



Private Outdoor Fee Based Activity (POFA) Procedures

General

- The Manager reserves the right to prohibit Private Outdoor Fee-based Activities (POFA) from occurring in an entire park or a portion of any park and such prohibition(s) can be instituted at any time.
- Any form of visible identification provided by the Denver Parks and Recreation Permit Office or required to be provided by the POFA permittee must be displayed on the premises during all POFA's.

All POFA permits:

- Are non-exclusive.
- Restrict the maximum number of participants to 25 see "limited" vs. "unlimited" permit types
- Do not allow the use of any structures, amenities, equipment and features as part of the POFA. This includes, but is not limited to playground equipment, benches, flower beds, pavilions, etc.
- Allow the Permittee to hold POFA's 7 days per week between the hours of 5:00AM and 9:00PM unless stated otherwise in the Permit.
- Allow the Permittee to conduct only one POFA at a time. Two or more simultaneous POFA's require an additional POFA Permit for each simultaneous POFA (if available).
- May have restrictions such as the type of POFA allowed at a given POFA park and limitations and conditions designed to protect the park and assure that other park patrons have reasonable access to and use of the park.
- POFA permits are issued for six month seasons
 - April through September
 - October through March

Parks will be divided into two categories

Tier 1 (City Park, Washington Park, and Sloan's Lake Park)

Tier 2 (all others)

The type of POFA permits are divided into two categories – Turf and Road/Trails.

Turf –

- Turf POFA permits with 6 – 25 participants are park specific (i.e. each POFA permit will designate the specific park where the POFA can occur).
- Turf POFA permits with 1 – 5 participants can access/operate in any park.
- The POFA can occur in any turf area that is open to the public and not already occupied by other park patrons or permitted to other patrons (i.e. athletic fields, picnic sites, etc.).

Road/Trail –

- Road/Trail POFA permits with 6 – 25 participants are park specific (i.e. each POFA permit will designate the specific park where the POFA can occur).
- Road/Trail POFA permits with 1 – 5 participants can access/operate in any park.
- The POFA can occur on and within 10 feet of any improved trail or road that is open to the public.
- No more than fifty percent (50%) of a trail, path or park road, excluding dedicated bicycle lanes, is to be utilized for a POFA, unless expressly authorized in the Permit. in a POFA park.

The maximum number of POFA permits involving 6 – 25 participants that will be issued for specific parks is listed below. The number of POFA permits involving 1 – 5 participants will not impact these limits.

<u>Park</u>	<u>Turf</u>	<u>Non-turf</u>
Argo	1	0
Bear Valley	1	2
Berkeley	3	2
Bible	2	2
Central	2	2
City	6	3
Civic Center	2	2
Congress	1	2
Commons	2	0
Cramner	1	2
Cuernavaca	2	2
Elyria	1	2
Forrest Parkway	1	0

Fred Thomas	2	2
Garland	4	2
George Wallace	1	1
GVR/Town Center	1	2
Harvard Gulch	3	2
Harvey	1	2
La Alma/Lincoln	1	1
Lowry Sports Complex	2	2
Mestizo-Curtis	1	2
Montbello Central	1	2
Parkfield	2	2
Rosamond	2	2
Skyline	2	2
Sloan's Lake	5	3
Ruby Hill	3	2
Sonny Lawson	2	2
Southwest Rec	1	2
Veterans	1	2
Washington	3	3
Westwood	1	1

Application process

Applications will be accepted during the first full two weeks of February for April through September permits, and the first full two weeks of September for October through March permits. Exact dates and instructions will be published each year. For POFA activities involving six (6) to twenty-five (25) participants, only one application per park will be accepted. Applications must be complete and accurate.

No priority will be assigned based upon when the applications were received during these two weeks.

All applications received during these weeks, except for POFAs with 1 – 5 participants, will be organized by park. This will occur during the week following the initial application period. Applications will be separated into two categories and processed as follows:

Category 1 – The number of applications received is equal to or less than the maximum allowed for that park

In this case, the applicant(s) will be contacted and will be given instructions regarding requirements and deadlines for completing the application process. Additional applications

for that park will be accepted on a first come/first served basis beginning on a date specified and published by the permitting office.

Category 2 – The number of applications received is greater than the maximum allowed for that park

In this case, a lottery will be conducted for that park. The winner(s) of the lottery will be contacted and will be given instructions regarding requirements and deadlines for completing the application process. If all requirements are not met by the deadline, the next priority from the lottery will be contacted and offered the permit. All other applicants for that park will be contacted and given instructions regarding when the lottery process will be complete and first/come first served applications will be accepted.

There will be no pro-ration of fees for POFA permits that are less than 6 months. Each POFA permittee must pay the full, applicable 6 month fee.

Applicants must provide all required documentation and make payment in full by the deadline established. If the required documentation and payment is not received the POFA permit may be issued to another applicant.

Permits are not renewable nor does a permittee of a given park have any priority for that park during future seasons

Cancelation

Once a POFA permit is issued there will be no refunds.

Requirements for all POFA permit applications

POFA applicants must be a minimum of 18 years old and provide the following information.

- Proof of insurance
- Signed indemnification/waiver
- Additional requirements may apply

Enforcement

1. Enforcement of non-permitted commercial activity will be increased.
 - a. First contact will be Customer Service oriented informing the violator of POFA permitting requirements and procedures.
 - b. Subsequent violations will be handled through the Administrative Citation process.
2. Enforcement of POFA permit violations will be handled as follows:
 - a. First contact will generally be Customer Service oriented informing the violator of POFA rules and regulations. Administrative Citations or other appropriate enforcement action may occur on first contact if the violation warrants such action.
 - b. Subsequent violations will be handled through the Administrative Citation process.
 - c. Violations that occur after three Administrative Citations have been issued will result in the revocation of all permits in the name of the permittee.
 - d. Permit revocation in two consecutive seasons will result in permanent removal from the program.
3. An appeals process will be established for POFA permit holders that have been subject to enforcement actions.
4. A process will be established for park users and neighbors to contact the Department and report potential POFA permit violations. Any such report will be investigated by a park ranger and enforcement action will be taken if deemed appropriate.

Policy and Procedure review

DPR staff will present a formal review of the first 12 months of POFA permit activity, and any proposed changes to the policy and/or procedures, to the Denver Parks and Recreation Advisory Board (PRAB). Subsequently, annual reviews will be performed by staff and presented to PRAB upon request.