

PARK PERMIT POLICY

- I. **POLICY:** A Park Permit is required to use City of Novato parks, or portions thereof, for any of the following activities:
- A. Reserved or exclusive use of a park or specific group area within a park. Some parks and recreation facilities may have a policy specific to that particular site. These site specific policies will be provided to the renter prior to their reservation.
 - B. Activity or event which utilizes amplified music, or amplified speech.
 - C. Activity or event to which the public at large is permitted to attend.
 - D. Sale or barter of any goods, wares, merchandise, food, or beverages.
 - E. Possession, consumption, dispensing, or furnishing of alcoholic beverages.
 - F. To sponsor or conduct any activity or event in a park, or portion thereof, in which 75 or more persons will participate/attend, or which is publicized prior to the date of the activity or event.
 - G. For any use, activity or event listed as requiring a park permit in Appendix A, Activities or Events Requiring Proof of Insurance.

Rental and use of the City of Novato parks, or portions thereof, is governed by the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities (www.novatofun.org). The City of Novato Parks, Recreation and Community Services Department (PRCS) manages and supervises the use of the parks, or portions thereof. This policy describes the conditions of use, and application process for rental and use of the parks, or portions thereof.

II. **DEFINITIONS:**

- A. **Amplified sound equipment** : Any music or speech projected and/or transmitted by electronic equipment including, but not limited to, amplifiers, loudspeakers, or any similar device.
- B. **Application Fee:** Covers the cost of processing and investigating the “Application for Use of a City Facility,” and administering the PRCS Rental Contract/Permit Program.
- C. **Application for Use of a City Facility:** Form to request use of a specific City of Novato park, or portion thereof, facility, or field.

- D. Director: Refers to the Director of the City of Novato Parks, Recreation and Community Services Department (PRCS), or their designee.
- E. Exclusive Use: Right to use a park, or portion thereof, facility, or field for an activity at a specified time period, to the exclusion of other citizens.
- F. Parks: Includes all parks, playgrounds, greenbelts, open space, median strips, and other areas dedicated to use for park or recreation purposes, which are owned by, dedicated to, leased to, or operated or maintained by the City of Novato.
- G. PRCS Rental Contract/Permit: Written authorization from the Director or designee for a specific use of a City of Novato park, or portion thereof, facility, or field.
- H. Public at Large: Members of the public generally not limited to any particular persons or invitees.
- I. Publicize: Inform the public of a planned activity by means of newspaper articles, notices, radio or television notices, announcements at public places, leafletting, posting signs or written notices in places used by the public, or by any other means intended to notify the public of any activity.
- J. Rental Fee: Fee paid by an applicant to use a park, or portion thereof, facility, or field.

III. CONDITIONS OF USE:

- A. Care of Parks: All individuals and groups using a City of Novato park, or portion thereof, are responsible for proper use and care of the park and its supporting facilities such as restrooms, play equipment, tables, benches, barbecues. Litter and recyclable containers should be deposited in the appropriate trash receptacles. Certain park uses may require that the rental party provide a parking and traffic management plan, temporary sanitary facilities, and/or trash receptacles.
- B. Exclusive Use: Hamilton Amphitheater Park group picnic area, turf areas and stage; Hamilton Pool group picnic areas, Josef Hoog Park group picnic area, and turf areas; Miwok Park group picnic areas and turf areas; Novato Civic Green, Pioneer Park group picnic area, tennis courts, and gazebo, South Hamilton Play Park group picnic area can be reserved for exclusive use. Designated turf areas at some of these parks may also be reserved for jump houses, pop-up tents, or other allowable large equipment. In addition to the flat fee for a jump house, tent, or other allowable large equipment, a designated turf area or picnic area must be reserved for use. To request exclusive use, an “Application for Use of a City Park Facility,” must be submitted, and a “PRCS Rental Contract/Permit,” obtained. An “Application for Use of a City Park Facility” is available at the PRCS customer service locations listed below, or online at novatofun@novato.org.

Margaret Todd Senior Center 1560 Hill Road, Novato, CA 94947 415-899-8290 ❖ 415-897-0239 Fax	Novato Gymnastics Center 950 Seventh Street, Novato, CA 94945 415-899-8279 ❖ 415-897-6395 Fax
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Requests for other exclusive uses of parks, or portions thereof, may also be made through the park permit process. All uses, activities, or events listed in Appendix A, Activities or Events Requiring Proof of Insurance, must reserve an available picnic area (III.C.), or a multi-use or designated turf area, and provide the required proof of insurance (III.F.), and pay the appropriate fees (III.H.).

Renters, activity participants, and guests/attendees are responsible for adhering to the Novato Municipal Code Chapter 10, Parks and Recreational Facilities at all times during park & facility use. Renters are responsible for calling 911 in an emergency or the Novato Police Department's non-emergency line (415) 897-1122 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 Novato Parks, Recreation and Community Services Department.

C. Capacity: Maximum capacity for the exclusive use areas is as follows:

Park/Area	Maximum Capacity
Hamilton Amphitheater Park	
1. Group Picnic Area	24
2. Jump House Site	
Hamilton Pool	
1. Picnic Area 1 & 2	25 each, 50 max for both
2. Picnic Area 3	30
Josef Hoog Community Park	
1. Group Picnic Area	60
2. Jump House Site	
Miwok Park	
1. Tuulu (Trout) BBQ Area 1	70
2. Choyyekke (Deer) BBQ Area 2	60
3. Kitiilas (Butterfly) BBQ Area 3	16 (Children's picnic area)
4. Meleeya (Turtle) BBQ Area 4	24
5. Puyyu (Turtledove) BBQ Area 5	32

Park/Area	Maximum Capacity
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6. Kuluppi (Hummingbird) BBQ Area 6 *Only available for rental by handicapped individuals/groups	16*
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7. Miwok Park Multi-Use Grass Area

8. Jump House Site 1

9. Jump House Site 2

Pioneer Park

1. Gazebo	25
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2. Group Picnic Area	35
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3. Jump House Site

South Hamilton Play Park

1. Group Picnic Area	35
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D. Use Times: The minimum park reservation time is two hours between 6:00 AM and dusk.

E. Rules and Regulations: Park users must comply with all City of Novato rules and regulations posted in each park, and in accordance with the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Chapter 7, Health, and Chapter 14, Police Regulations. **The following activities are prohibited in City parks:**

1. Use of parks between the hours of 10:00 PM to 6:00 AM unless otherwise posted.
2. Possessing, consuming, dispensing, or furnishing alcoholic beverages except as part of a group activity in a designated group picnic area for which a park permit has been issued as an allowable activity.
3. Smoking is not permitted in City parks, fields, or facilities, or within 20 feet of any facility entrance, opening or exit, including windows (Novato Municipal Code, Chapter 7, Health).
4. Selling or offering for sale or barter, any goods, wares, merchandise, food or beverage unless the Director or designee has given prior written authorization.
5. Operating, driving, or riding an automobile, motorcycle, truck, trailer, wagon, motor scooter, bicycle, skateboard, skates or in-line skates, horse or

any other animal, or other conveyances on roads, paths, or play surfaces not designated for these uses.

6. Parking or operating any vehicle within a park, except in areas designated for such use.
 7. Operating any motor-driven airplane, rocket, or other flying model.
 8. Lighting any fire in the park except as part of a group activity in a designated group picnic area where the fire is lighted and maintained in a barbecue, fire pit, or place designated by the City for such purposes, and for which a park permit has been issued as an allowable activity. **No portable barbecues are allowed in the parks unless authorized by an approved Park Permit.**
 9. Unleashed dogs or other animals unless otherwise posted.
 10. Discharging firearms or weapons.
 11. Playing or practicing golf or use of golf clubs in any area of a park.
 12. Amplified sound and live music, unless an exclusive use permit is obtained. If approved, amplified sound or live music must be within reasonable audio levels that do not disturb people in adjacent program areas, neighboring facilities, or residential areas. The Director may impose reasonable conditions per the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Section 10-16.
 13. Camping (NMC 14-20).
 14. Removing or defacing any flora, soil, materials or any structure.
 15. Climbing trees or other objects not designed for climbing.
 16. Videotaping, photographing, or other similar process for the making of commercial motion pictures, television commercial production, television programs, or theatrical film productions without obtaining an approved City of Novato Photography/Filming Permit from the Novato Police Department.
 17. No access to or loitering in creek areas adjacent to City parks after dusk, in consideration of nearby homes.
- F. Insurance and Damage Responsibility: Individuals or groups requesting the exclusive use of a park, or portion thereof, facility, or field must agree in writing to release, indemnify, hold harmless, and defend the City of Novato, Redevelopment Agency of the City of Novato, City of Novato Public Finance Authority and their

respective officials, officers, agents, employees and volunteers from any and all loss, accidents, injury or damage to persons or property occurring as a result of the activity or event held. In addition, for the activities and events listed in Appendix A, a general liability insurance endorsement will be required from the applicant. To meet the general liability insurance requirement, **“City of Novato, City of Novato Successor Agency to the dissolved Novato Redevelopment Agency, City of Novato Public Finance Authority, and their respective officials, officers, agents, employees, and volunteers,”** must be named as an Additional Insured by endorsement to the applicant’s insurance policy. Evidence of such coverage must be provided by appropriate endorsement. **A certificate of insurance is not sufficient evidence of the additional insured status required by the City.** Insurance coverage must be maintained for the duration of the activity or event, and coverage must be written on an Occurrence Based Policy.

It is the applicant’s responsibility to obtain and submit insurance documentation to PRCS. Applicant must submit the required insurance documentation no less than 10 business days before the date of the activity or event unless the Director, for good cause, waives the filing date. In addition, if the applicant is contracting with another vendor/entity for services, equipment, or products to be provided as part of the activity or event, the vendor/entity must sign a third party user contract with the City. If the documentation is not received within the specified time, the permit will be null and void.

An applicant for First Amendment activities or events may apply to the Director for a waiver of the insurance requirements in accordance with the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Section 10-14, if insurance is unavailable or the cost of insurance is burdensome.

- G. Special Permits and Licenses: It is the applicant’s responsibility to obtain any legally required permit or license such as a California Department of Alcoholic Beverage Control license to sell alcohol, or County of Marin, Environmental Health Department permit to sell food. The applicant must submit documentation to PRCS no later than 10 business days prior to the event. If the documentation is not received within the specified time, the permit will be null and void.

- H. Rental and Application Fees: Fees are set by the City Council, and are subject to change at any time. The fees required for use of a City park or facility will be specified on the “PRCS Rental Contract/Permit” based on the currently adopted Fee Schedule. The rental fee for using a park, or portion thereof, and an application fee must be paid at the time the application is submitted for approval.

Parks reservations may be shortened or canceled no later than 72 hours prior to a rental start time except in case of anticipated inclement weather. If cancellations occur within 72 hours of the reservation time, a refund in the amount of half the rental fee may be issued. The application fee is non-refundable.

The rental fee will only be refunded if the following applies:

- Rental request is not approved.
- City revokes the “PRCS Rental Contract/Permit.”
- Cancellations are requested prior to the event.
- Inclement weather prevents the renter from using the park.

The application fee will only be refunded if the City revokes the “PRCS Rental Contract/Permit.”

It is the responsibility of the renter to complete all conditions of use requirements 10 business days prior to the event. Director or designee can cancel the event if the conditions of use requirements are not met by the deadline.

IV. APPLICATION PROCESS

- A. Application Form: Requests for use of a City park, or portion thereof, facility or field must be made on an “Application for Use of a City Facility” form. The application must be completely filled out, initialed, signed, and dated where indicated. The form is available at the PRCS customer service locations listed in Section B of this policy, or online at www.novatofun.org. Applications accepted on a first-come, first-served basis.
- B. Age of Applicant: Applications must be signed or co-signed by a person 18-years-old, or older who will agree to be responsible for the requested use of the park. Adult supervision is required during the event.
- C. Approval Authority: Director or designee has the responsibility and authority to approve or deny an “Application for Use of a City Facility.” Applications are not considered approved until after the Director or designee has signed the “PRCS Rental Contract/Permit,” and a facility use permit has been issued. The Director may impose reasonable conditions per the Novato Municipal Code, Section 10-7, Action on Park Application.
- D. Time Limits for Approval/Denial of Applications: Director or designee shall grant or deny an “Application for Use of a City Facility” within four business days of filing unless the time period is waived by the applicant in accordance with the Novato Municipal Code, Section 10-7, Action on Park Application. A change in time, date, or location will be proposed when possible in lieu of denial.

Copies of the approved “PRCS Rental Contract/Permit” will be mailed or e-mailed to the applicant and Maintenance Division. A copy of the permit may be shared with the City of Novato Police Department as notification of the upcoming event. The approved reservation notice will be posted at the reserved site. **It is recommended that on the day of the event, each renter should bring the approved permit with them to confirm, if necessary, proof of their reservation.** For applications that are not approved, a notice of denial giving the reason(s) for the denial will be personally delivered, mailed, or emailed to the applicant.

Appeals of the decision must be filed in writing with the City Clerk within five days of receiving the Director's mailing or personal delivery of such decision stating the grounds for the appeal. Appeals will be heard in accordance with the Novato Municipal Code, Section 10-12, Right of Appeal.

- E. Application Deadlines: An "Application for Use of a City Park Facility" must be filed at least twenty 10 business days prior to the proposed use of the park, and no more than 90 days prior to the proposed use of the park. The 10-business day period may be waived by the Director or designee if sufficient time is available to process and investigate the application; adequate time is available for the City to prepare for the activity; and/or the activity exercises the right of free speech per the Novato Municipal Code, Section 10-5, Park Application.
- F. Payment of Rental and Application Fees: The rental fee and application fee will be paid as stated above in Conditions of Use, Section III.H.
- G. Proof of Approved Use: Groups or individuals with City-approved field or gymnasium reservations through an approved Park Permit have priority use during the dates/times outlined in the permit. Permitted users should keep a copy of their approved Park Permit with them during their scheduled use. If another group or individual is occupying the permitted space during the scheduled use time, the permitted user should politely inform the group of the existing permit and request the space be vacated. If the non-permitted group refuses, permitted users should immediately contact the Novato Police Department's non-emergency line at (415) 897-1122, provided on all Park Permits, to request assistance securing access to the reserved space.

Appendix A: Activities or Events Requiring Proof of Insurance



Katie Gauntlett, Director
Parks and Recreation and Community Services

APPENDIX A

ACTIVITIES OR EVENTS REQUIRING PROOF OF INSURANCE

Two million (\$2,000,000) combined single limit per occurrence insurance for bodily injury, personal injury and property damage is required for the activities or events listed below, unless the activity or event is City sponsored. Insurance coverage must be maintained for the duration of the activity or event, and coverage must be written on an Occurrence Based Policy. The Director may determine that other types of activities or events will require additional insurance to protect the public, park users, and City property. Applicants for First Amendment activities or events may apply to the Director for a waiver of the insurance requirements in accordance with the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Section 10-14, if insurance is unavailable or the cost of insurance is burdensome.

A general liability insurance endorsement naming the City of Novato, City of Novato Successor Agency to the dissolved Novato Redevelopment Agency, City of Novato Public Finance Authority and their respective officials, officers, agents, employees and volunteers as an Additional Insured by endorsement to the insurance policy for products and completed operations and ongoing operations hazards is required for the following activities or events. **Not all listed activities and events listed below are permitted at every, or any specific Park or Building or portion thereof. Only activities and events listed on the permit are permitted.**

1. Activity or event involving 150 or more persons (based upon reasonably anticipated attendance at activity or event).
2. Activity or event involving large displays of machinery, or any large physical object which could come into physical contact with persons or property and cause injury.
3. Aerobics, Exercise and Body Building Classes or Instruction.
4. Aircraft and Balloon Events.
5. Animal Acts/Shows.
6. Animal Exhibition, Display or Parading.
7. Animal Training.
8. Arcades.
9. Bicycle Rallies.
10. Block Parties/Street Closures (use of bleachers is not permitted).
11. Casino and Lounge Shows.
12. Circus and Carnivals.
13. Concerts (all types).
14. Conventions.
15. Dances or Dance Shows (including rehearsals and dancers).
16. Debutante Balls.
17. Dinner Theaters.
18. Drill Team Exhibitions.
19. Film Production.
20. Fishing Events.
21. Grad Night.
22. Gun and Knife Shows.
23. Gymnastics Competitions.

24. Heads of State Events.
25. Horse Shows.
26. Ice Skating Shows.
27. Job Fairs.
28. Junior Athletic Games.
29. Jump Houses, Moonbounces and Trampolines.
30. Kiddielands.
31. Live Performances.
32. Marathons (walking, running, etc.).
33. Mechanical Amusement Devices.
34. Motorized Sporting Events.
35. Night Club Shows.
36. Overnight camping.
37. Parades.
38. Proms.
39. Pyrotechnical Uses/Fireworks Shows.
40. Racing Vehicles or Animals.
41. Rodeos and Roping Activities or Events (including practice).
42. Sale or Barter of Goods, Wares, Merchandise, Services, Food or Beverages.
43. Scouting Jamborees.
44. Soap Box Derbies.
45. Sporting Activities - organized games or instruction including, but not limited to, baseball, basketball, boxing, handball, hockey, martial arts, racquetball, soccer, softball, tennis, volleyball, and wrestling.
46. Sporting Events (professional).
47. Tractor/Truck Pulls.
48. Union Meetings.
49. Zoos.
50. Water activities or events involving bodies of water, swimming and diving, and waterslide equipment.