



Roll Call Number

Agenda Item Number

41

Date November 7, 2016

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 74-92 and 74-176, an adding new Section 74-175, relating to consumption of alcohol at Birdland Marina; and fees for use of tennis courts and ball diamonds",

(Council Communication No. 16-628)

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Ann DiDonato

Ann DiDonato
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 74-92 and 74-176, an adding new Section 74-175, relating to consumption of alcohol at Birdland Marina; and fees for use of tennis courts and ball diamonds.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Sections 74-92 and 74-176, an adding new Section 74-175, relating to consumption of alcohol at Birdland Marina; and fees for use of tennis courts and ball diamonds, as follows:

Sec. 74-92. Consumption of alcohol; intoxication.

- (a) It is unlawful for any person to use, possess or consume beer, wine or alcoholic liquor in any city park, including all park roads and parking areas in parks, except by issuance of a permit and either:
 - (1) Approval of the park and recreation board; or
 - (2) Such use, possession or consumption is enclosed in park shelters at the following locations: Greenwood Park, MacRae Park, Grandview or Birdland Park; or
 - (3) Such use, possession or consumption is within Gray's Lake Park Overlook Terrace; or
 - (4) Such use, possession or consumption is within the Clare and Miles Mills Rose Garden or the Lilac Arboretum; or
 - (5) Such use, possession or consumption is within specified areas of the Principal Riverwalk including the Hub Spot plaza, Hub Spot River Plaza, Hub Spot building, Long Look Garden, Brenton Skating Plaza and plaza adjacent to World Food Prize building; or
 - (6) Such use, possession or consumption is within the Robert D. Ray Asian Garden; or
 - (7) Such use, possession or consumption is during an adult event at the Carney Softball, James W. Cownie Soccer and Baseball Parks, or Greater Des Moines Softball sports complex; or
 - (8) Such use, possession or consumption is within the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street a/k/a "Western Gateway Park".
 - (9) Within the service building and designated outdoor areas of Birdland Marina pursuant to a concession agreement.

- (b) The permit must be obtained from the park and recreation director.
- (c) No keg beer or alcoholic liquor is allowed except under a liquor control license and approval of the park and recreation board, except that park and recreation board approval is not required for use, possession or consumption within “Western Gateway Park” and Birdland Marina for uses pursuant to (a)(9) above.
- (d) No person shall be intoxicated or simulate intoxication in a city park.

Sec. 74-175. Tennis courts.

Fees for rental with reservations: tennis facilities with more than one court - \$5.00 per hour. All reservations subject to approval of recreation manager.

Sec. 74-176. Ball diamonds and soccer fields.

- (a) *Scope.* Fees for use of city ball diamonds and soccer fields shall be as provided in this section.
- ~~(b) *Ball diamonds.* Fees for use of ball diamonds for private use at Carney, Chesterfield, Savage, Cownie Baseball Park and Greater Des Moines Softball Park.~~
- ~~(eb) *Ball diamonds.* Fees for use of ball diamonds for private use at Carney, Chesterfield, Savage, and Cownie Baseball Parks, Chesterfield Park, Savage Softball Park, and Greater Des Moines Softball Park, shall be as follows:~~
 - (1) Tournament Field Rental - \$100.00 per field per day at Greater Des Moines Softball Park in calendar year 2015, \$110.00 in 2017, and \$120.00 in 2019, and \$75.00 per field per day at Carney Softball Park in calendar year 2015, \$85.00 in 2017 and \$95.00 in 2019 Tournament fee includes lining and chalking every three games.
 - (2) Tournament Field Rental after 5:00 p.m. - \$35.00 per field per day.
 - (3) Tournament fees include lining and chalking every three games.
 - (4) Rental for Games and Practices (Leagues):

<u>Non-Profit</u>	<u>For-Profit</u>
\$17.00 in calendar year 2015	\$20.00 in calendar year 2015
\$19.00 in calendar year 2016	\$25.00 in calendar year 2016
\$20.00 in calendar year 2017	\$30.00 in calendar year 2017.

 Rental for Games and Practices (Leagues) at Chesterfield and Ashfield: \$12.00 per hour.
 - (5) Youth baseball tournament at Cownie Baseball Park and Carney Baseball Park - \$45.00 per game.
- ~~(dc) *Soccer park field.* Rental fees for the soccer park shall be as follows:~~
 - (1) Tournament (per field per day/minimum of four fields):


Calendar Year	2014	2015/2016	2017/2018	2019/2020	2021
Per Field Charge	\$120.00	\$125.00	\$130.00	\$135.00	\$140.00

- (2) League (per match) \$100.00
- (3) Competitive tournament \$ 25.00/team
- (4) Lights (per match) \$ 30.00
- (5) Per team/per tournament parking fees:

Calendar Year	2014	2015/2016	2017/2018	2019/2020	2021
3 on 3 Teams	\$40.00	\$45.00	\$50.00	\$55.00	\$60.00
10 years and under	\$75.00	\$80.00	\$85.00	\$90.00	\$95.00
11/12 year olds	\$140.00	\$145.00	\$150.00	\$155.00	\$160.00
13 years old and older	\$165.00	\$170.00	\$175.00	\$180.00	\$185.00

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Ann DiDonato
Assistant City Attorney