


CITY OF RAPID CITY

DEPARTMENT OF PARKS AND RECREATION
515 WEST BOULEVARD
RAPID CITY, SOUTH DAKOTA 57701

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To: Mayor Sam Kooiker and City Council Members

From: Jerry W. Cole, Director 
Department of Parks and Recreation

Alex DeSmidt
Landscape Designer
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Subject: Rental Policies for Park and Recreation Facilities

Date: June 6, 2012

Jeri Taton
Administrative
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Due to the increased demand for use of municipal park and recreation facilities, the Parks and Recreation Department has developed two policies dealing with facility use. The first policy establishes guidelines for priority use of park and recreation facilities. The second policy outlines scheduling procedures, rental classifications, charges, and sets rules and regulations for use of city facilities.

Lon Van Deusen,
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Manager
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The policies were developed by Parks and Recreation staff, with input from groups and organizations that frequently use city facilities. The policies were submitted to the Parks and Recreation Advisory Board for consideration on February 9, 2012. The Board voted to approve first reading at that meeting and directed staff to continue working with user groups who would be impacted by the policies. The Board considered the policies again at the March 8, 2012 Board meeting and gave final recommendation for approval on May 10, 2012.

Doug Lowe,
Recreation Manager
(605) 394-4168

The documents have been reviewed by staff from the City Attorney's Office and are now ready for City Council consideration. If you have any questions, please contact me.

City of Rapid City, South Dakota
Department of Parks and Recreation

POLICY

GUIDELINES FOR COMMUNITY USE OF
PARKS AND RECREATION RENTAL FACILITIES

City facilities are operated by the City of Rapid City under the following policies and guidelines adopted by the City Council of the City of Rapid City on _____. The City Council recognizes the value of these facilities being available to serve the community of Rapid City.

PURPOSE AND INTENT

The intent of this policy is to promote regular and active use of the facilities. It outlines scheduling procedures, rental classification, charges, and sets rules and regulations for use of the facilities. Charges and/or use fees are based on staffing, set-up, and maintenance costs, as well as market rates for similar facilities.

The City of Rapid City does not discriminate on the basis of race, color, religion, national origin, gender, age, marital status, sexual orientation, status with regard to public assistance, or disability in the admission or access to programs, services, activities, or employment.

1. Rental Classifications

Group 1: Any activity related to the operations of Rapid City's City government including, but not limited to, City Council, board and commission meetings, City programs and events, City sponsored public meetings, as well as State and County related committees, including South Dakota's federal and state representatives.

Group 2: Public agencies, Pennington County, Rapid City Area School District, civic organizations, non-profit professional groups with City representation, Rapid City based groups (user group that has its headquarters in the City of Rapid City, or has at least 75% of its membership roster residing in Rapid City) which contribute to the well being and betterment of the community, and those businesses currently working with City projects.

Group 3: Rapid City residents, Rapid City businesses, and persons who work at a Rapid City business. (Documented proof may be requested.)

Group 4: Non-resident individuals, groups, commercial, non-profit, and business organizations. (Limited to rentals at Rapid City Community Center and Senior Center.)

2. **Rental Facilities**

Park Pavilions & Buildings

Canyon Lake Shelter #1 – 4111 Jackson Boulevard

Canyon Lake Shelter #3 – 4011 Jackson Boulevard

Old Storybook Island Shelter – 2911 Canyon Lake Drive

Canyon Lake Gazebo – 4211 Beach Drive

Community Centers – ice arenas, racquetball courts, swimming pools, meeting rooms, and gymnasiums.

Outdoor Athletic Facilities (not under lease) – volleyball courts, basketball courts, softball/baseball fields, soccer/football/lacrosse fields, tennis courts. These park amenities are available on a first-come, first serve basis, unless they are being used for a City program or have been reserved. Outdoor athletic facilities not under lease are available for rent, for a fee. See the separate document “Guidelines for Priority Use of Public Facilities” for rental details. Note: Sioux Park Stadium is under the authority of the Rapid City Area School District.

Trail System – for walks and/or runs. Rental of a park building or pavilion is required to hold a walk and/or run. Walks and/or runs beyond the park property will require approval from other departments. Walks and/or runs do not have exclusive use of trails or streets, unless required for safety purposes. In cases of exclusive use, signage and/or additional staff/volunteers may be required, at the discretion of the Parks and Recreation Director, or his designee.

Non-Typical Park Locations – including, but not limited to, parking lots, sun shelters, picnic areas, open fields, dog parks, disc golf, hockey rinks in the summer, etc. These locations cannot be rented for exclusive use.

3. **Hours of Operation**

City park hours are 6:00 am to 10:00 pm, daily. Rental use beyond these hours requires the approval of the Parks and Recreation Director, or his designee.

The Community Center Gymnasiums are open from 6:00 pm to 10:00 pm, Monday through Friday and weekends 7:00 a.m. – 10:00 p.m. during the school year; summer hours may vary.

4. **General Information**

Rental of a particular facility does not allow for exclusive access to other park amenities (ball fields, tennis courts, playground, public bathrooms, etc.).

Group 1 meetings, events, and activities have priority. Rental scheduling for Groups 2, 3 and 4 will be on a first-come, first-served basis; with special reservation guidelines pertaining to walks and/or runs.

No person under the age of 21 years shall be allowed to rent a facility.

A minimum notice of 3 business days is required for rental of a facility.

User groups may be allowed to reserve City facilities on a continuing basis (i.e. daily, weekly, monthly) at the sole discretion of the Facility Scheduler. The City reserves the right to restrict the number of dates an individual or group may reserve a facility. This is to ensure the availability of facilities to all user groups.

If deemed necessary, the City reserves the right to substitute a meeting room or facility other than that stated or requested, in order to minimize conflicts of compatibility, space, and scheduling.

Rentals are subject to maximum group size and availability.

Rental hours shall be calculated from the time the renter enters the space until the time of departure for each day of use. User groups must adhere to the hours requested and approved in the facility use contract.

At some locations, a half-day rental fee versus a full-day rental fee shall be determined by Parks and Recreation staff, and not by the number of hours renting a facility. A half-day rental fee will be applied, at the Parks and Recreation

Director or his designee's discretion, if it is reasonable to assume the facility will be available for rental by another organization for the remainder of the day.

State actor groups that rent facilities shall comply with the Equal Opportunity statutes, and shall not discriminate on the basis of race, color, religion, national origin, gender, age, marital status, sexual orientation, status with regard to public assistance, or disability. All other groups that rent facilities shall comply with all non-discrimination federal, state and local laws, rules, regulations and ordinances applicable to the Group.

Groups or individuals must enter into a facility use contract at the time a facility reservation is made.

5. **Scheduling**

a) Pavilions, Buildings, and Bandshell

Groups or individuals desiring to use a park pavilion/building shall make arrangements through the Facility Scheduler. Reservations will be accepted on the first business day of the calendar year for the current year.

b) Community Centers

Groups or individuals desiring to use the Community Centers shall make arrangements through the Facility Scheduler.

c) Outdoor Athletic Facilities (Not Under Lease)

Groups or individuals desiring to use an outdoor athletic facility shall make arrangements through the Facility Scheduler. See the separate document "Guidelines for Priority use of Public Facilities" for rental details.

d) Walks and/or Runs

Groups 1 and 2 may request a walk and/or run with the Facility Scheduler no earlier than the first business day of the calendar year in which they wish to hold the event. Group 3 may request a walk and/or run no earlier than two weeks after the first business day of the calendar year.

The walks and/or runs offered by Groups 2 and 3 will be limited to two per month, per park area. If the event uses multiple sites or a major portion of any roadway or park facility, the number and size of various events might be limited further.

Any advertising and/or promotion of the walk and/or run on park property must be reviewed by the Facility Scheduler prior to publishing to insure conformance to the approved permit. The City must be included in the indemnification clause signed by the participants in the event.

6. **Rental Fee**

The rental fee is required for all chargeable rentals. Reservations are confirmed only when contract or use permit has been issued.

7. **Damage Deposit**

A \$200 damage deposit, in addition to the rental fee, may be required by Group 3 and Group 4. The damage deposit is required before Use Permit is issued. This damage deposit shall be processed within one (1) week after the rental dates if no deductions are necessary. Reimbursement of the damage deposit may take up to 45 days.

No damage deposit is required for approved reoccurring rentals.

Failure to comply with this Policy may result in loss of damage deposit.

8. **Special User Fee**

In some instances a special user fee may be required. This fee will be applied to cover **unusual** anticipated expenses, such as excessive clean-up, unusual set-up, excess electricity, and/or damages associated with the user's program, event, general use or decorations. The special user fee must be paid at the time the rental fee payment is made.

There may be a special user fee for large events requiring a special event checklist or rentals requiring additional portable toilets or additional police or security measures.

Special Events may be charged an application fee based on a schedule approved by the City Council.

A special user fee is applied to groups with specialized equipment or activities including, but not limited to dunk tanks, inflatables, moon walks, etc.

User groups may be required to pay a special user fee when they provide amplified sounds.

User groups will be required to pay a special user fee for city staff to operate the City's sound system. If the City's Sound Technician is required for any musical event with amplified sound at the band shell, a special fee will be assessed to cover expenses.

User groups must receive prior approval for additional electrical use, additional lighting, etc. An additional fee maybe associated with these requested facility use items.

9. **Special Event Checklist**

Any event or activity that may require the assistance of more than one City department or may extend beyond the park boundaries is required to complete a Special Event Application at the Rapid City Parks and Recreation Department and may be asked to complete a Special Event Application for other City Departments including Police, Fire, etc.

Special event authorization will only be approved if proper accommodations can be made (i.e. additional parking, transportation to the site, additional toilets, additional police officers or security measures).

A special event user fee may apply.

10. **Cancellation Policy**

The City reserves the right to cancel any reservation. In case of cancellation by the City, reservation fees will be returned accordingly.

The rental fee is refundable if cancellation notice is received no less than 30 days prior to the date of the scheduled event.

11. **Liability and Damage**

Rental groups using facilities will be required to sign a waiver of liability on the contract form.

A Certificate of Insurance naming the City of Rapid City as an additional insured is required to cover the use of specialized equipment, walks/runs, or special events open to the public.

The City will not assume liability for loss or damage to property belonging to an organization or group.

Any organization, group, or individual reserving space shall be fully responsible for any damage to that space or equipment and any unlawful acts associated with the user's program or event.

Any damages to facilities or equipment must be reported immediately. Costs associated with the damage or additional cleaning will be deducted from the damage deposit. If costs exceed the damage deposit, the user will be responsible for these costs. The City reserves the right to cancel future reservations.

12. **Regulations**

Violations of this Policy may result in forfeiture of a user's damage deposit and denial of future use of City facilities. In addition, criminal violations may be prosecuted under applicable City ordinances, state or federal laws.

City facilities are smoke free. Use of tobacco products is prohibited as stated in City Ordinance 8.32.050.

The City reserves the right to terminate a rental contract or reservation for violations of the Rapid City Municipal Code.

Meetings and activities must be confined to the area(s) reserved. Other meetings and activities may take place at the same time in other rooms or areas. Groups are expected to have respect for each other's space.

Disorderly conduct shall be grounds for immediate termination of the activity/event without refund. This will be determined by City staff or law enforcement.

a) Supervision

Youth using facilities must be under competent adult (minimum age of 21 years old) leadership and supervision. The renter shall assume full responsibility for the

group's conduct and/or the conduct of any member or guest of the group, and for any damage to the facilities, building or equipment. Children must be kept confined to the reserved area of the user group. The City will not assume liability for unsupervised children.

Youth groups shall be chaperoned on a ratio of one adult (minimum age of 21 years old) for each ten (10) or fewer youth under the age of 18. The number of youth attending and the names of the chaperones may be requested by the staff. If the general public is invited, City staff shall determine the number of chaperones required.

If deemed necessary due to the type of function or activity, the City reserves the right to assign an attendant and/or police officer for a user group. The cost of such will be paid by the user group.

A building attendant is required to be on site at all times for community use and non-regular hours of the Community Centers, Ice Arena and Swimming Pools. The building attendant will assist with set up and take down as required, and perform general clean up as needed.

The user is responsible for the rental facility during their rental time, and shall be on-site during their rental time. Enclosed buildings will be unlocked at the beginning rental time and locked at the ending rental time. The user shall not leave the building unattended during the rental time.

b) Park Pavilion/Building Cleaning

Rented space and common areas must be left in the same or better state of cleanliness as when user arrived. Park Attendant shall determine the appropriate level of cleanliness. If additional staff time beyond that necessary for normal cleaning is required to clean the facility, an additional charge for personnel and cleaning supplies will be deducted from the damage deposit.

User groups are responsible for the basic clean up and bagging of trash.

All chairs or tables used must be taken down and put away.

c) Parking

Parking is available in designated parking areas. Groups that underestimate their number of guests may not have adequate parking, and the City is neither

required nor responsible for providing adequate parking for the use. However, Groups facilitating special events or public events may want to apply for special event parking under Rapid City Municipal Code Section 10.40.210.

Parking on grass is prohibited, and those who do so may be towed and/or prosecuted.

Driving on trails is prohibited, and those who do so may be prosecuted under Rapid City Municipal Code Section 12.32.050.

d) Admission Fee

User groups are not allowed to charge an admission fee without the approval of the Parks and Recreation Director, or his designee.

e) Specialized Equipment or Activities

Cooking devices suitable for pig roasts are allowed but must remain in the parking lot or designated area.

Dunk tanks, inflatables, etc. are allowed in designated areas. A Certificate of Insurance is required which names the City of Rapid City as an additional insured. A special user fee is required.

Hayrides or sleigh rides are not permitted by rental groups 2, 3 and 4.

f) Animals

Rental groups 2, 3 and 4 are not permitted to have non-domesticated animals, including, but not limited to horses, on City property unless prior permission is given by the Parks and Recreation Director, or his designee.

g) Fireworks / Open Fires

Rental groups 2, 3 and 4 are not permitted to have fireworks.

Rental groups 2, 3 and 4 are not permitted to have fires, fire in fire pits, or any open flame.

h) Large Group User

Resident groups with 20 or more individuals are required to rent a facility or obtain a large group use permit before using a facility.

13. **Food Service**

Food or beverages may not be sold without prior approval. Food sales must comply with all federal, state, county and city health and food service regulations.

No food or beverage may be left behind at any facility.

Where available, kitchens may not be used for commercial use (fundraising) or for profit.

a) Parks, Shelters, Rented Activity Buildings

Food and beverages, except for alcohol, are permitted at all locations.

Catering services are permitted at allocations, except for catered alcoholic beverage service. See Section 14 "Alcoholic Beverages" below.

Outdoor grills are available at some park locations, charcoal is not provided. Charcoal grills or gas grills may be brought into the park and used in a safe manner on a hard, flat surface. All charcoal must be removed from the park; safe charcoal disposal sites are not available at the parks so plan accordingly if using charcoal. Propane tanks or cylinders shall not be disposed of on Park/City property.

c) Community Centers

All meals, food and beverages for events and banquets must be contracted through a Community Center pre-approved caterer or through the Recreation Scheduler.

Small birthday parties (30 people or less), or other similar gatherings, with permission of Recreation staff, will be permitted to provide outside food and beverage.

On-site preparation is prohibited Freezer or refrigeration use may be available through the Facility Scheduler.

Groups must provide their own kitchen supplies (towels, paper products, utensils, etc.) and condiments.

14. **Alcoholic Beverages**

Alcoholic beverages are not permitted at City facilities, EXCEPT with a special alcohol license approved by the City Council and issued through the City Finance Office. No glass containers are permitted within an outdoor park.

15. **Fundraising**

Groups 1, 2 and 3 may conduct fundraising activities at City facilities. Fundraising activities include, but are not limited to, selling articles on-site, advanced ticket sales, facilitating walk and/or runs or any other means of collecting monies for a particular purpose or group.

The City will allow City facilities to be used for limited fundraising activities to support Rapid City based organizations with pre-approval by the Director of Parks and Recreation, or his designee.

At the discretion of the City, any group conducting a fundraiser will be charged a pre-determined fee by the City to cover costs of set-up, maintenance, cleaning and security of the areas utilized for the event.

a) Charitable Gambling Activities

Renters conducting activities involving licensed charitable gambling (not a licensed gaming company) must provide proof of compliance with State gaming requirements and receive City Council approval. Requests must come before the City Council through the Parks and Recreation Department at least 45 days prior to the event date.

b) Walks and/or Runs

Groups 1 and 2 may request a walk and/or run with the Park Facility Scheduler no earlier than the first business day of the calendar year in which they wish to hold the event. Group 3 may request a walk and/or run no earlier than two weeks after the first business day of the calendar year.

The walks and/or runs offered by Groups 2 and 3 will be limited to two per month, per park area. If the event uses multiple sites or a major portion of any roadway, the number and size of various events might be limited further, and may require a

special event permit, and/or other city-issued permit, such as a temporary parking permit for special events.

Any advertising and or promotion of the walk and/or run on park property must be reviewed by the Parks and Recreation Director, or his designee prior to publishing to insure conformance to the approved permit. The City must be held harmless and indemnified in the indemnification clause signed by the participants in the event.

Rental of the park building or pavilion is required to hold a walk and/or run.

Special Events may be charged an application fee based on a schedule approved by the City Council.

A special event checklist will need to be completed with the Facility Scheduler at the Rapid City Parks and Recreation Department.

16. **Insurance**

Organizations in Group 2 and 3 must provide liability insurance coverage of \$1,000,000 per occurrence and \$2,000,000 aggregate, with the City of Rapid City included ~~noted~~ as an additional insured. Organizations in Group 4 must provide liability insurance as outlined above with the City listed as an additional insured, or a signed waiver to be provided by the City.

17. **Decorations**

Failure to comply with the following decoration policy may result in loss of damage deposit.

A decoration plan and installation methods must be pre-approved by City staff.

The City reserves the right to remove all decorations which do not meet a pre-approved plan. All decorating time must be included in the rental hours.

No double-sided tape or Scotch tape shall be used in decorating. Use of poster putty, removable blue painters tape or removable poster tape on flat painted walls or tables only is allowed. No tape shall be used on the ceiling.
No nails shall be used in decorating.

No staples or tacks on flat painted walls or tables shall be used in decorating.

Lit candles or open flames are prohibited at all times.

No banners, Streamers, balloons or signs may be attached to any facility structure or landscaping without prior approval from Parks and Recreation staff. Any pre-approved attachments must be removed by the group using the facility immediately after the reservation period.

No rice, confetti, or birdseed shall be used in activities or decorating.

17. **Tents and other Props**

Tents or other structures with stakes, tarps, or any part or portion thereof attached to the facility are prohibited.

Free-standing canopy tents are permitted with prior approval and must meet all fire code standards. Stakes cannot be driven into the grounds, so tents may be secured with sandbags or weights.

Any tables, chairs, dance floor, staging, free standing canopy tents or other props brought in from other sources may not be stored in City facilities, and shall be brought in only during rental hours. These items must be removed from the facility prior to the end of the rental time.

18. **Amplified Sound**

Unless approved before hand, all groups will be required to use City Staff for any musical event with amplified sound at the bandshell. The City's Staff shall have complete supervisory control over the operation of the facility. Arrangements for set up and take down must be made through the Facility Scheduler. Access to the stage is for loading and unloading purposes only. City Staff will determine what vehicles will have access to the stage for loading and unloading of equipment, etc.

User groups will be required to pay a special user fee for City Staff to operate the City's sound system and/or the user group's sound system.

User groups using a sound amplification system may have the noise level monitored and controlled by City staff. Failure to comply with this restriction will result in loss of damage deposit and may result in suspension of electrical power.