

LAGRANGE COUNTY PARKS AND RECREATION BOARD

RESOLUTION NO. 2022-07-28

A RESOLUTION AMENDING LICENSE FEES FOR PARKS AND PARK FACILITIES IN LAGRANGE COUNTY.

WHEREAS, pursuant to Indiana Code (“IC”) Chapter 36-10-3 and Ordinance 1982-12, the LaGrange County Council (“Council”), on behalf of LaGrange County, Indiana (“County”), established a LaGrange County Parks and Recreation Department under the jurisdiction of the LaGrange County Parks and Recreation Board (“Parks Board”);

WHEREAS, the Parks Board, as part of its park system, owns, operates, or controls various parks, buildings, pavilions, rooms, and other real estate (collectively, “Facilities”) in the County;

WHEREAS, pursuant to IC § 36-10-3-22(a) and Section X of Ordinance 1982-12, the Parks Board has determined a need to impose license fees on the Facilities due to administration costs related thereto, including public demand, cleaning, set-up and closure, maintenance, utilities, software, booking, legal fees, and fee processing costs;

WHEREAS, pursuant to IC § 36-10-3-22(b), the Council has established a Special Nonreverting Operating Fund for park purposes into which the license fees may be deposited; *and*

WHEREAS, the Parks Board has adopted various fee schedules from time to time, most recently by Resolution 2017-10-23, as amended by various motions.

NOW, THEREFORE, BE IT RESOLVED BY THE LAGRANGE COUNTY PARKS AND RECREATION BOARD OF LAGRANGE COUNTY, INDIANA THAT:

SECTION I – NAME

The name of this resolution is the “LaGrange County Parks Department Fee Schedule Adoption Resolution.”

SECTION II – RECITALS

The foregoing recitals, including all defined terms, are hereby incorporated into this resolution and found to be true, accurate, and correct.

SECTION III – DEFINITIONS

- A. The definitions in the LaGrange County Parks Ordinance shall apply to this resolution.
- B. Whenever the following terms are used in this resolution, they shall have such meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.

1. "Fee Schedule" means the Fee Schedule provided in Exhibit A, which is attached to this resolution and hereby incorporated by reference as if fully set out herein.
2. "License Fee" means a fee listed in the Fee Schedule that is paid in exchange for the legitimate authorization to use (sometimes called a "rental") Parks and Facilities; the term includes any processing fees assessed and paid that are incidental thereto.

SECTION IV – ADMINISTRATIVE FEE

A. Findings. The Parks Board hereby finds that:

1. there is a need to impose License Fees for entry into the Parks and the Facilities, for participation in Park-related programs, and other fees due to administration costs related thereto, including public demand, cleaning, set-up and closure, maintenance, utilities, software, booking, legal fees, and fee processing costs; *and*
2. the amounts of the License Fees, as provided herein, are fair, reasonable, and equitable and do not exceed the cost of the services provided.

B. Adoption. The Parks Board hereby approves and adopts the License Fees listed in the Fee Schedule.

C. Processing Fees. The Director may set, modify, and assess a reasonable processing fee related to the costs (e.g., credit card charges) of issuing a License Fee.

D. Fee Schedule.

1. Publication. The Director shall post the Fee Schedule, in a prominent, publicly accessible place within the Office of the Parks Department and, in relevant part, at other Parks locations. The Parks Board further direct the Director to make the Fee Schedule available on the Parks Department web site, if feasible.
2. Other Fees. The Director may set, modify, and assess other reasonable fees not in conflict with this resolution as necessary to protect the Parks Department from operating losses, but shall report all such fees to the Parks Board at its then-next regular meeting. Any fees set in this way shall be posted on the Fee Schedule and applied in a uniform manner.

E. Exclusivity. The License Fees shall be in addition to any other fee or cost required by the Parks Department or another regulating authority (e.g., event fees, security fees).

F. Advance Payment. Parks Department employees may require the fees assessed pursuant to this resolution to be paid before any license is issued.

G. Non-Refundable. The License fees shall be nonrefundable except as indicated; provided, however, that the Director may issue a refund as justice demands.

H. Fund Deposits. The Director shall account for all License Fees received and deposit the License Fees into the Parks Department Special Nonreverting Operating Fund.

SECTION V – REPEAL OF PRIOR LAW

- A. Repeal. Resolution 2015-10-22 and Resolution 2017-10-23 are hereby repealed in their entirety. All other motions related to fee amounts from prior meetings of the Parks Board are hereby repealed and deemed void to the extent they establish fee amounts.
- B. Continuance.
1. The express or implied repeal or amendment by this resolution of any other resolution or part thereof does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this resolution. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended resolution as if this resolution had not been adopted.
 2. To the extent the provisions contained in this resolution substantially restate the provisions of a prior resolution, such provisions shall not be deemed a new enactment of the original provisions, but rather shall be deemed to be the continuation of the original provisions.
- C. Revival Prohibited. The express or implied repeal or amendment by this resolution of any other ordinance or resolution or part thereof shall not be construed to revive any former resolution, section, clause, or provision.

SECTION VI – MISCELLANEOUS

- A. References.
1. Except where a specific version or edition is given, reference to another section of this resolution or to another law, document, fund, department, board, program, public servant, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, reappointed, or renumbered from time to time.
 1. Reference in this resolution to a law, document, fund, department, board, program, public servant, or public office, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words “(of the) LaGrange County Department of Parks and Recreation.”
 2. Should a provision of this resolution require an act to be done which, by law, an agent or deputy as well may do as the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.
- B. Judicial Review. This resolution is intended only to improve the internal management of the Department. Notwithstanding anything in this resolution to the contrary, nothing in this resolution shall be construed to create any new legal duty, right, or benefit, whether

substantive or procedural, enforceable against the Department; nor to waive or diminish any protection that may be applicable to the Department or any of its elected or appointed officials, employees, agents, or representatives under any applicable law providing governmental immunity, or any other rights, protections, immunities, defenses, or limitations on liability that the Department or such related parties are provided by law.

- C. Conflicts. No part of this resolution shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize same.
- D. Severability. Should any section or part thereof of this resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this resolution as a whole, and for this purpose the provisions of this resolution are hereby declared to be severable.
- E. Promulgation. The Secretary and Director are hereby authorized and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this resolution effective.
- F. Effective Date. This resolution shall take effect immediately upon adoption.

[Continue to next page for Adoption section.]

SECTION VII – ADOPTION


Ayes: 5

Nays: 0

Abstentions: 0

Adopted and resolved this 28th day of July, 2022.

**LAGRANGE COUNTY DEPARTMENT
OF PARKS AND RECREATION**


John A. Egli, President


Eric Maginn, Vice President

Ardala Hepler, Secretary


Julia Wolheter, Member


Paul Yoder, Member


Paul Baker, Member

ATTEST:

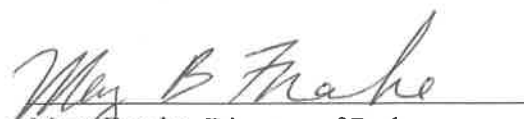

Mary Franke, Director of Parks

EXHIBIT A
 County of LaGrange
 LaGrange County Parks Department
 Effective April 28, 2022
 LaGrange County Parks Rates and Fees for 2022

DAILY RENTALS	
Dallas Lake Lodge:	
Rental Fee	\$200.00
Sales Tax	\$14.00
Refundable Security Deposit	\$125.00
Dallas Lake Sweetgum Pavilion:	
Rental Fee (Monday – Thursday)	\$100.00
Rental Fee (Friday – Sunday)	\$150.00
Pine Knob Clubhouse:	
Rental Fee	\$186.92
Sales Tax	\$13.08
Refundable Security Deposit	\$125.00
Maple Wood Nature Center Classroom:	
Rental Fee (4 hours)	\$74.77
Sales Tax (4 hour rate)	\$5.23
Rental Fee (8 hours)	\$149.53
Sales Tax (8 hour rate)	\$10.47
Refundable Security Deposit	\$125.00
Delt Church Park Pavilions:	
South River (Monday – Thursday)	\$75.00
South River (Friday – Sunday)	\$100.00
East River (Monday – Thursday)	\$50.00
East River (Friday – Sunday)	\$75.00
David Rogers Park:	
Barn (only) daily	\$150.00
Shelter (only) Monday – Thursday	\$50.00
Shelter (only) Friday – Sunday	\$75.00
Tent fee (with any 1 day facility rental only) Tents are not allowed at Pine Knob.	
Must have approval and use your tent (per day).	\$100.00
Not for profit groups (with form 5013 form) or any school affiliated function: 1 free day rental per calendar year for Monday – Thursday only. Excludes weekend use (Friday-Sunday)	
WEEKEND PACKAGE RATES	
Dallas Lake Lodge:	
Friday evening, Saturday, & Sunday	\$400.00
Sales Tax	\$28.00
Refundable Security Deposit	\$125.00
Dallas Lake Sweetgum Pavilion:	
Friday evening, Saturday, & Sunday	\$250.00
Pine Knob Clubhouse:	
Friday evening, Saturday, & Sunday	\$373.84
Sales Tax	\$26.16
Refundable Security Deposit	\$125.00
Delt Church Park Pavilions:	
South River – Friday evening, Saturday, & Sunday	\$200.00
East River – Friday evening, Saturday, & Sunday	\$200.00
David Rogers Park:	
Friday evening, Saturday, & Sunday	\$350.00
Includes: Barn, Shelter, Stage, and cabins.	

Parks Rates & Fees Continued -	
Daily Rental allows access to rental facility on day of rental during open park hours only.	
Summer Hours: May 1 – Labor Day, 8:00 am – 9:00 pm. Winter Hours: Labor Day - May 1, 8:00 am – legal sunset	
Special Event Permit Fees: (in addition to daily or weekend rental fees/security deposits)	
Special Event applications require renting at least one pavilion/building at Event Park Location	
Event: Refundable extraordinary clean up fee deposit	\$100.00
Food Truck: Non-refundable Vendor Fee for Parking & Selling to the Public	\$100.00
Food Truck: Refundable extraordinary clean up fee deposit	\$100.00
Dallas Lake Park Admission (all year fee)	
*Per car, buggy, or motorcycle (daily)	\$5.00
*Walk-in, 10-15 passenger vans, bus, bicycles (per person) (daily)	\$1.00
*Season passes (annual)	\$40.00
*Park admission for guests to attend rental facility event at Dallas Lake Lodge- (If Renter pays this fee)	\$100.00
*Park admission for guests to attend rental facility event at Sweetgum Pavilion	No charge
*Trail head parking	No charge
Program Fees: out of county adults and children (per person)	\$3.00
Pine Knob 3-D Archery Trail (per person)	\$5.00
Summer Program Fees:	
Swim Lessons (per child)	\$50.00
Day Camp Fees – By Gone Days and Nature Bound Camp (per child)	\$50.00
Day Camp Fees – Adventure Bound (per child)	\$75.00

