

# LONGVIEW PARKS & RECREATION

## COMMERCIAL USE OF PARK PROPERTY - PROPOSAL

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### 1. WHAT IS COMMERCIAL USE OF PARK PROPERTY?

Commercial Use of Park Property is defined as any activity conducted for pecuniary or commercial gain including private lessons, classes, or group activities where the lesson, class, or activity has a fee or other monetary barrier to entry. "Commercial use" also includes any lesson, class, or commercial activities taking place on park system property that is associated with any trade, occupation, profession, business, or franchise. "Commercial use" does not include activities conducted on the City's behalf or in conjunction with the City. Examples of commercial activity may include but are not limited to boot camps, running clubs, and workout groups.

### 2. CURRENT LMC DOES NOT DEFINE SPECIFICS~ WOULD RECOMMEND WORDING TO SAY:

Commercial use of any park system property is unlawful without first obtaining a permit from the City authorizing the use or entering into a rental contract or booking agreement with the City authorizing use of a specific facility.

### 3. WHY WOULD I NEED A PERMIT?

A permit provides the permit holder a license for the activity in the designated areas and is revocable at will. The permit holder and participants must share the designated areas with other users and cannot block public access. A commercial use permit does not grant exclusive use of space.

### 4. WHAT ACTIVITIES ARE AUTHORIZED UNDER A COMMERCIAL USE PERMIT?

Activities (1) must be recreational in nature, (2) will not restrict or impede access for the general public, (3) must not conflict with recreational programming offered by the City, (4) will not pose a safety risk to persons or property, and (5) will not create an undue burden on the park system property in use. Examples of authorized activities may include but are not limited to fitness camps and courses, on-leash dog obedience courses and recreational group meetings.

### 5. WHAT ACTIVITIES ARE NOT AUTHORIZED UNDER A COMMERCIAL USE PERMIT?

Any activities that violate the provisions set forth in Question #4 are not authorized under a commercial use permit. Examples of unauthorized activities may include but are not limited to mobile vehicle detailing, driver testing, and off-leash dog obedience courses.

\*Question - Where do lessons fall? Recreational in nature - but exclusive use?

## **6. DOES THE PARK PERMIT ALLOW FOR EXCLUSIVE USE OF THE PROPERTY?**

No, it does not. A commercial use permit does not grant exclusive use of space. A permit provides the permit holder a license for the activity in the designated areas and is revocable at will. The permit holder and participants must share the designated areas with other users and cannot block public access.

## **7. WHAT ARE THE MUST I PROVIDE TO PROCURE A PERMIT?**

Those wishing to obtain a permit must fill out a completed Commercial Use of Park Property application, submit the application fee, and provide a certificate of insurance.

## **8. WHEN ARE APPLICATIONS ACCEPTED FOR COMMERCIAL USE PERMITS?**

| For Permits From:       | Submit Application by: |
|-------------------------|------------------------|
| January 1 - December 31 | December 15            |
| April 1 - December 31   | March 15               |
| July 1 - December 31    | June 15                |
| October 1 - December 31 | September 15           |

## **9. HOW LONG IS THE COMMERCIAL USE PERMIT VALID FOR?**

Permits are valid for up to one calendar year. There is no proration of fees for applications submitted for less than a calendar year of permit use.

## **10. WHAT IS A CERTIFICATE OF INSURANCE AND WHAT ARE THE REQUIREMENTS?**

A Certificate of Insurance is a document that proves that the applicant has Comprehensive General Liability insurance to cover any liability claims, whether personal or damage, which may occur during use of the park property. The City of Longview must be named an additional insured on the policy, and the policy must meet the limits specified in the Hold Harmless Agreement of the Commercial Use of Park Property application.

## **11. WHAT ARE THE CONDITIONS OF RENEWAL OF A COMMERCIAL USE PERMIT?**

On a quarterly basis, permit holders must complete and submit the Quarterly Commercial Use of Park Property Report that is provide when permit is issued, along with indemnity agreements, participant releases and waivers of liability.

## **12. WHO DO I CONTACT FOR MORE INFORMATION ABOUT COMMERCIAL USE OF PARK PROPERTY?**

Please contact the Parks and Recreation Office at 360.442.5400