

**ORDINANCE 2023-01
TOWN OF LADY LAKE, FLORIDA**

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 2021-12 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 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 2023-01 and Chapter 2, Article VI, of the Code of Ordinances for the Town of Lady Lake, Florida is 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. Library Meeting Rooms: Town of Lady Lake Library Department. Community Building: Town of Lady Lake Parks & Recreation Department.

Department staff. Library Meeting Rooms: Any uniformed or identified employee of the Library Department or other designated employee. Community Building: Any uniformed or identified employee of the Parks & Recreation Department or other designated employee.

Director. Library Meeting Rooms: Director of the Lady Lake Library. Community Building: Director of the Parks & Recreation Department.

Exempt status or partially 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.

Library Meeting Rooms. The two library meeting rooms on the second floor of the adult library 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 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, recreation facilities, or the library meeting rooms. Rental fees shall be measured by the hour or half hour. The rental fee shall be based upon the amount of time the facility is reserved. 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’s Community Building, under the direction of the Town’s Parks & Recreation Director, and the two library meeting rooms which are under the direction of the Town’s Library Director. The Parks & Recreation Director and the Library Director shall have final determination regarding the appropriate usage of the respective facilities under their direction.

Town sponsored use. Activities or events approved by the Town Commission that specifically benefit the adult and youth residents of Lady Lake. Town programs will have priority usage of the Community Building. Established library programs will have priority usage of 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 are available at Town Hall located at 409 Fennell Blvd. Applications for use of the library meeting rooms are available at the Lady Lake Public Library.

(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 and security deposit) must be paid at least two weeks 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 time, 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 security codes for facilities.

Security codes shall be issued upon approval of the rental application and payment of all deposits and fees.

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 or half 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. If the facility is used for a greater amount of time than reserved, the applicant shall be responsible for the additional time the facility was 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 discretion of the respective supervising director 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 respective supervising 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 respective supervising 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 respective supervising 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. A minimum rental of four hours duration is required on weekends.

(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 respective supervising director, no later than the next workday.

(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 library meeting room facilities. The sale, purchase, consumption, or possession of alcoholic beverages at the community building is prohibited unless the Lady Lake Police have been hired as security for the event.

(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, and 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 are from 7 a.m. to 11 p.m. The hours of operation for Library Meeting Rooms 204 and 207 are during the hours that the library is open to the public.

(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 and Sunroom combined, is approximately 3,104 square feet in size with a room capacity of 113 persons. Parking spaces are available. Twenty tables and 100 chairs are available. There are restrooms and a kitchen with refrigerator, microwave and range.

(b) Regulations governing use of the Community Building. Tables and chairs must be put away by the applicant after use. The Parks & Recreation 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 rooms original condition is required by the applicant. Deposits will be forfeited if these requirements are not met as determined by the department directors and they have sole discretion to make that determination. Storage of any items in the Community Building is strictly forbidden.

(c) Rental fees (per hour):

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

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

(3) Commercial use, whether individual or organization, local or nonlocal: \$50.00 + tax

(4) Churches are considered a commercial use of the property

(5) There is a four-hour minimum rental from Fridays thru Sundays

(d) Alcohol may be served at the community building if the Lady Lake Police Department has been hired for security during the hours of consumption. The rate for security is \$45.00 per hour plus a \$5.00 administrative fee with a two-hour minimum. The Community Building must be rented at least one month in advance in order to coordinate security through the Lady Lake Police Department.

(e) Security deposit: All Uses: \$200.00; \$195.00 returned if approved plus \$5.00 administration fee.

(f) The security deposit 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 Rooms 204 and 207.

(a) Description. Two meeting rooms are located on the second floor of the adult 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 an 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 rearrange 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. No decorations are to be attached to walls 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: \$155.00; \$150.00 returned if approved, \$5.00 administration fee

Sec. 2-200.30. Granting of Exempt Status or Partially Exempt Status.

(a) Purpose of granting exempt status and partially exempt status: Not-for-profit groups and organizations provide valuable services to the citizens of Lady Lake. The Town Commission finds that those services promote the health, safety and welfare of the Town and those groups should be granted exempt or partially exempt status to reduce the burden on their operating expenses.

(b) Commission procedures for granting exempt status and partially exempt status: Any not-for-profit groups and organizations who provide valuable services to the citizens of Lady Lake may obtain exempt status or partially exempt status if approved by a majority vote of the Town Commission at a regular meeting. The Town may revoke any not-for-profit group's exempt or partially exempt status at any time.

Sec. 2-200.31. 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.

Sec. 2-200.32. Revocation of Privileges

In the event that a group, inclusive of those having exempted 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.

Section 2. Conflicts.

All ordinances or parts 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 and become part of the Code 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 **6th** day of **March, 2023**.

Town of Lady Lake, Florida

Jim Rietz, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney