



ORDINANCE 2022-04 AMENDING

CHAPTER 93 PARKS, CEMETERIES, AND OTHER PUBLICLY OWNED PROPERTY

WHEREAS, the City of Monroe City Council discussed during an open, public Council meeting June 23, 2022, on the conditions and use of publicly owned property withing the City of Monroe; and

WHEREAS, the City Council directed staff to create an ordinance that promotes the fair and equitable use of all City property and facilities; and

WHEREAS, the City Council has determined that the use of idle City property should be promoted for use by its citizens to help create a vibrant community and economic development;

NOW THEREFORE, THE CITY OF MONROE ORDAINS AS FOLLOWS:

Section 1. Monroe Municipal Code Chapter 93 is amended with ATTACHMENT "A."

Section 2. This Ordinance becomes effective upon passage by the Council.

Adopted by the City Council this 26th day of September, 2022.

APPROVED:

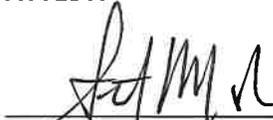


Dan Sheets, Mayor

9/26/22

Date

ATTEST:



Steve Martinenko, City Recorder

ORDINANCE 2022-04 AMENDING

Chapter 93 Parks, Cemeteries, and other Publicly Owned Property

Section 93.5 Permits for Use of Publicly Owned Property

Definitions

Permit	Short-term (1-2 days), non-recurring use of publicly owned property. Granted by the City Administrator.
License	Long-term, recurring use of publicly owned property such as use of the Community Center Hall and/or kitchen for ongoing activities. Negotiated by City Council.

1. *City Hall*. City Hall and other service buildings are not available for use by the public.
2. *Parks*. The City Administrator, or designee, may, subject to Park rules and regulations for use of the park, grant a special permit to allow the use of dedicated park lands and recreational facilities for the purpose of conducting concerts, lectures, athletic events; show, craft and art fairs; and other special events or uses as are considered compatible with normal park and recreational activities.
3. *Other Publicly Owned Property*. The City Administrator, or designee, may, subject to applicable administrative rules governing use of city property, grant a special permit to allow the short-term use of publicly owned properties other than park lands and recreational facilities.
4. *Permit Conditions*. Permits may be denied, revoked, or may include the following conditions:
 - a. Conditions applying to dates, hours, and/or noise levels of operation;
 - b. Duration of activity, subject to revocation without prior notice;
 - c. An approved traffic control plan and proper traffic markings in place;
 - d. Obligation to perform any and all damage repairs of the area occupied, post bonds, deposit cash, and/or reimburse the City for any costs incurred for damage repairs, as determined by the City Administrator per applicable administrative rules governing use of city property;
 - e. Provision of written assurance that the City will be held harmless for any liability that is solely attributable to the permittee's conduct;
 - f. Any other conditions considered necessary by the City Administrator to be in the public interest.
5. Permits should not be used where a license is appropriate for long term use of City Property or a reservation for short-term, non-recurring, partial use. A license may only be granted by City Council and is negotiated on a case-by-case basis including fees.
6. The Council may review a permit granted by the City Administrator and may revoke the permit if it finds that the permit is not in the public interest. A person whose application for a permit is denied may appeal the denial in writing to the City Council no later than ten (10) days after notice of denial. Upon receipt of the applicant's written appeal, the Council shall set the matter for hearing at its next regular meeting and give notice of the date, time, and place of same to the

applicant. At the hearing, the applicant shall appear if the matter is to be heard. The Council after hearing may grant or deny a permit on such terms and conditions as it deems proper.

7. Except as stated herein as per the permit, this does not regulate other permits available through other chapters of the Monroe Code.

93.6 Fees.

1. The City Administrator shall collect fees for use of City property as established in the most recent fee schedule as approved by resolution of the City Council. Payment of such fees shall be a condition of issuing a permit or reservation under this section.
 - a. The fees shall bear a reasonable relationship to the costs incurred by the City to make the property available for the use authorized by the permit;
 - b. Non-residents may be charged a higher fee than city residents;
 - c. Temporary booths or stalls in connection with the Monroe Festival or other City sponsored events are exempt from park or facility use fees for the day of the event only;
 - d. If the applicant has been approved for an in-kind contribution toward the event, the amount incurred for additional City personnel can be applied to the in-kind contribution. Any amounts incurred for additional City personnel over those approved by the City Council will be the responsibility of the applicant.

93.7 Policy Considerations.

1. All publicly owned property will be utilized to ensure its fair and equitable use for all citizens.
2. Use of publicly owned property should not create undue security risks, nor should it result in any significant extra expense for the City.
3. The City encourages the use of City facilities and property to promote events such as craft and art fairs, farmer's market, pop-up booths, and other events that provide for the economic vitality of the Monroe community.
4. Use of City facilities by private groups does not in any way imply that the City approves the activities, policies, views or positions of such groups.
5. No organization will be denied use of the facilities on the basis of the content of any speech, writing, or other expression protected by the constitutions of the United States and the State of Oregon.
6. Outside organizations whose members are predominantly citizens of Monroe or groups which meet for the purpose of benefiting the city will be given priority should scheduling conflicts occur.

93.7 Use of the Monroe Community Center.

1. The City Administrator shall establish a reservation system for use of the Monroe Community Center.
2. Subject to applicable conditions and policy in this ordinance, all reservations are made on a first-come, first-served basis.

3. The Monroe Community Center may be reserved a short-term, non-recurring basis or long term, subject to a license negotiated with the City Council.
4. The use of the Monroe Community Center Kitchen is subject to Benton County Health authority rules, regulations, and licenses in addition to rules and conditions established by the City.
5. The City Administrator shall adopt administrative regulations consistent with Sections 5, 6 and 7 of this ordinance prescribing the terms and conditions of use of the Monroe Community Center.

93.8 Use of City Meeting Rooms.

1. The City Administrator shall determine which facilities and rooms are available for meeting use by establishing a reservation system and prescribing the terms and conditions of use of the facilities.
2. Subject to applicable conditions and policy in this ordinance, all meeting room reservations are made on a first-come, first-served basis.
3. Library Meeting Room Use: The Community Library meeting rooms are subject to the conditions and use established by Council resolution. The library may only be reserved for short-term use.