





## PARK USE POLICY

***Please carefully read through this entire document – renters are responsible for following the rules and policies outlined below.***

### 1. Statement of Purpose

The purpose of this policy is to determine an approach to private rentals of the City's parks that strikes the appropriate balance between community utilization and related impacts on the neighborhoods surrounding the parks. It is also to provide clear guidance to renters on the process and regulations associated with the rental of City parks.

### 2. Park Inventory and Use Restrictions

A Permit is required for exclusive use of specific areas within a City park. The below table provides an inventory of the City-owned parks that are available for private rentals, along with the areas within each park where private rentals are permitted.

Park Name	Park Amenities	Rental Area <sup>1</sup>
Albert Park	Playground, grassy area, tennis courts, pickleball courts, community center	Grassy area, tennis courts
Freitas Park	Playground, picnic tables/barbecue, restroom, grassy area, water feature	Picnic area
Gerstle Park	Playground, picnic tables/barbecue, restroom, basketball court, grassy area, walking trail	Redwood Grove picnic area and 2 additional picnic areas
Pickleweed Park	Playground, picnic tables/barbecue, restroom, grassy area, community center, soccer fields	Group picnic area (see City Athletic Field policy for information on renting the soccer fields)
Santa Margarita Park	Playground, picnic tables/barbecue, restroom, basketball court, grassy area	Picnic area
Sun Valley Park	Playground, picnic tables/barbecue, restroom, basketball court, grassy area	Picnic area
Terra Linda Park	Playground, picnic tables/barbecue, restroom, basketball court, grassy area, community center, pool	2 picnic areas, grassy area, basketball court
Victor Jones Park	Playground, picnic tables, basketball court, grassy area, t-ball diamond	2 picnic areas (see City Athletic Field policy for information on renting the t-ball field)

A person wanting either (1) exclusive use of any park or portion thereof, or (2) use of a park or portion thereof for gatherings of 25 or more persons, must apply for and obtain a permit for such use, activity, or event.

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<sup>1</sup> These park and picnic areas are available for private rentals only. Special Event rentals are addressed separately, in section 7 of this policy.

### 3. Application Process

Applications are available online at <https://www.cityofsanrafael.org/parks/> and at all Community Centers. To reserve a park, a person 18 years or older must submit a complete Park Rental Application provided by the Library and Recreation Department. You may submit your application in person, by mail, or by email. If you submit your application by mail or email, a Department staff member will contact you to collect the appropriate deposit to secure your reservation.

Applications are accepted six months in advance of the reservation date. If more than one person applies at the same time for the same park on the same date, priority will be given to residents of San Rafael. If two residents or two non-residents apply for the same rental date, a lottery will be drawn to determine priority.

Set up and clean up times of activities must be included within rental period. Incomplete or inaccurate information by the renter on the contract may result in cancellation of the contract and loss of fees paid.

The applicant's name and signature that appears on the rental contract must match the name on the payment and proof of insurance (if required).

Please do not make plans until a department staff member has confirmed your rental and provided an approved rental contract.

Only the renter(s) whose name is on the rental application can submit changes. Changes are subject to approval and must be made in writing (email preferred) or directly at one of the City's community centers. **All rental changes are tentative until confirmed by the Department staff and any/all additional fees have been paid.**

Reservations may be revoked at any time whenever the use of park facilities may interfere with Department program activities or where there has been a violation of approved regulations. Reservations may be revoked or terminated if it is determined that the event is different or larger than represented on the rental application.

The City reserves the right to make any physical changes to the facility.

### 4. Fees

#### Fees:

- A. Refer to the Park and Picnic Rental Rate sheets for fees. The City Council-approved fee schedule for rental of the parks is subject to annual review.
- B. Picnic area rentals are subject to a three (3) hour minimum.
- C. Payment is due in full at the time of the reservation.
- D. Payments may be in the form of check, cash, or credit card. All checks should be made payable to "City of San Rafael".
- E. Rentals that exceed stated hours will be charged double the stated hourly rate for the additional hours.

**Cancellations and Refunds:** Confirmed reservations that are canceled will be subject to penalties deducted from prepaid rental fees. Cancellation fees are determined by the amount of notice given prior to the scheduled event.

- Fees will not be refunded for reserved time not used. Reserved time should be chosen carefully; once fees are paid, there will be no refund for decreased reserved or actual use time.
- Only the applicant named on the contract can make cancellations.

### **Cancellation Refund Schedule**

Cancellation Date	Rental Fee Returned
3-6 months	50%
3 months or less	0%

Cancellations made less than 6 months but more than 3 months prior to reserved date will forfeit 50% of the rental fees. The City will retain all of the rental fees for cancellations made less than 3 months prior to reserved date.

The City may cancel a Permit due to weather, facility conditions, or unforeseen circumstances, including but not limited to flooding, fire, natural disaster, power outages, public health emergencies, criminal acts or acts of war or terrorism, that affect facility conditions or general public welfare. In the event of a City cancellation due to these circumstances, a full refund will be issued to the renter and such refund will constitute the limit of City's liability to renter in connection with the unavailability of the City facility. The City shall not be liable to renter for any actual or renter's consequential damages, including but not limited to other costs incurred in connection with renter's event, lost profits and lost opportunity.

#### **5. Insurance**

Insurance is not required for private picnic rentals. However, event and commercial rentals as well as park rentals that include space beyond the picnic area are required to provide a Certificate of Insurance for liability for a minimum of \$1,000,000. The insurance must follow the below guidelines:

- A. The certificate of insurance must include endorsements naming "City of San Rafael" as additional insured.
- B. Rental insurance certificates must be received by the Library and Recreation Department at least 30 days prior to the event.
- C. Organizations/Individuals that have insurance through a parent organization may issue one proof of insurance which names "City of San Rafael" as an additional insured for a full year for all the organization's uses.
- D. The name of the insured on the Certificate of Insurance must match the name on the rental contract.

#### **6. Park Rental Regulations**

Alcohol: No alcoholic beverages may be present or consumed in City parks.

Amplified Sound: Amplification of sound must comply with the San Rafael Municipal Code, Title 8.13, Noise Ordinance standards, and must be approved in writing by the Library and Recreation Director.

Behavior: Renters, activity participants, and guests/attendees are responsible for adhering to the San Rafael Municipal Code, Title 19.20, Parks and Facilities at all times during facility use. Renters are responsible for calling 911 or the San Rafael Police if behavior or safety issues arise out of the use of facilities. Renters are asked to report such accidents/incidents within 24 hours to the Library and Recreation Department.

Care of Parks/Hours: All groups using a City park space shall be responsible for proper use and care of the site. Parks must be left in the condition in which they were found. Any items brought in during the rental must be removed by the end of the rental time. Any trash must be placed in the provided receptacles. Clean up and/or repair charges beyond normal wear and tear will be billed to the Applicant based on cost of repair.

City parks are open from sunrise to sunset and all rentals must be completed and cleaned up within that timeframe.

Fire/Grill Safety: All groups using a City park space shall abide by the following rules regarding the use of grills and barbeques:

- Use charcoal or briquette only in grills.
- No use of open flame outside of designated cooking area.
- Outside cooking equipment is prohibited.
- Prior to leaving, all coals must be fully extinguished, and grill must be left in the condition in which it was found.
- No dumping of hot ashes onto ground or into garbage cans.
- Grills should not be used on “Spare the Air” days and users should make efforts to limit amount of smoke.
- Grill use will not be allowed on days of high fire risk or red flag warnings.

The San Rafael Fire Department may suspend the use of Open flame grills/BBQs at any time based on weather and fuel conditions.

Inflatable Bounce Houses (Jumpees): Inflatable bounce houses are not allowed in any City park.

Food: Food Trucks, onsite catering, and the sale or serving of food to the general public are prohibited in City Parks with the exception of Special Events (see section 7).

Safety: City of San Rafael staff is authorized to stop or modify any activity if deemed necessary for the health and wellbeing of users, guests, neighbors, and the general public.

Photography: Library and Recreation Department staff reserve the right to photograph events for promotional purposes.

Publicity: The City of San Rafael reserves the right to review and approve materials used to publicize events to be held on city property. City staff may not/will not provide details nor answer questions from the public related to specific private rentals. The community centers are not to be listed as a contact for your event.

Vehicles and Parking: Motorized vehicles on park property, lawns, turf, restricted areas, bicycle/pedestrian pathways, or fields are prohibited.

Parking is permitted in designated parking lots, or stalls, only.

## **7. Special Events**

Events that require exclusive use of park space beyond what is designated in section 2 of this policy will be considered on a case-by-case basis and will only be permitted if the event is determined to provide significant community benefit.

An event is considered to provide significant community benefit if it meets at least one of the following characteristics:

1. Open to the public.
2. Has an expected attendance of at least 100.
3. Has a traditional or heritage value to the community.
4. Adds to the arts, culture, and character of the community.
5. Provides significant economic vitality to the area.

Special event rentals will only be considered in the following locations:

- Albert Park
- Gerstle Park
- Pickleweed Park
- Terra Linda Park

Any groups wishing to rent a park for a Special Event must first contact the San Rafael Police Department to request a Special Event permit, which will be subject to the regulations and requirements listed in Chapter 5.70 of the San Rafael Municipal Code. In addition, they should also check to see if the park is available for the respective date and times. From there, prospective Renters will work with the Police Department to secure the required permits for their special event and also with the Library and Recreation Department to reserve/rent the park.

**8. Commercial Recreation Activities**

If an organization or individual is wanting exclusive use of a portion of a City park for the purpose of conducting commercial recreation classes, they may either apply to the City for a rental permit to conduct those activities or become a contract instructor with the City. The below table lays out the two options for offering commercial recreation activities in City parks.

<i>Through the Library and Recreation Contract Class Program</i>	<i>By Submitting a Park Facility Rental Application</i>
<p>Contract Class Instructors are required to provide the following:</p> <ul style="list-style-type: none"> <li>- Current certificate of insurance of (minimum \$1,000,000) liability insurance naming the City as additionally insured; see section 5 for additional insurance requirements.</li> <li>- Proof of Workers' Compensation Insurance for all employees associated with the activity.</li> <li>- A current City of San Rafael business license, if applicable.</li> </ul> <p>For more additional requirements and more information on becoming a City contract class instructor, visit our website:  <a href="https://www.cityofsanrafael.org/become-recreation-contract-instructor/">https://www.cityofsanrafael.org/become-recreation-contract-instructor/</a></p> <p>Benefits of the program include:</p> <ul style="list-style-type: none"> <li>- Use of the facility at no additional charge beyond the percent revenue split between the City and the instructor</li> <li>- Registration is handled through the City's online registration system and participants can request help from our friendly and professional staff</li> <li>- Classes will be promoted in the City's Activities Guide, which is distributed to approximately 23,000 households three times per year, as well as on the City website.</li> <li>- Detailed information about requirements, application process and program policies are available on the Library and Recreation website (link provided above).</li> </ul>	<p>Commercial recreation activities not offered through the Library and Recreation Department are only permitted in certain park locations and staff will prioritize free community use and access to park amenities when determining approval for such a permit.</p> <p>Commercial recreation rentals must abide by all of the conditions of the Park Use Policy. Additional requirements include:</p> <ul style="list-style-type: none"> <li>- Applicable rental fees/deposit</li> <li>- Current certificate of insurance of (minimum \$1,000,000) liability insurance naming the City as additionally insured; see section 5 for additional insurance requirements.</li> <li>- Proof of Workers' Compensation Insurance for all employees associated with the activity.</li> <li>- A current City of San Rafael business license.</li> </ul> <p>Applications for commercial recreation rentals are accepted and allocated seasonally per the below schedule:</p> <ul style="list-style-type: none"> <li>- June-August rental applications due: March 1</li> <li>- September-February rental applications due: June 1</li> <li>- March-May applications due: November 1</li> </ul>