

**RESOLUTION NO. R-02-99**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RESCINDING RESOLUTION NO. R-00-28, AND ESTABLISHING POLICIES AND FEE SCHEDULES FOR DUETTE PARK, RYE WILDERNESS PARK, EMERSON POINT PARK AND RIVERVIEW POINT PARK.**

**WHEREAS**, Section 125.02(f), Florida Statutes, authorizes the Board of County Commissioners of Manatee County, Florida, as the legislative and governing body of county government, to provide parks, preserves, playgrounds, recreation areas, and other recreation and cultural facilities and programs; and

**WHEREAS**, Manatee County's Duette Park, Rye Wilderness Park, Emerson Point Park, and Riverview Point Park (hereinafter "Conservation Lands Parks") are open to the public and used for the operation of planned special events and field trips organized and supervised by the Conservation Lands Management Division; and

**WHEREAS**, the programs scheduled by the Conservation Lands Management Division reflect the recreational opportunities, interests and desires of the general population; and

**WHEREAS**, the fees and charges for program offerings, rental and usage of the Conservation Lands Parks under the supervision of the Conservation Lands Management Division facilities are determined based upon a portion of the cost to the County and set at a rate designed to make the programs and facilities available to the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:**

1. **Policies:** The policies governing certain operations and the imposition of fees provided in Exhibit A attached hereto and incorporated herein are hereby adopted and shall apply to the Conservation Lands Parks.

2. **Fees:** The fees and charges provided in Exhibit B attached hereto and incorporated herein are hereby adopted and shall be implemented in accordance with the policies and definitions provided in Exhibit A.

3. **Implementation:**

A. This Resolution is subject to such supplemental policies, rules and interpretations as may be adopted or provided by the Board of County Commissioners.

B. The County Administrator or his designee is authorized to develop or approve procedures required to implement this Resolution.

4. Effective Date: This Resolution shall become effective on the 7<sup>th</sup> day of July, 2002, provided however, any annual fees or fees paid for a reserved use prior to the effective date of this Resolution shall be governed by Resolution R-00-28.

5. Severability: In the event any provision or portion of this Resolution is declared by a court of competent jurisdiction to be void, unconstitutional or unenforceable, all remaining provisions and portions of this Resolution shall remain in full force and effect. All of the provisions and portions of this Resolution are severable, and the legality and enforceability of any one or more of them is not contingent or dependent upon the validity or unenforceability of any other provision.

6. Rescission of Prior Fee Resolutions: Fees for the use of Manatee County Conservation Lands Management Division facilities and participation in activities and programs heretofore adopted by the Board of County Commissioners, including Resolution R-00-28, are hereby rescinded in their entirety as of the 7<sup>th</sup> day of July, 2002.

ADOPTED with a quorum present and voting this 18<sup>th</sup> day of JUNE, 2002.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *Greg Stein*  
Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By: *Susan P. Romera*  
Deputy Clerk



## EXHIBIT A TO RESOLUTION NO. R-02-99

Policies governing fees and operations of Conservation Lands Parks (Duette Park, Rye Wilderness Park, Emerson Point Park, and Riverview Point Park).

### **I. DEFINITIONS**

As used in this Resolution, the following words shall have the meaning below:

A. "Resident" – One who has a true, fixed or permanent home in Manatee County, Florida, and whenever absent has the intention of returning to Manatee County. The genuineness of the intention to return to Manatee County must be manifested by an ongoing physical presence together with indications that his/her presence is something other than merely transitory in nature.

B. "Entrance Fee" – Fee which may be charged for entrance to any of the park locations in the inventory of the Conservation Lands Parks.

C. "Annual Pass" – Annual pass which may be purchased in lieu of daily Entrance Fee.

D. "Application Fee" – Fee to apply to enter the random draw for hunt program; fee includes an Annual Pass and privileges associated with the Annual Pass.

E. "Hunt Fee" – Fee for scheduled weekend hunt for deer, hog and small game.

F. "Turkey Hunt Draw Entry Fee" – One time fee to enter draw for opportunity to hunt for turkey during spring season. This fee is to be non-refundable.

G. "Turkey Hunt Fee" – Fee to hunt for turkey, if drawn.

H. "Merchandise" – Any merchandise sold by the Division at a park location, including but not limited to t-shirts and caps.

I. "Guided Tour" – Fee for tour guided by County staff, available upon request and by appointment at any of the Conservation Land Parks locations.

J. "Wedding" – Fee to hold a wedding at any of the designated Conservation Lands Parks. Special Event form must be completed and approved prior to date requested.

K. "Special Use" – Any use not covered by the fees and policies provided herein. A Special Use may be permitted only with approval of the Board of County Commissioners.

### **II. RULES AND POLICIES**

A. Requests: Applications for Special Use of facilities must be in writing on approved forms and submitted to the Conservation Lands Management Division. Applications may be obtained

at Conservation Lands Parks. Users may apply to reserve facilities on any given date within a one (1) year period and all reservations must be paid prior to any commitment of the Conservation Lands Parks or portion thereof for the event. Reservations may not be accepted after Wednesday for any given weekend request, except picnic shelters. The County Administrator's designee has the right to review all requests for use of Conservation Lands Parks facilities and determine whether or not the use will be granted.

B. Facility Reservations and Guidelines:

1. Facilities shall not be considered reserved without the appropriate fee payment.
2. Applicants shall abide by all applicable rules and regulations provided by County Ordinance pertaining to parks or Conservation Lands Parks.
3. All areas will be open at dawn and close at dusk unless posted otherwise. Special exceptions will be considered due to the nature of the event.
4. A minimum personnel charge of two (2) hours will be assessed for a requested facility normally closed during the time requested.

III. **REFUND/CREDIT POLICY**

Except where provided herein, activity and facility fees are non-refundable.

A. Refunds:

1. An individual participant presenting a written recommendation from a doctor (two or more absences) indicating that the individual should withdraw from an activity or program shall be entitled to a **full or prorated** refund. No administrative fee shall be assessed.
2. An activity or program may be cancelled for the following reasons: insufficient enrollment, instructor hardship, facility under repair, red tide, or inclement weather. The payor shall be entitled to a **full or prorated** refund or credit. No administrative fee shall be assessed.
3. An individual prohibited from participating in a program/activity shall be entitled to a **full or prorated** refund.
4. A refund request may be considered if requested **prior** to the activity/program. These refunds are subject to a 20% administrative fee of the total amount paid, not to exceed \$10.00.

5. All refund requests must be accompanied by an original receipt or a copy of the cancelled check.

B. Credit: In lieu of a refund, the County Administrator or his designee may consider the use of credit toward another activity. To receive credit, a refund request must be applied for within thirty (30) days from the original scheduled use and used toward another activity within ninety (90) days from the original request. If the program requested for credit does not take place within the ninety (90) days, then consideration will be given to accommodate the extended period (not to exceed one calendar year). Any credits not used as provided herein shall be forfeited.

**EXHIBIT B TO RESOLUTION R-02-99**

**CONSERVATION LANDS MANAGEMENT DIVISION**

**PROPOSED FEE SCHEDULE**

	RESIDENT	NON-RESIDENT
<b><u>DUETTE PARK</u></b>		
<b>ENTRANCE FEES</b>		
Daily	\$ 3.00	\$ 3.00
Annual Pass	\$ 25.00	\$ 35.00
<b>HUNT PROGRAM</b>		
Application/Annual Pass	\$ 25.00	\$ 35.00
Hunt Permit (Deer & Hog)	\$ 32.00	\$ 62.00
Hunt Permit (Hog & Small Game)	\$ 25.00	\$ 50.00
Turkey Draw Entry	\$ 10.00	\$ 10.00
Turkey Permit	\$100.00	\$200.00
<b>FACILITY USAGE</b>		
Pavilion Reservation	\$ 20.00	\$ 20.00
<b>CAMPING</b>	\$ 10.00	\$ 10.00
<b>GUIDED ECOSYSTEM TOUR</b>	\$ 5.00	\$ 5.00
<b><u>RYE WILDERNESS PARK</u></b>		
<b>CAMPING</b>	\$ 10.00	\$ <del>10</del> .00
<b>PAVILION RESERVATION</b>	\$ 20.00	\$ 20.00
<b><u>EMERSON POINT PARK</u></b>		
<b>PAVILION RESERVATION</b>		
Small	\$ 10.00	\$ 10.00
Large	\$ 20.00	\$ 20.00

**MERCHANDISE FEES FOR RESALE ITEMS:** Shall be priced as closely as practicable to reflect the cost plus 50% of the cost. The Director, in the Director's discretion, may offer discontinued merchandise to all at cost.

All fees will have applicable taxes added.