the Monday following the last weekend of October up to the first weekend in April.

(a) No person shall remain in any public park, community center or city recreational facility during the periods of time set by this section unless special permission shall have been given by the park and recreation director for such persons or group of persons to remain there.

(b) No person shall remain in or on any city park, inclusive of municipal golf courses, and Waveland tennis courts, from one-half hour after sunset to 6:00 a.m. during central standard time.

(c) Exceptions are made for:

(1) Clubhouses and related facilities on golf courses. These facilities may remain open until 2:00 a.m., central standard time.

(2) Concerts at the Simon Estes Amphitheater. This facility may remain open until 12:00 midnight central standard time.

(3) Birdland Tennis Courts. This facility may remain open until 11:00 p.m.

(4) Birdland Marina. This facility may remain open until 11:00 p.m.

Sec. 74-114. Photographs and cinematic productions.

No person shall take still photographs for a commercial purpose or engage in cinematic production for any commercial purpose in any park, recreation facility or park road, exclusive of the Botanical Center or zoo, without a permit from the park and recreation director. No such permit shall be required of a commercial photographer who has been hired for the occasion to take still photographs or motion pictures of a group or gathering in any such locations. No person shall take still photographs for a commercial purpose at the Blank Park Zoo without prior approval of the park and recreation director or his or her designee.

Sec. 74-177. Repealed by Ord. No. 14,---

Sec. 74-178. Temporary concession fees.

In addition to payment of all other required fees, the following fees shall be paid for use of park facilities for temporary concession purposes:

		Percentage of Gross Revenue
1	Category one. Gray's Lake, Sec Taylor Stadium, Des Moines Botanical Center, Birdland Marina, swimming pools and family aquatic centers, Simon Estes Amphitheater	14
2	Category two. Greenwood Park, Ewing Park, community centers	13
3	Category three. Birdland Tennis Courts, Waveland Tennis Courts, Birdland Baseball and Softball Fields, Carney Softball Fields, Savage Softball Fields	12
4	Category four. Recreational trails, riverfront areas, all remaining park and recreation facilities nine acres and greater	10
5	Category five. Improved park and recreation facilities less than nine	9

	acres	
6	<i>Category six.</i> Unimproved park and recreation facilities less than nine acres:	
	No. of Persons Attending	Charge Per Day
	Less than 100	\$ 50.00
	100 - 999	\$ 100.00
	1,000 - 1,999	\$ 150.00
	2,000 - 2,999	\$ 200.00
	3,000 - 3,999	\$ 250.00
	4,000 - 4,999	\$ 300.00
	5,000 - 5,999	\$ 350.00
	6,000 - 6,999	\$ 400.00
	7,000 - 7,999	\$ 450.00
	8,000 - 8,999	\$ 500.00
	9,000 - 9,999	\$ 550.00
	10,000 and greater	\$ 600.00

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an

ordinance (Roll Call No. 03-2918), passed by the City Council of said City at a meeting held December 22, 2003 signed by the Mayor on December 22, 2003 and published as provided by law in the Business Record on January 5, 2004 Authorized by Publication Order No.4013.

Diane Rauh, City Clerk