

**DRAFT ORDINANCE 2020-10
TOWN OF LADY LAKE, FLORIDA**

Note: proposed changes within this document are displayed as follows:

[begin add] new, added text [end add]

[begin delete] ~~deleted text~~ [end delete]

AN ORDINANCE OF THE TOWN OF LADY LAKE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF THE CODE OF ORDINANCES FOR THE TOWN OF LADY LAKE, FLORIDA, DELETING AND REPLACING ORDINANCE [BEGIN DELETE]2010-23[END DELETE] [BEGIN ADD]2012-11[END ADD] IN ITS ENTIRETY; SETTING FORTH NEW PROCEDURES FOR THE USE OF THE TOWN’S COMMUNITY BUILDING AND LIBRARY MEETING ROOMS, ESTABLISHING FEES, DEPOSITS, LIMITATIONS AND EXEMPTIONS ON RENTALS, PROVIDING FOR REGULATIONS; ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES[BEGIN DELETE], INCLUDING ORDINANCE 2010-23[END DELETE] AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lady Lake has elected to amend Chapter 2, Article VI, of the Code of Ordinances of the Town of Lady Lake Division 3 entitled “Use of the Community Building and Library Meeting Rooms”.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of Lady Lake, Florida:

SECTION 1. Amendment.

Ordinance [begin delete]2010-23[end delete] [begin add]2012-11[end add] and Chapter 2, Article VI, of the Code of Ordinances for the Town of Lady Lake, Florida are hereby deleted in their entirety and replaced in their entirety as follows:

ARTICLE VI. TOWN PROPERTY

DIVISION 3. USE OF COMMUNITY BUILDING AND LIBRARY MEETING ROOMS

Sec. 2-200.20. Definitions.

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

Commercial use. A use designated to generate monetary or financial benefit, or where funds may be solicited. This shall not include fundraising events sponsored by charitable, religious or non-profit organizations.

Department. The Town of Lady Lake Library Department.

Department staff. Any uniformed or identified employee of the Library department.

Director. The Director of the Lady Lake Library.

Exempt status or partial exempt status. Any group or organization designated as exempt by the Town Commission from a portion of or from all fees, deposits or other conditions regarding the use of Town Facilities due to their not-for-profit status and service to the public.

Key deposit. A charge is assessed during issuance of a key for access to [begin delete]the Community Building or[end delete] Library meeting rooms. The key deposit will be refunded upon the return of the key provided no damage or duplication results from the facility usage.

Library Meeting Rooms. The oldest library meeting room [begin add]in the youth building[end add] shall be designated as Library Meeting Room 100. The two new library meeting rooms [begin add]on the second floor of the adult library[end add] shall be designated as Library Meeting Room 204 (1,007 sq. ft.) and Room 207 (989 sq. ft.).

Library Programs. Programs that are sponsored and developed by library staff which serve to further the mission and goals of the library and are counted as library programs for statistical purposes according to the State Library of Florida. Library Programs are exempt from all fees for use of the Community Building and all Library meeting rooms.

Local organization. An organization of ten or more persons with headquarters within the Town limits and 51 percent of whose membership is comprised of individuals residing within the Town limits of the Town of Lady Lake.

Nonlocal organization. An organization of ten or more persons, with headquarters outside the Town limits of the Town of Lady Lake or with a membership that does not qualify as a local organization as provided above.

Parking areas. Areas designated by the Town for the parking of vehicles on Town property.

Person. Any individual regardless of age or any corporation, company, association, firm, co-partnership, club, society or any association of persons or any agent or employee thereof.

Rental fee. An hourly fee charged by the Town for use of the Town Community Building or any of the Library Meeting Rooms. For purposes of this division, rental fees shall be measured by the hour, half hour, or quarter hour. The rental fee shall be based upon the amount of time the

facility is reserved, provided however, if the facility is used for a greater amount of time than reserved, the applicant shall be responsible for the additional time the facility is used. Preparation and clean-up time shall be included when calculating the rental fee.

Sales Tax: A 7% (seven percent) sales tax will be charged on all hourly rates.

Security deposit. A deposit paid to the Town at the time of application to cover any damage incurred by the Town as a result of the applicant's or any participant's misuse of a Town facility, including but not limited to the cost of clean-up, repair to interior of facility, repair of grounds or exterior of facility, necessity for supervision by police department, or use of the facility beyond the reservation time.

Town Meeting Room facilities. Facilities owned by the Town that are subject to the terms of this division which include the Town Community Building and the three Library Meeting Rooms which are all under the direction of the Town Library Director. The Library Director shall have final determination regarding the appropriate usage of these facilities.

Town sponsored use. Activities or events approved by the Town Commission that specifically benefit the adult and youth residents of Lady Lake. Established Library Programs will have priority usage of the Community Building and the Library Meeting Rooms. Other local groups engaging in Town sponsored uses will be given priority to use Town facilities, but will not be allowed exclusive use of a particular facility.

Sec. 2-200.21. Application procedure.

(a) Applications for use of the Community Building and Library Meeting Rooms will be made available at the Lady Lake Public Library. [begin delete]or online at ladylake.org or ladylakelibrary.com.[end delete]

(b) Applicants must be at least 18 years of age and be in attendance at the scheduled use or event.

(c) The applicant shall be responsible for any costs incurred by the Town as a result of misuse of the facility by individuals in attendance, including but not limited to, clean-up, repair, damage to interior, exterior or grounds, and necessity for police supervision. The Town shall not be liable for damages to personal property (including theft or loss) or personal injuries resulting from use of the facility. The applicant may be required to obtain insurance naming the Town as an additional insured.

(d) In order to secure the facility, the rental fee, security deposit, and key deposit [begin add](when applicable)[end add] all must be paid at least [begin delete]5 days[end delete]

[begin add]two weeks[end add] prior to the date of the event. If not received within this time frame, the reserved time will be released for others to use.

(e) Applicants may reserve dates in advance that do not conflict with any other events if they want to hold a date in the future. Applicants are added on a “first come, first served” basis. If another applicant wants the same date and time and the first applicant has not paid any deposits or fees, the first applicant will be called and advised that they must put a deposit down to guarantee their reservation.

(f) The application must specify the amount of time the facility is to be used, including preparation and clean-up, and the nature of use.

(g) Application or continued use will be denied if applicant has left the facility in unacceptable condition in the past or has not followed the rules and regulations regarding the facility.

(h) The Town reserves the right to grant priority to Town-sponsored events or activities when scheduling conflicting uses.

Sec. 2-200.22. Issuance of keys for facilities.

For those [begin add]Library meeting room[end add] facilities requiring keys, the following regulations shall apply:

(a) Keys shall be issued upon approval of the rental application and payment of all deposits and fees, and may not be signed out sooner than 24 hours prior to use except as provided in section (c) below.

(b) Keys to the [begin delete]Community Building and[end delete] Library Meeting Rooms may be obtained at the library during regular library operating hours. See [begin delete]ladylakelibrary.com[end delete] [begin add]mylakelibrary.org[end add] for current hours or call 352-753-2957.

(c) If the [begin delete]Community Building or[end delete] Library meeting room is rented during a holiday or weekend, the key shall be obtained the last workday prior to the event during regular library hours and returned to the library by 9 a.m. the first work day following the event or deposited in either of the book drops in front of the library immediately after the event.

(d) The key deposit will be refunded if the key is returned on time. No portion of the deposit will be refunded for keys returned more than eight working hours after the stated return time.

(e) Keys shall not be duplicated.

Sec. 2-200.23. Deposit of revenues in general fund.

All revenues or funds collected under this division shall be deposited in the Town's general fund.

Sec. 2-200.24. Rental fees.

Rental fees will be charged for use of the Community Building and Library Meeting Rooms. All applicants will be required to fill out a one-page contract. A rules and regulations sheet for the facility will be included with the contract. Rental fees shall be measured by the hour, half hour, or quarter hour. A minimum of one hour rental fee will be charged. The rental fee shall be based upon the amount of time the facility is reserved, provided however, if the facility is used for as greater amount of time than reserved, the applicant shall be responsible for the additional time the facility is used. Preparation and clean-up time shall be included when calculating the rental fee. In the event an applicant uses a facility beyond the time reserved, the additional rental fee will be deducted from the security deposit.

Sec. 2-200.25. Security deposit and liability of applicant for damage to Town facility.

A security deposit will be required for use of the Community Building and the Library Meeting Rooms. The security deposit may be decreased at the Library Director's discretion if it is determined that it creates a financial hardship on the renter. In the event that a security deposit is required, it will be returned to the applicant minus a five dollar administration fee following an inspection of the facility by the Library Director or designee, and a determination that there has been no misuse of the facility. Upon this determination of refund, the renter will receive a check when the Town of Lady Lake Finance Department processes payables, approximately two to three weeks.

Sec. 2-200.26. Limitations on rental period and available space.

(a) The proposed use of a facility shall not exceed the occupancy allowed at that particular facility. An application may be denied upon a determination by the library director or designee that the facility is not adequate for the size and nature of the use intended.

(b) Repeated, continued use of the Community Building or Library Meeting Rooms will be permitted as time and space allow. The Library Director or designee will determine the fairest booking criteria to ensure that all residents of Lady Lake have an opportunity to use these facilities. The Community Building will not be booked for repeated use on Friday, Saturday or Sunday afternoons or evenings to allow for the many special one-time events that residents wish to reserve such as parties, weddings, reunions, receptions, etc.

(c) Facilities may not be booked more than 12 months in advance.

Sec. 2-200.27. Regulations governing use of the Community Building and Library Meeting Rooms.

- (a) Any accidents occurring during the use of Town meeting facilities, regardless of the severity, shall be reported immediately to the police department and to the library director, no later than the next work day.
- (b) Users of any meeting room facility shall be liable for any and all damage caused to the facility or any real or personal property located thereon or therein. For the purpose of this paragraph, damage shall include loss or theft during an event.
- (c) Applicants granted permission to use a Town facility shall be responsible for the conduct of all participants. If conduct of the participants warrants police involvement, the Town reserves the right to bill the applicant for actual costs incurred by the police department in providing supervision during the event.
- (d) The Town shall have the right to terminate use of a facility when the use endangers the health, welfare, or safety of the public or participants, or when the participants are causing damage to the facility.
- (e) The Town shall have the right to terminate use of a facility if renters do not follow the rules and regulations given as part of the application contract.
- (f) No one shall affix, or permanently attach in any way any item to the facility, inside or outside, including insignia, banners, and other means of identification used for events.
- (g) The sale, purchase, consumption or possession of alcoholic beverages is prohibited in or around Town meeting room facilities.
- (h) The use, sale, possession or purchase of illegal drugs is prohibited in or around Town Meeting Room facilities. No person who is under the influence of drugs will be permitted in or around Town meeting room facilities.
- (i) Smoking is prohibited on the grounds, in the buildings, as well as the parking lots at the Community Building and/or the Library. Smoking means possession of a lighted cigarette, lighted cigar, lighted pipe, and any lighted tobacco or tobacco type product.
- (j) Engaging in sexual activity on Community Building property or Library property is prohibited.
- (k) No property or equipment owned by the Town and located within or upon the facilities shall be removed.

(l) The hours of operation for the Community Building and Library Meeting Room ~~[begin add]100[end add]~~ are from 7 a.m. to 11 p.m. ~~[begin add]The hours of operation for Library Meeting Rooms 204 and 207 are during the hours that the Library is open to the public.[end add]~~

(m) Granting of permission to use the Community Building or Library meeting rooms does not constitute an endorsement of the users or their beliefs by the staff or commissioners of the Town of Lady Lake.

Sec. 2-200. 28. Community building.

(a) Description. The Community Building, ~~[begin add]Sunroom and Banquet Hall combined,[end add]~~ is approximately ~~[begin delete]fourteen hundred (1,400)[end delete]~~ ~~[begin add]3,104[end add]~~ square feet in size with a room capacity of ~~[begin delete]one hundred ten (110)[end delete]~~ ~~[begin add]113[end add]~~ persons. Parking spaces are available. ~~[begin add]Twenty[end add]~~ tables and ~~[begin add]100[end add]~~ chairs are available. ~~[begin delete]upon request.[end delete]~~ There are restrooms and a ~~[begin delete]small,[end delete]~~ kitchen with refrigerator, microwave and stove.~~[begin delete]A small podium and a wall projection screen are available for use.[end delete]~~

(b) Regulations governing use of the Community Building. The tables and chairs are arranged on the floor according to instructions in the room. The applicant may re-arrange the room however the applicant desires and there are additional tables and chairs in the storage area. All tables and chairs must be returned to the original configuration according to the instructions. The Library Staff will not be responsible for moving tables and chairs for any group. No food is to be left in the refrigerator. No decorations are to be left anywhere in the room. Clean-up to the room's original condition is required by the applicant. Deposits will be forfeited if these requirements are not met as determined by the Town in its sole discretion. Storage of any items in the Community Building is ~~[begin delete]discouraged[end delete]~~ ~~[begin add]strictly forbidden.[end add]~~~~[begin delete]and is subject to library director approval. Fees will be charged for storage of item.[end delete]~~

(c) Continuation of prior fees: Due to their long-term, historical use of the Community Building and the Town Commission's finding of partial exempt status, the following groups have partial exempt status and shall maintain their 2009 Community Building rental rates: AA Sunday, AA Thursday, Bev's Stamp Class, ~~[begin delete]ICMAA[end delete]~~ and Church of Jesus Christ.

(d) Rental fees (per hour):

(1) Local individual, club or organization: ~~[begin delete]\$15.00.[end delete]~~~~[begin add]\$20.00[end add]~~

(2) Nonlocal individual, club or organization: [begin delete]\$25.00[end delete] [begin add]\$30.00[end add]

(3) Commercial use, whether individual or organization, local or nonlocal: \$50.00 (7% sales tax charged on all hourly rates.)

(e) Security deposit: All Uses: [begin delete]\$105.00[end delete] [begin add]\$155[end add]. [begin delete]\$100.00[end delete] [begin add]\$150.00[end add] returned if approved, \$5.00 administration fee.

(f) [begin delete]Key deposit. A twenty dollar (\$20.00) key deposit shall be paid by all groups.[end delete]

(g) The security deposit [begin delete]and key deposit[end delete] may be kept “on file” for continued use applicants. The security deposit includes a \$5.00 non-refundable administration fee.

Sec. 2-200.29. Library Meeting Room 100.

(a) Description. Library Meeting Room 100 is approximately 430 square feet with a room capacity of approximately 30 persons. There is one large 12 ft. by 3.5 ft. oval table in the room with 10 chairs at the table and 20 chairs around the perimeter of the room. There are restrooms available but no kitchen. Light refreshments only are permitted.[begin delete]An overhead projector, projection screen and podium are available for use in the room.[end delete]

(b) Regulations governing use of the Library Meeting Room 100: Library Meeting Room 100 is open to organizations who are primarily engaged in educational, cultural, intellectual, or charitable activities. Bookings shall be on a first come, first serve basis, with priorities given to library functions, then local civic organizations, then individuals, then commercial use.

(c) Continuation of prior fees: Due to their long-term, historical use of [begin delete]the Old[end delete] Library Meeting Room [begin add]100[end add] and the Town Commission’s finding of partial exempt status, the following groups have partial exempt status and shall maintain their 2009 rental rates: [begin delete]4-H, Reiki, Lady Lake Democrats, African Violets,[end delete] [begin add]Lake Eustis[end add] Kennel Club, Overeaters Anonymous, and Science of the Mind.

(d) Rental fees (per hour):

(1) Local individual, clubs, organizations: \$10.00

(2) Nonlocal individual, club or organization: \$20.00.

(3) Commercial use, whether individual or organization, local or nonlocal: \$50.00 (7% sales tax charged on all hourly rates.)

(e) Security/building deposit: All Uses: [begin delete]\$55.00.[end delete] [begin add]\$155.00[end add] [begin delete]\$50.00[end delete] [begin add]\$150.00[end add] returned if approved, \$5.00 administration fee

(f) Key deposit. A \$20.00 key deposit shall be paid by all groups that meet outside regular library hours.

(g) The security deposit and key deposit may be kept “on file” for continued use applicants. The security deposit includes a \$5.00 non-refundable administration fee.

Sec. 2-200.30. Library Meeting Rooms 204 and 207.

(a) Description. Two meeting rooms are located on the second floor of the [begin delete]new[end delete] [begin add]adult[end add] library facility that can be used separately or as one combined room. One meeting room is 1,007 square feet with a room capacity of 67 people. The second meeting room is 989 square feet with a room capacity of 66 people. Each meeting room contains six tables, 8 ft. by 3 ft. and 48 chairs. There are restrooms and a small, limited kitchen in each room. If applicant requests to reserve one combined room, the rental fees will be double the rate of the single room.

(b) Regulations governing use of the Library Meeting Rooms 204 and 207. The tables and chairs will be arranged on the floor according to instructions in the room: The applicant may re-arrange the room however the applicant desires but all tables and chairs must be returned to the original configuration according to the instructions. The Library Staff will not be responsible for moving tables and chairs for any group. No food is to be left in the refrigerator. [begin add]No[end add] decorations are to be [begin add]attached to walls[end add] in the room. Clean-up to the room’s original condition is required by the applicant. Deposits will be forfeited if these requirements are not met. Storage of any items in the Library meeting rooms is strictly forbidden.

(c) Rental fees (per hour):

(1) Local individual, club or organization: \$20.00

(2) Nonlocal individual, club or organization: \$30.00

(3) Commercial use, whether individual or organization, local or nonlocal: \$50.00 (7% sales tax charged on all hourly rates.)

(d) Security/building deposit: All Uses: [begin delete]\$105.00.[end delete] [begin add]\$155.00.[end add] [begin delete]-\$100.00[end delete] [begin add]\$150.00[end add] returned if approved, \$5.00 administration fee

(e) [begin delete]Key deposit. A twenty dollar (\$20.00) key deposit shall be paid by all groups that meet outside regular library hours.[end delete]

Sec. 2-200.31. Granting of Exempt Status.

(a) Purpose of Granting Exempt Status and Partial Exempt Status: Not-for-profit groups and not-for-profit organizations provide valuable services to the citizens of Lady Lake without profit and the Town finds it promotes the health, safety and welfare of the Town to provide some not-for-profit groups with exempt status or partial exempt status to alleviate the burden on their operating expenses.

(b) Groups with Exempt Status and Partial Exempt Status: The Lady Lake Garden Club shall be exempt from all fees for continued use of the Community Building. The Lady Lake Cemetery Association, [begin delete]Mt. Pleasant Baptist Church,[end delete] the Lake County Elections Office, the Lady Lake Girl Scouts and Boy Scouts, and the Lady Lake Little League shall be exempt from all rental fees for limited non-continuous usage of the Community Building. [begin add]The Lake County Elections Office and [end add]the Lady Lake Kiwanis Club shall be exempt from all fees for continued use of all Library Meeting Rooms. AA Sunday, AA Thursday, Bev's Stamp Class, [begin delete]ICMAA,[end delete] Church of Jesus Christ, [begin delete]4 H, Reiki, Lady Lake Democrats, African Violets,[end delete] [begin add]Lake Eustis [end add]Kennel Club, Overeaters Anonymous, and Science of the Mind have partially exempt status for a partial reduction in fees as set forth in this Ordinance.

(c) Commission Procedures for Granting Exempt Status and Partial Exempt Status: Any other not-for-profit group may request exempt status or partial exempt status by the Town Commission. The Town Commission may determine exempt status in its sole discretion after a duly noticed Commission meeting by resolution or ordinance. The Town may revoke any not-for-profit group's exempt status at any time by resolution or ordinance. As part of the Town Commission's determination, the Town Commission should indicate whether a group's exempt status means that the group pays a reduced fee (partial exempt status) or pays no fee (exempt status) after the Commission considers the not-for-profit group's request at the public hearing.

Sec. 2-200.32. Enforcement and penalties.

The provisions of this Ordinance may be enforced by the Town of Lady Lake Police Department, Parks and Recreation Department, the Code Enforcement Department, the Town

Manager, and/or Department Staff when applicable. Any person found guilty of a violation of this division may be punished in accordance with applicable state and local laws.

[begin add]Sec. 2-200.32. Revocation of Privileges

In the event that a group, inclusive of those having Exempt Status or Partially Exempt Status, vandalizes, fails to adequately clean, breaks any item or items contained within (with or without intent), damages carpet, or removes any property of the Town of Lady Lake contained within the Community Building or Library Meeting Rooms available for rental, the deposit of the group will be forfeited, in part or in full, to cover the cost of cleaning and/or damages to the facility. Prior to scheduling any subsequent rental under this section, the deposit must be reestablished in the full amount for the facility.

Should three incidents of substantial damage or excessive cleaning be required following the rental of any of facility within one calendar year, the rental privileges of the group may be revoked at the Town Manager's discretion. An incident of substantial damage or excessive cleaning is defined as one in which the full deposit is exhausted or exceeded to cover the cleaning fees or damage done to the facility. Reinstatement of rental privileges may be established only through satisfaction of any outstanding fines or fees, and an appeal before the Town Commission at a regularly scheduled public meeting.[end add]

Section 2. Conflicts.

All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 3. Severability.

If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 4. Codification.

The provisions of this Ordinance shall be codified as and become part of the Codes of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 5. Effective Date.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the Town Commission of the Town of Lady Lake, Florida, held on the _____ day of _____, 2020.

Town of Lady Lake, Florida

Ruth Kussard, Mayor

Attest:

Nancy Slaton, Interim Town Clerk

Approved as to form:

Derek Schroth, Town Attorney