

Proposed: 12/7/2015

ORDINANCE NO. 143-2015 (CRR), *First Reading*

By Council Member

An Ordinance authorizing and approving the presentation of entertainment and recreation programs in Cain Park and other locations for the year 2016, providing for use regulations, and establishing rates for the described activities; and repealing Ordinance No. 19-2015.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio that:

SECTION 1. The City of Cleveland Heights shall sponsor and present in Cain Park and other locations to be determined, through the spring and summer of 2016, a program of entertainment and recreation activities in general accordance with plans therefor previously adopted by the City Manager and the Community Relations and Recreation Committee of Council.

SECTION 2. Stage productions will be presented in Cain Park. Admission charges for these productions will not exceed One Hundred Twenty Five Dollars (\$125.00). Rates will be graduated according to seat location, with the designations subject to approval by the City Manager. Groups of twenty (20) or more may purchase tickets at a discount rate subject to the approval of the City Manager.

Musical concerts will be presented at times scheduled by the City Manager. Such programs may or may not be co-produced with an outside agency as deemed fit by the City Manager. Special arrangements may be made for ticket prices not to exceed One Hundred Twenty Five Dollars (\$125.00), with the proceeds of the box office split per a contractual agreement approved by the Director of Law to accommodate costs of the concert.

SECTION 3. One or more plays (musicals) may be presented at times scheduled and at the theaters designated by the City Manager. The City's share in the cost of such programs is hereby approved and such expenditure authorized in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) per contract.

The City Manager is hereby authorized and directed to enter into any and all agreements necessary for the presentation of summer concert and other non-theatrical programs at Cain Park, in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) for the City's share in any such contract. All agreements shall be in a form approved by the Director of Law.

To the extent possible, monies to pay for the aforesaid contracts shall be taken from the Cain Park Operating Fund and monies derived from Cain Park activities shall be placed in the Cain Park Operating Fund.

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SECTION 4. (a) Such other programs and activities shall be presented as are approved by the City Manager and as are within the concept of the general program approved by the Community Relations and Recreation Committee of Council. Fees may be established by the City Manager to defray the cost of these new programs. Special promotions which reduce or eliminate ticket prices in exchange for media time, print advertising or other publicity may be arranged as approved by the City Manager.

(b) Except as otherwise provided herein, when any class or activity is offered which requires the use of materials to be furnished to the participant, the City Manager is authorized to establish a fee based upon actual costs, which shall be paid by each person at the time of registering for such activity.

(c) Special benefit performances either at Cain Park or elsewhere may be presented for the purpose of offsetting programs deemed appropriate by the City Manager with ticket prices not to exceed the sum of One Hundred Twenty Five Dollars (\$125.00). These arrangements will be made as deemed appropriate by the City Manager.

SECTION 5. (a) A summer daytime Cleveland Heights Basketball Program may be presented in the City and School District or other facilities for grades K through 12. The City Manager shall determine the hours of such program, which shall function Monday through Friday. The rates for such program shall be as follows:

- \$50.00 - With Recreation I.D. Card
- \$70.00 - Non I.D. Card holders who live within the boundaries of the Cleveland Heights/ University Heights School District

(b) A daytime basketball and mentoring program may be presented, in cooperation with the City of University Heights and the Cleveland Heights/University Heights Board of Education, at School District or City facilities, for students in grades 7 through 12. The rate for such program will be as follows:

- Free - For all Cleveland Heights students and students living within the boundaries of the Cleveland Heights/University Heights School District – must purchase a \$5.00 I.D. card. If eligible, a current school I.D. may be accepted in lieu of the Recreation I.D. card.

(c) An evening basketball program may be presented at the City's outdoor basketball courts for students in grades 6 through 12. The rate for such program will be as follows:

- Free - For all Cleveland Heights students and students living within the boundaries of the Cleveland Heights/University Heights School District – must purchase a \$5.00 I.D. card. If eligible, a current school I.D. card may be accepted in lieu of the Recreation I.D. card.

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(d) A summer Cleveland Heights Softball program shall be presented at the Cleveland Heights softball fields and School District fields for girls, ages 7 to 18 years. The program shall have two components: a slow-pitch league and fast-pitch travel teams. The City Manager shall determine the hours of such program and the fields to be used. The rates for such program will be as follows for both components:

- 1) Recreational League (Slow Pitch and/or Fast Pitch)
  - \$55.00 - Recreation I.D. Card holders
  - \$80.00 - Non I.D. Card holders who live within the boundaries of the Cleveland Heights/ University Heights School District
- 2) Fast Pitch Travel Teams:
  - \$75.00 - Recreation I.D. card holders
  - \$85.00 - Non I.D. card holders who live within the boundaries of the Cleveland Heights/University Heights School District

(e) A summer Cleveland Heights Baseball Program shall be presented at the Cleveland Heights and School District fields for students ages 4 to 18 years. The City Manager shall determine the hours of such Program and the fields to be used. The rates for such program will be as follows or negotiated with outside contractors:

- Cleveland Heights residents with Recreation I.D. cards:
  - T Birds T-Ball \$65.00
  - Rookie League Bball \$65.00
  - Coach-Pitch \$65.00
  - Kid-Pitch \$85.00
- All others who reside within the boundaries of the Cleveland Heights-University Heights School District:
  - T Birds T-Ball \$75.00
  - Rookie League Bball \$90.00
  - Coach-Pitch \$90.00
  - Kid-Pitch \$115.00

(f) A summer challenger baseball program for physically and/or mentally challenged individuals, ages 5 to 22 years shall be presented at the Cleveland Heights and School District Fields. The rate for such program will be as follows:

- \$30.00 - For Cleveland Heights residents with Recreation I.D. cards and for non-residents who live within or outside the boundaries of the Cleveland Heights/University Heights School District.

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(g) A spring and summer youth hockey program for youth ages 3 to 18 years shall be offered at the Community Center. All Cleveland Heights Youth resident participants in the spring Travel Hockey Program shall pay a fee of Fifty Dollars (\$50.00) for the hockey season which ends in May, 2016. All non-resident participants in the spring Travel Hockey Program shall pay a fee of Sixty Five Dollars (\$65.00). A series of Skill Clinics will also be offered at a cost of Fifty Dollars (\$50.00) for Cleveland Heights residents and Sixty Five Dollars (\$65.00) for non-residents.

Priority will be given first to Cleveland Heights residents; then to multi-year participants in the Hockey League; and then to residents of the Cleveland Heights-University Heights school district. (However, all non-residents in University Heights must pay non-resident fees.) Residents of other communities may participate on a space available, first come - first served basis.

In addition, members of the travel hockey teams will be responsible for paying the total costs of entering any team in a spring Hockey League. The City Manager shall determine the costs per person thereof.

The following rates and charges are hereby continued for non-travel youth hockey programs for the 2016-2017 season:

Tot Hockey:

Cleveland Heights residents .....	4 weeks	\$35.00
	5 weeks	\$45.00
Non-residents .....	4 weeks	\$60.00
	5 weeks	\$70.00

Learn to Play Hockey (per session):

Cleveland Heights residents. ....	\$115.00
Non-residents .....	\$160.00

(h) A spring daytime and evening Cleveland Heights Soccer Program may be presented in the City and School District or other facilities for grades K through 6. The City Manager shall determine the hours of such program. The rates for such program shall be as follows:

\$40.00	With Recreation I.D. Card
\$60.00	Non I.D. Card holders who live within the boundaries of the Cleveland Heights/University Heights School District

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SECTION 6. A series of one (1) week long sports camps will be conducted at Cleveland Heights Parks and/or School District facilities. The age groups for such camps will vary, and will be set by the City Manager. The fee for full day camps will be \$135.00 for Recreation I.D. Card holders and \$165.00 for those without Recreation I.D. Cards. The fees for half day or evening camps will be \$70.00 and \$85.00, respectively.

SECTION 7. A number of Adult Sports Leagues and Programs shall be offered at City and School system facilities.

(a) The following rates and charges are hereby established with respect to adult sports programs for the 2016 spring/summer season and until such time as new rates and charges are established:

(1) Adult Pick-up Hockey:

- (a) Daytime - Admission with annual skating pass or by paying general admission rates.
- (b) Evenings - \$11.00 per session.

(2) Adult Softball (men, women or co-ed, two games per week)

Resident Team ..... \$650.00  
Non-resident Team \$800.00

(3) Adult Softball (men, women or co-ed, one game per week)

Resident Team ..... \$400.00  
Non-resident Team ..... \$525.00

(b) A refundable \$54.00 forfeit fee will also be charged to each softball team.

(c) A "resident team" is defined as a team with at least 60% Cleveland Heights residents.

SECTION 8. A number of day camp and summer camp programs will be offered with fees and dates and times negotiated with JumpStart or another sports entity. \_\_

SECTION 9. (a) Except as otherwise specifically provided herein, admission to the Cleveland Heights Tennis Courts and the use of such Courts shall be limited to residents of the City of Cleveland Heights who are authorized holders of a proper Recreation I.D. Card issued by the City. A resident holder of such I.D. Card may have one (1) resident or non-resident guest at any given time for singles matches or three (3) resident or non-resident guests for doubles matches, using one court only at any given time.

(b) The City Manager is authorized to charge the below-described rate for court reservation use at such times as she deems necessary to insure control and proper use of the courts, taking into consideration the demand for court use and all other relevant factors:

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\$40.00 for a Season Reservation Pass

(c) During periods when the courts are not open for scheduled public use, the courts may be used by special groups, subject to approval and scheduling by the City Manager.

(d) The City Manager is authorized to adopt such rules and regulations as he deems proper, not inconsistent with the terms of this Ordinance, to permit use and enjoyment of City Tennis Courts by the greatest number of interested persons.

(e) Tennis lessons may be scheduled by the City Manager during appropriate hours not scheduled for public use. Fees are not to exceed the following:

	<u>Six Week Session</u>	
	<u>June 13 - July 22</u>	
	<u>I.D. Holders</u>	<u>Others</u>
Group Lessons		
Tots (Ages 4 - 6)	\$35.00	\$50.00
Students (Ages 7 - 17)	45.00	60.00
Adults (Ages 18 - 59)	60.00	80.00
Competitive Skills Clinic for Juniors	80.00	110.00
Seniors (Ages 60 and up)	35.00	45.00
Private Lessons (30 minutes)		
Single	19.00	34.00
Group of Two	28.00	45.00
Group of Three	37.00	50.00
Tournament	20.00	per event
Racquettes		
Seniors	25.00	30.00
Non-Senior	45.00	60.00
1, 2, 3 Adults	65.00	75.00

SECTION 10. (a) Except as otherwise specifically provided herein, admission to the Cleveland Heights outdoor basketball courts and the use of such Courts shall be limited to residents of the City of Cleveland Heights who are authorized holders of a proper Recreation I.D.

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Card issued by the City. A resident holder of such I.D. Card may have one (1) resident or non-resident guest at any time. (Three guests, one court, are permitted for doubles play.)

(b) During periods when the courts are not open for scheduled public use, the courts may be used by special groups, subject to approval and scheduling by the City Manager.

(c) The City Manager is authorized to adopt such rules and regulations as she deems proper, not inconsistent with the terms of this Ordinance, to permit use and enjoyment of City outdoor basketball courts by the greatest number of interested persons.

(d) There will be no fee charged for the use of the outdoor basketball courts by authorized I.D. Card holders.

SECTION 11. (a) Except as otherwise provided herein, admission to Cleveland Heights Skate Park and the use of such Park shall be limited to residents of the City of Cleveland Heights who are authorized holders of a proper, current Recreation I.D. Card issued by the City. Non-I.D. holder guests or usage is not permitted.

(b) Use of the Skate Park shall be limited to skateboards and rollerblades. Bicycles, scooters, and motorized vehicles are not permitted.

(c) There will be no fee charged for the use of the Skate Park by authorized I.D. Card holders.

SECTION 12. (a) In the event that it should become necessary, in the judgment of the City Manager, at any time to limit the number of persons in attendance at any concert, dance or other activity to which the public would otherwise be generally admitted, the City Manager is hereby authorized to establish and place in effect such regulations and restrictions as she may deem necessary for such activities to protect the safety and welfare of the public grounds, the community in general, and members of the public at large.

(b) Such regulations may include, but are not limited to, advance or on-the-spot limitation of admissions, including closing-off of admission, and may also include a requirement that admission be limited to persons who are bona fide residents of Cleveland Heights and are authorized holders of a proper Recreation I.D. Card issued by the City of Cleveland Heights, and such number of guests accompanied by such Cardholder as the City Manager shall establish.

(c) In the event that the City Manager shall determine, in her sole discretion, that the conduct of a given program, or a portion of the program, would endanger the safety and welfare of the public, then she shall have the authority to cancel any program and, at the earliest time possible, to give, by appropriate means, notice to persons wishing to participate in such activity of the fact that the program or activity has been canceled.

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(d) Notwithstanding any other provision, the City Manager is hereby vested with authority to transfer the conduct of any portion of the summer program for the year 2016 to another facility in order to insure the safety and/or convenience of the general public. At such time, the City Manager shall, by appropriate means, advise persons wishing to participate in such activities of the change of location.

(e) The City Manager is hereby authorized to change beginning and ending dates and hours for programs, facilities and sessions due to changes in the Cleveland Heights-University Heights school year dates, staffing shortages, and for other good cause, in her sole discretion.

SECTION 13. (a) Except as otherwise specifically provided herein, admission and use of the Cleveland Heights softball/baseball facilities shall be limited to residents of the City of Cleveland Heights who are authorized holders of a proper Recreation I.D. Card issued by the City.

(b) The City Manager is authorized to schedule league play during periods not scheduled for public use.

(c) The City Manager is authorized to charge for the use of fields in amounts she deems necessary to insure and control proper use of the fields, taking into consideration the demand for field use and all other relevant factors.

(d) During periods when the fields are not scheduled for any City or other recreation programs set forth herein, the fields may be rented at a rate of \$75 - \$100 per hour per field for public or private institutions; \$50 -\$75 per hour per field for non-profit organizations.

SECTION 14. Admission and use of the Cleveland Heights picnic shelters shall be limited to Cleveland Heights residents who are authorized holders of proper Recreation I.D. cards issued by the City (except with respect to the Caledonia shelter, which shall also be open to East Cleveland residents). Reservation of picnic shelters by such residents shall be available at a cost of \$25.00 per day or any portion thereof for the period from May 1 through October 15. A \$50.00 refundable security deposit will be required. The City Manager is authorized to adopt such rules and regulations as she deems proper, not inconsistent with the terms of this Ordinance, to permit use and enjoyment of City picnic shelters by the greatest number of Cleveland Heights residents.

SECTION 15. Any Cleveland Heights resident who is on temporary leave from active duty military service may present his/her military I.D. and use the Fieldhouse for \$3.00 per day. The family of the member of the military (spouse/partner and children) may use the Fieldhouse for \$7.00 per day during the time period the member of the military is on leave.

SECTION 16. Except as otherwise provided herein, when any new recreational program, activity or class in the Community Center or parks is offered which requires the use of materials and/or personal services, the City Manager shall determine the costs of such program and shall establish a fee for such program for each participant, with such total fees not to exceed

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the estimated expenditure for said program for a minimum enrollment. Fees may range from Zero (\$0.00) to Two Hundred Dollars (\$200.00) per program, and all fees shall be paid by each registrant at the time of registration.

SECTION 17. The City Manager shall establish the fees for room rentals and equipment rentals at the Community Center and shall establish and enforce reasonable rules and regulations governing such rentals.

SECTION 18. Recommended Personal Training Rates

(individuals must be a member in good standing throughout the training)

Instructors may set their rates within the range depending on qualifications

Individual personal training ..... \$40 to \$60 an hour  
10 sessions/\$270 -\$320.00

Couples personal training-----1 month 2 sessions per wk \$60  
1 month 3 sessions per wk \$85  
3 months 2 sessions per wk \$160  
3 months 3 sessions per wk \$225

Written fitness program only .....\$60.00

Any time assistance only ..... \$40.00/month

Program package.....\$225.00  
(6 individual sessions, written program and one month of anytime assistance)

SECTION 19. Ordinance No. 19-2015, passed by Council on March 2, 2015, is hereby repealed to the extent inconsistent herewith.

SECTION 20. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 21. This Ordinance shall take effect and be in force at the earliest time possible permitted by law.

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DENNIS R. WILCOX, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED: