

## **ORDINANCE NO. 031423B**

### **ORDINANCE AMENDING ORDINANCE 051215A REGARDING USE AND RENTAL OF TOWN PARK SHELTERS, MUNICIPAL SPORTS FIELDS, AND TOWN HALL MEETING ROOM AND ORDINANCE 021015**

**WHEREAS**, the Town Council of the Town of McCordsville, Indiana, has heretofore determined that it is in the best interest of the health, safety and welfare of the citizens of McCordsville, Indiana, that they be able to utilize certain facilities owned by McCordsville, Indiana, including the Town Hall Park, the Shelter House, Old School Park Shelter, Municipal Sports Fields, and the Meeting Room located in McCordsville Town Hall; and

**WHEREAS**, the Town Council of the Town of McCordsville, Indiana, believes that guidelines regarding the hours the aforementioned facilities may be utilized, the terms and conditions under which they may be utilized, the costs associated with said utilization and the manner in which funds received and expended associated with said facilities in the utilization maybe made.

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of McCordsville, Indiana that:

#### **SECTION I**

The Town Hall Park and/or Shelter House and Old School Park Shelter may be utilized by residents of the incorporated limits of McCordsville, Indiana, or organizations with which they are associated, in the manner prescribed on Exhibit B, attached hereto and incorporated by reference herein, which may be modified from time to time by the adoption of a resolution by the Town Council of McCordsville, Indiana, making any such changes.

#### **SECTION II**

The Town Meeting Room may be utilized by the residents of the incorporated limits of McCordsville, Indiana, or organizations with which they are associated, in the manner prescribed by Exhibit A, attached hereto and incorporated by reference herein, which may be modified from time to time by the adoption of a resolution by the Town Council of McCordsville, Indiana, making any such changes.

#### **SECTION III**

The Municipal Sports Fields of McCordsville, Indiana, may be utilized by residents of the incorporated limits of McCordsville Indiana or organizations with which they are associated in the manner prescribed on Exhibit C, attached hereto and incorporated by reference herein, which may be modified from time to time by the adoption of a resolution by the Town Council of McCordsville, Indiana, making such changes.

#### **SECTION IV**

Ordinance No. 021015 is hereby amended to rename the McCordsville Auxiliary Sanitation Fund as the McCordsville Sales Tax Fund.

#### **SECTION V**

All funds collected in association with the rental of any Town owned property described herein shall be deposited into the McCordsville Sales Tax Fund account No. 2505, which is hereby amended to accept said sums and further amended to allow expenditures from McCordsville for the care, maintenance, cost of insurance and all other expenses related to the rental of the Town Hall Park, Town Park Shelters, Municipal Sports Fields, and Town Hall Meeting Room.

#### **SECTION VI**

This Ordinance shall be in full force and effect from and after its passage and due publication.

#### **SECTION VII**

Introduced and filed on the \_\_\_\_ day of \_\_\_\_\_, 2023. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this \_\_\_\_ day of \_\_\_\_\_, 2023 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

#### **TOWN OF MCCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL**

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Larry J. Longman

\_\_\_\_\_  
Larry J. Longman

\_\_\_\_\_  
Branden D. Williams

\_\_\_\_\_  
Branden D. Williams

\_\_\_\_\_  
Bryan Burney

\_\_\_\_\_  
Bryan Burney

\_\_\_\_\_  
Scott Jones

\_\_\_\_\_  
Scott Jones

ATTEST:

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Stephanie Crider, Clerk-Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.

Gregg\MUNICIPAL\McCordsville\Ordinances\Room and Facility Rentals - 03-10-23

## **EXHIBIT A**

### **Town Hall Meeting Room and Facility Use**

#### **Terms and Conditions:**

1. **Dates, Times, and Allowable Uses for the Meeting Room.**

- Monday through Friday, 9:00 a.m. to 9:00 p.m.
- Saturday and Sunday, 9:00 a.m. to 10:00 p.m.
- Meeting Room is for professional uses only. Uses included but are not limited to the following: Professional training, organizational meetings (not-for-profit or for-profit), conferences, small groups studies, McCordsville HOA's, business meetings, Town events.
- Prohibited uses: In general, "parties" including but not limited to: birthday parties, graduation parties, weddings, wedding receptions, wedding showers, baby showers.
- Additional uses, clarifications, and exceptions may be considered by the Town Manager at his/her discretion with thirty (30) days advanced notice.

2. **Scheduling Rooms.**

- The Meeting Room will be scheduled on a first come first served basis. Town use and functions will take priority.
- An authorized individual from the qualifying group must contact the Town Administration Offices (317)335-3151 to reserve a meeting room.
- The authorized individual will serve as a contact person for the Town and is responsible for coordinating details with the Town, such, as, but not limited to set up, building access, and instructions for facility use.
- The Town reserves the right to reschedule or cancel reservations if official Town business requires the use of the room. As much advanced notice will be given as possible and all fees will be returned.
- A credit card may be required for incidentals.
- A fee of \$250 will be assessed if the room or building are determined to be damaged or need additional cleaning outside of that required by normal use.

3. **Rental Amounts.**

- \$100.00 per rental
- \$75.00 per rental for usage six (6) or more times during any calendar year (Must be scheduled and paid for all at once)
- \$20.00 per meeting for McCordsville HOA's.

4. Proper Treatment of the Meeting Room.

- All parking ordinances, including handicap spaces, reserved parking, and no parking areas will be observed when using the Town facilities.
- Children must always be accompanied by an adult.
- If noise from the use of the Meeting Room becomes disruptive, the town reserves the right to terminate the use of the facility.
- Smoking is prohibited anywhere within Town Hall (and upon the grounds of the Town Hall building).
- Alcohol is not permitted. The Town may request an exception for Town sponsored events with prior Town Council approval.
- Refreshments and food are allowed in the Meeting Room. Foods or drinks with a *red dye* are not allowed in the Meeting Room.
- The Town of McCordsville requires that the meeting room be restored to its original clean and neat condition prior to vacating the room.

5. Access to the Town Hall.

- Upon completion of the required Application Form, Rental Agreement and receipt of the appropriate rental amount, the individual executing the Rental Agreement will be given an access card for the door located on the west side of the Town Hall and east of the large parking lot. This card is to be returned within one week after the rental date.

## **EXHIBIT B**

### **Town Park and Shelter Use**

#### **Rental Amounts.**

- \$100.00 per rental, per day for residents within the incorporated limits of McCordsville
- \$150.00 per rental, per day for residents outside the incorporated limits of McCordsville.
- Proof of residency required at time of rental.
- Rentals are for full day, no half-day rentals.

#### **Terms and Conditions:**

1. The parks will be closed from 8:00 p.m. (EST) or 9:00 p.m. (EDT) until 7:00 a.m. (EST) or 8:00 a.m. (EDT) daily with exceptions for Meeting events or group functions as authorized by the Town Manager or his/her designee.
2. The Park Shelters will be scheduled on a first come first served basis. One authorized individual from the qualifying group must contact the Town Administration Offices (317)335-3151 Offices to rent a Shelter.
3. The authorized individual will serve as a contact person for the Town and is responsible for coordinating all details of the planned usage with the Town.
4. All parking ordinances, including handicap spaces, reserved parking and no parking areas will be observed when using Town facilities.
5. Vehicles may not park in the grass.
6. Alcohol is not permitted. The Town may request an exception for Town sponsored events with prior Town Council approval.
7. No overnight camping is allowed.
8. Any persons or groups using the park facilities are to put their trash in designated containers or removed from the premises by the renter.
9. No roller skates, skateboards or bicycles are allowed in the shelter.
10. No motorized or off-road vehicles, 3 and 4 wheelers, off-road motorcycles, snowmobiles and go-carts are allowed in the park.

11. No person shall make or maintain an open fire except in the facilities provided for that purpose by the Town of McCordsville.
12. No fireworks are allowed in the park, other than those approved and supervised by Town officials per the Town Noise Ordinance
13. All noise must be kept within a level so as not to disturb the peace of adjacent property owners and fellow park users.
14. Loose animals are not allowed on the premises, and all pet owners must pick up after their animals.
15. No profanity or other conduct that unreasonably interferes with the quiet enjoyment of adjoining property owners or the park by others is allowed on the premises.
16. The McCordsville Shelters and Parks shall not be used for commercial purposes or for any purposes not in the public interest as determined by the Town Council. Applicant may choose to go before the Town Council if rejected by staff.
17. The Town of McCordsville reserves the right to terminate any activity that becomes abusive or destructive to the Town or private property.
18. Park facilities must be left undamaged, clean and in an orderly condition.
19. The individual and activity sponsor requesting use of the facility shall be responsible for the event and must be present at the Park throughout the event. It is their responsibility to ensure that a participant or spectator does not possess a firearm, knife, archery equipment or any other dangerous items or illegal substances.
20. No person shall cut, injure, deface, remove or disturb any property of the Town.
21. A fee of \$250 will be assessed if the room or building are determined to be damaged or need additional cleaning outside of that required by normal use.
22. In the event of a weather incident for the shelters or fields, the Town Manager will have the discretion to reschedule your event to an open date within the same calendar year of the rental. Available dates are first come, first serve. No rain checks will be given for the following year. Late season rentals are at the renters own risk.
23. Cancellation for any reason other than weather related events must be made a minimum of at least 7 days prior. Less than 7 days' notice will result in forfeiture of rental fee. Prior to 7 days' notice the Town Manager has discretion to reschedule your rental to an open date if available.

## EXHIBIT C

### **Municipal Owned Sports Field Rental**

#### **Rental Times.**

- Monday-Friday Daytime Session: 8:00 am-4:00 pm
- Monday-Friday Evening Session: 5:00 pm-8:00 pm
- 8:00 pm to Park Close-Open Time
- Saturday-Sunday: 8:00 am-9:00 pm (full day)
- **Renters must vacate the field after their allotted time. Failure to do so, or any causing of disturbance with another renter will result in forfeiture of future use.**
- Renters must sign a waiver of liability for injuries, and vehicle damage.

#### **Rental Amounts.**

- \$50.00 per individual rental, Monday- Friday Sessions
- \$35 per rental for multiple (4+ sessions), Monday-Thursday Sessions paid for in advance.
- \$150.00 per rental, per day- Saturday-Sunday Rental
- Renters must sign a waiver of liability for injuries, and vehicle damage.

#### **Terms and Conditions:**

1. The parks will be closed from 8:00 p.m. (EST) or 9:00 p.m. (EDT) until 7:00 a.m. (EST) or 8:00 a.m. (EDT) daily with exceptions for Meeting events or group functions as authorized in advance by the Town.
2. The Field will be scheduled on a first come first served basis. One authorized individual from the qualifying group must contact the Town Offices in order to rent a Municipal Sports Field.
3. The field is provided "As-Is". Conditions are dependent on weather and use. McCordsville does not represent any specific level of playing condition or expectation.
4. The authorized individual will serve as a contact person for the Town and is responsible for coordinating all details of the planned usage with the Town.
5. All parking ordinances, including handicap spaces, reserved parking and no parking areas will be observed when using Town facilities.
6. Vehicles may not park in the grass.
7. Alcohol is not permitted. The Town may request an exception for Town sponsored events with prior Town Council approval.
8. No overnight camping is allowed.



9. Any persons or groups using the park facilities are to put their trash in designated containers or removed from the premises by the renter.
10. No motorized or off-road vehicles, 3 and 4 wheelers, off-road motorcycles, snowmobiles, and go-carts are allowed in the park.
11. No person shall make or maintain an open fire except in the facilities provided for that purpose by the Town of McCordsville.
12. No fireworks are allowed in the park, other than those approved and supervised by Town officials per the Town Noise Ordinance.
13. All noise must be kept in a level so as not to disturb the peace of adjacent property owners and fellow park users.
14. Loose animals are not allowed on the premises, and all pet owners must pick up after their animals.
15. No profanity or other conduct that unreasonably interferes with the quiet enjoyment of the park by others is allowed on the premises.
16. The McCordsville Sports Fields shall not be used for commercial purposes or for any purposes not in the public interest.
17. The Town of McCordsville reserves the right to terminate any activity that becomes abusive or destructive to the Town or private property.
18. Park facilities must be left undamaged, clean and in an orderly condition.
19. The individual and activity sponsor requesting use of the facility shall be responsible for the event and must be present at the Park throughout the event. It is their responsibility to ensure that a participant or spectator does not possess a firearm, knife, archery equipment or any other dangerous items or illegal substances.
20. No person shall cut, injure, deface, remove or disturb any property of the Town.
21. A fee of \$250 will be assessed if the room or building are determined to be damaged or need additional cleaning outside of that required by normal use.
22. In the event of a weather incident for the shelters or fields, the Town Manager will have the discretion to reschedule your event to an open date within the same calendar year of the rental. Available dates are first come, first serve. No rain checks will be given for the following year. Late season rentals are at the renters own risk.
23. Cancellation for any reason other than weather related events must be made a minimum of at least 7 days prior. Less than 7 days' notice will result in forfeiture of rental fee. Prior to 7 days' notice the Town Manager has discretion to reschedule your rental to an open date if available.