

**DRAFT MINUTES**  
**AQUATICS BOARD**  
**Tuesday, February 25, 2020**  
**City & Borough of Juneau – Assembly Chambers**

Statement of Philosophy:

***Create Community through People, Pools and Effective Swim Programs***

- A. Meeting Convened at 5:03pm** by Vice-Chair Merell.
- B. Members Present:** Kristin Bartlett, Don Beard, Corry Isabel, Molly McCormick, Lena Merrell, Tracy Morrison, , Tom Rutecki, Pat Watt  
**Members Absent:** Will Muldoon  
**Ex Officio:** George Schaaf, Parks & Rec Director  
**Liaison Present:** Carole Triem – CBJ Assembly  
**Staff Present:** Kollin Monahan, Aquatics Manager, Steve Tada and Ross Stevens from the Engineering Department
- C. Agenda Changes** – Item H, New Business – ABP Renovation Update, move to beginning of Staff Report.
- D. Approval of Minutes** – Minutes of the two January meetings were reviewed and approved.
- E. Public Participation on Non-Agenda Items** – None
- F. ABP Renovation Update**
- **Staff Presentation:** Mr. Schaaf and the Engineering Department staff walked the Board through a PowerPoint presentation summarizing the status of the Augustus Brown Pool renovation. (See attachment for details.) The goal is to complete the project as fast as possible while maintaining a quality job. The work is currently at 65% design completion, with 95% expected shortly. At that point a bid schedule will be established with a likely bid opening in late May or early June and construction starting in July for a 9-11 month project. Projects of this magnitude, however, invariably produce surprises as the work progresses. Mr. Monahan distributed copies of a Survey Monkey poll to gain information that will help smooth the transition. The online link will be publicized online and in social media. The Parks & Rec website has a link with information and that tracks the status of the project at <https://beta.juneau.org/parks-recreation/project-list/entry/59376>
  - **Board Comments:** Ms. Watt inquired as to status of the tank liner repair. Staff are waiting to determine whether or not the rust areas can be spot-repaired, or if the entire floor of the lap pool will need repairing. Mr. Rutecki asked whether the upstairs of the pool would see much change and was advised that the basic configuration will remain as is. Mr. Rutecki asked and staff confirmed that the high dive board will need to be removed to make up for storage space lost elsewhere. Ms. Triem asked about extending hours at Dimond Park, and staff responded that, yes, hours will be extended both on week days and weekends. Mr. Rutecki stated that the Outreach Committee has learned that CCS could provide transportation for requests with at least 24-hour's notice. Ms. Morrison asked about a 1% for Art project – yes, that will definitely

be a part of the project, once construction is underway and appropriation locations develop. Mr. Beard pointed out that the signs currently say the temporary closure will be 6-9 months, even though the construction contract will likely be 10-11 months. Staff indicated the temporary closure number is still a good estimate, since the contract period includes mobilization, material acquisition, etc..

- **Public Comments:**

- Sean Egan – very appreciative of the project, and just hopes it will be completed quick.
- David Thompson – hopes there will be more morning hours at DPAC on the weekends and wondered if the lockers would be changed. Staff responded, no.
- Terry Bannister asked if it would be possible to preserve the tiles made by students in 1999. Staff explained that the likelihood is that the tiles will crumble as their wall is repaired, but high quality digital images will be taken of each tile so that an electronic collage, or other memento, can be created as a reminder.
- Allan Klein asked how long this renovation would likely last, and staff explained that the mechanical and electrical equipment should last at least 15-20 years, and finishes could last 15 years. As much as the budget allows, high quality finishes will be used. Longevity depends very much on good maintenance.

**G. Staff Report:**

- The first Dive-In Movie was held on Saturday, February 22 at DIPAC. The movie *Moana* was projected on a screen on the fitness deck. An almost capacity crowd of 123 swimmers seemed to thoroughly enjoy this event, which required normal pool admission. This movie was sponsored by the Filipino Community, Inc. Staff got a lot of positive feedback and will keep future similar events to family-friendly shows.
- The first session of winter swim lessons is wrapping up this week. Session I had 19 preschool and youth lessons, involving 76 participants. Registration for Session II opens on Tuesday, March 31. Registration can be done online or in person at either facility. Session II runs from April 6 – 23. Lessons will be provided at Augustus Brown on Mondays and Wednesdays from 5:30-7:15pm and lesson at DPAC will be on Tuesdays and Thursdays from 3:30-7-30pm. Each level's classes in Session II will have eight 30-minutes classes and cost \$64.
- Glacier Swim Club is hosting the Savannah Cayce Southeast Championship Meet on April 3-5 at DPAC. The pool will close on Thursday, April 2, at 10:00 am to prepare for the meet. Normal hours will recommence on Monday, April 6.
- Another Adult/Pediatric CPR/AED and First Aid class will be offered to the public on March 1 from 8:30am -3:30pm. The cost is \$150. A 2-day Lifeguard Full Certification Course is being offered on March 28-29 from 8:30am to 4:00pm. The cost is \$205.

**H. Old Business: Commercial Use of Aquatics Facilities:**

The Board reviewed the second draft of proposed new regulations on Commercial Use of Municipal Aquatics Facilities. (See attachment). These showed markups from the Board's initial review in November. Ms. Watt suggested clarifying that agreements (in 11 CBJAC 01.030 (a) are between CBJ and organizations.

- **Public Comments:**

- Samantha Hammerly – asked how payments will be handled. Ms. Morrison explained that once the regulations are adopted, then a policy will be adopted implementing details such as capacity, hours, use areas, payment process, etc.

Ms. Isabel moved that staff be directed to begin the adoption process specified in the code for adoption of regulations. Motion approved without objection. Staff will come back at the next meeting with a schedule and an outline for the accompanying policy to be developed.

**I. Board Comments and Standing Agenda Items-**

- Ms. Watt requested that Standing Agenda Items and Committee reports be moved to separate items in the agenda, and that the Augustus Brown Pool (ABP) renovation be listed as a Standing Agenda Item.
- Mr. Rutecki reported that the Outreach Committee met last week and reviewed the status of the ABP renovation process, developed a user survey (see attached), discussed 1% for Art ideas, and is planning a party at ABP before the temporary closure happens.

**J. Adjournment:** the meeting was adjourned at 6:17pm.

-----  
Meeting Follow-ups:

Mr. Monahan: Modify agenda to create separate items for Standing Agenda Items, and also for Committee reports.

Mr. Muldoon: Schedule a Finance Committee to review status of the budget development as well as the Fees and Charges policy

Mr. Schaaf: Prepare schedule for adoption of regulations and outline of accompanying policy for the March meeting

Mr. Monahan: Schedule July Board update - status of auto-charge credit card payments.

Upcoming Meetings:

3/17/2020 Outreach Committee, 5pm. DPAC Pool

3/24/2020 Regular Board Meeting, 5pm. Room 224 City Hall

# Augustus Brown Swimming Pool Renovation

Aquatics Board Meeting

February 25<sup>th</sup>, 2020

Assembly Chambers; City Hall

# Background

---

- In October 2017 voters approved Proposition 1 to continue a temporary 5 year 1% sales tax that will expire September 30, 2023.
- The proceeds from this tax will be used for capital improvement projects relating to infrastructure and deferred maintenance of existing CBJ facilities.
- It was projected that the total tax proceeds to be received were \$47 million. Out of the \$47million total revenue available, \$5 million is to be allocated for the renovation of the Augustus Brown Swimming Pool.

# Scope of Work

---

- The renovation will focus on replacement of mechanical systems, electrical components and plumbing.
- Work will address many code issues that are common in dated facilities.
- There will be significant work conducted on the pool liner, upper flat roof, and operational components to improve the customer experience, processes, and efficiency.

# Base Bid - HAZ-MAT Abatement Items

---

- Gypsum drywall, above ceiling plumbing fittings and some ceramic tiles in shower room & pool Markings

# Base Bid - Mechanical

---

- New Heating Plant with hot water tank
- New Air Handling Units serving the Lobby and Locker room  
– **consolidating 4 units to 2**
- Remove and replace the heat recovery Ventilator
- **New ADA compliant Plumbing fixtures in Locker rooms**

# Base Bid - Electrical

---

- New relocated Main Distribution Panel
- New LED Lights throughout – Brighter, better light pattern, **75% less electricity!**
- New Public Address system and speakers
- New access system with key fob readers

# Base Bid – Architectural

---

- New Upper Flat Roof with safety railings
- New Lobby Curtain Wall at public viewing area into natatorium
- Guard Room ADA access improvements
- **Add a second Family Changing Room**
- Add individual showers in the men's locker rooms
- **New flooring in the Men's & Women's locker rooms, lobby, & restrooms**
- Interior painting throughout the building

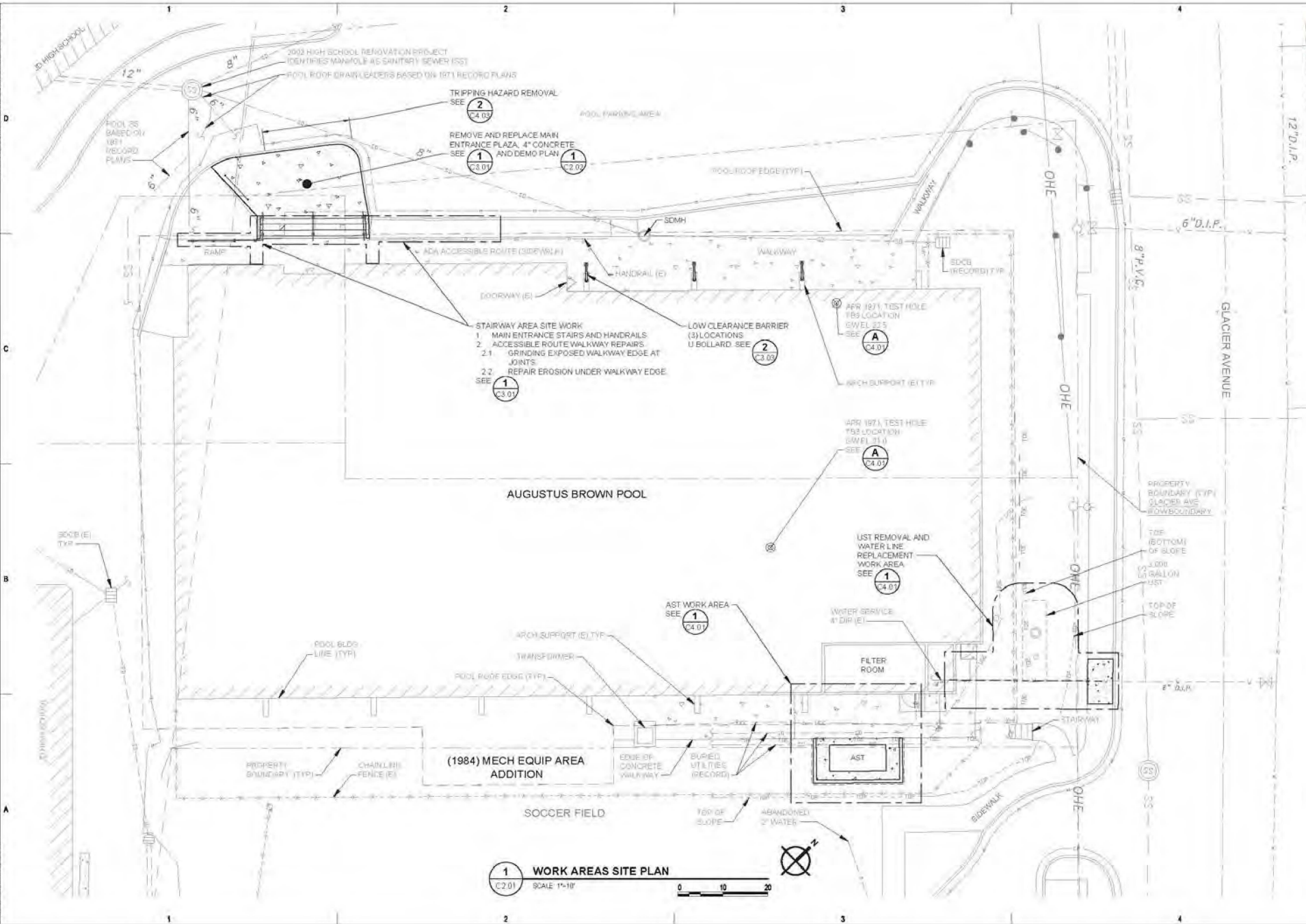
# Base Bid – Specialties

---

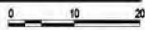
- **New aggregate (Plaster) pool finish, Lap and Leisure Pools**
- New waterline and deck tile branding with depth markers
- **New fixed ADA lifts for both pools**

## Bid Alternates – (In priority – if Awardable)

- Removal of original buried fuel-oil tank with a modern double wall above ground storage tank with leak monitoring
- Replace existing metal sloped roof
- New energy saving upgrade including insulation in walls, exterior soffits & modern insulation exterior windows



1 WORK AREAS SITE PLAN  
C2.01 SCALE 1"=10'



ARCHITECTS ALASKA  
4000 Arctic Avenue, Suite 400  
Anchorage, Alaska 99503  
907.224.2041  
701 S. Inupiat Avenue, Suite 200  
Fairbanks, Alaska 99701  
907.224.2041

PLAN + DESIGN + CONSTRUCT  
907 Capital Center, Juneau, Alaska 99801  
907.586.0001

65%  
SUBMITTAL

CITY AND BOROUGH OF JUNEAU  
**AUGUSTUS BROWN POOL  
RENOVATION**  
Juneau, Alaska

| Revisions |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
|           |             |      |
|           |             |      |
|           |             |      |

Drawn by  
DA

Checked  
DA

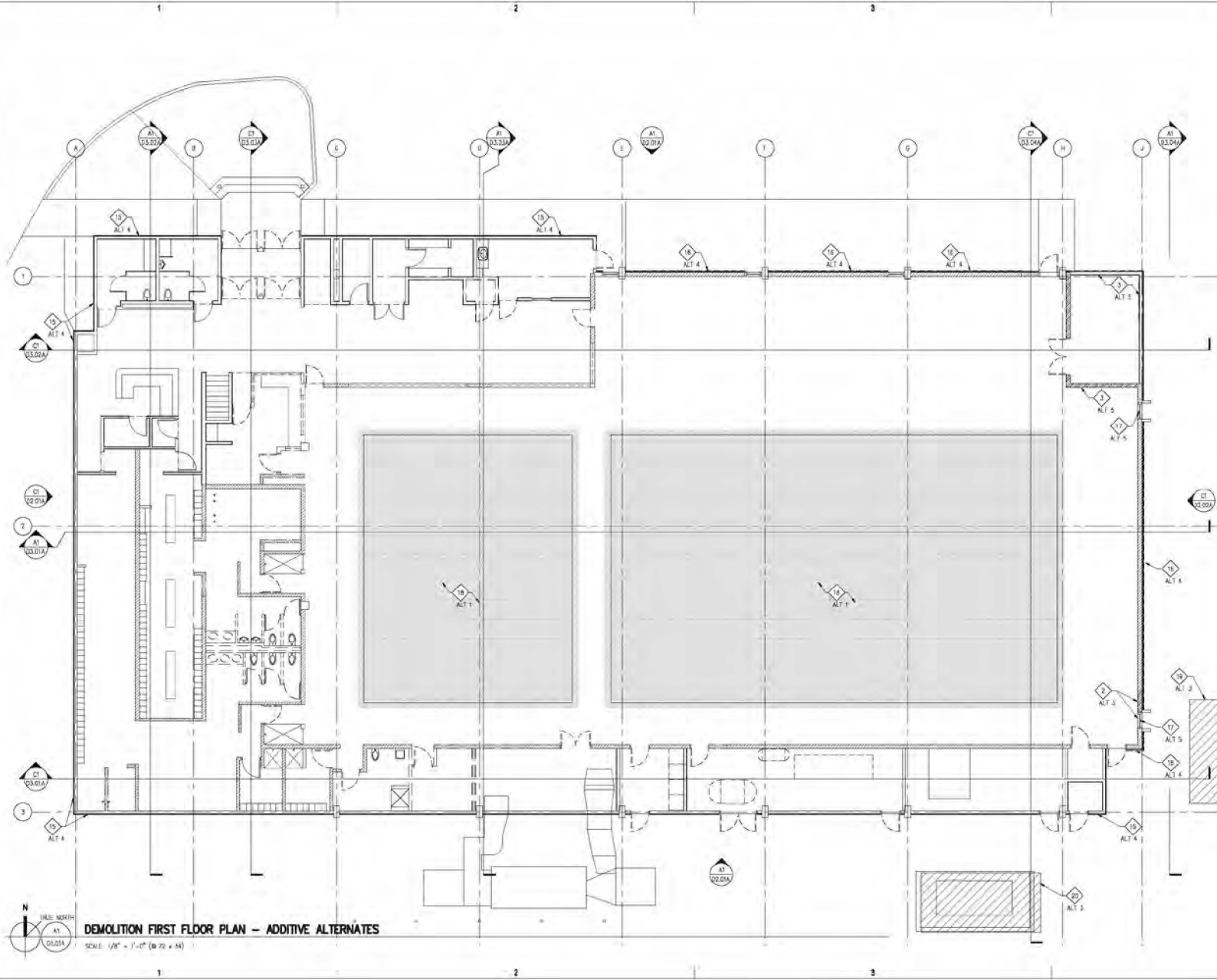
Sheet Contents  
WORK AREAS SITE PLAN

Category  
C

Sheet No.  
2.01

DRAWING FILE: C:\0208\BROWN\01.dwg (Augustus Brown Pool Renovation) 10/20/21 10:24:10 AM

PROJECT: 19-0000-000-000



DEMOLITION FIRST FLOOR PLAN - ADDITIVE ALTERNATES

SCALE: 1/8" = 1'-0" (8 7/8 x 14)

#### LEGEND

- PLUMBING FIXTURE TO BE REMOVED; REFER TO MECHANICAL DRAWINGS
- DOOR AND FRAME TO REMAIN
- REMOVE EXISTING DOOR (REFER TO NOTES FOR DOOR FRAME INSTRUCTIONS)
- LOCKERS TO BE REMOVED
- EXISTING PARTITION TO REMAIN
- EXISTING PARTITION TO BE REMOVED
- REMOVE END OR SIDE(S) SHOWN DASHED FROM EXISTING METAL STUD PARTITION

#### NOTIFICATION OF POTENTIAL HAZARD

ASBESTOS, LEAD, AND OTHER HAZARDOUS MATERIALS MAY BE PRESENT IN THE BUILDING THAT MAY IMPACT THE WORK OF ALL TRADES. SEE "HMA" SHEETS.

#### GENERAL DEMOLITION NOTES

- ITEMS SHOWN WITH BOLD DASHED LINES TO BE DEMOLISHED. TYPICAL COORDINATE WITH STRUCTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS FOR FULL EXTENT OF DEMOLITION WORK.
- REPAIR AND PREP EXISTING FLOOR SUBSTRATES AS REQUIRED FOR INSTALLATION OF NEW FINISHES.
- PROTECT EXISTING EQUIPMENT AND FINISHES.

#### ALTERNATE DEMOLITION NOTES

- ITEMS NOTED ON THIS SHEET ARE ADDITIVE ALTERNATES. REFER TO OTHER SHEETS FOR BASE BID WORK.
- REFER TO "ALTERNATE SCHEDULE" ON SHEET C101, SPECIFICATIONS, AND OTHER DISPLINES FOR ADDITIONAL INFORMATION.

#### DEMOLITION SHEET NOTES

NOTE: SHEET NOTES INCLUDE IDENTIFIERS SUCH AS "ALT 1" THAT REFERENCE THE ADDITIVE ALTERNATE CURSIVE WHICH THE WORK SHALL OCCUR.

- 1 REMOVE DOOR AND FRAME
- 2 DEMOLISH PORTION OF WALL FOR NEW DOOR. SEE ALT 1 AND STRUCTURAL
- 3 DEMOLISH WALL
- 4 DEMOLISH GANG SHOWER
- 5 REMOVE LOCKERS
- 6 DEMOLISH FLOOR DRAIN. SEE ALT 1 AND MECHANICAL DRAWINGS FOR NEW DRAIN LOCATIONS
- 7 REMOVE TWO SIDING, WEATHER BARRIER, AND RED INSULATION. HORIZONTAL FLOORING TO REMAIN
- 8 REMOVE WINDOW AND FRAME
- 9 PREPARE FLOOR FOR NEW FINISHES. SET STRUCTURAL AND TOOL DRAWINGS
- 10 REMOVE UNDERGROUND STORAGE TANKS. SEE CIVIL + MECHANICAL DRAWINGS
- 11 EXCAVATE EXIST. GRADE FOR NEW FUEL OIL TANK AND RETAINING WALL. SEE CIVIL DRAWINGS



ARCHITECTS ALASKA  
300 W. 10th Avenue, Suite 400  
Anchorage, Alaska 99501  
Tel: 415.261.1000  
Fax: 415.261.1001  
www.architects-alaska.com

**65% DRAWINGS  
NOT FOR CONSTRUCTION**

CITY AND BOROUGH OF JUNEAU  
**AUGUSTUS BROWN POOL  
RENOVATION**  
Juneau, Alaska

| Revisions |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
|           |             |      |
|           |             |      |
|           |             |      |

|                |                     |
|----------------|---------------------|
| Drawn by<br>SH | Date<br>9/10/2020   |
| Checked<br>DLM | Job No.<br>19020.01 |

|                                                                      |                           |
|----------------------------------------------------------------------|---------------------------|
| Sheet Contents<br>DEMOLITION FIRST FLOOR PLAN<br>ADDITIVE ALTERNATES |                           |
| Category<br><b>D</b>                                                 | Sheet No.<br><b>1.01A</b> |





# Interruption of Service Survey

## 1) How often do you or your family visit..

Dimond Park Aquatic Center \_\_\_\_\_

Augustus Brown Pool \_\_\_\_\_



## 2) What activities bring you to the pool? (*Circle all which apply*)

Lap Swimming

Fitness Classes

Open Swims

Sauna

Exercise Equipment

Socializing

Swim Lessons

Swim Team/  
Training

Lobby

Other: \_\_\_\_\_

## 3) Will you be attending Dimond Park Aquatic Center during the temporary closure?

☐

Yes

☐

No—If not, why? \_\_\_\_\_

## 4) What comments or questions do you have about the interruption of service?

## 5) Additional Thoughts & Feedback:

## 6) Would you like to be contacted by a member of the Aquatics Management team regarding submitted feedback?

☐

No Thank You

☐

Yes, Please!

Name \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_

On behalf of the Aquatics Division of CBJ Parks & Recreation, Thank you for your feedback and continued patronage of Juneau Pools.



**TO:** Aquatics Board  
**FROM:** George Schaaf, Parks & Recreation Director  
**DATE:** February 11, 2020  
**RE:** Draft Commercial Use Regulations & Policy

---

At its regular meeting on September 24, 2019, the Aquatics Board asked staff to draft regulations and policies regarding commercial use of municipal aquatics facilities. These draft regulations and a draft policy were presented to the Aquatics Board at the November 19, 2019. Since that time, the board has been focused on the biannual budget, and has not taken any further action on commercial use regulations. Pending action by the board, the Department is waiving enforcement of CBJ 67.01.090(i), which requires a permit for the commercial use of recreation facilities. This memo provides additional information developed since the Board last considered the draft regulation.

### **Insurance**

City code requires liability insurance for any commercial use of recreational facilities (CBJ 67.01.080). A number of private swim instructors expressed concern about their ability to secure liability insurance at an affordable price. In cooperation with our Risk Management staff, we have secured "Special Events Program" insurance through Alliant Insurance Service, Inc. that will provide an affordable option for private swim instructors and coaches. The cost of this insurance is approximately \$189 per year for up to 100 students and would be passed on to the permittee. A modest service charge would also be included to recover the City's costs to process the insurance application. Additional information is included in your packet; as of 2020, this insurance provides the following coverages:

|                    |                                        |
|--------------------|----------------------------------------|
| <b>\$2 million</b> | <b>General Aggregate</b>               |
| <b>\$1 million</b> | <b>Personal and Advertising Injury</b> |
| <b>\$1 million</b> | <b>Each Occurrence</b>                 |
| <b>\$100,000</b>   | <b>Fire Damage</b>                     |
| <b>\$5,000</b>     | <b>Medical Expense</b>                 |

## **Next Steps**

The process to adopt regulations is different from that used to adopt policies. Per CBJ 67.10, the Aquatics Board may adopt regulations necessary for the administration of the aquatics facilities. Regulations must be adopted pursuant to CBJ 01.60, which requires that public notice be provided at least 21 days before adoption. This means that you are free to discuss the issue and make changes to the draft regulations, but you may not adopt any regulations yet. When you feel the draft regulations are ready, a motion is required to begin the adoption process outlined at CBJ 0160. From there, staff will work with the Municipal Clerk to provide the required public notice.

In addition to the regulation, a policy will be necessary to guide the commercial use permit process. Details such as the application process, appeals, scheduling, and specific permit conditions will be contained in the policy, not the regulation. Policies may be adopted at the discretion of the board, and I recommend you postpone action on the policy until the regulation is finalized and adopted.

## **Chapter 01 - COMMERCIAL USE OF MUNICIPAL AQUATICS FACILITIES**

### **11 CBJAC 02.010 - Policy.**

The policy of the City and Borough of Juneau concerning the commercial use of municipal aquatics facilities is to:

- (a) Maintain and improve aquatics facilities for their primary use by the public;
- (b) Offer aquatics programs and lessons that respond to community needs and meet high standards for training, quality, and safety;
- (c) Establish consistent rules and conditions for the commercial use of municipal aquatics facilities; and
- (d) Charge for commercial use of municipal aquatics facilities in order to generate a fair and reasonable return for the public.

(Eff. xx/xx/xx)

### **11 CBJAC 01.020 - Facilities regulated.**

These regulations apply to all municipally owned aquatics facilities, including the grounds of such facilities.

(Eff. xx/xx/xx)

### **11 CBJAC 01.030 - Permit required.**

- (a) No person may conduct commercial activities in facilities subject to these regulations except as authorized by a permit issued by the Director of the Parks and Recreation Department.
- (b) The Director may issue a permit for commercial activities only upon a determination that the proposed use:
  - (1) Will not damage or degrade the facility or impair the public's enjoyment of the facility;
  - (2) Will not endanger the public health, safety, and welfare; and
  - (3) Is consistent with established policies and procedures.
- (c) A permit may include reasonable conditions, including limitations as to time, area, equipment, parking, noise, training, certification, insurance, and other factors.
- (d) A permit is transferable only with the permittee's entire business interest in activities conducted under the permit and only to a person who has successfully completed the permit application process. No credit will be given for any permit payments made by the previous holder of the permit.
- (e) No permit shall be issued to any person or entity delinquent in the payment of fines, taxes or other monies owed to the City and Borough.

(Eff. xx/xx/xx)

### **11 CBJAC 01.040 - Application process.**

- (a) *General requirements.*

- (1) Applications for permits will be accepted only from persons who have the legal authority to act in accordance with the permit. All applications must be signed by the owner(s) of the business to be subject to the permit.
  - (2) All applications for permits must be on forms provided by the department. Applications will not be considered unless they are complete, signed, accompanied by the applicable fee, and filed together with any required attachments or exhibits at the offices of the Parks and Recreation Department during regular business hours.
- (b) *Application information.*
- (1) *Applicant information.*
    - (A) The application shall identify each individual or business entity responsible for the use intended;
    - (B) The application shall include the physical address, mailing address, and phone number for each person, owner, and company responsible for the use intended;
  - (2) *Proposed use.*
    - (A) The application shall include a description of each proposed use, providing sufficient detail to allow the Department to determine the effect of the use on the facility and impacts, if any, to the public;
    - (D) The application shall include a description of the maximum number of customers anticipated on a daily, monthly, and annual basis.
  - (3) *Fees to be charged by permit holder.*
    - (A) The application shall include a schedule of fees and charges to customers and a description of any collection, disbursement, royalty, commission or similar arrangements with others.

(Eff. xx/xx/xx)

#### **11 CBJAC 01.050 - Permit fees.**

- (a) The applicant shall pay a fee, established by the CBJ Aquatics Board, which fee will give the City & Borough of Juneau a fair and reasonable return in light of the cost of administering the activity permitted under the permit, the impact of the proposed activity on the facility, the cost of any improvements required, and the value of the benefit conferred upon the user.
- (b) The permittee shall be responsible for collecting and remitting all admission fees for all persons engaged in the authorized activity, including the permittee.
- (c) Fees for lessons, classes, and similar activities shall be calculated on a daily basis, per person.
- (e) The fee shall be paid to the Department by the 15th day of each month for fees owed in the previous calendar month. All payments shall be accompanied by a completed activity report on a form provided by the Department. Fees and charges not paid by the 15<sup>th</sup> day of each month will be considered delinquent and subject to the interest provisions established in CBJ Code 1.41. (Eff. xx/xx/xx)

#### **11 CBJAC 01.060 - Insurance and indemnification.**

Prior to issuance of a permit, the permittee must provide the Department with a broker's certificate of insurance showing that the permittee has obtained public liability insurance in the amount and for the risks determined by the risk manager of the City and Borough of Juneau for the proposed use. The certificate must establish that the City and Borough is named as an additional insured on the policy, and that the insurer shall notify the City and Borough if the policy is modified, canceled, or terminated.

Permittees, upon acceptance of a permit, shall execute an instrument under the terms of which the permittee shall agree to indemnify, defend, and hold harmless the City and Borough of Juneau from any and all claims for injury or damage to persons or property suffered in connection with the permittee's activities unless such injury or damage is caused by the gross negligence of the City and Borough of Juneau.

(Eff. xx/xx/xx)

#### **11 CBJAC 01.070 - Permit duration.**

- (a) Permits shall expire one (1) year from the date of issue.
- (b) Permits are valid only for the dates, times, activities and facilities specified.
- (c) Permits are not renewable. Issuance of a permit shall not entitle the permit holder to any priority or preferential consideration for subsequent, new, or additional permits for the same or related uses or areas. A new application must be submitted each permit period, for each permit.
- (d) The director may issue a temporary permit at any time, valid for no more than 30 days and not renewable. The application process for a temporary permit shall be the same as the other permits.

(Eff. xx/xx/xx)

#### **11 CBJAC 01.080 - General operating requirements.**

- (a) Permittees shall have a copy of the permit immediately available for inspection at all times while engaged in activities authorized by the permit.
- (b) Permittees are responsible for their actions and those of their agents, employees, and/or customers while engaged in permitted activities. The following operating requirements apply to activities conducted under the permit unless otherwise specified in a permit.
  - (1) Commercial use of aquatics facilities shall be limited to public swim periods.
  - (2) No advertising or solicitation is permitted within any municipal aquatics facility.
  - (3) No alterations or improvements to the facility are allowed, nor may anything be posted or signs of any kind be displayed in the facility.
  - (4) The permit holder shall promptly notify the Aquatics Manager of any accident, injury or claim relating to the permitted activity.
  - (5) The permit holder shall promptly notify the Aquatics Manager of any repair or maintenance needed within the facility, or of any conditions which constitute a hazard. The permit holder shall not make any repairs or alterations to the facility.
  - (6) Permit holders shall comply with all CBJ policies, rules and regulations; as well as all applicable state, federal, and local laws.
  - (7) Permit holders shall properly dispose of all litter resulting from their use of the facility.
  - (8) The permit holder shall reimburse the City and Borough of Juneau for any damage to municipal property caused by the permittee, their clients, or their use of the facility, including cleaning costs.
  - (9) No equipment or supplies may be stored at any municipal facility.
  - (10) No pets shall use an aquatics facility.

(Eff. xx/xx/xx)

## **11 CBJAC 01.090 - Enforcement and penalties.**

- (a) A permit may be suspended by the director without advance notice for a period not to exceed ten days if any activities conducted under the permit present an immediate danger to the public health, welfare, or safety.
- (b) A permit may be suspended or revoked by the director upon a written finding that the permittee has violated these regulation, failed to comply with permit conditions, engaged in fraud or negligence, or misrepresented the nature and substance of the commercial activity. The permittee shall be provided at least ten days' notice and an opportunity to be heard at an informal hearing on the suspension or revocation. The director's decision may be appealed to the City Manager by filing a notice of appeal setting forth the reasons to the City Manager within 10 days of the director's decision. The City Manager will take up the appeal within 10 days. The City Manager's decision to revoke a permit shall constitute a final agency action subject to appeal in accordance with CBJ 01.50.020(b)).

(Eff. xx/xx/xx)

## **11 CBJAC 01.100 - Definitions.**

As used in this chapter:

"Commercial use" [and] "commercial purpose" mean the sale, delivery, or solicitation to provide, goods or services in exchange for valuable consideration. The term includes a service offered in conjunction with another sale of goods or services whether or not it is incidental to, advertised with, or specifically offered in the other sale. All instruction, lessons, classes, and other services are commercial activities if any payment or valuable consideration through barter, trade, cash or other commercial means is required, expected or received.

"Department" means the City and Borough of Juneau Parks and Recreation Department.

"Director" means the supervisor of the City and Borough of Juneau Parks and Recreation Department or such person as may be designated by the manager to administer these regulations.

"Municipal aquatics facilities" [and] "pools" mean all swimming pools and related buildings and grounds owned by the City & Borough of Juneau.

"Permittee" or "permit holder" means the business entity or its authorized representative conducting commercial activities in an aquatic facility according to a permit issued under these regulations.

"Person" means a natural person, firm, partnership, corporation, association, or other entity organized for a common purpose.

(Eff. xx/xx/xx)