

**AN ORDINANCE IMPOSING A KEY RETURN, CLEAN-UP
AND DAMAGE DEPOSIT IN CONNECTION WITH THE USE OF
MUNICIPAL PARKS IN THE CITY OF PRICHARD, ALABAMA**

WHEREAS, the governing body of the City of Prichard desires to impose a security deposit in connection with the use of municipal parks to insure that keys and other municipal property are timely returned to the city; to ensure that users clean-up after the use of municipal parks; to ensure against damage to municipal property; and to ensure that municipal parks are returned to the city in the same condition as when users were granted permission to use the same, normal wear and tear excepted; and

WHEREAS, the governing body desires to provide for the forfeiture of such security deposits in the event that municipal property is damaged, not returned to the city or the facilities are not cleaned-up after use; and

WHEREAS, the governing body desires to create a Recreation Improvement Fund to assist with the maintenance and improvement of city parks.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PRICHARD, ALABAMA, as follows:**

Section 1. There are hereby imposed security deposits for each use of municipal parks in the City of Prichard, Alabama approved by the governing body including, but not limited to, Pollard Park, Renaissance Veterans Memorial Park, Fagerstrom Park, High Point Park and any future parks, as follows:

- (a) **Key Return Deposit** -- in the amount of \$ 75.00 to ensure that the person, group or entity granted use of a municipal park return any keys or other access device provided by the city to the user within 24 hours of the end of the use. If the person, group or entity to whom keys are provided fails to return the same to the designated city official within 24 hours of the end of the event, the Key Return Deposit shall be deemed forfeited to the City of Prichard.
- (b) **Clean-up Deposit** -- in the amount of \$ 400.00 to ensure that the person, group or entity granted use of a municipal park clean up all trash and debris occasioned by such use at the end of the event. A pre-use inspection shall be conducted prior to the beginning of the use to note any existing trash or debris. All trash and debris not noted in the pre-use

inspection shall be the clean-up responsibility of the user at the end of the event. The user shall contact the designated city official to conduct a post-use inspection of the property. Failure to schedule a post-inspection review shall result in the forfeiture of the Clean-up Deposit. If the user shall fail to clean-up the trash and debris noted in the post-inspection review, the Clean-up Deposit shall be deemed forfeited to the City of Prichard.

- (c) **Damage Deposit** – in the amount of \$ 100.00 to deter damage to municipal property and to encourage users to return the park to the city in the same condition to the city as given to the user, normal wear and tear excepted. A pre-use inspection shall be conducted prior to the beginning of the use to note the general condition of and any damage to park facilities prior to the beginning of the use. All damage to facilities not noted in the pre-use inspection shall be the responsibility of the user at the end of the event. The user shall contact the designated city official to conduct a post-use inspection of the property. Failure to schedule a post-inspection review shall result in the forfeiture of the Damage Deposit. If the user shall fail to arrive at a satisfactory agreement with the City of Prichard for the repair of damage noted in the post-inspection review, the Damage Deposit shall be deemed forfeited to the City of Prichard. Provided, however, nothing in this policy shall prevent the City of Prichard for pursuing an action against the user for the recovery of damage to municipal property in excess of the Damage Deposit.

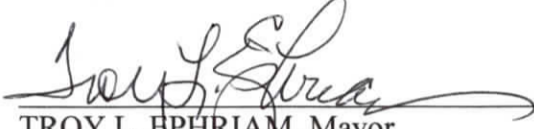
Section 2. **Recreation Improvement Fund.** There is hereby authorized to be created a special account to be known as the Recreation Improvement Fund of the City of Prichard, Alabama, (the "Recreation Improvement Fund") to receive funds for the improvement of municipal parks in the City of Prichard. All forfeitures of Key Return Deposits, Clean-up Deposits and Damage Deposits shall be deposited to the Recreation Improvement Fund. Funds that may be donated to the City of Prichard for maintenance and improvement of municipal parks in the City of Prichard and funds in excess of those required to replace keys, clean-up trash and debris following a use or to repair damage after a use shall be used for the improvement and maintenance of municipal parks as may, from time to time, be approved by the governing body of the City of Prichard.

Section 3. **Effectiveness.** This Ordinance shall become effective immediately upon its adoption as required by law.

ADOPTED this the 23rd day of May, 2013.


EARLINE MARTIN-HARRIS, Presiding Officer

APPROVED this the 23rd day of May, 2013.


TROY L. EPHRIAM, Mayor

ATTEST:


DARLENE PALMER-LEWIS, City Clerk