

**RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 09-34  
BAY OAKS RECREATIONAL CAMPUS FEE SCHEDULE**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS  
BEACH, FLORIDA, ESTABLISHING A FEE SCHEDULE FOR USE OF THE BAY  
OAKS RECREATIONAL CAMPUS; PROVIDING FOR TOWN MANAGER  
AUTHORITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Bay Oaks Recreational Campus (BORC) is a well- integrated recreation campus owned and operated by the Town of Fort Myers Beach, and features a community pool, recreation center and public park with several athletic field options; and

WHEREAS, Policy 10-D-1 of Objective 10-D (Community Recreation) of the adopted Comprehensive Plan for the Town of Fort Myers Beach states that it is the policy of the Town to establish an equitable system of user fees to help fund the operations and enhancements of the Bay Oaks Recreation Center; and

WHEREAS, the Town Council of the Town of Fort Myers Beach appointed an Ad Hoc Committee to provide for the Bay Oaks Recreation Center Transition, facilitated by Town resident Dennis Weimer; and

WHEREAS, on October 19, 2009, the Ad Hoc Committee delivered its recommendations as to First Five Year Plan – January 2010 through December 2014 for the BORC; and

WHEREAS, one of the Ad Hoc Committee recommendations pursuant to the above-cited Comprehensive Plan Policy, was to set up a BORC fee schedule, with annual memberships, daily passes, a separate fee schedule for the pool, and discretionary reductions in fees for special events in combination with facility rentals or other special promotions; and

WHEREAS, the Ad Hoc Committee further recommended that a relatively small initial fee would encourage membership and usage, both of which were goals of the First Five Year Plan; and

WHEREAS, based on the current economic climate and the recommendations of the Ad Hoc Committee, the Town Council has determined that it is prudent to adopt the schedule

of fees and charges which is attached to this Resolution as Exhibit "A" and hereby incorporated by reference.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. Incorporation of Whereas Clauses. The above "Whereas" clauses are hereby incorporated by reference as though fully set forth herein.

Section 2. Reasonableness of Schedule of Fees and Charges. The Schedule of Fees and Charges which is attached hereto as Exhibit "A" is reasonable and its adoption by the Town is in the best interest of the life, safety, welfare and economic well-being of its citizens, resident, business owners, property owners and others who utilize the Bay Oaks Recreation Campus facilities.

Section 3. Adoption of Schedule of Fees and Charges. the Town hereby adopts the Schedule of Fees and Charges which is attached as Exhibit "A".

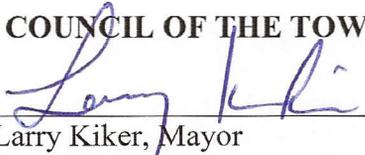
Section 4. Town Manager Authority. The Town Council hereby grants the authority to the Town Manager to deviate from the fee and charges set forth in the attached Schedule of Fees and Charges for purposes of special promotions, special events, marketing events or other reasonable purposes, so long as such deviations are of non-recurring nature and of short duration.

Section 5 Effective Date. This resolution shall take effect on January 1, 2010 and continue in effect until further action by Town Council.

The foregoing Resolution was adopted by the Town Council on November 2<sup>nd</sup>, 2009 upon a motion by Vice Mayor Acken and second by Councilmember List. Upon being put to a vote, the result was as follows:

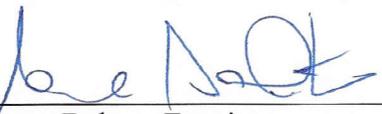
Larry Kiker, Mayor	<u>aye</u>	Herb Acken, Vice Mayor	<u>aye</u>
Bob Raymond	<u>aye</u>	Jo List	<u>aye</u>
Tom Babcock	<u>aye</u>		

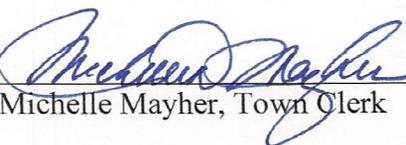
**TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH**

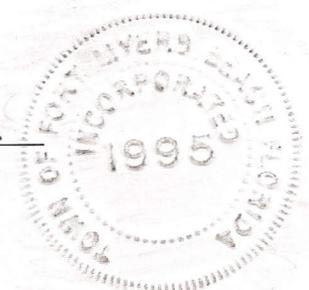
By:   
Larry Kiker, Mayor

Approved as to legal sufficiency:

ATTEST:

By:   
Anne Dalton, Esquire  
Town Attorney

By:   
Michelle Mayher, Town Clerk



**BAY OAKS RECREATIONAL CAMPUS  
FEE SCHEDULE**

Effective January 1, 2010

**GENERAL BAY OAKS RECREATIONAL CAMPUS MEMBERSHIP**

<b>Resident - Individual</b>	<b>Resident - Family</b>
Bay Oaks Annual Membership - \$25.00	Bay Oaks Annual Membership - \$50.00
Day Pass – Adults - \$4.00 - Children under 12 - \$2.00	Day Pass - \$8.00
<b>Non-Resident - Individual</b>	<b>Non-Resident - Family</b>
Bay Oaks Annual Membership - \$35.00	Bay Oaks Annual Membership - \$70.00
Day Pass – Adults - \$4.00 - Children under 12 - \$2.00	Day Pass - \$8.00
<b>Seasonal – Up to Six Consecutive Months</b>	<b>Seasonal – Up to Six Consecutive Months</b>
Resident - \$15.00	Resident - \$30.00
Non-Resident - \$20.00	Non-Resident - \$40.00

**COMMUNITY POOL**

<b>Bay Oaks Member - Individual</b>	<b>Bay Oaks Member - Family</b>
Annual Pass - \$50.00	Annual Pass - \$100.00
Day Pass – Adult - \$3.00 - Children under 12 - \$1.00	Day Pass - \$6.00
<b>Non-Bay Oaks Member - Individual</b>	<b>Non-Bay Oaks Member – Family</b>
Annual Pass - \$75.00	Annual Pass - \$125.00
Day Pass – Adult - \$4.00 - Children under 12 - \$2.00	Day Pass - \$8.00
<b>Seasonal – Up to Six Consecutive Months</b>	<b>Seasonal – Up to Six Consecutive Months</b>
Bay Oaks Member - \$30.00	Bay Oaks Member - \$55.00
Non-Bay Oaks Member - \$40.00	Non-Bay Oaks Member - \$65.00

**YOUTH PROGRAMS**

Club Rec – Semester - \$75.00	Club Rec – School Year - \$150.00
Summer Camp – Week - \$65.00	<b>Summer Camp – Eight Weeks - \$500.00</b>
Fun Days – Per Day - \$13.00	<b>School Year - \$415.00</b>

**COMMUNITY POOL PROGRAMS**

Water Exercise & Therapy – Member - \$4.00	Water Exercise & Therapy – Non-Member \$5.00
Lap Swimming – Member – Included	Lap Swimming – Non-Member - \$2.00 per Day
Swim Lessons – Member/Non Member - \$30.00	

EXHIBIT "A"

**SPECIAL PROGRAMS – BAY OAKS AND COMMUNITY POOL PROVIDED BY OUTSIDE CONTRACTORS**

Non-members – 20% of Fee Collected by Contractor	Members – 10% of Fee Collected by Contractor
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**FACILITY RENTALS/RESERVATIONS \***

Bay Oaks Recreation Building – Minimum \$20.00 per hour or 150.00 per day + Incidentals**
Bay Oaks Recreation Classrooms – Registered non-profits - \$15.00 per hour; All others - \$25.00 per hour + Incidentals**
Ball Fields - \$50.00 per 4 hours; with equipment \$75.00 per 4 hours + Incidentals**
Tennis Courts – 1 Court – Member – Free; Non-Member - \$5.00; Multiple Courts – Member - \$5.00 per court; Non-member - \$5.00 per court
Basketball Courts (inside and outside) - 1 Court – Member – Free: Non-Member - \$5.00
Community Pool – (Does not include refreshments or meals) Entire Facility - \$75.00 per hour; Entire Facility (excluding kiddies pool) -\$50.00 per hour During Regular Pool Hours, Provided a Designated Area for Event – Adult - \$3.00 per person; Children - \$1.00 per person

The Town Manager has the ability, on a case-by-case basis, to adjust the fees set forth above for special promotions, special events, marketing events and/or other reasonable purposes upon written application at least 45 days in advance.

\*Facility Rental Costs include facility preparation and clean-up; Incidentals are an option and include but not limited to refreshments, meals, materials, or use of kitchen and kitchen clean up.

\*\* A twenty percent (20%) deposit required, refundable if cancelled 15 or more days prior to date of use ; non-refundable if cancelled less than 15 days prior to use.

**LEAGUE/TEAM SPORTS**

Ball Fields, Tennis Courts, Basket Ball Courts, Pool, Disk Golf - \$2.00 per person
(Facility Rental Costs may apply to each league except for the ball fields. Exact pricing will be determined based on additional staff and facility requirements as approved by the Town Manager. )