

ORDINANCE NO. 08-19-2010

**AN ORDINANCE AMENDING TITLE 12, CHAPTER 12.10
BY COMPLETING SECTION 12.10.03 AND
ESTABLISHING A FEE FOR USE OF THE CONCESSION
STAND AND DECLARING AN EMERGENCY TO EXIST
AND FOR OTHER PURPOSES.**

BE IT ORDAINED BY THE CITY COUNCIL OF ELKINS, ARKANSAS, That:

Section 1: That the title of Chapter 12.10 is ^{herby} ~~hereby~~ amended effective with the passage of this Ordinance as follows:

“Chapter 12.10 Fees for Use of Park Pavilion, Concession Stands, Campsites and Accessory Areas”

Section 2: That Section 12.10.03, formerly Reserved is hereby completed effective with the passage of this Ordinance as follows:

“12.10.03 Concession Stand Use Fee: Use of the Bunch Park Concession Stand shall be scheduled through the City Hall Office Manager (or their designee) as far in advance as possible subject to use by the City at City events. Without specific permission of the Parks and Recreation Committee no person, group, entity or organization (aside from the City) may reserve the Concession Stand for a continuous period exceeding four (4) day(s) and use of the Concession Stand may not be loaned, leased or sub-let to any other person, group, entity or organization without express permission from the Parks and Recreation Committee.

Use of the Concession Stand shall be in conformity with the operating hours of Bunch Park as posted or established from time to time except with special permission of the Parks and Recreation Committee.

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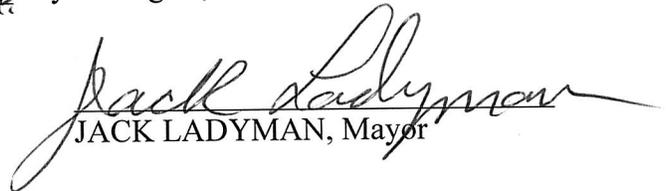
Use of the Concession Stand shall be reserved in four (4) hour blocks of time or on an all day basis (from the time the Park opens until Park closing) for the fees established by the City Council from time to time.

All reservations of the Concession Stand shall require a completed Use Application, payment of the established fee, and payment of a clean-up/security

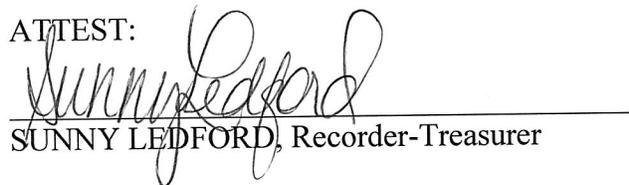
deposit of \$100.00. This deposit shall be returned, within five (5) business days, upon inspection of the Concession Stand by a City representative if no additional cleaning/repairs are required. Any dispute concerning the refund of a clean-up/security deposit shall be resolved by the Parks and Recreation Committee after written notice mailed/delivered to City Hall within fifteen days of the "Use" or dispute over the refund" whichever is earlier."

Section 3: Making available safe and clean facilities at Bunch Park to residents and visitors is important to the City, its inhabitants and visitors to our City. Insuring that those facilities are clean, safe and useable is a function of City government that requires some degree of control in order to provide for the health, safety and welfare of our citizens and others. Therefore, an emergency is hereby declared and this ordinance shall be immediately effective upon its passage and approval.

PASSED AND APPROVED this 19th day of August, 2010.


JACK LADYMAN, Mayor

ATTEST:


SUNNY LEDFORD, Recorder-Treasurer