

## New York City Department of Parks & Recreation

### **Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The New York City Department of Parks & Recreation (“Parks Department”) is proposing to amend its rules to establish discounted fees for recreation center memberships and tennis permits for adults with the City’s new Municipal ID Card, which was established by Local Law No. 35 of 2014.

**When and where is the Hearing?** The Parks Department will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 am on December 15, 2014. The hearing will be in the Parks Department’s hearing room in the Chelsea Recreation Center at 430 West 25<sup>th</sup> Street, New York, NY 10001.

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

- **Website.** You can submit comments to the Parks Department through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [rules@parks.nyc.gov](mailto:rules@parks.nyc.gov).
- **Mail.** You can mail written comments to:

Peter Schikler, 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 written comments to Peter Schikler, Assistant Counsel, at 212-360-1373.
- **By Speaking at the Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-360-1383. You can also sign up in the hearing room before the hearing begins on December 15, 2014. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** You must submit written comments by December 15, 2014.

**Do you need assistance to participate in the Hearing?** You must tell the Office of the 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 or email at the addresses given above. You may also tell us by telephone at 212-360-1383. You must tell us by December 5, 2014.

**Can I review the comments made on the proposed rules?** You can review the comments made online on 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.

**What authorizes the Parks Department to adopt this rule?** Sections 389, 533(a)(9) and 1043 of the New York City Charter authorize the Parks Department to adopt this proposed rule. This proposed rule was not included in the Parks Department's regulatory agenda for this Fiscal Year because it was not contemplated at the time agencies needed to submit the 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 laws 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 Charter.

## Statement of Basis and Purpose of Proposed Rule

This proposed rule will enhance access to recreational opportunities for New York City residents at the Parks Department’s recreation centers and tennis courts. The rule will establish a new membership fee category for recreation centers, with a reduced membership fee for adults with a valid Municipal ID Card and a reduced tennis permit fee for adults with a valid Municipal ID Card.

The proposed rule will:

- Allow adults between 25 and 61 years of age with a valid Municipal ID Card to purchase or renew a recreation center membership for \$90 at recreation centers without an indoor pool, or \$135 at recreation centers with an indoor pool. The current fees are \$100 and \$150, respectively; and
- Allow adults between 25 and 61 years of age with a valid Municipal ID Card to purchase a tennis permit for \$180. The current fee is \$200.

The Parks Department’s authority for these rules is found in section 533 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. Section 2-09 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:

(a) All boroughs.

Permit	Fee
TENNIS	
Adult (18 years to [62] <u>61</u> years)	\$200.00
<u>Adult (18 years to 61 years) with valid Municipal ID Card</u>	<u>\$180.00</u>

Senior (62 years and above)	\$ 20.00
Junior	\$ 10.00
Adult Duplicate	\$ 15.00
Junior Duplicate	\$ 6.00
Single Play	\$ 15.00
Reservation Ticket	\$ 15.00
Lockers	\$ 20.00
LAWN BOWLING	\$ 30.00
CROQUET	\$ 30.00
MODEL YACHT STORAGE	\$ 20.00
KAYAK/CANOE	\$ 15.00
POOL PERMITS (Groups of 10 or more supervised individuals)	\$25.00 plus \$1.00 for each individual [in] in group
SPECIAL EVENT PERMIT	\$25.00
USE OF BOARDWALK SPACE BY RESTAURANTS	
Self-serve Restaurants	\$55.00/linear foot
Table Service Restaurants	\$110.00/linear foot

Section 2. Subdivision (a) of Section 2-14 of Title 56 of the Rules of the City of New York is amended by adding a new paragraph titled “Adult Membership Fee (with valid Municipal ID Card)” after the paragraph titled “Adult Membership Fee”, and by

amending the paragraphs titled “Adult Membership Fee”, “Young Adult Membership Fee”, “Senior Citizen Membership Fee”, and “Child Membership Fee” to read as follows:

**Adult Membership Fee.** “Adult Membership Fee” [shall] means the membership fee for use of recreation centers [in a particular class (i.e. Recreation Center with Indoor Pool, Recreation Center without Indoor Pool)] for all patrons between and including [twenty-five (25)] and [sixty-one (61)] years of age [,not including session fees,], except for patrons who otherwise qualify for the Senior Citizen Membership Fee. This membership fee does not include session fees. Membership includes, but is not limited to, use of fitness equipment, indoor pools and computer resource centers.

**Adult Membership Fee (with valid Municipal ID Card).** “Adult Membership Fee (with valid Municipal ID Card)” means the membership fee for use of recreation centers for all patrons who present a valid Municipal ID Card when purchasing or renewing a membership and who are between and including 25 and 61 years of age, except for patrons who otherwise qualify for the Senior Citizen Membership Fee. This membership does not include session fees. Membership includes, but is not limited to, use of fitness equipment, indoor pools and computer resource centers.

**Young Adult Membership Fee** “Young Adult Membership Fee” [shall] means the membership fee for use of recreation centers [in a particular class (i.e. Recreation Center with Indoor Pool, Recreation Center without Indoor Pool)] for all patrons between and including [eighteen (18)] and [twenty-four (24)] years of age[, not including session fees]. For patrons who, as of June 1, 2013, are between and including [eighteen (18)] and [twenty-four (24)] years of age and have [six (6)] months or more remaining on their Adult Membership, the Department will extend membership for [three (3)] months beyond the current expiration date. For patrons who, as of June 1, 2013, are between and including [eighteen (18)] and [twenty-four (24)] years of age and have less than [six (6)] months remaining on their Adult Membership, the Department will extend membership for [one (1)] month beyond the current expiration date. This membership fee does not include session fees. Membership includes, but is not limited to, use of fitness equipment, indoor pools and computer resource centers.

**Senior Citizen Membership Fee** “Senior Citizen Membership Fee” [shall] means the membership fee for use of recreation centers [in a particular class (i.e. Recreation Center with Indoor Pool, Recreation Center without Indoor Pool)] for all patrons [sixty-two (62)] years of age and over[, not including session fees]. Patrons who held active Senior Citizen Recreation Center Memberships as of June 30, 2011, but allowed their membership to expire, have until December 31, 2013 to purchase a new membership at the Senior Citizen rate. Patrons who held active Senior Citizen Recreation Center Memberships as of June 30, 2011, but allowed their Senior Citizen Membership to expire and subsequently purchased an Adult Membership, may purchase a new membership at the Senior Citizen rate after the expiration of their current Adult Membership. This membership fee does not include session fees. Membership includes, but is not limited to, use of fitness equipment, indoor pools and computer resource centers.

**Child Membership Fee** "Child Membership Fee" [shall] means the membership fee for use of recreation centers [in a particular class (i.e. Recreation Center with Indoor Pool, Recreation Center without Indoor Pool)] for all patrons under [eighteen (18)] years of age[.]. This membership does not include[ing] session fees. Membership includes, but is not limited to, use of fitness equipment, indoor pools and computer resource centers.

Section 3. Subdivision (c) of Section 2-14 of Title 56 of the Rules of the City of New York is amended to read as follows:

(c) *Recreation Center Membership Fee Schedules.* The Commissioner shall charge a recreation center member subject to these provisions the amount set forth in the following schedule for an annual membership. Such annual membership does not include session fees.

Type of Recreation Center	Child Membership Fee	Young Adult Membership Fee	Adult Membership Fee	<u>Adult Membership Fee (with valid Municipal ID Card)</u>	Senior Citizen Membership Fee
Recreation Center with Indoor Pool	\$0	\$25	\$150	<u>\$135</u>	\$25
Recreation Center without Indoor Pool	\$0	\$25	\$100	<u>\$90</u>	\$25

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Reduced Recreational Center Membership Rates for Municipal ID Card Holders

**REFERENCE NUMBER:** 2014 RG 087

**RULEMAKING AGENCY:** Department of Parks & Recreation

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: November 13, 2014

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400

CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)

**RULE TITLE:** Reduced Recreational Center Membership Rates for Municipal ID Card Holders

**REFERENCE NUMBER:** DPR-5

**RULEMAKING AGENCY:** Department of Parks & Recreation

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Sabrina Fong  
Mayor's Office of Operations

11/13/2014  
Date