

ORDINANCE NO. 3.90

AN ORDINANCE ESTABLISHING FEES FOR THE USE OF THE LARKSPUR TOWN PARK AND RELATED FACILITIES AND ESTABLISHING REGULATIONS FOR SUCH USE

WHEREAS, the Town of Larkspur owns and maintains the Larkspur Town Park which provides recreational and esthetic opportunities to the public; and

WHEREAS, in order to regulate the use of the Larkspur Town Park by private groups and entities, and to provide for the continued maintenance and improvement of the park, 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 fee should be reduced for Town residents, as they contribute tax dollars that have helped fund the park; and

WHEREAS, the Town Council has determined that the amount of such fee should be adjusted to reflect whether the user of the park 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 following fees shall be charged for use of the Larkspur Town Park:

Group size	Residents of town	Non-residents	Non-profit
50 to 75 people	\$25.00	\$50.00	\$38.00
76 to 100 people	\$38.00	\$75.00	\$57.00
101 to 125 people	\$50.00	\$100.00	\$75.00
126 to 150 people	\$63.00	\$125.00	\$94.00
151 to 200 people	\$85.00	\$170.00	\$128.00
201 to 400 people	\$175.00	\$350.00	\$263.00

2. Use of the park by groups involving more than 400 people shall not be permitted, due to parking and seating limitations.
3. The foregoing fees shall apply to the use of the park for one day or any portion thereof.
4. Electricity charges shall be \$10.00 per 4 hours of usage or any part thereof.
5. Electricity charges shall be \$15.00 for more than 4 hours of usage, up to a maximum of 8 hours.

6. A fee of \$250.00 per day or any part thereof shall be charged for rental of the tent in the park. In connection with such rental, the user shall provide a \$500.00 damage deposit, which shall be returned to the user within fifteen (15) days of conclusion of the event. The Town shall be entitled to deduct from such deposit any amounts incurred by the Town as a result of damage to the tent during such event.
7. 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.
8. The foregoing fees may be revised from time to time by resolution adopted by the Larkspur Town Council.
9. 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 Town Park and related facilities.
10. All funds collected pursuant to this Ordinance shall be deposited in the Parks and Recreation Fund and shall be expended, in part, to pay for maintenance of the Town Park.
11. 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.
3. 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 AFTER PUBLIC HEARING AND SIGNED THIS 18th DAY OF May, 2006.

Nunc pro Tunc to June 16th, 2005.

(S E A L)

Votes Approving:	<u>5</u>
Votes Opposed:	<u>1</u>
Absent:	_____
Abstained:	_____



TOWN COUNCIL OF THE
TOWN OF LARKSPUR, COLORADO

Pennye J. Henson
Pennye J. Henson, Deputy Town Clerk

By: Sherilyn West
Sherilyn West, Mayor