

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Jeremy Laurentowski, Parks & Recreation Director *SL*

**BY:** Stephanie Anderson, Senior Management Analyst *SA*

**DATE:** June 30, 2016 (Meeting of July 6, 2016)

**SUBJECT:** Consider Resolution Revising the Rules and Regulations Governing City Park Rentals and Rescinding Resolution No. 2011-3056

**SUMMARY**

The Council is being asked to consider changes to the Resolution governing the rental use of park facilities. These rules were last amended in 2011 (Resolution 2011-3056). Attached to this report is the draft Resolution in legislative format detailing the proposed changes to the Resolution.

**DISCUSSION**

Rental rules are reviewed and evaluated on a regular basis, and revised when needed to clarify language or address issues that have arisen. Some of the recommended revisions to the Resolution require changes to Chapter 12.16, Parks and Open Space, and to Section 5.08.020 of Chapter 5.08, Business Registration Permit, of the City's Municipal Code. The changes to the Resolution will become effective on August 19, 2016, which is consistent with the effective date of the ordinance revising the Municipal Code. The changes to the Municipal Code are detailed in a separate agenda report.

The more substantive revisions to the proposed Rules and Regulations Governing City Park Rentals are described below.

**Revisions to the Rules and Regulations Governing City Park Rentals**

***Section 2.5 Right to Revoke or Deny a Park Rental Permit***

This language in this section has been changed to clarify that a rental permit will not be issued for activities that are inconsistent with the intended use of the park or park facility.

**Section 3.2 Group Classification Definitions**

This language was revised to clarify that the condition of not charging an entrance or other fee for participation is not intended to apply to non-profit organizations within the Group 2 and Group 3 classifications.

**Section 4.1 Park Rental Permits Required**

This section has been modified to change the attendance limits requiring a park rental permit. Currently, a park rental permit is required for an activity with fifty or more total people in attendance. Due to recurring issues with relatively large groups (more than thirty but less than fifty) regularly using parks in such a way as to adversely impact adjacent neighborhoods (parking issues, excessive noise) and at times exceeding facility capacity, these attendance limits have been lowered. At Arroyo Vista Community Park, a permit is required for an activity with twenty-five or more people in attendance, and at all other parks a permit is required for an activity with fifteen or more total people in attendance. Additionally, a new condition has been added for regularly scheduled or re-occurring use. A permit is required for an activity that is held on a regular or re-occurring basis with ten or more people in attendance. This change will allow staff to better regulate uses that may impact adjacent neighborhoods. Changes in this section require a change to Chapter 12.16 of the municipal code, which currently specifies attendance of fifty or more persons as requiring a permit. Nearby park districts vary in their attendance requirements for a permit. Conejo Recreation and Park District and Rancho Simi Recreation and Park District require a permit for fifty or more people. Pleasant Valley Recreation and Park District requires a permit for a group of fifteen or more people at a picnic area, and five or more people for a field rental at a sports park.

**Section 4.6 Rental Cancellations and Park Rental Fee Refunds**

Currently, refunds or credits are available to renters whose rental is canceled due to inclement weather. Language has been added to this section to allow for a refund or credit for a rental cancellation due to a forecast, within twenty-four hours of the rental date, of 50% or greater chance of inclement weather.

**Section 5.2 Vendors**

Currently, vendors at park rentals are required by Chapter 5.08 (Business Registration Permit) of the municipal code to obtain a Moorpark business registration permit. Section 5.08.020 (Exempt organizations, activities, persons) of the municipal code currently has an exemption for vendors at a one or two day event for which a temporary use permit has been issued. Because park rental permits, and not temporary use permits, are issued for events in parks, this exemption does not apply to vendors at events in parks. Staff recommends adding language to Section 5.08.020 to include vendors at events for which a park rental permit has been issued, as detailed in a separate agenda report. Language in the resolution has been added to require vendors to obtain a business registration permit, unless exempted by City ordinance. Generally, businesses who vend at an event for which a park rental permit is issued do little or no other business within the City. All vendors at a park rental, including those businesses that are exempted from obtaining a business registration permit, are required to pay a vendor fee to the City, as established by the Park Rental Fees resolution.

**Section 5.4 Use of Special Attractions, Performers, and Equipment**

Language has been changed and added to more comprehensively address the use of attractions, performers, and equipment. Under the attractions paragraph, language has been changed to address the use of attractions other than inflatable attractions. The list of parks at which attractions are allowed has been alphabetized, and Campus Park has been added to the list. For reference, Miller Park is not included in the list, as there is insufficient space near the picnic pavilion to accommodate an attraction.

Language regarding the use of game and food trucks has been added. Use of game or food trucks is restricted to fewer parks than attractions, as game and food trucks will not be allowed at parks without off-street parking lots. The three parks affected by this restriction are Campus, Campus Canyon, and Glenwood.

Under the equipment paragraph, language had been added to specify that a permit is required for a soccer or other goal that exceeds 4' width by 3' height. Language has been changed to no longer require a permit for a canopy 10x10 or smaller (currently, a 10x10 canopy requires a permit). Language has also been added regarding the use of barbecues. A permit shall be required for barbecues with cylinders 20 lbs. or larger. Barbecue cylinders are typically measured in lbs., rather than gallon size or other unit of volume. This change will require a change to Chapter 12.16 of the municipal code, as personal/portable barbecues are not specifically addressed or permitted by the code.

**Section 5.6 Clean Up**

Language has been added to more specifically describe the Renter's responsibilities regarding clean up after a rental.

**Section 5.9 Wet Field Policy**

Currently, information on field conditions is available to the public by calling a field conditions recorded message line. This system is being phased out and replaced by a field conditions webpage, which will also allow members of the public to sign up for alerts about field conditions. The alerts can be issued via e-mail or text message. The language in this section has been revised to refer the public to the webpage rather than the phone line.

**FISCAL IMPACT**

Minimal; potential increase in rental fees due to changes in attendance limits requiring a permit.

**STAFF RECOMMENDATION (ROLL CALL VOTE)**

Adopt Resolution No. 2016-\_\_\_\_, Rules and Regulations Governing City Park Rentals, rescinding Resolution No. 2011-3056.

Attachment A: Draft Resolution in Legislative Format Adopting Rules and Regulations Governing City Park Rentals and Rescinding Resolution No. 2011-3056

**Attachment A**

RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, REVISING RULES AND REGULATIONS GOVERNING CITY PARK RENTALS AND RESCINDING RESOLUTION NO. 2011-3056

WHEREAS, the City previously adopted Resolution No. 2011-3056, which established rules and regulations governing City park rentals; and

WHEREAS, at its meeting of July 6, 2016 the City Council reviewed and concurred with the amendments to the Rules and Regulations Governing City Park Rentals; and

WHEREAS, Resolution No. 2011-3056 shall be rescinded and replaced with the revised Resolution herein.

~~WHEREAS, the City has established rules and regulations that govern the rental use of City park facilities which are reviewed and revised periodically; and~~

~~WHEREAS, at a special meeting on June 27, 2011, the Parks and Recreation Commission reviewed and concurred with the proposed revisions to the Rules and Regulations Governing City Park Rentals and recommended approval of the revised resolution to the City Council; and~~

~~WHEREAS, Resolution No. 2007-2635, which previously established park facility use and reservation fees and related rules is proposed to be rescinded, and a revised resolution is proposed to be adopted for rules and regulations governing City park rentals and a second resolution adopted for the revised City park rental fees, deposits, and additional charges.~~

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. City Council Resolution No. ~~2007-2635~~2011-3056 is hereby rescinded.

SECTION 2. The revised Rules and Regulations Governing City Park Rentals (Rules) are as follows:

Section 2.1 Purpose

The purpose and intent of the City Council in adopting the Rules is to provide direction to staff and the public relating to the use and rental of City park facilities, structures, and amenities. In the event of non-compliance with, or violation of, any provision herein, such shall not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law.

## Section 2.2 Definitions

“Director” shall mean the City Manager or his/her designated representative.

“Rental” shall mean approved use of a City park facility, structure, field, or amenity by an individual, organization, or business.

“Renter” shall mean the individual, organization, or business responsible for the Rental. Renter must complete the Reservation Application and other required documentation, pay all required fees, provide or pay for insurance (if required), and be present for the duration of the Rental.

“Reservation Application” shall mean the City’s Rental application form.

“Park Rental Permit” shall mean an approved, written Park Rental Permit issued by the Director, allowing rental use of a City park facility, structure, field or amenity.

## Section 2.3 Park Facility Rental Program Administration

The Parks, Recreation, and Community Services Department oversees the administration of the City’s Park Rental Program.

The Director will have the authority to approve park Reservation Applications in accordance with the policies contained herein. Park Rental Permits are not finalized until the application has been approved in writing and all required Rental fees, deposits, and charges are paid in full.

## Section 2.4 Use Priority

Certain City park facilities may be rented for private use when such use does not conflict with City business or programs. In the unanticipated event that a scheduling conflict arises that, in the sole discretion of the City, prevents or interferes with business or program operations, the Park Rental Permit may be canceled. In such an event, the City will make every effort to accommodate the canceled Rental at a different location or on a different date, if feasible. If such accommodations cannot be made, a full refund of all fees paid shall be issued.

City sponsored programs shall have priority use over all reservation requests.

## Section 2.5 Right to Revoke or Deny a Park Rental Permit

The City may revoke an issued Park Rental Permit or deny a Reservation Application, when it is determined by the Director that the proposed use of the

park or park facility is not consistent with the intended use of the park or park facility, or the rental use will not be in the best interest of the City.

A Park Rental Permit may be revoked or denied for violation of any rule or regulation contained in the Moorpark Municipal Code, State law, or established by this resolution by the Renter, Renter's guests, attendees, employees, or vendors. Park Rental Permits may be revoked or denied if the Renter is found to have falsified or omitted information on a Reservation Application. If the City revokes or denies a Park Rental Permit for any of these reasons, all fees and deposits paid will be forfeited and the Renter may be suspended from future Rentals of any City park facility as determined by the Director at his/her sole discretion.

#### Section 2.6 Right to Establish Additional Rules and Conditions

The Director may establish additional rules, regulations, and conditions pertaining to City park use and Rental, so long as such requirements are consistent with this Resolution and Chapter 12.16 of the Moorpark Municipal Code, and are published in writing.

SECTION 3. PARK FACILITY RENTAL GROUP CLASSIFICATIONS. Park Rental group classifications shall be as follows:

#### Section 3.1 Purpose

The purpose and intent of the City Council in adopting the Park Rental Group Classifications shall be to provide direction for staff and the public relating to the classification of groups and individuals renting City park areas, facilities, or structures.

#### Section 3.2 Group Classification Definitions

GROUP 1: City co-sponsored programs. When deemed a community benefit, the City, at its sole discretion, may co-sponsor an activity or event. Rental fees may be charged for City incurred direct costs, including but not limited to utilities, City staff costs, police service costs, security, damage to City property, or any other direct cost incurred by the City.

GROUP 2: Residents of the City of Moorpark for purposes where an entrance or other fee for participation is not charged and no product is sold for profit, certain nonprofit organizations based in the City of Moorpark, and governmental agencies serving the residents of the City of Moorpark, ~~for purposes where an entrance or other fee for participation is not charged and no product is sold for profit, with the exception of a nonprofit organization fundraising event.~~

- The designation of City of Moorpark resident applies to individuals who live within the incorporated Moorpark City boundary. Proof of residency will be required.
- The designation of a Moorpark nonprofit organization applies to those with current tax exempt status under Section 501(c)(3), 501(c)(4), 501 (c)(6), 501 (c)(19) of the U.S. Revenue Code and chartered within the limits of the City of Moorpark. Proof of 501 (C) status will be required.
- The designation of governmental agency directly serving the residents of Moorpark applies, but is not limited, to the following agencies: Moorpark Unified School District, Moorpark College, Ventura County Water Works District I, County of Ventura, Ventura County Superintendent of Schools, and agencies of similar status as determined by the Director's sole discretion.
- For field rentals, a minimum of 51% of those attending the rental must be City of Moorpark residents in order for the Renter to be classified under Group 2.

GROUP 3: Residents of the Moorpark Unified School District boundaries that reside outside of the City's incorporated limits; ~~non-Moorpark nonprofit organizations, and Moorpark businesses and commercial for-profit organizations for purposes where an entrance or other fee for participation is not charged and no product is sold for profit, with the exception of a nonprofit organization fundraising event~~ and non-Moorpark nonprofit organizations.

- The designation of residents of the Moorpark Unified School District boundary applies to individuals living within the District boundaries but outside of the City's incorporated limits. Individuals will be required to show proof of address.
- The designation of non Moorpark nonprofit organizations applies to nonprofit organizations with current tax exempt status under Section 501(c)(3), 501(c)(4), 501 (c)(6), 501 (c)(19) of the U.S. Revenue Code, chartered outside of the City of Moorpark.
- The designation of a Moorpark business and commercial for-profit organization applies to businesses with an established address within the incorporated City of Moorpark and with a current Moorpark Business Registration.

GROUP 4: All other Renters not included in Groups 1, 2, or 3.

#### SECTION 4. RESERVATION APPLICATIONS AND PARK RENTAL PERMITS.

The general policies governing Reservation Applications and Park Rental Permits are as follows:

#### Section 4.1 Park Rental Permits Required

An approved Park Rental Permit is required for certain activities and under certain circumstances. A Park Rental Permit is required for:

- Any rental for which a reservation application for exclusive use is submitted.
- Any activity with ~~fifty~~ twenty-five (25) or more total people in attendance at Arroyo Vista Community Park or fifteen (15) or more total people in attendance at all other parks. Attendance includes all participants and spectators at the Rental.
- An activity that is held on a regular or re-occurring basis (once per week or more frequently, regardless of location) involving ten (10) or more total people in attendance.
- Any fee or cost based activity, whether conducted by a for-profit, non-profit, or individual. This includes any activity for which monies are paid or collected, regardless of whether or not monies are paid or collected at the park Rental location. This definition includes but is not limited to fundraisers, private classes or lessons, and sports league activity.
- Filming of any kind, with the exception of filming by an individual when such activities are not for commercial purposes and are for personal use only.
- When any equipment (as defined in Section 5.4), attractions, or performers are brought onto park property.

#### Section 4.2 Terms of Reservation Applications

Reservation Applications for the Rental of a park facility must be submitted in person. All applications must be signed by an adult (21 years of age or older), who shall agree to be responsible for said Rental, be in attendance during all the times of the Rental, meet all conditions required for the Rental, and pay all fees required. Incomplete or unsigned Reservation Applications will not be accepted.

#### Section 4.3 Application Period

Group 1 and Group 2 renters may submit a facility Reservation Application up to nine (9) months prior to the requested Rental date. Group 3 and Group 4 renters may submit facility Reservation Applications up to six (6) months prior to the requested Rental date. Any deviations to the application period must be approved by the Director in writing.

Reservation Applications are accepted on a first come, first served basis. Reservation Applications for Rentals that require insurance as determined by the Director, or have attendance of 200 or more people, must be submitted at least twenty-five (25) business days in advance of the Rental date. Reservation Applications for all other Rentals must be submitted at least ten (10) business

days in advance of the Rental date. The Director may approve an exception to the ten (10) business day requirement based on type of rental and method of payment, as may be permitted by Moorpark City Council Resolution Establishing Park Rental Fees, Deposits, and Additional Charges.

#### Section 4.4 Rental Fees, Deposits, and Additional Charges

Rental fees will be charged in accordance with the Moorpark City Council Resolution Establishing Park Rental Fees, Deposits, and Additional Charges. Fees must be paid according to the Payment Schedule in the adopted Resolution. Failure to pay Rental fees by the required date may result in the loss of any deposit. The Rental Permit is not issued until all required fees are paid in full.

Additional charges may be levied beyond the basic Rental fees if, in the opinion of the Director, a higher level of security deposit is needed; additional staff is/are needed to set up, clean up, or supervise activities; police services are necessary based on the nature of the Rental activity; or if the Rental request contains unusual activities or accommodation requests. Such determination shall be made by the Director.

#### Section 4.5 Approval of Application and Issuance of a Park Rental Permit

Park Rental Permits may be issued under the following conditions:

- The requested park facility, date, and time are available for Rentals;
- The Rental will not interfere with City business or programs;
- A completed and signed Reservation Application has been submitted by the Renter;
- All applicable fees have been paid; and
- All conditions of the Rental have been met.

Standard conditions of approval for all Park Rental Permits are as follows:

- Renter, or if Renter is an organization or business, Renter's duly authorized representative(s) shall be present at all times during the Rental.
- Renter shall sign a hold harmless and indemnification agreement, as approved by the Director, and as incorporated into the Rental Permit. Rentals requiring insurance include, but are not limited to, athletic games and tournaments, Rentals with 200 or more people in attendance, Rentals with vendors or food sales, and other higher risk rentals as determined by the Director based on a recommendation from the City's insurance provider. If determined by the Director that insurance is required as a condition of the Rental, the Renter must provide general liability insurance coverage of not less than \$1,000,000, with the City of Moorpark named as

additionally insured. Insurance documentation including certificate of liability insurance and endorsement naming the City of Moorpark as additional insured, and in a format acceptable to the City, must be provided to the City at least fifteen (15) business days prior to Rental date.

- Renter shall abide by all rules and regulations relating to use of City park facilities, including but not limited to Moorpark Municipal Code Chapter 12.16, Parks and Open Space.
- Renter shall comply with all requirements as set forth in the Moorpark City Council Resolution Adopting Rules and Regulations Governing Park Rentals.

The Director shall have the authority to establish additional special conditions of approval for any Park Rental Permit.

Park Rental Permits are immediately revocable by Director if false statements or omissions are made on the Reservation Application, or if the Renter, Renter's guest(s), attendee(s), employee(s), vendor(s), contractor(s), or subcontractor(s) willfully violate any rule or regulation established by the City or fail to meet any condition of the Park Rental Permit. All fees paid by Renter shall be retained by the City in the event the Rental is terminated under these circumstances. Future Rental use of City park facilities may be denied.

#### Section 4.6 Rental Cancellations and Park Rental Fee Refunds

Rental fee refunds for park Rental cancellations are subject to the fees described below and the fee amounts as specified in the City Council's Resolution Establishing Park Rental Fees, Deposits, and Additional Charges. Refunds will not be issued for permits with rental fees of \$25 or less. The permit application fee is non-refundable, except for cancellations due to inclement weather or conditions which make the facility unusable, and described below.

- a. For cancellations received thirty (30) calendar days or more in advance of the Rental date, the City will refund all fees paid less a processing fee established by City Council resolution. Renter may also elect to reschedule the canceled Rental, or receive a full credit, which may be applied to a future Rental date. Said credit must be used within one (1) year of the cancellation.
- b. For cancellations received between twenty-nine (29) and five (5) calendar days prior to the Rental date, the City will refund all fees paid less any costs incurred by the City, a processing fee, and a cancellation fee established by City Council resolution. Renter may also elect to reschedule the canceled Rental, or receive a full credit, which may be applied to a future Rental date. Said credit must be used within one (1) year of the cancellation.

- c. For cancellations received less than five (5) calendar days prior to the Rental date, the City will refund the security deposit, only, less any costs incurred by the City. If a security deposit was not paid, no fees will be refunded. Renter will not have the option to reschedule the canceled Rental.
- d. For cancellations due to inclement weather (temperatures below 45°f or above 95°f, active precipitation, winds in excess of thirty (30) miles-per-hour, or heavy fog), a National Weather Service forecast twenty-four hours prior to the rental date of 50% or greater chance of inclement weather in Moorpark during the rental hours, or conditions which make the park facility unusable (as determined by the Director), Renter is entitled to a full refund. Renter may also elect to reschedule the canceled Rental.

#### Section 4.7 Refundable Security Deposits

Security Deposits may be required for certain Rentals, in the amounts specified in the Moorpark City Council's Resolution Establishing Park Rental Fees, Deposits, and Additional Charges. The Director may determine that all or a portion of the deposit will be retained for excessive clean up or any damage to the facility or property, additional staff costs not included in the fees paid, or if the Renter fails to meet any condition of the Rental as provided for in this Resolution. Should damage, cleanup or other expenses exceed the amount of the deposit, the Renter shall be billed for the difference. The Renter's security deposit requirements, including any cleaning responsibilities shall be listed on the Reservation Application as a special condition of approval.

#### Section 4.8 Rental Fee Exceptions and Special Conditions

City of Moorpark non-profit organizations may receive a once-yearly special Rental rate in accordance with the Moorpark City Council's Policies Resolution, Non-Profit Organization Annual Facility Reservation Policy, and as may be amended from time to time.

The Moorpark Unified School District (District) may request a waiver of park rental fees for one-day events involving three or less hours, such as year-end school parties. The Principal of the school hosting the event must complete and sign the Reservation Application form and submit a written request for a waiver of fees. Standard conditions of approval shall be as follows:

- A supervision ratio of no less than one (1) adult to thirty (30) students is required at all times during the event.
- District will be responsible for cleaning the park facility used at the conclusion of the event, returning the park facility to the condition that existed prior to the start of the event. All trash generated by District use must be bagged.

- District will be charged for City direct costs associated with the event, which may include but are not limited to: lights and electricity, staff costs (if incurred), excessive trash removal, or repair to damaged facilities.

The Director shall have the authority to add special conditions of approval as determined necessary to protect the City's property or other park users.

SECTION 5. TERMS OF USE. The general terms of Rental use for City park facilities shall read as follows:

#### Section 5.1 Park Rental Hours

Picnic pavilions must be rented for a minimum of two hours. All other park Rentals must be for a minimum of one hour. Rental time above the minimum required will be rounded to the nearest half-hour. Non-lighted park facilities are available for Rental between the hours of 6:00 a.m. to sunset. Lighted park facilities are available for Rental from 6:00 a.m. to 10:00 p.m. Any exception from these Rental hours must be approved in writing by the City Manager or his/her designee, including for City sponsored activities.

#### Section 5.2 Vendors

Any Renter wishing to include a vendor(s) selling or distributing merchandise, food, informational materials, or any other item to the public at their Rental activity must include the request on the Rental Application and secure and submit a completed Vendor Information Form from the vendor. Food vendors, including food trucks, -must comply with all applicable state, county, and local health code requirements. Unless exempted by City ordinance, vendors must have a valid Moorpark business registration permit. Vendors must possess a valid Seller's Permit issued by the State Board of Equalization, and must report to the State Board of Equalization all sales occurring within the City of Moorpark. Vendors must be approved on the Park Rental Permit before entering park property. An additional fee will be charged for vendors pursuant to the City Council's Resolution Establishing Park Rental Fees, Deposits, and Additional Charges. Use of an unauthorized vendor will result in the cancellation of the Rental, and any Rental fees paid, including security deposits, will be retained by the City. The Director has authority to deny, approve, or conditionally approve a vendor request.

#### Section 5.3 Youth and Adult Tournaments

Youth and adult sports tournaments are limited to Arroyo Vista Community Park. Exceptions may be made by the Director for City and City co-sponsored programs, and City of Moorpark non-profit organizations when the use is limited to no more than three consecutive days; the tournament will benefit the

community; and it is determined that the Rental activity will not adversely impact surrounding residents. Additional Rental restrictions may be applied by the Director as special conditions of approval for the Park Rental Permit to minimize any potential inconvenience to the surrounding residents.

#### Section 5.4 Use of Special Attractions, Performers and Equipment

A Park Rental Permit is required for the use of special attractions, performers, and to bring certain equipment onto park property. The use of unauthorized attractions, performers, or equipment in a City park will result in the immediate revocation of the Park Rental Permit. In such cases, all fees paid by Renter will be retained by the City and the Renter will be assessed for any costs incurred to terminate the Rental activity including but not limited to City staff and police personnel. Renters in violation of this section may be cited for violation of the Moorpark Municipal Code in addition to being required to pay for damage to landscaping, sprinklers, turf, or other park facilities as applicable. The City reserves the right to deny the use of any attraction, performer, or equipment on park property.

The Director shall have the authority to add special conditions of approval as determined necessary to protect the City's property or other park users. The use rules and standard conditions of approval for attractions, performers, and equipment in City parks shall include the following:

ATTRACTIONS: ~~Inflatable Attractions:~~ Inflatable attractions (including bounce tents, obstacle courses, and slides) and other attractions (including laser tag and non-mechanical rides) may be permitted in specified parks subject to standard conditions of approval as follows:

- ~~Inflatable Attractions~~ may only be used in conjunction with the Rental of a picnic pavilion and must be set-up within 50 (fifty) feet of said pavilion.
- ~~Inflatable aAttractions permitted for use~~ cannot exceed 20 feet by 20 feet in size. The City Manager may approve larger attractions when the Renter is a City of Moorpark non-profit organization or governmental agency and the use is deemed a community benefit.
- Bounce tents must be enclosed.
- Attractions must be in good condition and properly anchored.
- Attractions may only be supplied by a City authorized vendor (a vendor who has signed an agreement with the City indemnifying and holding the City harmless, has provided required insurance naming the City as additionally insured, and has a security deposit on file at all times with the City, in the amount specified in the Resolution Establishing Park Rental Fees, Deposits, and Additional Charges).

- Renters requesting the use of an ~~inflatable~~ attraction must identify the specifications of the ~~inflatable~~ attraction (dimensions and design) and the name of the authorized vendor on the Rental Application.
- ~~Inflatable~~ ~~a~~Attractions must be self-contained (attractions requiring electricity must be inflated powered by a generator).
- ~~Inflatable~~ ~~A~~Attractions must be transported over turf by a handcart. Vehicles cannot be used to transport or set up ~~special~~ attractions on park turf or beyond the designated parking lots.
- ~~Inflatable~~ ~~a~~Attractions are allowed only at Arroyo Vista Community Park, Campus Park, Campus Canyon Park, College View Park, Glenwood Park, Mammoth Highlands Park, Mountain Meadows Park, Arroyo Vista Community Park, Peach Hill Park, College View Park, Poindexter Park, and Tierra Rejada Park. ~~Mammoth Highlands Park, Glenwood Park, and Poindexter Park.~~

~~The Director shall have the authority to add special conditions of approval as determined necessary to protect the City's property or other park users.~~

~~Renters in violation of this section may be cited for violation of the Moorpark Municipal Code in addition to being required to pay for damage to landscaping, sprinklers, and/or turf as applicable. The City reserves the right to deny the use of any inflatable attraction on park property.~~

GAME OR FOOD TRUCKS (Trucks): Trucks may be permitted in specified parks subject to standard conditions of approval as follows:

- Trucks may only be used in conjunction with the Rental of a picnic pavilion, or other park facility as approved by Director.
- Trucks are allowed only at Arroyo Vista Community Park, College View Park, Mammoth Highlands Park, Mountain Meadows Park, Peach Hill Park, Poindexter Park, and Tierra Rejada Park.
- If the Truck will be parked on the street, the Truck must be legally parked and comply with all posted parking restrictions. Trucks cannot park in "No Stopping" or "No Parking" zones, loading zones, or along red curbs. The Truck cannot block traffic or pose a safety hazard.
- If the Truck will be parked in the park parking lot, the truck cannot park across or over the parallel lines of a designated space or park across the parallel lines into the aisle so as to cause a safety hazard. City shall determine and designate space(s) in which Trucks may park. Oversize vehicles (vehicles which exceed nineteen (19) feet in length, seven (7) feet in width, or eight (8) feet in height) are not permitted in park parking lots.
- Trucks are not allowed on park turf.
- Trucks must be self-contained.

- The Truck company must have a valid Moorpark business registration.
- The Truck company must provide proof of business auto coverage of no less than State statutory limits per accident and general liability insurance of not less than \$1,000,000 per occurrence.
- Food trucks must possess a valid Ventura County Mobile Food Facility permit.
- The Truck must be listed on the rental permit, including the name of the Truck company, truck dimensions, and the location where the truck will be parked.

PERFORMERS: Paid or contracted performers, including but not limited to clowns, magicians, balloon artists, face painters, musicians, and disc jockeys, must be listed on the Reservation Application and approved by the City on the Park Rental Permit. Performers must have a valid City of Moorpark business registration. Renter may be required to purchase liability insurance or provide proof of liability insurance of not less than \$1,000,000. Performers with live animals are prohibited, except as approved by Director for a City sponsored or co-sponsored event.

EQUIPMENT: A Park Rental Permit is required to set up or bring certain equipment onto park property. Equipment including but not limited to sound amplification equipment, canopies covering an area of greater than one hundred (100) square feet or greater, mats covering an area of one hundred (100) square feet or greater, pitching machines, soccer or other goals greater than four (4) feet in width or three (3) feet in height, and volleyball or badminton nets, and barbecues with cylinders 20 lbs. or larger must be listed on the Reservation Application and approved by the City on the Park Rental Permit. Insurance may be required for use of certain equipment, as determined necessary by the Director. The requirement to obtain a permit for equipment may be waived for participants at a City-sponsored event with the written authorization of the City Manager. Play equipment such as balls, bats, Frisbees, kites, and tennis rackets and picnic equipment such as lawn chairs, blankets, or picnic baskets, or barbecues with cylinders less than 20 lbs. do not require a permit.

#### Section 5.5 Decorations

The standard decorations condition of approval for all Park Rental permits is as follows:

All decorations must be approved by the City and must comply with Section 13-143 of the Health and Safety Code of the State of California as to flame proofing of all decorations and materials. The City shall also pre-approve location and method of installation.

### Section 5.6 Clean Up

The standard clean-up condition of approval for all Park Rental Permits is as follows:

It is the responsibility of the Renter to clean up decorations and debris from their Rental. This includes but is not limited to completely removing all streamers, balloons, and other decorative items, and the supplies used to attach decorative items such as tape and string. All items and debris must be placed in a trash receptacle, or if the trash receptacle is full, in a sealed trash bag directly adjacent to a trash receptacle. In the event that excessive debris is left after the Rental, a fee will be deducted from the security deposit at a rate of no less than the City's direct cost as identified in the applicable fee schedule. The Director shall make the final decision whether the security deposit will be returned. In the event the clean up expenses resulting from Renter's activity exceeds the security deposit, or if no security deposit was paid by Renter, the City reserves the right to bill Renter for expenses. Renter shall reimburse the City the amount due within fifteen (15) calendar days of receipt of invoice.

### Section 5.7 Responsibility for Damages to the Facility and Equipment

The standard damages condition of approval for all Park Rental Permits is as follows:

The use of nails, staples, screws, etc. on park walls, lights, or other facilities is prohibited. If the facility or any portion thereof, or any equipment is damaged, marred or defaced by the act, default or negligence of the Renter, his/her employee or employees, patrons, guests, or any person admitted to the Rental by the Renter, the Renter will pay to the City from the security deposit such sums as the Director shall determine to be necessary to restore the facility or equipment to its condition prior to such damage. In the event the damage resulting from Renter's activity exceeds the security deposit, or if no security deposit was paid by Renter, the City reserves the right to bill Renter for expenses. Renter shall reimburse the City the amount due within fifteen (15) calendar days of receipt of invoice.

### Section 5.8 Park Rules

The standard Park Rules compliance condition of approval for all Park Rental Permits is as follows:

The Renter, his/her employee or employees, patrons, guests or any person admitted to the Rental by the Renter, is responsible to comply with the Moorpark Municipal Code governing use of parks. Park Rental Permits are immediately revocable if any individual or group violates any rule or regulation established by

the City. If a Park Rental Permit is revoked for a violation, all fees collected for the subject Rental will be retained by the City and the Renter will be billed for any costs incurred to terminate the Rental activity including but not limited to City staff and police personnel. Renter shall reimburse the City the amount due within fifteen (15) calendar days of receipt of invoice.

#### Section 5.9 Wet Field Policy

When park fields are sufficiently wet such that their use may lead to turf damage or bodily injury, they will be closed to all Rental and public use at the Director's or his/her designee's sole discretion. All park patrons shall abide by the terms of the Wet Field Policy to preserve the quality and life of the fields and promote a safe playing environment. The Wet Field Policy applies to conditions due to precipitation, over-watering, and/or irrigation system problems.

A special condition of approval will be added to all Park Rental Permits that include use of one or more fields to require acknowledgment of the City's right to close fields under the following conditions:

- Rain (with the exception of light drizzle if the ground is relatively hard and dry prior to the start of the drizzle.)
- Standing water/ponding or mud is present.
- Water gathers around the sole of a shoe.
- Footprints leave an impression in the turf.

Renters may check the status of fields by ~~calling the recorded Field Condition Hotline at (805) 517-6300~~ visiting <http://moorparkca.gov/210/Current-Field-Conditions>. The ~~Field Condition Hotline~~ webpage will be updated before 9:00 a.m. and before 3:00 p.m. each day. In the event a Rental is cancelled in advance of Rental time period due to wet field conditions, a full refund of all fees paid shall be issued.

#### Section 5.10 Rental Use of Athletic Fields

For this section, "athletic field" is defined as a soccer field, football field, softball field, baseball field, and any other field used for the purposes of group sports activities. This section does not apply to rental use by a youth sports organization when the rental use falls within the scope of the organization's facility use agreement.

Unless approved in writing by the City Manager or his/her designee, Rental use of athletic fields shall be limited to the following:

a. Athletic fields at Arroyo Vista Community Park:

- Rental use of athletic fields shall be managed on a rotating schedule to be established in writing by the Parks and Recreation Director or his/her designee no less than quarterly each year. The intent of the rotating rental use schedule is to permit appropriate maintenance of the fields. Rental use is prohibited while a field is closed for maintenance.

- Tournaments shall be restricted to the months of January through April.

b. Athletic fields at all other parks:

- Rental use is allowed only at the following parks: Campus Canyon Park; Mammoth Highlands Park; Miller Park; Mountain Meadows Park; Peach Hill Park; and Poindexter Park.

- Rental use is limited to Group 2 and Group 3 Renters with a total attendance of 49 or less or Group 2 and Group 3 Renters with a total attendance of 100 or less when the rental of an athletic field is in conjunction with a picnic pavilion or other park facility and the use is not associated with an organization or business.

Section 5.4011 Complaints

Complaints and comments should be sent to the Director:

City of Moorpark  
City Manager  
799 Moorpark Avenue  
Moorpark, CA 93021

Section 5.4112 Right of Appeal

A Renter has the right to appeal the decision by City staff to revoke or deny a permit, levy additional charges, and/or deduct a portion of a deposit. An appeal must be filed in writing to the City of Moorpark, 799 Moorpark Avenue, within five (5) business days of receiving your notification. The City Manager or his/her designee will affirm or deny the appeal in writing within ten (10) business days. Any further appeal must be made in writing to the City Council pursuant to Section 2.04.080 of the Moorpark Municipal Code.

SECTION 6. This Resolution shall become effective on August 19, 2016.

SECTION 67. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

| PASSED AND ADOPTED this ~~14th~~6th day of ~~September~~July, ~~2011~~2016.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk