

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1764

AN ORDINANCE RESTRUCTURING
THE DEPARTMENT OF PARKS AND RECREATION

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, previously passed and adopted Ordinance No. 1002, §§ 1-7; Ordinance No. 1029, § 2; Ordinance No. 1292, § 1-4; Ordinance No. 1488, § 3; Ordinance No. 1727; and, Ordinance No. 1759, regarding or related to the Town of St. John Parks and Recreation Board.

WHEREAS, the St. John Town Council deems it to be in the best interest of the citizens of the Town of St. John to repeal and replace Ordinance No. 1002, §§ 1-7; Ordinance No. 1029, § 2; Ordinance No. 1292, § 1-4; Ordinance No. 1488, § 3; Ordinance No. 1727; and Ordinance No. 1759; which are codified, with the exception of Ordinance No. 1759, in Chapter 15, Parks and Recreation, Sections 15-1 through 15-8, respectively, of the St. John Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: Chapter 15, entitled Parks and Recreation, of the St. John Code of Ordinances, and Ordinance No. 1759 are hereby repealed and deleted in their entirety and replaced with the following.

SECTION TWO: Chapter 15 of the St. John Code of Ordinances, shall now read as follows:

Chapter 15. PARKS AND RECREATION

Article I. St. John Parks and Recreation

Sec. 15-1. Establishment of Town department.

The department of parks and recreation is reestablished as a department of the Town of St. John, and composed of a superintendent, and such other personnel as the Town Council shall determine.

Sec. 15-2. Operation and maintenance of public parks and programs.

The Town Council of the Town of St. John shall have full authority and responsibility to establish, aid, maintain, and operate public parks, playgrounds and recreational facilities and programs.

Sec. 15-3 Powers and duties.

The Town Council shall exercise all powers necessary to establish, aid, maintain, and operate public parks, playgrounds, and recreational facilities, including park programs, funds, donations, etc., as a department of the Town of St. John. In accordance with I.C. 36-10-3-28, as amended from time to time. all powers, duties, liabilities, records, and

property of the discontinued Park Board, including appropriations and other funds, are transferred to the Town Council. Any amounts owed to the discontinued Park Board are now owed to the Town Council of the Town of St. John.

Sec. 15-4. Superintendent of parks and recreation.

- (a) The superintendent of the parks and recreation must be qualified by training or experience in the field of parks and recreation or have a certification or an advanced degree in the field of parks and recreation.
- (b) The powers and duties of the superintendent shall include:
 - (1) Propose annually a plan for the operation of parks and recreation;
 - (2) Administer the plan as approved by the Town Council;
 - (3) Supervise the general administration of parks and recreation;
 - (4) Keep the records and preserve all papers and documents related to parks and recreation;
 - (5) Recommend persons for appointment as assistants if the Town Council determines there is a need;
 - (6) Hire employees of the department, subject to the approval of the Town Council, according to the standards and qualifications set by the Town Council and without regard to political affiliation;
 - (7) Prepare and present to the Town Council an annual report;
 - (8) Report to and work under the supervision of the Town Manager; and
 - (9) Perform other duties that the Town Council directs.

Sec. 15-5. Creation of Committees.

The Town Council may create a five-member advisory committee composed of citizens of the Town interested in parks and recreation.

Sec. 15-6 – 15-20. Reserved.

Article II. Funding for Parks and Recreation

Sec. 15-21 Activity fees.

Parks and recreation programs shall be made available to the public free of charge, if possible. However, if a fee is necessary for the Town to provide a particular activity, the Town may charge a reasonable fee for participation in an activity, program, or project.

according to the costs thereof, and any person participating shall be required to pay the prescribed fee.

Sec. 15-22 Park pavilion and baseball field rental fees.

(a) A rental agreement or receipt and/or permit is required to use a pavilion in all St. John parks at any time.

(1) All pavilion reservations shall be made in the Office of the Clerk-Treasurer of the Town in compliance with the procedures applicable to the event and/or park location.

(2) A pavilion may be reserved up to one (1) year in advance.

(3) A pavilion may not be reserved by a party for more than four (4) consecutive weekends in a calendar year.

(4) When the baseball fields are not being utilized by the Town youth baseball organization in accordance with subsection (c)(1), rental of a pavilion shall include use of the baseball fields (where applicable.)

(b) Pavilion rental fees.

(1) The rental fee for use of a pavilion for each day shall be fifty dollars (\$50.00) for non-profit organizations and one hundred dollars (\$100.00) for all other persons and entities. Rental fees are non-refundable if cancellation occurs within 30 days of the event date.

(2) Based upon the availability of picnic tables and personnel, additional picnic tables may be rented for use with the pavilion rental. The rental fee for one to five (5) additional picnic tables is twenty-five dollars (\$25.00), and for six (6) to ten (10) additional picnic tables is fifty dollars (\$50.00.)

(3) A one hundred dollar (\$100.00) security deposit shall be paid at the time a pavilion is reserved in addition to the rental fee. If the pavilion, all tables, and the surrounding park areas are satisfactorily cleaned by the renter at the end of the rental period, then the security deposit shall be refunded within forty-five (45) days. Otherwise, the security deposit is forfeited and shall be retained by the Town.

(c) Priority use of baseball fields by Town youth baseball.

(1) The Town youth baseball organization shall have priority use of the baseball fields in all parks and recreational areas. Additionally, the Town youth baseball organization shall be exempt from the rental fee provisions in subsection (b).

(2) Notwithstanding subsections (a)(4) and (c)(1), the baseball fields may be used on a first come-first serve basis at no cost.

Sec. 15-23 Deposit of fees in parks and recreation general fund.

All fees or contributions charged and collected by the Town for parks and recreation programs shall be deposited into the parks and recreation general fund and accounted for in accordance with all applicable statutory requirements as well as all procedural requirements of the State of Indiana Board of Accounts. The fees or contributions collected and deposited into the parks and recreation general fund shall be used for purposes of providing parks and recreation activities, programs, or projects by the Town, as well as any other purposes in accordance with applicable law and procedure.

Sec. 15-24 Special non-reverting capital fund.

- (a) There is reestablished for the Town a special non-reverting capital fund for the purpose of acquiring land or making specific capital improvements for parks and recreation purposes.
- (b) Any gift or grant of money to the Town for parks and recreation purposes shall be deposited in the non-reverting fund to be available for expenditure by the Town for purposes specified by the grantor or in accordance with law.

Sec. 15-25 Family Gardening Program special revenue fund.

- (a) There is hereby reestablished the "Town of St. John Parks and Recreation Family Gardening Program Special Revenue Fund 284," which shall be a special revenue fund under the rules, regulations, and requirements of applicable Indiana law, including the Indiana Code, as amended from time to time, as well as the administrative rules and requirements to the Indiana State Board of Accounts.
- (b) Any monies collected as donations, from event participation and/or registration fees, as well as appropriations from other Town funds, shall be deposited into the Family Gardening Program Special Revenue Fund 284, as well as any other monies specifically identified to be used in connection with the Family Gardening Program.
- (c) The monies deposited in the Parks and Recreation Family Gardening Program Special Revenue Fund 284 shall be utilized and expended only for the costs incurred in connection with the planning, coordination and carrying out of the Family Gardening Program and all activities related thereto, as approved and authorized by the Town Council.
- (d) The Clerk-Treasurer of the Town is authorized and directed to take all appropriate and required steps to establish said "Town of St. John Parks and Recreation Family Gardening Program Special Revenue Fund 284" in compliance with all applicable laws, as amended from time to time.

Sec. 15-26 Memorial Bench and Tree Program special revenue fund

- (a) There is hereby reestablished the "Town of St. John Parks and Recreation Memorial Bench & Tree Program Special Revenue Fund," which shall be a special revenue fund under the rules, regulations, and requirements of applicable Indiana law, including the Indiana Code, as amended from time to time, as well as the administrative rules and requirements to the Indiana State Board of Accounts.

- (b) Any monies collected as donations, as well as appropriations from other Town funds, shall be deposited into the Memorial Bench & Tree Program Special Revenue Fund, as well as any other monies specifically identified to be used in connection with the Memorial Bench & Tree Program.
- (c) The monies deposited in the Memorial Bench & Tree Program Special Revenue Fund shall be utilized and expended for the costs incurred in connection with the purchase of benches, trees, and plaques; the purchase of equipment, supplies, and related expenses for installation, construction, care, and maintenance of the benches, trees, and memorial sites; and, planning, coordination and carrying out of the Memorial Bench & Tree Program, and all activities related thereto, as approved and authorized by the Town Council.
- (d) The Clerk-Treasurer of the Town is authorized and directed to take all appropriate and required steps to establish said "Town of St. John Parks and Recreation Memorial Bench & Tree Program Special Revenue Fund" in conformance and compliance with all applicable law, as amended from time to time.

Secs. 15-27 – 15-40. Reserved.

Article III. Conduct within parks and recreation areas

Division 1. Generally

Sec. 15-41 – 15-100. Reserved.

SECTION THREE: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

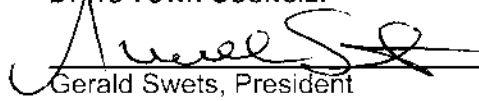
SECTION FOUR: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FIVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, and publication in conformance with applicable law.

SIGNATURES ON NEXT PAGE

ALL OF WHICH IS PASSED AND ADOPTED THIS 18TH DAY OF APRIL 2022, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
BY ITS TOWN COUNCIL:



Gerald Swets, President

NAY

Michael Schilling, Vice President



Bryan Blazak, Member

NAY

Wayne Pondinas, Member



Mike Aurelio, Member

ATTEST:

Beth R. Hernandez, Clerk-Treasurer