



**TOWN OF LARKSPUR
ORDINANCE NO. 4.26**

AN ORDINANCE REPEALING ORDINANCE 4.23 AND WHICH ESTABLISHES NEW FEES AND REGULATIONS FOR USE OF THE LARKSPUR COMMUNITY PARK AND RELATED FACILITIES.

WHEREAS, the Town of Larkspur owns and maintains the Larkspur Community Park, herein after referred to as Community Park, and which provides recreational and leisure opportunities to the public; and

WHEREAS, in order to regulate the use of the Community Park and its recreational facilities by private groups and entities, and to provide for the continued maintenance and improvement of the park, the Parks and Recreation Board has recommended and the Town Council has determined that certain fees should be charged for such use; and

WHEREAS, the Town Council has determined that the amount of such fees should be reduced for residents residing in the 80118 zip code and in-town residents shall receive an additional 20% fee discount; and

WHEREAS, the Town Council has determined that the amount of such fees should be adjusted to reflect whether the user of the park and its facilities is a for-profit or a not-for-profit entity;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO AS FOLLOWS:

1. The Community Park is operated by the Town and refers to the Park on the east side of Spruce Mountain Road at 8820 Spruce Mountain Road and extending east to the railroad tracks.
2. The Community Park shall be open daily to the public from sunrise to sunset unless a special permit is granted for use outside those times. No person who is not an employee, contractor, or law enforcement official of the Town shall be allowed in the Park at any other time.
3. A Facilities Reservation/Permit shall be required by parties, groups, or organizations of twenty five (25) persons or more before using any shelter, pavilion, horseshoe court, volleyball court, ball field, or equivalent facility. Permits are recommended for groups of less than twenty five (25) to reserve facilities for exclusive use.
4. The whole of Community Park, including the aforementioned facilities identified in paragraph 3, may be reserved for exclusive use for up to eight (8) hours.
5. A cleanup and damage deposit in the amount of \$100.00 is required prior to issuance of a permit for Park facilities. The permittee shall be responsible for any and all damages and losses whatsoever to the Park and its contents. After conclusion of the scheduled event the deposit shall be returned if no damage has been done and the Park has been properly cleaned. If damage has been done and/or the Park has not been properly cleaned a sum sufficient to cover the damage and/or restore the Park to a clean condition will be retained by the Town. The permittee shall be liable to the Town for costs exceeding the deposit amount.

6. The following fees shall be charged for rental of the facilities located in the Larkspur Community Park :

TOWN OF LARKSPUR COMMUNITY PARK FEE SCHEDULE	Resident / Resident Business/ Non-Profit	Non-Resident/Non-Resident Business/ For Profit
Large Picnic Shelter without side panels	\$75	\$100
Large Picnic Shelter with side panels	\$85	\$110
Small Picnic Shelter	\$30	\$40
Ball Field (non-League)	\$50	\$60
Ball Field (League Practice)	\$25/day (Monday-Friday)	\$35/day (Monday-Friday)
Ball Field (League Practice)	\$40/day (Saturday-Sunday 8 AM - 1 PM, 1 PM - dusk)*	\$50/day (Saturday-Sunday 8 AM - 1 PM, 1 PM - dusk)*
Ball Field (League Games)	\$75/game**	\$100/game**
Volleyball Court	\$30	\$40
Horseshoe Courts	\$10 per court	\$15 per court
North Picnic Pavilion	\$85	\$120
Larkspur Community Park All Facilities All Day	\$275	\$375

7. **The above fees shall apply to use of park facilities for four (4) hours except for weekends as noted* and league games**. Additional hours will be charged at a flat rate of \$10 per hour.**
8. A Park Facilities Use Reservation Permit application must be submitted to Larkspur Town Hall specifying requested facility(ies), dates and times desired. All permits are on a first come first served basis.
9. An Events Reservation/Permit shall be required for use of any Park facilities for a public gathering, entertainment, procession, parade, tournament, or exhibition which can reasonably be expected to have an attendance of twenty five (25) persons or more.
10. The Town of Larkspur reserves the right to refuse any application presented for any reason.
11. The foregoing fees and limitations shall not apply to events that are open to the Larkspur Community as a whole, provided such events are approved in advance by the Larkspur Town Council.

12. The foregoing fees may be revised from time to time by resolution adopted by the Larkspur Town Council.
13. The Larkspur Town Council reserves the right to waive fees for special circumstances as deemed appropriate for the applicant and/or event.
14. The Larkspur Town Council may, from time to time by resolution, adopt further rules and regulations or amend the foregoing rules and regulations regarding the use of the Larkspur Community Park and related facilities.
15. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
16. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED, PASSED, AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AND SIGNED THIS _____ DAY OF _____, 2011.

Approving	<u>6</u>
Opposed	<u>0</u>
Absent	<u>0</u>
Abstained	<u>0</u>

ATTEST:

**TOWN COUNCIL OF THE
TOWN OF LARKSPUR, COLORADO**

Manfred Krimmer, Town Clerk

Sherilyn West, Mayor