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RESOLUTION NO. 451

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, AMENDING RESOLUTION 432 THAT ADOPTED A RECREATION PROGRAM REFUND POLICY AND PROCEDURES.

WHEREAS, on February 26, 2018, via Resolution No. 423, the City Council adopted a Recreation Program Refund Policy and Procedures so as to outline under what circumstances and through what process refunds for programs will be given; and

WHEREAS, on December 10, 2018, via Resolution No. 432, the City Council adopted amendments to the Recreation Program Refund and Procedures; and

WHEREAS, the Parks, Recreational, and Cultural Services Department has determined that modifications to the adopted Recreation Program Refund Policy and Procedures are necessary to promote equity in summer camp registration; and

WHEREAS, the City Council considered the amendments to the Recreation Program Refund Policy and Procedures at its January 6, 2020 regular meeting;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:

Section 1. Amendments to Recreation Program Refund Policy and Procedures. The Recreation Program Refund Policy and Procedures, as adopted by Resolution No. 423, is amended as provided in Exhibit A.

Section 2. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Resolution or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or its application to any person or situation.

Section 3. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this Resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or numbering and section/subsection numbering and references.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

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ADOPTED BY THE CITY COUNCIL ON JANUARY 27, 2020.

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith
City Clerk

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POLICY & PROCEDURE

Title: Recreation Program Refund Policy and Procedures			Category: Parks, Recreation, Cultural Services Number: ~~9247~~ 1000-04 External / Internal: Public
Effective Date:	**Supersedes:** Res. No. 423	**Policy Originator:** Mary Reidy	**Approved By:** City Council Res. No. ___ _____ Mayor

1. PURPOSE/SCOPE:

The purpose of this Recreation Program Refund Policy and Procedures is to describe under what circumstances refunds will be awarded and describe the necessary steps to refund payment for services and use of facilities.

2. DEFINITIONS:

2.1. **Cancellation** - City notification of class, camp, program or event being cancelled.

2.2. **Reserved**

2.3. **Security Deposit** - Any payment received in addition to the facility rental fee required to compensate for damage to City facilities incurred during the rental period, not adhering to rental permit conditions or requiring extra on-site staff time.

2.4. **Late Payment** - Payments received or owed after the deadline set by the rental agreement, or as otherwise noted in Facility Rental Policy and Procedures.

2.5. **League** - Organized on-going rental with scheduled games.

2.6. **Pass** - A purchased amount of time that allows for entrance to specified drop-in activities.

2.7. **Point of Sale Item** - Any product sold for purchase that is not a program or service.

2.8. **PRCS Director** - The Director of the City of Shoreline Parks, Recreation and Cultural Services Department.

2.9. **Refund** - Any money once received by City of Shoreline and then returned to a customer per this policy.

2.10. **Registration** - The process by which the rental of a facility is secured including receipt of full payment and confirmation of completed Rental Use

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Permit or the process of paying for and receiving confirmation of acceptance to participate in a class, trip/workshop or special event by the City of Shoreline.

2.11. **Rental Use Permit** - Signed agreement governing the use of City of Shoreline facilities, including both indoor and outdoor spaces.

2.12. **Renter** - Person(s) or party on the signature line of a Rental Use Permit who is legally obligated to terms and conditions of agreement.

2.13. **Multi-Day Course** - A class or program, for which a participant must register and that consists of multiple days.

2.14. **Camp** - A Program with the word 'Camp' in the title.

2.15. **Summer Camp** - Any camp offered anytime during June through August.

2.16. **Single Day Course** - Class, trip or program that lasts one day or less.

2.17. **Special Event** - A program for which a participant must register that is identified as a Special Event in marketing materials.

2.18 **Concession Permit –** A signed agreement governing the permission to sell goods or services at City of Shoreline facilities, including both indoor and outdoor spaces.

2.19 **Park and Open Space Non-Exclusive Use Permit –** A signed agreement governing permission for activities conducted in/on City Park and/or City Open Space Areas as designated in the Facility Rental Operations Manual.

2.20 **City** – the City of Shoreline.

2.21 **PRCS** – the City of Shoreline Parks, Recreation, and Cultural Services Department.

3. REFERENCES AND FORMS:

3.1. ~~Facilities Rental Policies and Procedures~~ Facilities Rental Operations Manual

3.2. Code of Conduct for Use of City Facilities

3.3 City of Shoreline Scholarship Policy

4. DEPARTMENTS AFFECTED:

4.1. Parks, Recreation and Cultural Services Department

4.2. Administrative Services Department

5. PROCESS:

5.1. **Refund Due to City Cancellation.** Classes, camps, programs, trips or workshops/special events cancelled by the City ~~of Shoreline~~ will result in a 100% ~~R~~refund of the program fee paid.

5.2. **Cancellation Due to Weather.** Refunds will not be issued for reasons of inclement weather, unless it results in the closure of the City facility hosting the event during the time of session or rental or cancellation of the camp, class or program.

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5.3. Refund Request Deadlines:

5.3.1. Multi-Day Course

5.3.1.1. First Day. Program fees may be refunded in full for any reason after the first day of class, as long as the refund is requested prior to, but not included, the second day of class. Aquatic program requests must be made through the pool registration desk. All other recreation program requests must be made at the Spartan Recreation Center ~~registration desk~~.

5.3.1.2. Second Day. After the second day of class, but prior to the third day of class, requested refunds will be pro-rated per the registration fee paid and the total number of classes.

5.3.1.3. Third Day. Refunds will not be issued after the third day of class, unless an exception is granted by the City. Exception requests are to be submitted per Section 5.9 of this ~~p~~Policy. The City has sole discretion to decide whether or not to grant ~~this~~ an exception.

5.3.2. Single Day Course. Refunds may be issued if requested at least seven (7) calendar days prior to, but ~~(~~not including~~)~~, the course day.

5.3.3. Point of Sale Admissions. Refund requests must be made in writing and submitted to the registration desk prior to leaving the facility on the day of use. All refund requests are at the discretion of the ~~PRCS Director~~ City.

5.3.4. Camps - Summer Camps

5.3.4.1. ~~Full refunds will be given until the close of business on the first Monday in June for Summer Camps.~~

5.3.4.2. Refunds for Summer Camps requested ~~after close of business the first Monday in June, but prior to seven (7) days before~~ at least fourteen (14) calendar days prior to, ~~(~~but not including~~)~~, the first day of camp, will be subject to an administration fee for each weekly camper registration. After the fee is applied, the remaining balance will be refunded.

5.3.4.3. No refunds will be given if requested less than ~~seven (7)~~ fourteen (14) calendar days prior to, ~~(~~but not including~~)~~, the first day of camp.

5.3.4.4. In lieu of a refund, a participant may request to transfer to another camp with available space. If transferring from one ~~C~~camp into

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another, the administration fee will be waived ~~during the transfer~~. The transfer must be made at the same time as the cancellation and for the same participant.

~~**5.3.4.5.** Transfer can only be made into a camp that has an available spot.~~

5.3.5. Non-Summer Camps

5.3.5.1. Full refunds ~~will be given up to~~ requested at least fourteen (14) calendar days prior to, ~~the start (~~ but not including, the first day of camp~~)~~ ~~for non-summer camps~~ will be subject to an administration fee for each weekly camper registration.

~~**5.3.5.2.** Refunds requested after close of business 14 days prior to start (but not including) the first day of camp, will be subject to an administration fee for each weekly camper registration.~~

~~**5.3.5.3**~~ **5.3.5.2.** No refunds will be given if requested less than ~~seven (7)~~ fourteen (14) calendar days, prior to, ~~(~~but not including~~)~~, the first day of camp.

5.3.6. Permit Cancellation.
Rental use and Park and Open Space Non-Exclusive Use Permits cancelled by the Renter at least seven (7) or more calendar days in advance of event will be refunded in full. Permits cancelled by the Renter less than seven (7) calendar days prior, but not including the rental day, will not receive a refund. Any Security Deposit received for this rental will be 100% refunded.

5.3.6.1. Exception: Athletic Field and Tennis Court Rental Use Permit Cancellation. Athletic Field and Tennis Court Rental Use Permits cancelled by the Renter less than seven (7) calendar days, but at least 24 hours prior to the date/time of the rental will be issued a 50% refund of fees or $50, whichever is less. Rental Use Permits cancelled 24 hours or less prior to the date/time will not receive a refund. Any Security Deposit received for this rental will be 100% refunded.

5.3.6.2. Exception: Concession Permit Cancellation. No refund for Concession Permit fees after issuance of Concession Permit. Hourly concession fee will be refunded if requests are received at least thirty (30) calendar days prior to date of use.

~~**5.3.6.** Facility Rental Cancellation. Rentals cancelled by the Renter seven (7) or more calendar days before the event will be refunded in full. Rentals cancelled by the Renter less than seven (7) days, but before 24 hours prior~~

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~~to the date/time of reservation, will be issued a 50% refund of the fees already collected or $50, whichever is less. Reservations cancelled 24 hours or less prior to the rental will not receive a refund. Any Security Deposit received associated with this rental will be 100% refunded.~~

~~**5.3.7.** Park and Open Space Non-Exclusive Use Permit. Permits cancelled by the Renter seven (7) or more calendar days before the event will be refunded in full. Permits cancelled by the Permittee less than seven (7) days, but before 24 hours prior to the date/time of reservation, will be issued a 50% refund of the fees already collected or $50, whichever is less. Reservations cancelled 24 hours or less prior to the rental will not receive a refund. Any Security Deposit received associated with this permit will be 100% refunded.~~

~~**5.3.8.** Concession Permit. The City may, at its sole discretion, cancel a Concession Permit anytime due to an emergency, severe weather, power outage, or situations that may result in facility damage or personal injury as determined by the PRCS Director. In such instances, the Permittee will be entitled to a 100% refund. All other permit refunds must be requested 30 days prior to scheduled use.~~

5.4. Waitlist and Pro-Rated Refunds.

5.4.1. Waitlist refunds. For those that are on a class waitlist that attend after the start date, requests for refund shall be treated as if the first day of attendance is the first day of class.

5.4.2. Pro-rated refunds. Class fee refunds will not be pro-rated when registering after the start date except for those entering from the waitlist.

5.5. Refund of Security Deposits. The City will inspect the ~~permitted~~ designated facility/area in the Rental Use Permit after usage to determine if any damage occurred. If damage occurred, the City will assess a cost to ~~fix~~ mitigate the damage and retain that amount from the Security Deposit. The Security Deposit may also be retained if all conditions of the permit are not adhered to or an extra on-site staff ~~time~~ is required during the permitted time. Any remainder of the Security Deposit will be refunded. Should no damage occur, all conditions of the permit are met and extra staff time is not required then 100% of Security Deposit will be refunded.

5.6. Facility Rental Cancellation Outside of Renter Control.

5.6.1. The City may, at its sole discretion, cancel a rental or permit at any time due to an emergency, severe weather which merits either Shoreline School District or City facility closures, power outage, or

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situations that may result in facility damage or personal injury as determined by the PRCS Director. In such instances, the Renter will be entitled to a 100% refund.

5.6.2. If a ~~field~~ permitted facility or area is deemed unusable by City staff on the permitted day ~~of the rental~~, a ~~credit~~ full refund will be issued. If an athletic field or tennis court is deemed unusable on the permitted day due to inclement weather, utility malfunction, or other safety issue ~~of rental~~ by a City-recognized ~~L~~league official, the Renter must notify the City in writing so that the City receives such notice within five (5) calendar days of event cancellation in order to have a credit issued on their account.

5.7. **No Pro-Rated Pass Refunds**. All passes are for the specified amount of time from purchase date. Pro-rated refunds are not permitted for unused portion of purchased time.

5.8. **Refund for Defective Products**. Point of Sale Items may be returned for a full refund within one week of purchase if product has a manufacturing defect.

5.9. **Exceptions**. Requested exceptions from this Policy may be submitted on the Refund Request Waiver Form to the Recreation Superintendent and require approval by the PRCS Director.

5.10. **10 Punch Passes** expire on December 31st of the calendar year purchased with the remaining punches value refunded.

5.11. **~~Registrations associated with s~~Special events** are non-refundable.

5.12. **Refund due to Injury or Illness**. Refunds will not be issued for injury or illness incurred outside of participation in the program unless it is diagnosed as a communicable disease by a medical professional.

6. PROCEDURE AND METHOD FOR ISSUING REFUNDS

6.1. Debit/credit card payments will be refunded to the debit/credit account from which the payment was made, when possible, however after ninety (90) calendar days the City may issue a refund by check. ~~if within 120 days of the original purchase date. If past 120 days a check will be issued within six (6) weeks or refund request.~~

6.2. If paid in cash or check, the City ~~of Shoreline~~ will issue~~, remit~~ and mail a refund check within six (6) weeks ~~to the customer who made payment~~.

6.3. No cash refunds will be made.

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6.4. Any standing credit on accounts will be refunded after six (6) months by a City of Shoreline issued check.

6.5. Security Deposits may be refunded in full or part after completion of the activity and assessed by City staff for damage, breach of permit or staffing requirements. ~~Rentals~~ Deposits paid ~~via~~ by credit card ~~shall~~ will be refunded ~~with a credit~~ to the ~~Renter's~~ card from which the payment was made, when possible, otherwise the City will issue a refund by check. If paid by cash or check, the City ~~of Shoreline Finance Department~~ will issue~~, remit,~~ and mail a refund check ~~to Renters~~ within six (6) weeks. ~~No cash refunds will be made.~~

6.6. Fees paid through scholarship funds are not refunded in cash. ~~They~~ Any refund due will be ~~are reassigned to account~~ processed pursuant to the ~~per~~ City of Shoreline Scholarship Policy.

6.7. Any payment made ~~via~~ by the State of Washington Department of Social and Health Services (DSHS) shall not be refunded to an individual but rather will be ~~taken off~~ credited prior to the quarterly billing balance sent to DSHS~~State quarterly~~.