

ORDINANCE 2015-5-2

**AN ORDINANCE AMENDING ORDINANCE 2003-4-4 BY ADOPTING
ADDITIONAL FEES TO ADD TO SCHEDULE OF FEES
FOR PARK RENTALS**

WHEREAS, the Town Council of Winona Lake, Indiana, on the recommendation from the Winona Lake Park Department pursuant to Indiana Code 36-10-3-22, adopted Ordinance 2003-4-4 on April 29, 2004 to assess, charge, collect and distribute assessments collected for the use of park equipment, more specifically and Kayaks, Paddleboats and Canoes, as currently set forth at Chapter 44, Section 44-1 (a) (1) (2) (3) of the Town Code of the Town of Winona Lake, Indiana, and

WHEREAS, the Winona Lake Park Department has acquired or desires to acquire Paddleboards, for an additional activity; and

WHEREAS, it is necessary to charge a reasonable fee in order to provide the Kayak, Canoe and Paddleboard activities; and

WHEREAS, the Town Council of Winona Lake, Indiana has determined that the adoption of the fees is necessary, by amending Chapter 44, Section 44-1 (a) to add fees for Paddleboard rentals at the rate of fifteen dollars (\$15)an hour or \$45 based on availability and park hours;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WINONA LAKE, INDIANA, AS FOLLOWS:

Section 1. AMENDMENT

That Chapter 44, Section 44-1 (a) is now hereby amended as follows:

Sec. 44-1 **Fees for kayaks, canoes, paddleboats and paddleboards:**

(a) The following rates shall be charged for rental of the park department's canoes, paddleboats, Kayaks and paddleboards:

- (1) Rental of canoes and paddleboats shall be \$7.00 an hour or \$20.00 a day based on availability and park hours

- (2) Rental for Kayaks shall be \$10.00 an hour or \$30.00 a day based on availability and park hours.
- (3) Rental for Paddleboards shall be \$15.00 an hour or \$45.00 based on availability and park hours.
- (4) An additional refundable damage deposit of \$20.00 shall be charged for all rentals. Any person renting (including a guarantor) the equipment of the park department shall be responsible for any damage to the equipment and the cost of repair or replacement.

i.) In such an event of damage, the deposit shall be applied to the cost of repair or replacement, before any reimbursement and if the damage is greater than the deposit, the renter will be responsible to pay for the remaining cost of damage or replacement, and

ii.) If payment is not made timely, then Town Park Department shall be entitled to recover, the costs of collection, including but not limited to its attorney fees and court costs, from the renter (and guarantor, if any) subject to the discretion of the Town Council when there are unusual circumstances that the Town Council deem appropriate.

Section 2. PARTS NOT AMENDED

Subsections (b) and (c) of Chapter 44, Section 44-1 shall remain in full force and effect.

Section 3. EFFECTIVE DATE

This Ordinance will become effective upon its adoption..

UPON MOTION DULY MADE, SECONDED AND PASSED BY A UNANIMOUS VOTE, of ___ ayes, this Ordinance is considered for final passage upon its first presentation.

UPON MOTION DULY MADE AND SECONDED this Ordinance was adopted by the Town Council of the Town of Winona Lake, Indiana on May 19, 2015 by a vote of _____ ayes and _____ nays.

AYE

NAY

Randy Swanson, President

Randy Swanson, President

Terry Howie, Vice-President

Terry Howie, Vice-President

Peter Christos, Council Member

Peter Christos, Council Member

Bruce Shaffner, Council Member

Bruce Shaffner, Council Member

Robert Swanson, Council Member

Robert Swanson, Council Member

WINONA LAKE TOWN COUNCIL

ATTEST:

KENT ADAMS, Clerk-Treasurer
TOWN OF WINONA LAKE

