

Ordinance No. 449-08

Council Members Coats, Polensek, Johnson,
Cleveland and Sweeney
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Section 133.322 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 823-06, passed June 12, 2006, relating to the rental of the Collinwood Athletic Complex.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Section 133.322 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 823-06, passed June 12, 2006, is amended to read as follows:

Section 133.322 Rental of Collinwood Athletic Complex

(a) The Director of Parks, Recreation and Properties, or his designee, may rent the Collinwood Athletic Complex for sporting or athletic events, when available, as long as a permit is secured under Section 133.03 and the fees specified in this section are paid.

(b) The Director, or his designee, shall assess and collect the following fees and charges for the rental of the Collinwood Athletic Complex:

(1) Collinwood Athletic Complex rental \$1,000.00.

(2) If lights are required during any portion of the sporting or athletic event, an additional \$100 per hour will be charged at the time the permit is issued. The City will bill for any additional lighting costs not collected at the time the permit was issued.

(3) Rental of the complex is based on a five-hour period. The City will bill for any additional labor costs for use beyond a five-hour period if those costs were not collected at the time the permit was issued.

(c) In cases where private security services are determined to be necessary by the Director, or his designee, it is the responsibility of the party renting the complex to provide the services, using a security service approved by the Director, or his designee.

(d) Any party renting the complex will be required to provide \$1 million liability and property damage insurance naming the City of Cleveland as an additional insured.

(e) Any party renting the complex will be required to provide emergency medical personnel for any athletic competition.

(f) All proceeds from gate collections will go to the party renting the facility.

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(g) All concessions will be operated by the City of Cleveland or its designated vendor.

(h) The Director shall deposit the fees and charges collected for the rental of the complex into the fund or funds designated to pay the costs of the general operation of the complex, the equipment and maintenance costs associated with maintaining the complex, and for improvements to the complex. The funds collected may be used for and are appropriated for these purposes.

(i) After securing the necessary permit under Section 133.03 of these codified ordinances, the Director, or his designee, may allow the Cleveland Myny Football League and the Cleveland Municipal School District to rent the Collinwood Athletic Complex for all games, scrimmages, or practices, without being assessed the fees and charges specified in division (b) of this section.

Section 2. That existing Section 133.322 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 823-06, passed June 12, 2006, is repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

RC:nl
3-31-08

FOR: Director Cox