

Private Outdoor Fee Based Activity Procedures

General

- A review of 2014 POFA activity will be conducted in December 2014. The resulting report, as well as any proposed policy and procedures changes, will be presented to the Parks and Recreation Advisory Board (PRAB) during the 1st quarter of 2015. Subsequent annual reviews will be performed by the Manager and presented to PRAB upon request.
- The Manager reserves the right to prohibit POFA's 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 must be displayed on the premises during all POFA's.

All POFA permits:

- Are non-exclusive.
- Restrict the maximum number of participants to 25.
- 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 Sloans 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>
Bear Valley	1	2
Berkeley	3	2
Bible	2	2
Central	2	2
City	6	3
Civic Center	2	2
Congress	1	2
Cramner	1	2
Cuernavaca	2	2
Elyria	1	2
Fred Thomas	2	2
Garland	4	2
GVR/Town Center	1	2
Harvard Gulch	3	2
Harvey	1	2
Lowry Sports Complex	2	2
Mestizo-Curtis	1	2
Montbello Central	1	2
Parkfield	2	2
Rosamond	2	2
Skyline	2	2
Sloans Lake	5	3
Ruby Hill	3	2

Sonny Lawson	2	2
Southwest Rec	1	2
Veterans	1	2
Washington	3	3

Application process

Applications will be accepted during the first full two weeks of February for April through September the first full two weeks of September for October through March permits. Exact dates and instructions will be published each year.

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

All applications received during these weeks, except for Turf/Trail 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. Applicants are required to purchase the permit applied for.

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. Applicants are required to purchase the permit(s) applied for. 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.

Upon completion of the lottery process, applications will be considered on a first come/first served basis.

There will be no pro-ration of fees. Each POFA permittee must pay the full, applicable 6 month fee.

Applications must be complete, all required documentation provided, and payment made prior to the issuance of any permit.

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

Cancellation

Permittees that cancel more than 30 days in advance of the permit date will be issued a refund of the permit fee less a 15% processing fee

Permittees that cancel 30 days or less in advance of the permit date will not receive a refund.

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
- Proof of business license
- 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 be Customer Service oriented informing the violator of POFA rules and regulations.
 - 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. 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.

4. An appeals process will be established for POFA permit holders that have been subject to enforcement actions.

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.

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