

RESOLUTION NO. 04-20

**A RESOLUTION PROVIDING FOR THE  
ESTABLISHMENT OF POLICIES AND FEES  
FOR THE USE OF MARCO ISLAND  
PARKS AND RECREATION FACILITIES**

**WHEREAS**, the City of Marco Island is the owner and operator of Parks and Recreation facilities; and

**WHEREAS**, the Parks and Recreation Department is charged with the responsibility of managing these facilities; and

**WHEREAS**, the citizens of Marco Island and the general public at-large finds it desirable to occasionally use these facilities for their exclusive use; and

**WHEREAS**, it is necessary for the City of Marco Island to establish policies for the permitting of such exclusive use; and

**WHEREAS**, it is desirable for the City of Marco Island to establish fees for the permitting of some exclusive uses; and

**WHEREAS**, the City Council is authorized to change, delete or add to the listed fees by resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA: that this Council hereby authorizes:**

1. That the Parks and Recreation Department Facility Use Policy and Fee Structure, dated March 15, 2004, be adopted
2. That the Parks and Recreation Department be authorized to collect Facility Use Fees in accordance with the Parks and Recreation Department Facility Use Policy and Fee Structure
3. That the Facility Use Fees collected by the Parks and Recreation Department be deposited in the Recreation Enterprise Fund to help offset facility operational expenses

THIS RESOLUTION shall become effective upon its adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 15<sup>th</sup> day of March 2004.

Attest:



Laura Litzan  
City Clerk



Terri DiSciullo  
Chairwoman

City of Marco Island  
Parks and Recreation Department  
Facility Use Policy and Fee Structure  
March 15, 2004

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The Marco Island Parks and Recreation Department (Department) is charged, by the Marco Island City Council (Council), with the responsibility for issuing permits for the use of City park, recreation and athletic fields and to collect fees from users in accordance with the fees established by the Council.

Department staff, under the direction of the Parks and Recreation Director (Director) shall promote the provisions of this policy to facility users, and shall be responsible for: the collection of fees, development of facility use application forms, issuance and revocation of permits, development of facility use rules and regulations and all other matters relevant to the implementation of this policy. The Director shall ensure that the policy is applied consistently.

### **Priority Use of Facilities**

City programs and other uses have scheduling priority for all facilities.

### **Reservation Procedures**

1. All requests for facility use must be submitted to the Department in writing and on the Facility Rental Agreement form.
  - a. The user does not have permission to use a Department facility unless the Department issues a written confirmation
2. Requests will be considered by the Department in accordance the following criteria:
  - a. The request has been submitted in writing.
  - b. The facility requested has not been previously reserved.
  - c. The proposed activity does not unduly prevent the general public from utilizing adjoining or adjacent facilities.
  - d. The proposed activity does not cause a negative impact to the surrounding neighborhood.
  - e. The request is not being made more than three (3) months in advance of the requested date. Organizations that have a history of reserving park facilities up to twelve (12) months in advance shall be allowed to continue this practice. A list of organizations allowed to reserve facilities up to twelve (12) months in advance is provided in Attachment A.
  - f. The proposed activity does not violate any City ordinance or general law.
  - g. The proposed activity does not generate expenses to the City unless recovered through agreed upon fees.
  - h. The user sponsoring the activity will obtain any and all permits that may be required by the City, County or State.
  - i. Insurance requirements, if applicable, can be met.
3. Approvals:
  - a. Once approved by the Department, a written confirmation will be sent to the user.
  - b. Use fees must be paid at the time the Department provides written confirmation for the use of a facility. Fees that exceed \$200 may be paid in two installments

- with 50% of the fee to be paid when the Department approves the use of a facility and the balance due to be paid one (1) week prior to the scheduled use date
- c. The user will carry the permit issued by the Department at all times during the scheduled use.
4. Refunds:
- a. Refunds will be approved if a reserved use is cancelled provided cancellation is received by the Department one week prior to the reserved use.

### **User Group Classifications and Definitions**

**“Community Use”** – This category includes all users and organizations that either reside in Collier County or that make Collier County their principal location and, that are using a facility for recreational, cultural, educational (non-entrepreneurial), social, fraternal purposes.

**“Entrepreneurial Use”** – This category includes all users and organizations that are using a facility to offer classes, seminars, etc., that serve as a means to generate income, either directly or indirectly.

### **User Fees**

The Department will assess fees for facility use based upon the appropriate User Group Classification, as defined herein and based upon the fee schedule attached hereto as “Attachment A”.

### **Additional Fees**

Fees for “Additional” services or fees for concession operations may also be charged by the City. A summary of these fees has been provided below and “Attachment A” lists the specific fee amounts.

**Cancellation Fee** – Fee is charged to organizations who fail to cancel a facility use reservation at least one week prior to the reservation date. Fee is per occurrence.

**Ballfield Lights** – Field lights are available for night games and practices at Winterberry Park and Tommie Barfield Baseball Field. A fee is charged.

**Rental Non-Business Hours** – Fee is charged to users wanting to use the community center outside of normal business hours (8 am – 10 pm daily).

**City Staff OT Rate** – Fee is charged to users who use the community center outside of normal business hours (8 am – 10 pm daily) and users who need City staff to groom athletic fields outside of normal staff hours (Mon – Fri 7:00 am – 3:30 pm).

**Security Staff** – Fee is charged to users who need off-duty Marco Island Police to serve as security for any function or event. The City may require security staff for some events.

**Concessions** – Fee is charged to users who want to operate a concession (food or amusement) in conjunction with an event. The fee charged will be a percentage of the revenue generated by the concession or a flat fee of \$25/concession depending on the scale and purpose of the event.

**Maintenance/Cleanup Refundable Deposit** – A deposit is required when a user intends to serve food or beverage in association with their use of City facilities. The deposit is based on the estimated attendance. If the user satisfactorily cleans the area being used, the deposit will be returned. If extra cleaning is required by City staff, the deposit will be retained by the City.

**Trash Disposal Fee** – Fee is charged to users who will generate an excessive amount of trash associated with their use of City facilities. Fee is based on the direct cost for contractors to provide an “extra” collection of City dumpsters.

### **Fee Waiver Request**

Waiving user fees will be considered provided the user submits a written request, on the Department Fee Waiver Request Form. The request must describe how the fees, if assessed, will be a significant burden to the user. Budget information, illustrating the impact of City fees on the proposed activity, must also be submitted for which the waiver is requested.

The City will also entertain fee waiver requests for special events, or community celebrations that have a direct community benefit.

Once a request is filed, the Director will verify the information provided by the user and will submit the request to the City Manager for a decision. Should the City Manager deny a fee waiver request, the user may appeal the City Manager’s decision to the City Council hear that matter. The City Council’s decision is final.

### **Insurance Requirements**

Insurance is required for all organizations using Department facilities for all events where attendance is estimated to be thirty (30) or more people, with the exception of regular business meetings.

**Community Use/Entrepreneurial Use** – Users shall have insurance coverage with a minimum of \$300,000 per occurrence combined single limits for bodily injury and property damage liability, including premises and operations. The City of Marco Island shall be named as an “additional insured” (not certificate holder). If the Director believes a proposed use has an above average risk, such as a special event, liability insurance in the amounts of \$500,000 or \$1,000,000 may be required.

If the user is subject to Florida Worker’s Compensation Law, coverage shall be provided as required by law. The coverage shall be statutory limits in compliance with applicable state and federal law. The policy must include Employers Liability with a minimum limit of \$100,000 per occurrence.

**Athletic Leagues** - Users shall have insurance coverage with a minimum of \$1,000,000 per occurrence combined single limits for bodily injury and property damage liability, including premises and operations. The City of Marco Island shall be named as an “additional insured” (not certificate holder).

If the user is subject to Florida Worker’s Compensation Law, coverage shall be provided as required b law. The coverage shall be statutory limits in compliance with applicable stage and federal law. The policy must include Employers Liability with a minimum limit of \$100,000 per occurrence.

**Facility Definitions**

The following is a listing of facilities managed by the Parks and Recreation Department.

| <b><u>FACILITIES</u></b>   |
|--|
| <b>Room A (large)</b> – Refers to the large room at the Mackle Park Community Center.  |
| <b>Room B (medium)</b> – Refers to ½ of the large room at the Mackle Park Community Center   |
| <b>Room C (old room B)</b> – Refers to the small room at the Mackle Park Community Center.   |
| <b>Basketball Court</b> – Refers to the covered basketball court at Mackle Park  |
| <b>Athletic Fields</b> – Refers to the Mackle Park Soccer Field, the Winterberry Park Softball Field, the Winterberry Park multi-purpose field (softball outfield) and the Tommie Barfield Baseball Field. |
| <i>Practice Permits</i> – Refers to permits given for practices on athletic fields.  |
| <i>Game Permits</i> – Refers to permits given for practices on athletic fields.  |
| ½ Court or Athletic Field – Refers to ½ of the Mackle Park Basketball Court or Athletic Fields listed above.   |
| <b>Picnic Area</b> – Refers to an event specific area to be used for an organizational picnic.   |
| <b>Small Chickee Hut</b> – Refers to small hut in the Mackle Park playground area and small hut at edge of the Mackle Park lake.   |
| <b>Large Chickee Hut</b> – Refers to small hut in the Mackle Park playground area and small hut at edge of the Mackle Park lake  |
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**Amending Fees**

Amendments to the fees approved for facility use should be submitted for approval as part of the annual budget. Should fees need adjustment in the middle of a fiscal year, the City Manager should amend the fee schedule as needed.

## 2004 Facility Use Fees

| Facilities   | Community Use        | Entrepreneurial Use  |                                       |
|--|----------------------|----------------------|---------------------------------------|
| Room A (large)   | \$10/hr.             | \$50/hr              |                                       |
| Room B (medium)  | \$5/hr.              | \$25/hr.             |                                       |
| Room C (old room B)  | \$5/hr.              | \$20/hr.             |                                       |
| Basketball Court   | \$10/hr.             | \$45/hr              |                                       |
| Athletic Fields  | \$10/hr.             | \$45/hr.             |                                       |
| <i>Practice Permits</i>                                    | No Charge            | \$45/hr.             | <b>Provided no lining is required</b> |
| <i>½ Court or Athletic Field</i>                           | No Charge            | \$30/hr.             | <b>Provided no lining is required</b> |
| <i>Game Permits</i>  |                      |                      |                                       |
| <i>Full Football/Soccer</i>                                | \$70/lining          | \$100/lining         |                                       |
| <i>Youth Football/Soccer</i>                               | \$35/lining          | \$65/lining          | <b>Lining fee is for one field</b>    |
| <i>Softball/Baseball</i>                                   | \$35/lining          | \$65/lining          |                                       |
| Picnic or Small Area                                       | N/A                  | N/A                  |                                       |
| Small Chickee Hut  | \$5/hr.              | \$5/hr.              |                                       |
| Large Chickee Hut  | \$10/hr.             | \$10/hr.             |                                       |
| Park Special Event   | TBD                  | TBD                  |                                       |
|  |                      |                      |                                       |
| <b>Additional Fees</b>                                     |                      |                      |                                       |
|  |                      |                      |                                       |
| Cancellation Fee   | \$30/occurrence      | \$30/occurrence      |                                       |
| Lights (Ballfield)   | \$15/hr.             | \$30/hr.             |                                       |
| Rental Non-Business Hours                                  | \$20/hr (additional) | \$20/hr (additional) |                                       |
| City Staff OT Rate   | \$20/hr.             | \$20/hr.             |                                       |
| Security Staff   | \$35/hr.             | \$35/hr.             |                                       |
| Special requests / additional clean-up.                    | TBD                  | TBD                  |                                       |
| Concessions in conjunction with rental.                    | TBD                  | TBD                  |                                       |
| Maintenance/cleanup refundable deposit when food is served |                      |                      |                                       |
| 1-50 people  | \$35                 | \$35                 |                                       |
| 51-100 people  | \$50                 | \$50                 |                                       |
| 101 + people   | TBD                  | TBD                  |                                       |
| Trash Disposal Fee   | TBD                  | TBD                  |                                       |

**Notes:**

- 1 – Athletic Field lining done on days and times requiring City staff to work overtime will be assessed the “City Staff OT Rate”.
- 2 – Athletic Field Practice Permits requiring lining/grooming will be assessed game fees.
- 3 – Organizations reserving Athletic Fields for practices and fail to use the field without canceling the reservation at least one week in advance of the reservation date, will be assessed a “Cancellation Fee” of \$30 per occurrence.

## **ATTACHMENT A**

The following organizations have a history of reserving City facilities up to twelve (12) months in advance. These organizations may continue reserving rooms up to twelve (12) months in advance. All other organizations and individuals may only reserve City facilities up to three (3) months in advance.

AAUW

Citizens for a Better Marco Island Parks and Recreation

Cruise Club

Hellenic American Society

Italian American Society

Marco Island Condo Association

Marco Island Historical Society

Marco Island Men's Club

Mom's of Marco

New Life Church

Power Squadron

Senior Softball

Veteran's of Foreign Wars (VFW)



# City of Marco Island

Parks and Recreation Department  
1361 Andalusia Terrace, Marco Island, FL 34145

## FACILITY USE FEE WAIVER APPLICATION

For office use only

FY \_\_\_\_\_ APPL# \_\_\_\_\_ APPROVED \_\_\_\_\_ AMT\$ \_\_\_\_\_ DENIED \_\_\_\_\_

**Important: Read the Parks and Recreation Facility Use Policy before you complete this application. Incomplete forms will not be reviewed. Your completed application with supplemental materials must be submitted to the address listed above a minimum of thirty (30) days prior to the event date.**

### Section A – Applicant Information

Applicant Legal Organization Name \_\_\_\_\_ DBA (including doing business as...Organization name) \_\_\_\_\_

Organization Local Address \_\_\_\_\_

Organization Mailing Address \_\_\_\_\_ City / State \_\_\_\_\_ Zip Code \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email Address \_\_\_\_\_

Requesting Waiver For (name of program/event) \_\_\_\_\_

Fee Charged by Parks and Recreation Department \$ \_\_\_\_\_

Total Fee Waiver Requested \$ \_\_\_\_\_

In addition to completing this application form, applicants must complete required narratives listed in program information packet. Incomplete applications will be returned to applicant. Information packet is available at the City of Marco Island website ([www.cityofmarcoisland.com](http://www.cityofmarcoisland.com)) and through the Parks and Recreation Department.

**Section B Budget Information** Applicant Name \_\_\_\_\_

The following information is required in order for the City to consider waiving the Facility Use Fee. Only direct program or event fees may be listed.

**PROGRAM OR EVENT EXPENSES**

A. Salaries / Fees

1. Artists/Performers/Speakers/Contracted Staff \$ \_\_\_\_\_

2. Administrative \$ \_\_\_\_\_

3. Program Staff \$ \_\_\_\_\_

4. Other (Specify) \$ \_\_\_\_\_

Subtotal Salaries / Fees \$ \_\_\_\_\_

B. Space Rental (non-City) \$ \_\_\_\_\_

C. Remaining Costs (itemize)

1. Equipment rental \$ \_\_\_\_\_

2. Printing \$ \_\_\_\_\_

3. Supplies \$ \_\_\_\_\_

4. Food \$ \_\_\_\_\_

5. Trophies \$ \_\_\_\_\_

6. Travel \$ \_\_\_\_\_

7. Insurance \$ \_\_\_\_\_

8. Other (explain) \$ \_\_\_\_\_

Subtotal Remaining Costs \$ \_\_\_\_\_

D. City Facility Use Fees \$ \_\_\_\_\_

Attach additional pages as needed to illustrate details of expenses listed above.

TOTAL FY' 04 OPERATING EXPENSES \$ \_\_\_\_\_

**PROGRAM OR EVENT INCOME**

A. Registration Income \$ \_\_\_\_\_

\_\_\_\_\_ participants x \$ \_\_\_\_\_ registration fee

B. Donations or Sponsorships

1. Corporate / Business \$ \_\_\_\_\_

2. Foundations \$ \_\_\_\_\_

3. Clubs / Organizations \$ \_\_\_\_\_

4. Other (Specify) \$ \_\_\_\_\_

Donation/Sponsorship Total \$ \_\_\_\_\_

C. Other Income \$ \_\_\_\_\_

Explain Source: \_\_\_\_\_

TOTAL FY' 04 OPERATING INCOME \$ \_\_\_\_\_

**SECTION C**

Authorized Signatures: The signature below is that of the person authorized to testify as to the accuracy of this application and the person who agrees to the required acknowledgement will be given to the City of Marco Island, if the application is approved.

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by Parks and Recreation Director – Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Reviewed by City Manager – Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Waiver Approved by City Manager  Waiver Denied by City Manager

**If City Manager denies waiver request, the applicant may appeal the City Managers decision to City Council**

**City of Marco Island – Parks and Recreation Department**

1361 Andalusia Terrace, Marco Island, Florida 34145 T. 239.642.1666 F. 239.642.6475 W. [www.cityofmarcoisland.com](http://www.cityofmarcoisland.com)

**Program Narratives** (attach additional pages if necessary)

1. Explain the program/event:

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2. Is this the first year for this program/event or has it been offered previously? If it has been offered previously, please list number of years it has been offered.

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3. What age groups are targeted? \_\_\_\_\_

4. What are the program/event dates?  
\_\_\_\_\_

5. What City Facility is needed for this program/event? \_\_\_\_\_

6. Have you paid City Facility Use Fees for this program before? \_\_\_\_\_

a. If yes, list amount paid. \_\_\_\_\_

b. If No, who authorized previous fee waiver? \_\_\_\_\_

7. Explain why paying City Facility Use Fees causes a significant financially burden for this program/event.

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