

## Recreation Policy and Procedures

Guideline Name	Facility Permitting
Effective Date	October 1, 2019
Amended	None
Supersedes	None
Policy Number	RP - 3

### 1.0 POLICY

It is the policy of Denver Department Parks and Recreation (DPR) to allow citizens and organizations to permit, for consideration, use of specified recreation facilities for private purposes, subject to the qualifications, restrictions, and criteria of this policy.

### 2.0 PURPOSE

This policy outlines the conditions under which members of the public can permit (reserve and use) certain recreation facilities temporarily for their own activities. It specifies types of available facilities; general restrictions on permitting; terms and conditions of use; application requirements; fees, waivers and special consideration; and permitting process.

### 3.0 DEFINITIONS

**3.1 Recreation Facility.** A general use room within a recreation center, a specialized area (such as a swimming pool, gymnasium, etc.), an outdoor pool, or an entire recreation center, as these facilities are made available for permitting by DPR for Private Events.

**3.2 Private Event.** An event, class, or program (e.g., wedding, birthday party, sports clinic or practice, personal improvement, public health services, dance, exercise, club meetings, educational activities, etc.) organized and offered by a Permittee, but not by DPR, whether said Private Event is by invitation-only or open to the public in general.

**3.3 Permit.** A revocable and nontransferable permit issued by DPR that allows the Permittee a one-time or short-term reservation and use of a specified Recreation Facility for a Private Event upon payment of the prescribed Permit fee or providing other specified consideration and satisfaction of the qualifications, restrictions, and requirements of this Policy.

**3.4 Permittee.** An individual, an organization, or a non-profit, not-for-profit, or for-profit entity that makes application to, and obtains a Permit from DPR, for the holding of a Private Event in a Recreation Facility.

**3.5 Supervisor.** The DPR employee assigned to manage a recreation center in which a Recreation Facility is located and any designated representative of that Supervisor.

#### **4.0 AUTHORITY AND APPLICABILITY OF LAWS**

Under section 2.4.4 of the City Charter, the management, operation and control of all facilities owned by the City and County of Denver for park and recreational purposes are under the exclusive control of DPR and its Manager. Fees or such other consideration for the use of such facilities and the enforcement of rules and regulations adopted by the Manager of DPR for the public's use of such facilities are provided by ordinance. All City ordinances and rules and regulations adopted by the Manager of DPR restricting or prescribing the public's use of such facilities shall be applicable in addition to the qualifications, restrictions, and requirements of this Policy and any terms and conditions contained in the issued Permit.

#### **5.0 BACKGROUND AND GENERAL REQUIREMENTS**

Denver's recreation facilities and parks are intended for a wide array of public uses. For example, recreation facilities in parks, such as tennis courts or ball fields, are available for free, casual drop-in use or can be reserved for private use through a fee-based permit system. DPR has priority use of all these facilities for programs and classes.

Facilities inside recreation centers and at swimming pools are treated differently. All recreation centers and swimming pools are managed by city staff, and fees or paid memberships (or scholarships) are required for entrance and use. In an effort to use facilities more efficiently (i.e., increase their use), provide more public access for community or private events, generate more revenues for the benefit of DPR facilities and programs, and expand program offerings to the public, DPR wants to make certain Recreation Facilities available for private uses. The following qualifications, restrictions and criteria apply to permitted uses of these facilities by Permittees to the extent and manner specified.

- 5.1 Priorities.** DPR or City-sponsored events, programs and classes have priority over all other requests for use of Recreation Facilities. Individuals and entities that have contracted with the City for the reservation and use of Recreation Facilities have priority over all Permit applications.
- 5.2 Recreation Facility Availability.** DPR reserves the right, at any time, to withdraw from availability as a permissible Recreation Facility any given facility that may have previously been available as a permissible Recreation Facility.
- 5.3 Rules & Regulations.** All DPR rules and regulations and Code of Conduct apply to a Private Event held under a Permit. These include, but are not limited to, prohibitions on the following in Recreation Facilities: smoking, weapons and firearms, alcohol beverages (except when approved in advance) and illegal substances, marijuana and pets or other animals (except for service animals). See sub-section 9.0 for more information.
- 5.4 Application.** The Permit application, in the form attached as **Addendum A** hereto, must accurately and completely specify all proposed activities, anticipated attendance, food and beverage service, requested Recreation Facility and amenities, special needs, and requested date(s) and time(s). DPR staff will evaluate this information in terms of the availability and adequacy of size of the requested Recreation Facility and the potential physical impact on the Recreation Facility and any impacts on the public use of the

recreation center or other nearby DPR parks and facilities. DPR reserves the right to modify the form in Addendum A.

- 5.5 Fees & Charges.** Permit fees, as set forth in the schedule attached hereto as **Addendum B**, must be paid prior to issuance of a Permit, unless a fee reduction, waiver, or special consideration has been approved, as provided in sub-section 6.0 below. Additional charges specified in this Policy must be paid as prescribed in the Permit or upon presentation by DPR of a bill for such charges. See sub-section 8.3 below. Other charges and costs for equipment, personnel, cleaning and damage, etc., including modifications to the fees in Addendum B, may be established and/or assessed by the Manager of Parks and Recreation.
- 5.6 Special Consideration:** Special consideration must be authorized, in advance, by the Deputy Executive Director for Recreation or their designee. If approved, the nature and extent of the special consideration must be described in the Special Consideration Application as set forth in **Addendum C** attached hereto, along with any terms and conditions required by the Deputy Executive Director for Recreation or their designee. See sub-section 6.0 below.
- 5.7 Areas Open for Use.** A Private Event shall be limited to the Recreation Facility specified in the Permit during the time specified in the Permit. Parking areas and points and paths of access to the permitted Recreation Facility may be specified or restricted. Restroom facilities to be used by attendees may be specified. It is the responsibility of the Permittee to make certain that attendees comply with any specifications or restrictions on parking, restrooms, or access. The Recreation Facility and all areas open to attendees must be vacated promptly upon expiration of the time period specified in the Permit. Late occupancy charges may be assessed if not vacated promptly.
- 5.8 Supervision & Control.** The Permittee will be responsible for the conduct and control of their attendees and must take all reasonable measures to assure compliance by attendees with all DPR rules and regulations, the qualifications, restrictions, and requirements of this Policy, and the terms and conditions of the Permit. All children under the age of 18 years of age must be properly and continuously supervised during Private Events. The Permittee is responsible for assuring the following adult per child ratios are complied with:
- Ages 3-4, 1 adult to 10 children
  - Ages 4-5, 1 adult to 12 children
  - Ages 5-18, 1 adult to 15 children
  - Mixed age group 2 ½ years to 6 years, 1 adult to 10 children
- 5.9 Staffing.** At least one DPR staff person must be present during the Private Event and shall have full access to all activities, at any time, in order to ensure that all rules and regulations, Policy restrictions and requirements, and Permit terms and conditions are being observed. If a Recreation Facility is permitted outside of normal recreation center hours of operation, whether during Curfew Hours or After Hours as provided in sub-sections 5.10 and 5.11 below, the Permittee must pay the hourly costs of providing staffing

for such Private Events. See the schedule attached as **Addendum B**. In addition, the permitting of a pool (indoor or outdoor) will require additional staffing by DPR lifeguards and the permitting of a gym may require additional staffing. These staffing requirements will depend on the size and duration of the Private Event. The number of lifeguards or other staff required will be specified by DPR. The Permittee must pay the hourly costs for such staffing. See the schedule attached as **Addendum B**.

- 5.10 Curfew Hours.** Recreation Facilities are typically permitted for a Private Event only during normal park hours (5:00 a.m.-11:00 p.m.). Park curfews (11:00 p.m. through 5:00 a.m.) and ordinance curfews for juveniles apply (“Curfew Hours”). Agreements, with special requirements, restrictions, and charges, are required for any Private Event at a recreation center held during Curfew Hours. A Private Event for juveniles held during Curfew Hours will require a “lockout” of the recreation center and extra security and supervision. During a “lockout” all exterior doors are locked, and no one may enter the facility until the “lockout” has been lifted. The fee reduction provision of sub-section 6.0 below shall not apply to Private Events held during Curfew Hours.
- 5.11 After Hours.** A Private Event held before a recreation center is opened or after a recreation center is closed, but not during Curfew Hours (“After Hours”) may be permitted subject to the Permittee paying the hourly DPR staff costs and any extraordinary costs that might result from the Private Event being held After Hours. Additional restrictions regarding areas of access may be imposed. The fee reduction provision of sub-section 6.0 below shall apply only to the cost of the room during After Hours events. Reduction of DPR staff costs or any extraordinary costs is subject to approval by the Deputy Executive Director or their Designee.
- 5.12 Duplicate Programs.** Permittees may not engage in any activity or program that duplicates programming provided by DPR or its agents or contractors, unless approved by the Deputy Executive Director for Recreation or their designee.
- 5.13 Permittee’s Charges.** A Permittee may charge attendees a reasonable registration or participation fee or charge for the Private Event. A Permittee may request attendees contribute a donation for the Private Event. The Permittee shall include the amount of said fee or charge or the requested donation for each attendee in the application and state whether the fee or charge or requested donation will be collected prior to or at the time of the Private Event, or both. If Denver’s Facilities Development Admissions Tax (a/k/a “Seat Tax”) is applicable, a 10% tax on all such registration or participation fees or charges must be collected and tendered to the Denver Department of Finance. If the Permittee is selling goods or services and Denver sales tax is applicable, then Permittee must collect the sales tax and tender it to the Denver Department of Finance. It is the Permittee’s responsibility to comply with Denver tax requirements and tender all applicable taxes to the Denver Department of Finance.
- 5.14 Waivers of Liability.** Attendees may be required to sign a waiver, approved by the City, releasing the City of all liability. See sub-section 8.8 below.

**5.15 Permittee's Liability to City.** The Permittee is financially responsible to the City and County of Denver for any and all damage and/or theft of City property occurring in the area used by the Permittee. Excessive wear or damage to City equipment and/or facilities caused during the Private Event, the loss of City-owned property related to the Private Event, or failure to clean the Recreation Facility may result in additional charges. The City and County of Denver reserves the right to pursue any legal remedies available to it to recover any costs or expenses for repairing, replacing, restoring, or cleaning any Recreation Facility or other City facilities or property destroyed, damaged, lost, or improperly cared for as the result of or in connection with the Private Event. Nothing in this Policy or the issued Permit shall waive or reduce the liability a Permittee may have for such damage.

**5.16 Permittee's Liability to Attendees & Employees.** The City and County of Denver will not be held liable for any injuries to attendees or the Permittee or the Permittee's employees, agents, or contractors, nor will the City and County of Denver be held responsible for loss, damage or theft of any equipment or personal articles owned, leased or rented by attendees or the Permittee or the Permittee's employees, agents, or contractors using the Recreation Facility. By accepting a Permit for a Recreational Facility, the Permittee agrees to release and waive all claims for injuries, loss, damage or theft and to indemnify the City and County of Denver for all costs and expenses arising from such injuries, loss, damage, or theft. Insurance will be required for any Private Event for which one hundred (100) or more attendees are expected and for a smaller Private Event that involves significant physical activities on the part of participants. See sub-sections 8.6 and 8.7 below on indemnification and insurance requirements.

**5.17 Occupancy Limitations.** Attendance for a Private Event must not exceed the DPR occupancy limitations. Any Private Event that results in attendance, including Permittee, Permittee's employees, contractors, and agents, exceeding building or room capacity may be terminated without notice and without refund of fees or charges.

**5.18 Enforcement.** Failure to substantially adhere to any of these qualifications, restrictions, or requirements may result in cancellation of a Permit and other consequences as set forth in the Cancellation Policy below in sub-section 7.0.

## **6.0 FEE REDUCTION, WAIVER & SPECIAL CONSIDERATION**

**6.1 Fee Reduction.** Non-profit and Not-for-Profit entities, registered with the Internal Revenue Service, will qualify for a standard reduction of the Permit fee, subject to such limitations as otherwise provided in this Policy. A reduction in the Permit fee greater than the standard amount may be requested by completing the "Special Consideration Application" section of the permit application as set forth in **Addendum C** attached hereto. A copy of a current letter of 501(c)(3) tax exempt status from the Internal Revenue Service, Certificate of Non-Profit Corporation, Certificate of Exemption for State of Colorado Sales/Use Tax, or other proof of non-profit status must be submitted at the time of application. Fees can only be reduced on multi-purpose rooms. Generally staffing fees, gyms, pools or other non-multi-purpose spaces cannot be reduced in price. Reduction of

DPR staff costs or non-multipurpose room costs is subject to approval by the Deputy Executive Director or their Designee.

- 6.2 Waiver.** A total waiver of the Permit fee will be made for Denver Public Schools, Denver Housing Authority, City agencies (including City Council), and registered neighborhood organizations. Registered neighborhood organizations only receive one waiver per month. This waiver shall not apply to any DPR staff or equipment costs, unless approved by the Deputy Executive Director of Recreation or their designee. A request for waiver must be included with the Permit application.
- 6.3 Special Consideration Application.** A not-for-profit, a non-profit, or a for-profit entity may have its Permit fee reduced, further reduced (beyond the standard fee reduction above), or waived, if the said organization or entity is willing to provide an in-kind or other contribution of goods, services, or programs that will benefit the recreation center or other DPR facility, or that will benefit patrons of the recreation center or other DPR facility. The in-kind or contribution may include, but is not limited to, recreational equipment or materials, free attendance for patrons or DPR employees to classes or programs, or commitments to undertake service projects for improvements or programs at a recreation center or other DPR facility. All proposed fee reductions must be equal to or exceed the value of the reduced fee or provide a substantial, but immeasurable benefit. Any proposal to provide an in-kind or other contribution in exchange for a reduced fee or fee waiver must be fully described in writing, on the application form **Addendum C** attached hereto, and included with the Permit application, and submitted to the Recreation Center Rental Team. The request will be reviewed and approved, approved with terms and conditions, or disapproved by the Deputy Executive Director of Recreation or their designee.
- 6.4 Other Obligations.** Any reduction in or waiver of Permit fees or any special consideration allowed above will not affect the obligation of a Permittee to comply with the remaining qualifications, restrictions, and criteria of this Policy or to pay other costs or insurance as required by this Policy or by ordinance. In general, fee reductions or waivers do not apply to staff or equipment costs. Reduction of DPR staff or equipment costs is subject to approval by the Deputy Executive Director or their Designee

## 7.0 CANCELLATIONS

- 7.1 Reserved Right to Cancel.** DPR reserves the right to cancel a Permit at any time due to unforeseen factors or events or based on the recommendation of other City agencies, including but not limited to closure of recreation centers, staff reductions, reduced hours of operation, or required use of Recreation Facility for a City-sponsored event. A full refund will be made for such a cancellation.
- 7.2 Cancellation with Cause.** If a Permittee fails to substantially adhere to DPR rules and regulations, the qualifications, restrictions, and criteria of this Policy, or any terms or conditions on the Permit, DPR reserves the right to cancel the Permit at any time and not refund the fees, and/or to impose restrictions or prohibitions on the Permittee as to any

future permitting or use of DPR parks and facilities, as DPR deems appropriate under the circumstances.

**7.3 Cancellation by Permittee.** All Permit cancellations by the Permittee must be provided in writing to the Recreation Center Rental Team. In accordance with section 39-121(11)(c)(2) of the Denver Revised Municipal Code, a cancellation by the Permittee will result in a full or partial forfeiture of the Permit fee as provided in the schedule in **Addendum B** attached hereto.

## 8.0 PROCEDURES

**8.1 Scheduling Guidelines.** A Permit may be issued for a one-time or short-term use of a Recreation Facility. The Recreation Division of DPR has a Program Session Calendar which consists of Winter, Spring, Summer and Fall Sessions. By following scheduling sessions for issuance of Permits, the intent is to avoid the monopolization of a Recreation Facility by any one Permittee and encourage flexibility and wide use, while providing the Permittee adequate preparation time and a commitment of the Recreation Facility.

Recreation Facilities are permitted by program session, according to the following schedule. Any exceptions must be approved by the Deputy Executive Director of Recreation or their designee via the Special Consideration Application in **Addendum C** attached hereto, or by entering into a separate agreement.

- Winter Session (Mid-November to Mid-March): Applications accepted starting in November
- Spring Session (Mid-March to Mid-May): Applications accepted starting end of February or beginning of March
- Summer Session (Mid-May to Mid-August): Applications accepted starting in May
- Fall Session (Mid-August to Mid-November): Applications accepted starting end of July or beginning of August

No Recreation Facility permitting is assured beyond a quarterly season. Permit applications will be received and processed on a “first-come, first-served” basis, subject to priorities described in sub-section 5.1 above.

### 8.2 Process

Applications for a permit may be submitted online or in-person at the recreation center at which the requested Recreation Facility is located. Online applications must be submitted at least two weeks prior to the requested Private Event date. Applications submitted less than two weeks prior to the Event are subject to the discretion of the recreation center as to whether they’ll be considered and must be submitted in-person at least three days prior to the requested Event date. If the Event takes place After Hours or during Curfew Hours, or if the Event requires proof of insurance, then applications must be submitted at least three weeks prior to the Event. See sub-sections 5.10 and 5.11 for more information on After Hours and Curfew Hours. See sub-sections 8.6 and 8.7 for more information on indemnification and insurance requirements.

Applications will be reviewed within three business days, at which point they will be placed either “On Hold” or “Denied” depending on room availability. If placed “On Hold”, the Permittee will have up until seven days prior to their Event to submit payment and provide proof of insurance, if required. If payment and proof of insurance are not received at least seven days prior to the event, the permit will be denied.

Once payment and proof of insurance have been submitted, the permit will be “Approved”, processed and issued, provided all qualifications, restrictions, and criteria of this Policy have been satisfied or resolved.

A pre- and post-event check list will be completed on the day of the Private Event. This will be completed by the Center Supervisor or designee and the Permittee. Any damages or violations will be documented on the pre/post-event check list and, if appropriate, pictures will document the damage.

Applications submitted in-person must be completed, signed and submitted to the recreation center at which the requested Recreation Facility is located or, in the case of an outdoor pool not associated with a recreation center, to the DPR Aquatics Office. Applicants are encouraged to closely review this Policy prior to completing and submitting an application. Submission of an application indicates the applicant’s acceptance of, and willingness to comply with, the qualifications, restrictions, and criteria of this Policy.

Once date, time and room availability is determined by DPR staff, the Permit application will be processed and issued, provided all qualifications, restrictions, and criteria of this Policy have been satisfied or resolved.

A pre- and post-event check list will be completed on the day of the Special Event. This will be completed by the Center Supervisor or designee and the Permittee. In the event of any post event damages, it will be documented on the pre/post-event check list and, if appropriate, pictures will document the damage.

### **8.3 Permit Fees & Other Charges**

The appropriate Permit fee must be paid prior to the approval and issuance of the Permit. Any required charges must be fully paid in accordance to the payment schedule set by the Deputy Executive Director of Recreation. A receipt for payment will be provided. Permit fees, equipment and personnel charges shall be as set forth in **Addendum B** and conform with fees and charges set by section 39-121(11)(c) of the Denver Revised Municipal Code.

DPR, with written approval from the Permittee, may save credit card information on file and apply charges to the card for permit fees or damages related to the Private Event. All credit card information supplied by the Permittee will be transmitted via Secure Socket Layer/Transport Layer Security (SSL/TLS) technology, and is stored on a system in compliance with security standards for the Payment Card Industry Data Security Standard (PCI-DSS).

DPR reserves the right to not approve and issue permits if the permittee has an unpaid balance related to previous rentals, memberships or activity registrations.

Any balances that remain outstanding after the Private Event, or damages assessed after the event per sub-section 8.4 below, that are not paid in a timely manner (as outlined in **Addendum B**) will be sent to collections.

#### **8.4 Damage & Violation Assessment**

In the event that the facility or its equipment is damaged, the event lasts longer than permitted or requires additional cleaning after the event has ended, a damage or violation charge may be assessed in the amount provided in **Addendum B**. A fee may be assigned for, but not limited to, the following reasons.

- Additional space used beyond the Recreation Facility specified in the Permit
- Occupancy limitation violation, which exceeds the stated room capacity
- Violations of the Code of Conduct requiring termination of the Permit during the Private Event
- Violation of weapons, firearms, alcohol and/or illegal substances prohibitions
- A substantial violation of the qualifications, restrictions, and criteria of the Policy
- Occupancy of Recreational Facility beyond the time specified in the Permit
- Damage to facility, furnishings or equipment
- Inadequate clean-up
- Misrepresentation of the nature or size of the Private Event

#### **8.5 Refund**

A check or credit card refund of the permit amount will take four to six weeks for processing and will be mailed directly to the Permittee at the address on the Permit application. A credit card refund will be done through a credit back to the same credit card.

If the Permittee is not refunded, the Permittee may appeal the decision by writing an appeal to the Deputy Executive Director of Recreation. Said appeal must include all reasons for the refund to be made and/or justifications or disputes with respect to alleged violations of the Permit, Policy, or DPR rules and regulations that resulted in the forfeiture of fees or charges. The Deputy Executive Director of Recreation will review and decide the appeal and mail out her/his decision within two weeks of receiving the appeal.

#### **8.6 Indemnification**

As a condition of issuance of a Permit, the Permittee is required to indemnify the City, its elected and appointed officials, employees, volunteers and agents. Insurance coverage requirements specified below shall in no way lessen or limit the liability of the Permittee under the terms of this indemnification obligation. Such indemnification shall include any third party losses, damages, liabilities, claims, subrogation claims, suits and actions, causes of action, costs and expenses asserted against the City or its appointed and elected officials, employees, volunteers, and agents and resulting from the negligence or intentional misconduct of the Permittee, Permittee's representatives or agents, or Attendees, arising

from or associated with the sale, service or consumption of Alcohol Beverages, whether authorized or unauthorized under this whether authorized or unauthorized under this Policy and the Permit.

**8.7 Insurance**

- 8.7.1** General liability insurance with minimum limits of \$1,000,000 is required for all Private Events in which one hundred (100) or more attendees are expected. It is also required for all events, regardless of size, that involve certain types of activities as described below, which involve a higher risk of bodily injury and property damage. Evidence of insurance must be received prior to the event. The City and County of Denver must be included as Additional Insured. Attendance will be determined by the occupancy limitation for the Recreation Facility unless the Permittee can demonstrate that attendance is by invitation only and that the number of invited attendees shall not exceed the prescribed numbers.
- 8.7.2** Events involving contact sports, such as martial arts or boxing, that are accredited or organized through a national or state organization are allowed only upon proof of current instructor accreditation and, if the organization or association provides insurance coverage for its membership, proof that all attendees are members of the organization or association.
- 8.7.3** Events involving medically related procedures or physical or mental health activities, including but not limited to vaccinations, flu shots, blood tests, physical therapy, chiropractic services, and massage, require evidence of Professional Liability insurance. DPR reserves the right to deny permit requests for these reasons.
- 8.7.4** Host Liquor Liability insurance is required for any event approved to serve alcohol.
- 8.7.5** Recreation Facility Rental Insurance Requirements Summary:

Event Type	General Liability Insurance <sup>1</sup>	Host Liquor Liability <sup>2</sup>	Auto Insurance <sup>3</sup>	Professional Liability
Under 99 people (citizen applicant)				
Over 100 people (citizen applicant)	✓			
Special Occasion (weddings, parties, etc.)	✓	✓	✓	
Alcohol served	✓	✓	✓	
Medical event (vaccinations, physical therapy, etc)	✓	✓	✓	✓
Contact Sports	✓	✓	✓	

<sup>1</sup> The City must be included as additional insured

<sup>2</sup> Host Liquor Liability is included in standard TULIP policies. It is only required if liquor is being served.

<sup>3</sup> Personal auto insurance in the name of the permit holder or their representative is acceptable. Requiring proof of auto insurance may be waived when personal auto is utilized.

**8.7.6** General liability insurance may be obtained by a Permittee through the Tenants User Liability Insurance Program (“TULIP”), a short term, special event insurance policy available to renters of City facilities. Instructions for purchase of a TULIP policy will be sent upon request.

**8.7.7** Evidence of insurance must be received prior to the event. Failure to obtain or provide proof of the required insurance shall be grounds for the immediate revocation of the Permit. A waiver of these requirements may be granted to Denver Public Schools, City agencies (including City Council), and registered neighborhood organizations.

### **8.8 Attendee Waiver of Liability**

As a condition of the Permit, DPR may require that the Permittee obtain signed waivers of liability from all attendees and from the parents or guardians of all attendees under the age of eighteen (18) years, if the Private Event involves significant physical activities that present a risk of injury to participants. Signed waivers may also be required of the Permittee, the Permittee’s employees, agents, and contractors. The originals of all signed waivers must be provided to DPR prior to the Private Event. DPR shall have the right to confirm that all persons required to sign a waiver have submitted fully and properly executed waivers.

## **9.0 CONDITIONS OF USE**

**9.1** Alcohol beverages (including beer, wine, hard liquor, and mixed drinks containing any quantity of alcohol) are strictly prohibited, unless approved in advance. Recreational or medical marijuana, and illegal substances (excluding medications prescribed by a doctor or available over-the-counter and vaccinations or injections administered by a qualified medical personnel) are strictly prohibited. Persons appearing to be under the influence of alcohol, marijuana or illegal substances will be denied access to, or directed to leave, the recreation center or other DPR facility where a Private Event is being held.

**9.2** Smoking, including electronic cigarettes and other non-ash producing devices, is not allowed in or within 25 feet of any City-owned structure. The sale of tobacco or tobacco-related products is strictly prohibited.

**9.3** Gambling of any form is strictly prohibited.

**9.4** Weapons are typically not allowed; provided, however, that weapons commonly utilized in martial arts or in certain recreational activities, may be permitted upon prior arrangement with DPR and subject to adequate measures to assure the safety of the attendees and patrons being included in the Permit and strictly complied with by the Permittee, the Permittee’s employees, agents, and contractors and by all attendees (to the extent that attendees are authorized by the Permit to handle the weapons). Weapons brought by attendees are strictly prohibited. Firearms (except for those held by Police officers, Sheriff’s deputies, and duly authorized security personnel) are strictly prohibited; provided however, this restriction shall not apply to any person in possession of a handgun

for which the person holds a valid permit or a temporary emergency permit to carry a concealed handgun issued pursuant to state law and is otherwise carrying the handgun in conformance with applicable state or local law and is not engaging in any unlawful use of the handgun. Any person in lawful possession of a handgun, must keep their weapon on their person and cannot store their weapon away from their person, while in the Recreation Center.

- 9.5** Pets or animals of any kind (except for service animals) are not allowed.
- 9.6** Signs outside the recreation center advertising a Private Event are prohibited. Signs inside the recreation center are restricted to the Recreation Facility. With Center Supervisor approval, small, temporary directional signs may be placed in corridors of the recreation center where the Private Event is being held. All allowed signs must be promptly removed following the Private Event.
- 9.7** All motor vehicles must be parked in designated parking spaces. All traffic laws and DPR rules and regulations regarding the movement and location of motor vehicles shall be observed.
- 9.8** Temporary storage of any items before the Private Event or after the Private Event will not be provided.
- 9.9** Any filming or videotaping of the Private Event shall be restricted to the Recreation Facility unless written permission is obtained from DPR. Any filming for commercial use must be approved in advance by the Deputy Executive Director for Recreation or their designee. Under no condition shall cameras or similar devices capable of preserving a visual image be permitted in restrooms or locker rooms.

## **10.0 SECURITY**

- 10.1** Security Based on Attendance. Security personnel shall be required for any Private Event for which attendance is expected to equal or exceed either: 1) one hundred and fifty (150) persons, including the Permittee and Permittee's employees, contractors, or agents; or 2) one hundred (100) persons under the age of eighteen years of age unless one or more parent or guardian for each juvenile is in attendance during the Private Event. Attendance will be determined by the occupancy limitation for the Recreation Facility unless the Permittee can demonstrate that attendance is by invitation only and that the number of invited attendees shall not exceed the prescribed numbers. Two security persons is required for 150 to 250 attendees, and three security persons is required for 251 to 350 attendees.
- 10.2** Security for Money Collection. For any Private Event of any size or nature at which the Permittee anticipates collecting registration or participation fees or charges on site and/or receiving donations or other monetary contributions and/or receiving payment on site for goods or services sold, individually or collectively in excess of two thousand dollars (\$2,000.00), one security person will be required to be in attendance at the location where

said funds are collected or received, this is in addition to the security persons required in 10.1 Security Based on Attendance. The Facility Rental Supervisor reviewing the application for the Private Event may infer the amount to be collected or received on site based on the number of attendees anticipated, whether registration or participation fees or charges will be collected on site, whether donations or other monetary contributions will be received on site, the nature of the goods or services to be sold, and whether there will be receipt of money for sale of goods or services on site. The Facility Rental Supervisor may waive this security requirement if the Permittee demonstrates that any payments collected or received on site are solely in the form of credit card charges (no cash or checks). This security requirement will be in addition to any security personnel required based on attendance.

- 10.3** All security personnel must be employed or contracted by a licensed and bonded security company, or they must be police officers, sheriff's deputies, or similarly qualified peace officers.
- 10.4** If security is required, the Private Event will not be allowed to begin until security personnel arrive and take their appropriate stations. Security personnel must arrive fifteen minutes prior to the beginning of the Private Event and must remain until the conclusion of the Private Event and departure of the attendees.
- 10.5** Expectations of security personnel are as follows:
- 10.5.1** Monitor Private Event to ensure that no alcohol consumption or illegal drug use is occurring
  - 10.5.2** Monitor for weapons and for fighting or other inappropriate behavior
  - 10.5.3** Monitor Private Event to ensure that only "expected/invited" guests are admitted to the Private Event, if the Private Event is by invitation only
  - 10.5.4** Monitor Recreation Facility and all associated public areas open to attendees
  - 10.5.5** Monitor Private Event attendees to ensure that they remain in appropriate areas and not in "off-limits" areas in the recreation center
  - 10.5.6** Monitor parking lot area regularly
  - 10.5.7** Other appropriate duties related to security and event monitoring as requested by the Permittee and/or the Supervisor
- 10.6** Any Permittee, Permittee's employee, contractor, or agent, or attendee involved in an altercation or destructive behavior will be required to promptly leave. If any altercation or destructive activity is deemed by the Recreation Supervisor to be excessive, the Private Event will be shut down and the Permittee, Permittee's employees, contractors, and agents along with all attendees will be asked to promptly leave. Security personnel are expected to take all necessary actions to escort ejected persons off DPR property if so requested by DPR. Any criminal behavior must result in the Denver Police being contacted.

## **11.0 FOOD AND DRINK**

- 11.1** The recreation center does not furnish any utensils, plates, cups, serving dishes, tablecloths, etc., unless agreed upon in advance
- 11.2** Red and purple beverages will stain carpet, tabletops, and floors. The recreation center only allows beverages such as soda, lemonade, etc., which do not contain food coloring that could possibly leave permanent stains.
- 11.3** No rice, confetti, or birdseed is allowed in or around the recreation center, including sidewalks, entrance areas, adjacent patios, lawn and/or parking lots.
- 11.4** Food and drinks are allowed only in designated areas. The Permittee shall be responsible for cleaning the area used.

## **12.0 EQUIPMENT, FURNITURE AND MUSIC**

- 12.1** Music and noise must be kept at a reasonable volume level, at the discretion of the Center Supervisor. Section 38-101, DRMC, regarding prohibited noises will be enforced.
- 12.2** The Permittee shall not erect or operate any machinery or equipment (other than that provided by DPR) on any DPR facility, without the consent of DPR. The Permittee shall not install any wires or electrical appliances without permission and must supply its own extension cords and power strips.
- 12.3** The Permittee shall not use, under any circumstance, any substance of an explosive, highly flammable, hazardous, or toxic nature in or near any DPR facility, including fireworks.
- 12.4** Each Recreation Facility has a limited number of tables and chairs available. Under no circumstances will tables and chairs be moved from one facility to another facility. The Permittee must furnish any additional table or chairs that are clearly owner-identifiable.

Permittee warrants that all copyrighted material to be performed or exhibited has been duly licensed by the performers and authorized by the copyright owners or their representatives and agrees to indemnify and hold the City harmless from any and all claims, losses, or expenses incurred with regard thereto. It is the Permittee's responsibility to inform, and ensure compliance by, all caterers, musicians, florists, bartenders, and other vendors and guests of the requirements of this Agreement and the aforesaid rules, regulations, and policies

## **13.0 DECORATIONS**

- 13.1** All decorations must be installed during the time specified in the Permit.
- 13.2** Permittee must provide materials such as scissors, masking tape, staplers, etc. for use in decorating. Recreation center materials will not be available to the Permittee.

**13.3** Nothing is to be attached to painted walls, ceiling, or accordion door tracks. Masking tape may be used to attach decorations to metal door, windows, wooden posts, and beams or metal window/door frames.

**13.4** Helium filled balloons are not allowed in gymnasiums, swimming pool area or rooms with ceilings greater than twelve feet in height.

**13.5** All decorations must be removed along with tape, tacks, staples, etc., and disposed of at the end of the Permit period.

**13.6** Any decorations must be put up without defacing the Recreation Facility and will be subject to the approval and subsequent supervision by the Center Supervisor.

## **14.0 USE OF KITCHEN**

An additional fee (see **Addendum B** schedule) enables the Permittee use of kitchen facilities, when available and subject to the restrictions set forth in this sub-section 14.0. A kitchen typically consists of a sink, refrigerator/freezer, microwave oven, oven/stove, and counter area. The use of the kitchen is only for “staging” food service (warming and layout of food). The Permittee may not perform food preparation of any kind in said kitchen. All serving and dining ware, along with remaining food, supplies and materials, brought by the Permittee must be removed, from the kitchen at the end of a Private Event.

## **15.0 CLEAN-UP**

The Recreation Facility and kitchen, if permitted, must be left in the same condition in which it was found. Staff members will use a pre- and post-event check list to evaluate the clean-up. Trash sacks and containers will be provided by DPR.

If the Permittee utilizes any of the following items/areas, they are responsible for the following:

- All decorations and belongings must be removed immediately following the event.
- All trash must be bagged, tied, and placed in the dumpster outside the recreation center. All cardboard boxes must be flattened and other recyclable materials must be placed in the recycling bins at the center.
- Sinks must be cleaned and wiped out all food drips and stains.
- Countertops must be thoroughly cleaned and all dirt, food particles and stains removed.
- Spills in refrigerators must be cleaned and all items brought by the Permittee must be removed.
- Ovens must be wiped down interior and exterior. Spills must be cleaned up.
- Microwaves must be wiped down interior and exterior. Spills must be cleaned up.
- Floors must be clean. Spills must be cleaned up.
- Cleaning supplies and materials will be provided by the Recreation Center.

## **16.0      ADDENDA**

The attached Addenda A, B and C are incorporated into this Policy by this reference.

**Addendum A** is the Facility Permit Application

**Addendum B** is the schedule of fees and charges

**Addendum C** is the Special Consideration Application

These Addenda may be modified or replaced, as determined appropriate by the Manager of DPR (provided any modifications or replacements are in keeping with this Policy) or as required by ordinance for fees, without undergoing any amendment process to this Policy.

This Recreation Facility Permitting Policy has been duly adopted and amended in accordance with the rule-making requirements of section 39-2 of the Denver Revised Municipal Code and is in accordance with the authority of the Manager of the Denver Department of Parks and Recreation under section 2.4.4 of the Denver City Charter.

This Recreation Facility Permitting Policy is amended and restated effective this \_\_\_\_ day  
of \_\_\_\_\_, 2019

In accordance with section 39-2(e), D.R.M.C., copies of this amended Recreation Facility Permitting Policy were filed with the Denver Clerk and Recorder and the Denver City Attorney within seven (7) days of the effective date set out above, and a notice of the adoption of this amended Recreation Facility Permitting Policy was published in \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2019. The notice included a statement that a copy of the amended Recreation Facility Permitting Policy is on file with the Manager of Parks and Recreation and is available for public inspection.

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APPROVED AND ADOPTED:

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John Martinez  
Deputy Executive Director of Recreation

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Allegra "Happy" Haynes  
Manager of Parks & Recreation

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APPROVED FOR LEGALITY:

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City Attorney for the City and County of Denver

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Assistant City Attorney