

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE NO. 2008-30

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF CHAPTER 58 OF THE CODE OF ORDINANCES, PERTAINING TO PARKS AND RECREATION; PROVIDING FOR AMENDMENT OF SECTION 58-1 THEREOF, PERTAINING TO DEFINITIONS IN THE RECREATION DIVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to update the City's regulations pertaining to the City's parks and recreation facilities; and

WHEREAS, the City Commission has found that this Ordinance to be in the best interest of the health, safety and welfare of the citizens of the City of St. Pete Beach;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

**Section 1.** Section 58-1 of Article I of Chapter 58 of the Code of Ordinances, pertaining to definitions of terms in the recreation division, is hereby amended as follows:

**Sec. 58-1. Definitions.**

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

*Adult* means an individual over the age of 18 years.

~~*Adult Plus One Play Card* means a play card issued to any adult plus another family member (spouse or dependent child) who live in the same household.~~

*Employee* is an individual, who is occupying a regular or full-time authorized position with the City of St. Pete Beach.

~~*Family Play Card Holder* means a play card issued to one or more adults who live in the same household on a permanent, fulltime basis and their and children who live in the same household. To be eligible for the same, the qualifying children must be unmarried, and under 18 years of age or a full-time college student under 22 years of~~

~~age (ID required). This would also include any legally dependent handicapped adult in the same household.~~

~~*Four Month Play Card Holder* means a play card issued to an individual at least 55 years of age who is not a permanent legal resident of the City of St. Pete Beach.~~

~~*Individual Child/Student Play Card* means a play card issued to any individual under 18 years of age or a full time college student under the age of 22 years of age (ID required).~~

~~*Non-Resident Rates* means rates applying to any individual residing outside the City limits of the City of St. Pete Beach.~~

~~*Play Card* means a card issued by the City, available at a special fee, used to participate in the following open recreational activity times for a period of one year from the date of purchase, with no additional daily fee: open gymnasium, open pool swim, open art studio, and open fitness room.~~

~~*Pre-K child* means a child who is at least five years of age at the time of registration for the programs, as shown on his or her birth certificate.~~

~~*Recreation Card* means a card needed to participate in recreational activities for the period of one year from the date of purchase, and which also requires a daily fee for use of the open gymnasium, fitness room, arts studio and swimming pool.~~

~~*Resident* means a person or the minor children of a person who owns or leases real property within the city limits or who maintains either a voting residence or bona fide occupancy within the city limits of St. Pete Beach.~~

~~*Senior Play Card* means a play card issued to any individual 55 years of age or older.~~

~~*Senior Adult +1 Card* means a Play Card issued two individuals both of whom are 55 years of age or older.~~

~~*Daily Visitors' Pass* means a pass issued to an individual who may participate in recreational activities for the period of one day.~~

~~*Youth* means any individual between three and 18 years of age.~~

~~*Pool Admission Pass: A multiple admission pass at a reduced fee.*~~

**Section 2.** Subsection (b) of Section 58-1 of Article I of Chapter 58 of the Code of Ordinances, pertaining to fees for recreation facilities, is hereby amended as follows:

(a) Tax is included in all recreation fees; excluding rentals and memberships.

(b) Two (2) proofs of residency are required for the purchase of either a Recreation Card or a Play Card. Recreation Cards and Play Cards shall be valid for one year from the date of purchase.

**Section 3.** Subsection (f) of Section 58-1 of Article I of Chapter 58 of the Code of Ordinances, pertaining to fees for recreation facilities, is hereby amended as follows:

(f) Fees shall be charged for the following:

1. Recreation Cards:
  - a. Resident fee
  - b. Nonresident fee
2. Play Cards:
  - a. Resident:
    - (1) ~~Youth/ Senior Fee~~
    - (2) ~~1b. Adult Fee~~
    - (3) ~~1c. Adult + 1 Fee~~
    - (4) ~~1d. Family Fee~~
    - (5) ~~1e. Senior Adult +1~~
  - b. Non-Resident:
    - (1) ~~Youth/ Senior Fee~~
    - (2) ~~Adult Fee~~
    - (3) ~~Adult +1 Fee~~
    - (4) ~~Family Fee~~
    - (5) ~~Four Month Pass Fee;~~
    - (6) ~~Senior Adult +1~~
3. Daily pool admission fee with or without Recreation card.
4. Camp Programs:

Children who attend or have completed kindergarten through 5th grade are eligible, for a minimum eight-hour per day, per person. ~~The entire fee for the program shall be paid two weeks (14 days) prior to the first day of the program and shall be based upon a weekly rate to participate in camp programs. Residents and non-residents shall purchase either a Recreation Card or a Play Card before or at the time of camp registration.~~

The City Manager or his/her designee shall adjust the fees for resident parents or guardians of the child participating, who prove financial hardship in accordance with the criteria established by the Commission for granting such adjustments.

5. Instructor's fees.  
~~All fees for instructed classes, workshops and seminars shall be paid in advance to the City. The City shall pay each instructor 75% of the gross collected from his/her students, excluding any surcharge fee. Each instructor shall provide the city with 25% of the instructor fees collected from their students and 100% of any class surcharge per month to be paid on the first workday following month.~~
6. ~~Pool Heater Surcharge~~ There shall be a heater surcharge to the daily user fee for all pool participants when the pool heater is operating. This will include the cost to pool instructed class participants and the cost of pool rentals during that same time period.
7. Sports Leagues
- a. Adult sport leagues, per team, per season ~~game (individual nonresident membership fee does not apply)~~
- (1) ~~A resident team consists of two or fewer nonresidents, or is a team sponsored by a business or company with a current occupational license on file with the city;~~
- (2) ~~A non resident team consists of more than two nonresidents.~~
- b. Children's sport leagues, per person, per season:
8. ~~Non-resident Class Surcharge~~
- ~~A twenty percent (20%) twenty-five (25%) surcharge shall be added to any ~~instructor~~ class fee when the participant does not have a card ~~an annual or daily pass.~~~~
9. Staff Programs
- Fees shall be established for programs conducted by City recreation staff to cover the costs associated with the program.

**Section 4.** Section 58-5 of Article I of Chapter 58 of the Code of Ordinances, pertaining to rental fees for City facilities, is hereby amended as follows:

**Sec. 58-5. Rental fees.**

- (a) Rental fees for city-owned facilities shall be as approved by the City Commission and provided in Appendix "A" to this Code and there shall be a minimum of two hour rental on all facilities during non-business hours.

- ~~(1) A refundable deposit shall be required for all park shelter rentals.~~
- (2) A refundable deposit shall be required for all facilities rentals.
- (3) A non-refundable reservation fee shall be required for pool rentals, which shall be applied to the total rental fee.
- (4) A contractual clean up fee will be added to rentals that have more than 20 people in attendance.

(b) *Nonprofit corporations or charitable organizations.* Nonprofit corporations or charitable organizations recognized by the City may rent city facilities for the resident rate without state tax. To be recognized by the City, an application must be filed with the City Manager, and the applicant shall comply with the following:

- (1) The Non-Profit organization must have a current active registration with the State of Florida;
- (2) The business address of the corporation must be listed as a being within the City boundaries of the City of St. Pete Beach;

(c) Any time City property is approved for private use by any person or group, and such use involves significant risk of loss to the City, the person or group shall be required to provide satisfactory evidence of liability insurance, naming the City as additional insured. Significant risk shall include any use at which alcoholic beverages may be consumed or any use or activity deemed a significant risk by the City Manager. Without limiting the categories of significant risk activities, the following are illustrations of such activities: street fairs, road races on public streets, and animal shows/animal rides and mechanical or inflatable equipment, such as "moonwalks".

(d) St. Pete Beach civic associations shall be exempted from the payment of rental fees.

(e) The Non-Resident hourly rate of facility ~~and pool~~ rentals shall be ~~double~~ one and one-half the resident rate.

~~(f) The hourly rate for the recreation facilities and pool during peak hours (City recognized Holidays shall be 25% higher than the normal \$25.00 per hourly rate.~~

~~(g) The hourly rate for recreation facilities during peak season (November through April) shall be 10% higher than the non-seasonal rate.~~

(f) The Non-Resident hourly rate of the pool rentals shall be twenty-five (%25) more than the resident rate.

**Section 5.** Section 58-20 of Article II of Chapter 58 of the Code of Ordinances, pertaining to definitions of terms in the parks and facilities division, is hereby amended as follows:

**Sec. 58-20. Definitions.**

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

*Department:* City of St Pete Beach Public Services Department;

*Park property:* Includes all areas, buildings, locations and facilities operated and maintained by the department;

*Parking area:* Any designated part of any park or special area contiguous thereto that may be set apart for the standing or stationing of any vehicles;

*City Parks and facilities:* Parks, playgrounds, recreation fields, buildings, piers, shorelines and beaches therein and all public service facilities located on or in grounds, waters, buildings and structures in Pinellas County which are under the control or assigned for upkeep, maintenance or operation by the City of St Pete Beach Public Services Department.

*Person:* Any individual regardless of age or sex, or any corporation, company, association, firm, partnership, club or society, or any association of persons, or any agent or employee thereof; and

*Vehicle:* Any wheeled conveyance (except a baby carriage or wheelchair) for the transportation of persons or materials, whether motorized or not.

**Section 6.** Section 58-29 of Article II of Chapter 58 of the Code of Ordinances, pertaining to advertising, publicity and signs in city parks and facilities, is hereby amended as follows:

**Sec. 58-29. Advertising, publicity and signs.**

(a) No person shall use city park drives or parkways, or enter any city park or recreation area, for the purpose of announcing, displaying, advertising or calling attention to any person, political party, religious institution, or meetings or assemblies thereof, or for the purpose of demonstrating, advertising or calling attention to any article or service for sale or hire, nor shall any signs, slogans, loud speakers or advertising display of any nature, including those placed upon a vehicle, be used for such purposes, except during events or activities approved by the City Manager or his or her designee.

(b) No person shall display, distribute, post or fix any banner, sign, handbill, pamphlet, circular, placard, or any other printed matter containing advertising, within any city park or facility, except where specifically authorized by the department.

"ATTACHMENT A"  
**APPENDIX A FEE SCHEDULE**

This appendix includes all fees and charges established by ordinance of the city commission that do not appear in the Code of Ordinances.

TABLE INSET:

<b>Chapter 58. Parks and Recreation</b>		
58-3	Fees and Memberships:	
58-3c	Returned check fees	25.00
58-3d	Resident Daily use ( <del>visitor</del> ) (with Recreation Card) fees for multi-facilities (gym, arts studio, fitness room)	2.00
	Non-resident Daily use ( <del>visitor</del> ) (without Recreation Card) fees for multi-facilities (gym, arts studio, fitness room)	5.00
58-3g	Recreation Card:	
58-3g(1) a	Resident fee	<del>5.00</del> <u>free</u>
58-3g(1) b	Nonresident fee -per person	<del>75.00</del> <u>\$85.00</u>
	Play Card:	
58-3g(2)	<u>Resident- Adult - per person</u>	<u>\$75.00</u>
	<u>Resident - Youth - per person</u>	<u>\$50.00</u>
	<u>Non- Resident - Adult - per person</u>	<u>\$125.00</u>
	<u>Non-Resident - Youth - per person</u>	<u>\$100.00</u>
<del>58-3g(2)a(1)</del>	<del>Resident Youth/Senior</del>	<del>60.00</del>
<del>58-3g(2)a(2)</del>	<del>Resident Adult</del>	<del>75.00</del>
<del>58-3g(2)a(3)</del>	<del>Resident Adult +1</del>	<del>100.00</del>
<del>58-3g(2)a(4)</del>	<del>Resident Senior +1</del>	<del>80.00</del>
<del>58-3g(2)a(5)</del>	<del>Resident Family</del>	<del>150.00</del>
<del>58-3g(2)b(1)</del>	<del>Non-Resident Youth/Senior</del>	<del>120.00</del>
<del>58-3g(2)b(2)</del>	<del>Non-Resident Adult</del>	<del>150.00</del>
<del>58-3g(2)b(3)</del>	<del>Non-Resident Adult +1</del>	<del>200.00</del>

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58-3g(2)b(4)	Non-Resident Senior++	160.00	
58-3g(2)b(5)	Non-Resident Family	325.00	
58-3g(2)b(5)	Non-Resident Four Month Pass	125.00	
58-3h	Pool Daily Fee, Youth, With Recreation Card	2.00	
58-3h	Pool Daily Fee, Youth, Without Recreation Card	<del>4.00</del>	<u>3.00</u>
58-3h	Pool Daily Fee, Adult, With Recreation Card	<del>4.00</del>	<u>3.00</u>
58-3h	Pool Daily Fee, Adult, Without Recreation Card	<del>6.00</del>	<u>5.00</u>
58-3g	<u>Pool Admission Pass:</u>		
	<u>20 Swim Pass</u>		<u>54.00</u>
	<u>Youth</u>		<u>90.00</u>
	<u>Adult</u>		
58-3g	<u>10 Swim Pass</u>		<u>27.00</u>
	<u>Youth</u>		<u>45.00</u>
	<u>Adult</u>		
58-3g(3)	Sibling Discount (first child)	75% of fee	
58-3g(3)	Sibling Discount (second child and beyond)	50% of fee	
58-3g(3)	<i>Extra program fees:</i>		
58-3g(3)	Late fee beyond extended hours, per minute, per child (min of \$5.00)	1.00	
58-3g(3)	Late fee after pre-registration date:	25.00	
58-3g(4)	Minimum fee per person per class	2.00	
58-3g(5)	Pool Heater surcharge	10% or \$1/person/visit	
58-3g(6)	Sport leagues: per team		<u>350.00</u>
58-3g(6)(a)1	Two or fewer nonresidents		<del>330.00</del>
58-3g(6)(a)2	More than two nonresidents		<del>500.00</del>
58-5(a)	<i>Resident Rental fees for city-owned facilities (per hour). Non-Resident rental fees are one and one-half the amount of the Resident fees. A minimum of two hours will be charged for rentals occurring outside of</i>		

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<del>normal business hours.</del>		
Warren Webster	<del>35.00</del>	<u>45.00</u>
PAG Concession	<del>15.00</del>	<u>20.00</u>
Park/Pool Pavilion	<del>15.00</del>	<u>20.00</u>
Mary Nabors	<del>20.00</del>	
Mary Tracy	<del>20.00</del>	
Don Vista "A"	<del>20.00</del>	
Don Vista "C"	<del>20.00</del>	
All Don Vista Rooms: Mary Nabors, Mary Tracy, Don Vista "A" & "B"		<u>25.00</u>
Gymnasium	<del>100.00</del>	<u>50.00</u>
Upham Room	40.00	
West Classroom <u>Raymond Room</u>	<del>40.00</del>	<u>60.00</u>
C.C. Entire floor <del>Boea</del> <u>Boca Ciega Room (entire floor)</u>	<del>50.00</del>	<u>110.00</u>
C.C. Entire w/stage <u>Boca Ciega Room (entire floor w/stage)</u>	<del>60.00</del>	<u>145.00</u>
South Classroom <u>1/2 Boca Ciega Room</u>	<del>35.00</del>	<u>60.00</u>
North Classroom	<del>35.00</del>	
Board Room <u>Balcony Room &amp; Board Room</u>	<del>10.00</del>	<u>20.00</u>
East Class Room	<del>10.00</del>	
C.C. bottom floor <u>Under the CC Building &amp; Courtyard</u>	<del>40.00</del>	<u>60.00</u>
<u>C.C. Park &amp; Pavilion</u>	<del>160.00</del>	
Pool (10 - 30 guest)	75.00	
Pool (31- 60 guest)	100.00	
Pool (61 - 90 guest)	125.00	
Pool (91 - 120 guest)	150.00	
Pool (121 - 150 guest)	175.00	
Pool (151 - 180 guest)	200.00	
Additional Rental Charges:		
<u>Banquets Tables</u>	5.00	
<u>Round Tables</u>	<del>4.00</del>	

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	Folding Chairs	1.00
	Pool Umbrella – Party Rental	<del>25.00</del>
	Overhead Projector	<del>30.00</del>
	Digital Projector	50.00
	Slide Projector	<del>20.00</del>
	Coffee Pot	5.00
	Staff Cost:	
	Staff set-up & tear-down	10.00 (Min. 1hr)
	Staff	<del>16.50</del> (Min. 2hrs) 20.00
	Staff Prime Time	25.00
	Staff Holiday pay	41.00 (Min. 2hrs) 45.00
	Staff <u>Contractual Clean-up</u>	<del>15.00</del> 150.00 (flat rate)
58-5(a)1	Rental Deposit for Parks	25% of total rental fee
58-5(a)2	Rental Deposit for Facilities	25% of total rental fee  Under 50 people \$100 Over 50 people \$500
58-5(a)3	Reservation Pool Fee	50.00
58-5(a)24	Facility Equipment or Materials Storage (lump sum per year)	10% of room rental fee
58-5(a)4	Ballfield rentals:	35.00
58-5(a)4	Minimum of two hour rental, without lights	<del>25.00</del>
58-5(a)4	Minimum of two hour rental, with lights	50.00

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(c) No person shall drive, park or station on any park road, parkway, or parking lot any vehicle displaying a sign or notice that it is for sale or exchange, or otherwise displaying any advertising.

**Section 7.** If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

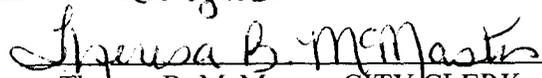
**Section 8.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed, to the extent of such conflict.

**Section 9.** This Ordinance shall become effective immediately upon final passage as required by law.

  
MIKE FINNERTY, MAYOR

FIRST READING : 7-22-08  
PUBLISHED : 7-26-08  
SECOND READING : 8-12-08  
PUBLIC HEARING : 8-12-08

I, Theresa McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 12<sup>th</sup> day of August, 2008.

  
Theresa B. McMaster, CITY CLERK

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