



Date April 12, 2010


An Ordinance entitled, " 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. 13,887 passed November 20, 2000, and Ordinance No. 13,916 passed February 12, 2001, and Ordinance No. 13,929 passed March 12, 2001, and Ordinance No. 14,011 passed November 5, 2001, and Ordinance No. 14,063 passed March 18, 2002, and Ordinance No. 14,085 passed May 6, 2002, and Ordinance No. 14,086 passed May 6, 2002, and Ordinance No. 14,193 passed December 18, 2002, and Ordinance No. 14,217 passed March 24, 2003, and Ordinance No. 14,305 passed December 22, 2003, and Ordinance No. 14,315 passed February 9, 2004, and Ordinance No. 14,423 passed March 28, 2005, and Ordinance No. 14,424 passed March 28, 2005, and Ordinance No. 14,436 passed April 25, 2005, and Ordinance No. 14,525 passed December 19, 2005, and Ordinance No. 14,543 passed February 20, 2006, and Ordinance No. 14,633 passed March 12, 2007, and Ordinance No. 14,641 passed April 9, 2007, and Ordinance No. 14,737 passed January 7, 2008, and Ordinance No. 14,754 passed April 21, 2008, and Ordinance No. 14,771 passed June 9, 2008, and Ordinance No. 14,843 passed March 23, 2009, and Ordinance No. 14,847 passed April 20, 2009, and Ordinance No. 14,912 passed January 11, 2010, by amending Sections 74-175, 74-176, 74-178, 74-179, 74-180, 74-181, 74-182, 74-183, 74-185, 74-186 and 74-187, and by repealing Section 74-185.1 of Chapter 74, Article VI, relating to various park and recreation fees",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


Ann DiDonato
Assistant City Attorney

(Council Communication No. 10-180)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

ORDINANCE NO. _____

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. 13,887 passed November 20, 2000, and Ordinance No. 13,916 passed February 12, 2001, and Ordinance No. 13,929 passed March 12, 2001, and Ordinance No. 14,011 passed November 5, 2001, and Ordinance No. 14,063 passed March 18, 2002, and Ordinance No. 14,085 passed May 6, 2002, and Ordinance No. 14,086 passed May 6, 2002, and Ordinance No. 14,193 passed December 18, 2002, and Ordinance No. 14,217 passed March 24, 2003, and Ordinance No. 14,305 passed December 22, 2003, and Ordinance No. 14,315 passed February 9, 2004, and Ordinance No. 14,423 passed March 28, 2005, and Ordinance No. 14,424 passed March 28, 2005, and Ordinance No. 14,436 passed April 25, 2005, and Ordinance No. 14,525 passed December 19, 2005, and Ordinance No. 14,543 passed February 20, 2006, and Ordinance No. 14,633 passed March 12, 2007, and Ordinance No. 14,641 passed April 9, 2007, and Ordinance No. 14,737 passed January 7, 2008, and Ordinance No. 14,754 passed April 21, 2008, and Ordinance No. 14,771 passed June 9, 2008, and Ordinance No. 14,843 passed March 23, 2009, and Ordinance No. 14,847 passed April 20, 2009, and Ordinance No. 14,912 passed January 11, 2010, by amending Sections 74-175, 74-176, 74-178, 74-179, 74-180, 74-181, 74-182, 74-183, 74-185, 74-186 and 74-187, and by repealing Section 74-185.1 of Chapter 74, Article VI, relating to various park and recreation fees.

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. 13,887 passed November 20, 2000, and Ordinance No. 13,916 passed February 12, 2001, and Ordinance No. 13,929 passed March 12, 2001, and Ordinance No. 14,011 passed November 5, 2001, and Ordinance No. 14,063 passed March 18, 2002, and Ordinance No. 14,085 passed May 6, 2002, and Ordinance No. 14,086 passed May 6, 2002, and Ordinance No. 14,193 passed December 18, 2002, and Ordinance No. 14,217 passed March 24, 2003, and

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Sec. 74-175. Portable Picnic Table Rentals.

Rentals will be offered until December 31, 2010. Beginning January 1, 2011, no picnic table rentals will be provided.

Fees for portable picnic tables rentals are as follows:

8 foot table, per table	\$6.00
Delivery fee - Monday thru Friday 8:00 a.m to 5:00 p.m.	\$60.00
Delivery fee - after 5:00 and weekends	\$100.00

Sec. 74-176. Ball diamonds, tennis, volleyball court and soccer fields.

- (a) *Scope.* Fees for use of city ball diamonds, volleyball courts and soccer fields and for tennis shall be as provided in this

section.

(b) Ball diamonds. Fees for use of ball diamonds for private use at Carney, Chesterfield, Savage, Stone, Birdland, Cownie Baseball Park and Greater Des Moines Softball Park. No charge for educational institutions.

(c) *Ball diamonds.* Fees for use of ball diamonds for private use at Carney, Chesterfield, Savage, Stone, Birdland, Cownie Baseball Park and Greater Des Moines Softball Park, shall be as follows:

(1) Tournament Field Rental - \$65.00 per field per day.

(2) Tournament Field Rental after 5:00 p.m. - \$35.00 per field per day.

(3) Tournament Admission fees - \$50.00 per team for tournament rentals at baseball diamonds.

(43) Tournament fees include lining and chalking every three games. Each additional line and chalk - \$15.00 per field per lining.

(54) Rental for Games and Practices (Leagues) - \$15.00 per hour before 6:00 p.m.

(65) Rental for Games and Practices (Leagues) - \$25.00 per hour after 6:00 p.m.

Leagues are defined as uses that charge a fee to participate in such league and use City owned facilities for scheduling practices and games.

(76) Rental for Practices (Neighborhood Use) - \$6.00 per hour before 6:00 p.m.

(87) Rental for Practices (Neighborhood Use) - \$12.00 per hour after 6:00 p.m.

Neighborhood Use is defined as use by non-profit or non-commercial organization or persons for practices scheduled and paid for by the team using the field.

(98) Rental for Games and Practices (Adult Baseball) \$6.00 per hour before 6:00 p.m.

(109) Rental for Games and Practices (Adult Baseball) \$12.00 per hour after 6:00 p.m.

Adult Baseball is defined as an independent adult league using Birdland Baseball Field

~~(d) Tennis. Entry fees for tennis tournaments shall be as follows:~~

~~(1) Private tennis tournament (city):~~

~~a. Adult entry - \$1.25~~

~~b. Youth entry - \$0.75~~

~~(2) Park and recreation tennis tournament (city):~~

~~a. Age 19 and over - \$5.20~~

~~b. Under age 19 - \$1.50~~

(de) Soccer park field. Rental fees for the soccer park shall be as

follows:

- (1) Tournament (per field per day/
minimum of four fields) \$120.00
- (2) League (per match) \$ 60.00
- (3) Recreational tournament \$ 10.00/team
- (4) Competitive tournament \$ 25.00/team
- (5) Stadium (per match) \$ 75.00
- (6) Lights (per match) \$ 30.00
- (7) Parking fee per vehicle \$5.00 per day or
\$10.00 per weekend

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 related to food, beverage and novelty items less than \$10.00 each. The payment for the sale of items which cost more than \$10.00 each or special service items shall be negotiated in a separate agreement and approved by the park and recreation director and the city manager:

		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 acres	9
6	Category six. 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. 74-179. Park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street a/k/a "Western Gateway Park"- rentals.

For the purposes of this section "Facility Use Outdoor rooms" shall be considered the area of ambience around a specific sculpture or grouping of sculptures within the John and Mary Pappajohn Sculpture Park and the "lawn areas" shall be the open space surrounding the Pappajohn Higher Education Center and the Central Des Moines Public Library.

Item	Fee	Date Due
Facility Use Outdoor rooms	\$1,500/half day (6 hours)	25% deposit at booking, balance due 15 days prior to event
Facility Use Outdoor rooms	\$3,000/day (during park hours)	25% deposit at booking, balance due 15 days prior to event
Facility Use (lawn areas)	\$500/day (during park hours)	25% deposit at booking, balance due 15 days prior to event
Set-up/tear down (rooms)	\$500/half day (6 hours)	Does not include hours when park is closed
Set-up/tear down (lawn)	\$100/half day (6 hours)	
Clean up if required by City	\$40/hour per staff position	Billed to event after event
Seeding if required	\$3/square yard	Billed to event
Sodding if required	\$10/square yard	Billed to event
Repair of Damage	Actual cost of replacement	Billed to event

Sec. 74-180. Community center building rentals.

Community center building rental fees shall be as follows:

	Per Hour Regular	Holidays and Non-operating Hours
Class I governmental, and public school and recognized Neighborhood Association uses where no fee or admission is charged. This is during regular operating hours only. Class II fee will be charged at other times	No charge	No charge
Class II private use and public admissions where no fee or admission is charged and nothing is sold:		
Meeting room	\$10.00 <u>20.00</u>	\$20.00 <u>40.00</u>
Multipurpose room	\$15.00 <u>25.00</u>	\$25.00 <u>50.00</u>
Gymnasium	\$20.00 <u>30.00</u>	\$30.00 <u>60.00</u>
Kitchen. This fee is a flat fee with the rental of another room	\$ 5.00	\$ 5.00
Damage deposit	\$50.00	\$ 50.00
Class III private use and public admission where a fee or admission is charged and/or where something is sold:		

	Meeting room	\$20.00	\$30.00
	Multi purpose room	\$30.00	\$40.00
	Gymnasium	\$40.00	\$50.00
	Kitchen. This fee is a flat fee with the rental of another room	\$10.00	\$10.00
	Damage deposit	\$50.00	\$50.00
Class <u>III</u> City-managed community centers-adults 19-59 years:			
	Per person per entry	\$ 1.00	
	Monthly pass	\$12.00	
Class <u>IV</u> City-managed community centers-ages under 19 and over 59		Free	Free

Sec. 74-181. Golf courses.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Weekdays are Monday through Friday.

Weekends are Saturday and Sunday.

(b) *Greens fees.* The golf course greens fees listed in subsections (b)(1) and (2) of this section are total costs which include irrigation, reservation, and tax. Greens fees for golf courses shall be as follows:

(1) *Daily greens fees:*

	<u>Established Since 2008 Fees</u>
Nine Holes - weekday - Grandview	\$ 8.00
Blank	\$12.00
Waveland	\$16.00
Eighteen Holes - weekday -	

Grandview	\$13.00
Blank	\$17.00
Waveland	\$20.00
Third Nine	\$9-hole rate
Fourth Nine	\$9-hole rate
Nine Holes - weekend - Grandview	\$12.00
Blank	\$16.00
Waveland	\$19.00
Nine Holes - weekend special (before 8:00 am & after noon to twilight)	\$ 8.00
Grandview	\$12.00
Blank	\$16.00
Waveland	
Eighteen Holes -weekend = Grandview	\$22.00
Blank	\$26.00
Waveland	\$30.00
Eighteen Holes-weekend special (between noon and twilight)	\$13.00
Grandview	\$17.00
Blank	\$20.00
Waveland	
Twilight rate	\$13.00

(2) Youth mentor rates. For youth (under 18) playing with a paying adult, Monday through Friday and after noon on Saturday and Sunday. No charge for the youth. Does not include badges.

(3) *Green Fees College/Military.* College students or active military personnel with a valid ID fees for golf shall be as follows:

	<u>Established</u> <u>Since 2008 Fees</u>
Nine holes - weekday Grandview	\$ 6.00
Blank	\$ 9.00
Waveland	\$12.00
Eighteen holes - weekday Grandview	\$ 9.75
Blank	\$12.75
Waveland	\$15.00
Nine holes - weekend Grandview	\$ 9.00
Blank	\$12.00
Waveland	\$14.25
Eighteen holes - weekend	

Grandview	\$16.50
Blank	\$19.50
Waveland	\$22.50

(c) *Season badges.* All badges are valid for play Monday, Tuesday, Wednesday, Thursday and rounds beginning before 12:00 noon on Fridays. Fees for golf badges shall be as follows:

	<u>Established</u> <u>Since 2008 Fees</u>
Unrestricted badge - Grand View	\$1,125.00
Restricted badge -	\$750.00
Senior (<u>age 62 and up</u>) badge	\$430.00
Husband & wife <u>Spouse</u> badge	\$1,075.00
Senior husband & wife <u>Spouse</u> badge	\$700.00
Junior (<u>17 and under</u>) badge	\$160.00
Half-year season badge	50% of badge fee (available after August 1)

(d) *Capital Improvement Charge.* For senior badgeholders, senior husband and wife badgeholders and junior badgeholders, the fee shall be \$2.00 per round

(e) *Private golf carts.* The fee for use of private golf carts shall be one of the following:

- (1) Registration fee - \$100.00, plus a Daily Trail fee, per course, per cart - \$8.00; or
- (2) Season cart badge - \$500.00

(f) *Golf cart rental.* Golf cart rental fees shall be as follows:

	<u>Established</u> <u>Since 2008 Fees</u>
Nine holes cart -	\$21.00
Eighteen holes cart -	\$28.00
Nine holes special -	\$18.00
Eighteen holes special before 11:00 a.m.) -	\$22.00
Nine hole ½ cart -	\$10.50
Eighteen hole ½ cart -	\$14.00
Nine holes special 1/2 cart	\$9.00
Eighteen holes special 1/2 cart	\$11.00

(g) *Miniature golf course fees* shall be as follows:

Child (age 4 and under)	Free
Child (age 5 through 12)	\$ 5.00
Adult (age 13 and older)	\$ 7.00
Groups of 10 or more	\$ 5.00

Sec. 74-182. Lodge, park shelter and other park rentals.

Fees for lodges, park shelter and other park rentals shall be as follows:

- (1) *Waveland Lodge*. Available October 1 through Christmas for non-golf functions and evenings on a limited basis January 1 through March 31, per hour - \$40.00
- (2) *Sylvan Theater* (electricity \$15.00 extra)
 - a. Fee Based Event - \$750.00 for 1/2 day (sunrise to 1:00 or 2:00 to sunset)
 - b. Weddings/Private Parties - \$300.00 first two hours (minimum) - \$150.00 each additional hour
- (3) *Garden reservation fee*. For one-hour session, must specify garden area:
 - a. *Clare and Miles Mills Rose Garden*:
\$300.00 first two hours (minimum) - \$150.00 each additional hour
 - b. *Union Formal Garden*: - \$15.00
- (4) *Shelter houses*. Unless otherwise specified, shelter houses are reserved by session from 10:00 a.m. to 3:00 p.m.; or 4:00 p.m. to 9:00 p.m.
 - a. *Enclosed Shelters (Greenwood, Pioneer, MacRae and Union)*: \$40.00 per session
 - b. *Birdland and Grandview South*: - \$60.00 per session
 - c. *Martin Luther King Jr. Shelter* - \$25.00 per hour for the first two hours (minimum requirement)
\$20.00 for the third hour
\$15.00 for each hour thereafter
(above session times do not apply)
 - d. *Open air shelters* (reserved for only one group per day): - \$30.00
- (5) *Gray's Lake Park*. - (Items b, c, and 6 to take effect January 1, 2011.)
 - a. *Overlook Terrace Rentals* - \$50.00 per section per 3 hour block
 - b. *Designated open space rental* - \$250.00 per half day (6 hours)
 - c. *Event parking (south of Terrace)* - \$50.00 for three hours increments
 - d. *Boat rentals* - \$5.00 per one-half hour
- (6) *Trail Event Use Fees*. - \$250.00 per event with 100 or more participants for events/activities collecting donations or charging an entrance fee.
- (75) *Cabins*. Overnight at Ewing Scout Camp, cabin III, weekends only, per night - \$40.00
- (86) *Special service fees*:

- a. Transport, set up, remove bleachers (two sets) - \$150.00
- (97) Miscellaneous:
 - a. Electric use permit - \$25.00
 - ~~b. Commercial photography (per day):~~
 - ~~1. Still photography \$25.00~~
 - ~~2. Movie and television photography \$50.00~~
 - be. Equipment rental:
 - 1. Priced \$2.00 to \$12.00 per item
 - 2. Late fee for each day late - \$5.00
- ~~-(108) Wading pool rental. Available during playground season only, per hour (minimum three hours) - \$20.00~~

Sec. 74-183. Aquatic centers, swimming pools and marina.

Fees for use of city aquatic centers, swimming pools and the marina shall be as follows:

- (1) Northwest, Nahas, Teachout, Birdland Aquatic Centers and Ashworth Pool admissions*:
 - a. Children (under 3 years) - Free
 - b. Youth (3 through 20 years) - \$2.00
 - c. Students (8 to 15 years) - \$2.00
 - d. Adults (21 years and over) - \$4.00

*Half price admission after 5:00 on weekdays

- (2) Season swim passes at aquatic centers and swimming pools:

a.		Early Bird Rate	Price
	Single	\$40.00	\$45.00
	First two people in family or shared residence	\$75.00	\$80.00
	Additional family member	\$25.00 each, with \$120.00 max	\$300.00 each with \$140.00 max.
	Replacement tags	\$ 3.00	\$3.00
b.	Youth agency:		
	1 day a week child		\$15.00
	2 day a week child		\$25.00
	3 day a week child		\$30.00
c.	Replacement tags	\$ 3.00	\$ 3.00

- (3) Pool rental (private use). All rentals are usually after hours, exceptions may be made by approval of the park and recreation director. ~~The park and recreation director has the option to waive the fee:~~

Private rental, per hour - \$110.00
 Plus, per person after 50 persons - \$1.00

- (4) Pool rental (athletic programs and swim meets).

- a. Athletic Programs
 - Participant fee \$7.00/hr. \$8.00/hr. \$9.00/hr.
 - Plus Hourly Rental \$12.00/hr.
 - b. Swim meets
 - Exclusive use \$250.00 per day
 - Non-exclusive use \$125.00 per day
- (5) Birdland Marina moorage fees. All moorage fees include tax. All rentals are based on availability:
- a. Seasonal:
 - 1. Double access, long length - \$496.00
 - 2. Double access, regular length - \$492.00
 - 3. Single access, regular length - \$466.00
 - b. Monthly, single access only - \$165.00
 - c. Weekend rate, in after 12:00 noon on Friday, out by 6:00 p.m. Sunday - \$38.50

Sec. 74-185. Simon Estes Riverfront Amphitheater fees.

~~(a) Concert admission. Fees for attendance at concerts sponsored or presented by the city shall be as follows:~~

_____	Under 12 years of age:	Free
_____	12 years and older	\$8.00
_____	Season pass	(Cost of total concert series less one)

~~(ab) Electricity. Fees for use of electricity at the amphitheater, per session, shall be as follows:~~

- ~~(1) Additional electrical hookup for plaza area . \$ 50.00~~
- ~~(2) Additional electrical panel for stage area . 150.00~~

~~(be) Rental fees. Rental fees for the use of the amphitheater shall be as follows:~~

- ~~(1) Free Public Event.~~
 - ~~a. Per four-hour session\ \$500.00~~
 - ~~Plus, for each additional hour\\$100.00~~
- ~~(2) Fee Based Event.~~
 - ~~a. Per four-hour session\\$750.00~~
 - ~~Plus, for each additional hour\175.00~~
 - ~~b. Fourteen percent (14%) of gross revenue from vending.~~
- ~~(3) Weddings/Private Parties.~~
 - ~~a. Per four-hour session\\$400.00~~
 - ~~Plus, for each additional hour\75.00~~

Sec. 74-185.1. ~~Showmotion Stage.~~ Repealed by Ord. No. 14, ---.

~~_____ Fees for the use of the showmotion stage shall be provided in this section as follows:~~

_____	(a) Rental Fee	
_____	Park Event	\$300.00
_____	Public Event Co-sponsored	300.00
_____	Local Event	\$500.00
_____	Out of City Event	\$1,000

(b)	Staff Charges (apply to all rentals)	
	4 hour minimum	\$160.00
	Addition hours after 4 hour minimum	\$ 40.00/hour
(c)	Miscellaneous Fees	
	Basic Sound System Rental	\$100.00/day
	Additional Stage Section	\$ 15.00/section/day
	Generator rental	25.00/day

Sec. 74-186. Vendor fees.

- (a) The following fees shall be required of all vendors selling food, beverage, and other items at city or non-city sponsored events in city parks and recreation facilities:
 - (1) Non-refundable application fee - \$20.00.
 - (2) Season fee (first weekend in April through the second weekend in October) - \$850.00.
 - (3) Daily/single event fee - \$150.00 per day.
- (b) All vendors on city parks and recreation facilities must receive prior permission from the park and recreation department. All such vendors are subject to the provisions of section 78-74 of this Code.

Sec. 74-187. Set program fees and authority to make Ttemporary fee adjustments.

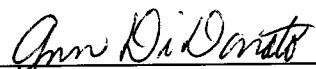
~~Fees as determined in sections 74-176 through 74-186, and section 34-69 of this article may be changed at the discretion of the park and recreation director upon the approval of the city manager for engaging in special projects, programs or promotions that justify such change, including reduced fees to provide access to park and recreation programs and facilities to low income residents.~~

Recreation program fees that are not related to admissions or rental charges established in this section shall be set by the park and recreation director taking into consideration market conditions and direct expenses related to said program offerings. Fees as determined in sections 74-176 through 74-186, and section 34-69 of this code may be changed at the discretion of the park and recreation director upon the approval of the city manager for engaging in special projects, programs or promotions that justify such change, including reduced fees to provide access to park and recreation programs and facilities to low income residents, organizations solely or primarily devoted to serving low income individuals, or not-for-profit agencies. The park and recreation director shall report annually in January to the park and

recreation board on changed fees for the preceding year's activities which were approved by the director.

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