

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Parks and Recreation (“Parks Department”) is proposing to amend its rules to codify and clarify certain fee schedules. The Parks Department also proposes adding a section to explain the terms of the programs offered by the Urban Park Rangers.

When and where is the hearing? The Parks Department will hold a public hearing on the proposed rules. The public hearing will take place at 1:00pm on October 16, 2017. The hearing will be in the Parks Department’s hearing room in the Chelsea Recreation Center at 430 West 25th Street, New York, NY 10001.

This location has the following accessibility option(s) available: wheelchair accessible, blind or low vision accessible.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department of Parks and Recreation through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to rules@parks.nyc.gov.
- **Mail.** You can mail comments to:

Darci Frinquelli, Assistant Counsel
The New York City Department of Parks & Recreation
The Arsenal, Central Park
830 Fifth Avenue
New York, NY 10065
- **Fax.** You can fax comments to Darci Frinquelli, Assistant Counsel, at 917-849-6742.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling Darci Frinquelli 212-360-1383. You can also sign up in the hearing room before the hearing begins on October 16, 2017. You can speak for up to three minutes.

Is there a deadline to submit written comments? You must submit written comments by October 16, 2017.

Do you need assistance to participate in the hearing? You must tell the Office of General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-360-1383. You must tell us by October 12, 2017.

Can I review the comments made on the proposed rules? You can review the comments made online concerning the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, a recording of the hearing and copies of the written comments will be available to the public at the Office of the General Counsel. Please call 212-360-1383 for more information.

What authorizes the Parks Department to make these rules? Sections 389, 533(a)(9), and 1043 of the City Charter authorize the Parks Department to make these proposed rules. These proposed rules were not included in the Parks Department's regulatory agenda for this Fiscal Year because they were not contemplated when agencies needed to submit an agenda.

Where can I find the Parks Department's rules? The Parks Department's rules are in Title 56 of the Rules of the City of New York.

What rules govern the rulemaking process? The Parks Department must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose

The Parks Department proposes to amend § 2-09 and § 2-15 of Chapter 2 of Title 56 of the Rules of the City of New York. The amended rules will codify existing programs as well as clarify the terms of programs offered by the Urban Park Rangers.

The purpose of the proposed rules is to:

- Clarify the Parks Department’s fees so the public can easily determine and understand the fees associated with the activities and services offered by the Parks Department;
- Relocate the miscellaneous fees currently located in Section 2-15 to Section 2-09, where most other fees are located; and
- Identify the programs offered by the Urban Park Rangers and specify the associated cancellation and payment refund terms. These programs connect individuals and groups to the natural world through environmental education, outdoor recreation, wildlife management and active conservation.

The Parks Department’s authority for these rules is found in Sections 389, 533(a)(9), and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision 2-09(b) of Title 56 of the Rules of the City of New York shall be amended to read as follows:

§2-09 Fee Schedules.

(b) [*Schedule of Permit Fees as of July 1, 2011.*] The Department shall charge groups in which the majority of players are over the age of 18 for the use of fields and playing surfaces in accordance with the table below.

FIELDS AND PLAYING SURFACES

Field Lights [(18 yrs. & over)] <u>(when used by groups 18 years of age & over)</u>	\$ 25.00[/] per hour
Cricket, football, lacrosse, rugby, soccer, and ultimate [Frisbee] <u>disc fields [(18 yrs. & over)] (when used by groups 18 years of age & over)</u>	\$16.00[/] per hour
Baseball, softball, and volleyball turf/soft surface fields [(18 yrs. & over)] <u>(when used by groups 18 years of age & over)</u>	\$ 12.50[/] per hour

Baseball, softball, roller hockey, volleyball, and basketball [Hardtop] hardtop playing surfaces [(18 yrs. & over)] (when used by groups 18 years of age & over)	\$ 8.00[/] per hour
--	---------------------

Section 2. Subdivision 2-09(c) of Title 56 of the Rules of the City of New York shall be amended to read as follows:

(c) [Ages] The Department’s summer day camps shall charge fees in accordance with the table below.

SUMMER DAY CAMP

[Day Camp Programs – Age 6-13]	[\$100 per child (Public Assistance Families are exempt)]
<u>Regular Day Session (9:00 a.m. to 5:00 p.m.)</u> <u>Ages 6-13</u>	<u>\$ 500.00 per child</u>
<u>Extended Day Session (8 a.m. to 6:00 p.m.)</u> <u>Ages 6-13</u>	<u>\$ 575.00 per child</u>

Section 3. Section 2-09 of Title 56 of the Rules of the City of New York shall be amended to add a new subdivision e to read as follows:

(e) The Department shall charge for bid documents requested in relation to a capital project procurement in accordance with the table below. The Department will refund these fees if the documents are returned in good condition with the original transaction receipt within thirty days of the date on the receipt.

CAPITAL PROJECT BID DOCUMENTS

<u>Bid document fewer than 100 pages</u>	<u>\$25.00</u>
<u>Bid document 100 pages or more</u>	<u>\$100.00</u>

Section 4. Section 2-15 of Title 56 of the Rules of the City of New York shall be repealed and replaced to read as follows:

§2-15 Urban Park Ranger Programs.

(a) Urban Park Rangers provide programs on environmental education, outdoor recreation, wildlife management, and active conservation, including:

(1) Weekend Adventure: offered to the public year-round at no cost to participants;

(2) Natural Classroom: offered to schools, youth groups and other organizations for a fee pursuant to § 2-15(d) below;

(3) Custom Adventures: day and overnight programs offered to camps and other youth groups for a fee pursuant to § 2-15(d) below; and

(4) Adventure Course: offered to groups of all ages on the low- and high-ropes course at Alley Pond Park for a fee pursuant to § 2-15(d) below.

(b) The Urban Park Rangers may cancel a program for the following reasons:

(1) Inclement or severe weather, including but not limited to heavy rain, hail, thunder, lightning, high wind, or other unforeseen conditions that may render the program unsafe. If the Urban Park Rangers cancel a group's Natural Classroom, Custom Adventure, or Adventure Course program due to inclement weather or other safety concern, the group will receive a credit for the amount paid for the cancelled program that may be used for a rescheduled program up to one (1) year from the date of the cancelled program. If the group or the Urban Park Rangers cannot reschedule the program, the group may request a refund for the amount paid by submitting a completed Refund Request Form to the Urban Park Rangers.

(2) A group that has not paid the entire fee for a scheduled program may not attend the program.

(c) A group that has scheduled and fully paid for a Natural Classroom, Custom Adventure, or Adventure Course Program and then cancels the program is subject to the following policies:

(1) If a group cancels a program at least fourteen (14) days before the scheduled program, the group may receive a refund of 50% of the program's cost or a credit for the program's full cost, valid for one (1) year from the date of the original program.

(2) If a group cancels a program fewer than fourteen (14) days before the scheduled program, the group may receive a credit for the program's full cost, valid for one (1) year from the date of the original program.

(3) To request a refund or credit, a group must request a Refund Request Form from the Urban Park Rangers and submit the completed form.

(d) The Commissioner shall charge the amounts set forth in the below schedule for Urban Park Ranger programs.

	<u>Department Groups</u>	<u>Youth Groups and Students</u>	<u>18 to 24-Year-Old Groups</u>	<u>Adult/Staff Development Groups</u>
<u>The Natural Classroom</u>	<u>No Fee</u>	<u>Single classroom or park program: \$100 for every 30 participants</u> <u>Combined classroom and park program: \$125 for every 30 participants</u> <u>*Schools receiving Title I funding are eligible for a 50% discount.</u>	<u>Single classroom or park program: \$100 for every 30 participants</u>	<u>Single classroom or park program: \$250 for every 30 participants</u>

<u>Custom Adventure— Day Program</u>	<u>No fee</u>	<u>\$250 for every 30 participants</u>	<u>\$750 for every 30 participants</u>	<u>\$1,000 for every 30 participants</u>
<u>Custom Adventure— Overnight Program</u>	<u>No fee</u>	<u>\$500 for every 30 participants and up to 10 chaperones</u>	<u>\$1,500 for every 30 participants</u>	<u>\$2,000 for every 30 participants</u>
<u>Adventure Course</u>	<u>No fee</u>	<u>\$500 for 30 participants; \$20 per participant for up to 10 additional participants</u>	<u>\$1,000 for 30 participants; \$35 per participant for up to 10 additional participants</u>	<u>With lunch provided: \$525 for 7 participants; \$75 for every additional participant</u> <u>Without lunch provided: \$455 for 7 participants; \$65 for every additional participant</u>