



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 2/8/2019      **In control:** Rules & Reference Committee

**On agenda:** 3/25/2019      **Final action:** 3/27/2019

**Title:** To amend Section 913.02 of the City Code to grant the Director of Recreation and Parks the authority to authorize third party vendors to conduct commercial activity in City of Columbus controlled waterways via written permission for the rental of canoes, kayaks, paddleboards, and similar vessels; and to declare an emergency.

**Sponsors:** Elizabeth Brown

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/27/2019	1	CITY CLERK	Attest	
3/26/2019	1	ACTING MAYOR	Signed	
3/25/2019	1	COUNCIL PRESIDENT	Signed	
3/25/2019	1	Columbus City Council	Approved	Pass

This ordinance is to amend Section 913.02 of the Columbus City Code and will authorize the Director of Recreation and Parks to authorize third party vendors to conduct commercial activity in City of Columbus controlled waterways via written permission rather than bid and contract. This will include the rental of canoes, kayaks, paddleboards, and similar vessels.

**Background:** Changes were recently made to Section 921.01-9 (Ord. 0521-2019) to authorize third party vendors to conduct commercial activity in City of Columbus controlled waterways via written permission rather than bid and contract. This will include the rental of canoes, kayaks, paddleboards, and similar vessels. Allowing permission to be issued in a manner similar to a park use permit will expedite the process. Any and all qualified vendors may be granted permission as long as they meet the qualifications. Strict rules, guidelines, and qualifications will be developed to ensure the community receives a high level of service.

**Emergency Justification:** Emergency Action is requested to ensure that adequate time is available to finalize policies with vendor and City Attorney’s Office input and allow concessions to take place as early as March 2019 when boating season begins.

**Benefits to the Public:** Concession of paddlecraft is a regular request by citizens. The City, not being equipped to manage the concession operation currently has no alternatives to offer. Once a permitting process is in place, we will be able to direct the public to a list of approved vendors while making no recommendations or endorsements of the company.

**Community Input/Issues:** Potential vendors have been very vocal about their desire to conduct operations on the reservoirs. We will work with these vendors, many who are advocates and industry experts to finalize qualifications and policy. There is also a community wide desire to activate the waterways of Columbus.

**Area(s) Affected:** Hoover, Griggs, and O’Shaughnessy Reservoirs, Olentangy River, Scioto River. These activities will draw citizens from all over Columbus and likely all of central Ohio.

**Fiscal Impact:** No cost to the City. There will be a fee for vendors that are qualified and we expect revenue in the \$5,000 range.

To amend Section 913.02 of the City Code to grant the Director of Recreation and Parks the authority to authorize third party vendors to conduct commercial activity in City of Columbus controlled waterways via written permission for the rental of canoes, kayaks, paddleboards, and similar vessels; and to declare an emergency.

**WHEREAS**, it is necessary to amend City Code Section 913.02 to grant the Director of Recreation and Parks the authority to authorize third party vendors to conduct commercial activity in City of Columbus controlled waterways via written permission for the rental of canoes, kayaks, paddleboards, and similar vessels; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department that it is immediately necessary to amend City Code to allow concessions to take place as early as March 2019 when boating season begins; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the following Section, 913.02, of the City Code be amended to read as follows:

**Chapter 913 - RECREATION AND PARKS COMMISSION**

**Sections:**

· **913.01 - Community shelters.**

The maintenance, operation and the control of all the community shelters are transferred to the recreation and parks commission.

(Ord. 114-73.)

· **913.02 - Miscellaneous contracts.**

(A) The director of recreation and parks is authorized, with the approval of the recreation and parks commission, to enter into the following contracts on behalf of the city of Columbus: lease of equipment, facilities and property, under control and supervision of the recreation and parks department, to the public for recreation and park purposes; lease of space, fixtures and equipment under the control and supervision of the recreation and parks department to concessionaires for the purpose of operating concessions; contract for various services to be performed on recreation and park facilities and property whereby the city of Columbus incurs no financial obligation, contract with seasonal athletic officials, athletic scorers, and attendants in conjunction with the operation of recreation and parks programs and facilities.

(B) In order to carry out the purpose of Section 913.02, the recreation and parks commission and the director of recreation and parks shall be governed by the guidelines as set forth below:

1. The recreation and parks director, with the approval of the recreation and parks commission, will have the authority to sign various agreements which deal with the day-to-day operations of the department of recreation and parks. Such agreements shall include:

a. Rental of boat docks and boat stakes in accordance with Sections 921.01-7 (Application for city-owned docks, stakes, and moorings) and 921.01-8 (Permitting of private docks, stakes, and moorings) of the Columbus City Codes and in accordance with fees and charges established by the recreation and parks commission.

- b. Rental of recreation facilities on an hourly, daily or seasonal basis in accordance with the board of education (where applicable) and in accordance with fees and charges established by the recreation and parks commission.
  - c. Agreements for the operation of vending machines, telephones, and other utilities within recreation and park facilities where fees and charges will be reimbursed to the recreation and parks department through a fees and charges schedule as approved by the recreation and parks commission.
  - d. Special permits for the use of parklands, showmobile, shelterhouses, swimming pools, or similar recreation and park facilities or properties where a fee is required (as established by the recreation and parks commission) or a deposit is required to insure proper utilization of facilities.
  - e. Rental of city-owned golf carts on a daily basis or as established by contractual agreement with a golf cart leasing company with fees and charges established by the recreation and parks commission.
  - f. Rental Permits allowing for the rental of paddleboats non-motorized boats including canoes, kayaks, stand up paddleboards, paddle boats and similar watercraft, establishment of arts and crafts class fees, establishment of fees for tennis lessons, league fees for sports programs, and related programs as established by fees and charges from the recreation and parks commission, contractual agreements, or cost of program materials.
  - g. Rental of city-owned residences in accordance with rental rates established by appraised values and approved as a part of the city's master salary ordinance.
2. The recreation and parks director, with the approval of the recreation and parks commission, will have the authority to execute various license agreements, not to exceed two (2) years in length, with individuals, groups, clubs or organizations for the utilization of recreation and parks facilities and/or property which does not involve the expenditure of city of Columbus funds. Such license agreements shall include:
- a. License agreements for the use of recreation and park properties for activities commensurate with the development of recreation and park opportunities within Central Ohio such as:
    - (1) Lease of space for model airplane use;
    - (2) Lease of White Sulphur Quarry as a ski area;
    - (3) Lease of properties to boat clubs.
  - b. Lease of undeveloped properties until such land is required for future development.
3. The recreation and parks director, with the approval of the recreation and parks commission, will have the authority to execute various concession agreements in conjunction with the day-to-day operation of various recreation and parks facilities and programs. In each case, the department of recreation and parks will advertise and seek competitive bids for the operation and privilege of these concessions however, if no bids are received, the director of recreation and parks, with the approval of the recreation and parks commission, has the option to negotiate an appropriate agreement for the privilege of operating a concession for a period not to exceed two (2) years. Such agreements shall include:
- a. Gas and oil concessions, ~~boat rental concessions~~, bait store concessions, and similar concessions relating to the operation and utilization of the reservoir areas.
  - b. Concession privileges for the sale of food, drinks, etc. at various recreation and parks facilities as a part of the day-to-day operation.
  - c. Specialized concession agreements that relate to the day-to-day operation of a recreation and park facility.
  - d. The length of term and procedures for execution of concession agreements shall be as follows:
    - (1) The contract term shall not exceed two (2) years.
    - (2) Concession agreements in excess of two (2) years shall be submitted to city council as standard legislation after appropriate approval from the recreation and parks commission.
    - (3) All agreements shall be approved as to form by the city attorney.
4. The recreation and parks director, with the approval of the recreation and parks commission will have the authority to establish a schedule of special rates for contracting with seasonal athletic officials, athletic scorers, and attendants in conjunction with the operation of recreation and parks programs and facilities, and to contract

with such officials, scorers, and attendants for such purpose.

a. All such contracts shall be in accordance with the schedule of special rates established, and

b. Such contracts may be informal on a per-game, per-match, or per-hour-of-game-or-match basis and need not be individually executed in writing.

5. The fee policy or fee schedule for all recreation and parks facilities and programs will be established by the recreation and parks commission.

(Ord. 2949-79; Ord. 1132-2008 Attach. (part); Ord. No. 3160-2015, § 1, 10-24-2016)

**SECTION 2.** That the prior existing Section 913.02 of the City Code is hereby repealed.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.