

## Department Policy and Procedures

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**Policy Name: Recreation Facility Permitting**

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Approved by Deputy Manager of Recreation: Dody Erickson  
Legal Review: Patrick A. Wheeler, Assistant City Attorney  
Approved by Manager: Kevin Patterson

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### Policy

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

#### 1.0 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 and special consideration; and permitting process.

#### 2.0 Definitions

**2.1 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.

**2.2 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.

**2.3 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 other Special Consideration and satisfaction of the qualifications, restrictions, and requirements of this Policy.

**2.4 Permittee.** An individual, an organization, or a non-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.

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

**2.6 Security Deposit.** A cash deposit provided by the Permittee which will be refunded to the Permittee upon compliance with this Policy and the issued Permit and upon return of the permitted Recreation Facility in a clean and undamaged condition, as further provided in this Policy.

**2.7 Special Consideration.** Some form of remuneration, in kind service or goods, or other demonstrable benefit to be provided by or behalf of the Permittee to DPR in place of Permit fees or in conjunction with a reduction of Permit fees, the terms and conditions of which will be included on the Permit as provided in this Policy.

### **3.0 Authority and Applicability of Laws**

Under section 2.4.4 of the City Charter, the management, operation and control 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 and Special 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.

### **4.0 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.

#### 4.1 General Qualifications, Restrictions & Requirements.

- *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.
- *Recreation Facility Availability.* DPR reserves the right, at any time, to withdraw from availability as a permittable Recreation Facility any given facility that may have previously been available as a permittable Recreation Facility.
- *Rules & Regulations.* All DPR rules and regulations 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 and illegal substances, and pets or other animals (except for service animals). See sub-section 6.1 for more information.
- *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, special needs, and requested date(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.
- *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 sub-section 4.2 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 5.3 below.
- *Special Consideration:* Special Consideration must be arranged, in advance, through an authorized DPR representative. If approved, the nature and extent of the Special Consideration must be described in the Permit application or an attachment thereto, along with any terms and conditions required by the authorized DPR representative.
- *Security Deposit.* A Security Deposit will be required for permits that anticipate fifty (50) or more attendees or for Private Events that present unusual circumstances. See sub-section 5.4 below.
- *Areas Open for Use.* A Private Event shall be limited to the Recreation Facility specified in the Permit. Parking areas and points and paths of access to the permitted Recreation Facility may be specified or restricted by the Supervisor. Rest room facilities to be used by attendees may be specified by the Supervisor. 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.

- *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 3-5, 1 adult per 3 children; Ages 6-17, 1 adult per 10 children.***
- *Staffing.* A 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 below, the Permittee must pay the hourly costs of providing staffing for such Private Events. See the schedule attached as **Addendum B.**
- *Pool & Gym Staffing.* In addition to the staffing requirement above, 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 the Supervisor. The Permittee must pay the hourly costs for such staffing. See the schedule attached as **Addendum B.**
- *Curfew Hours.* Recreation Facilities are typically permitted for a Private Event only during normal park hours (6:00 a.m.-11:00 p.m). Park curfews (11:00 pm through 5:00 am) 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 “lockdown” of the recreation center and extra security and supervision. The fee reduction provision of sub-section 4.2 below shall not apply to Private Events held during Curfew Hours.
- *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 4.2 below shall not apply to Private Events held After Hours.
- *For-Profits.* Any for-profit entity or any individual engaged in for-profit activity may permit a Recreation Facility only if the Private Event: 1) is recreational in nature; 2)

allows attendees, whether specially invited or the public at large, to actively participate in recreational activities or related education; and 3) does not duplicate existing programming provided by DPR or its agents or contractors. Any sales of goods or services must be of a recreational nature and clearly incidental but directly related to the recreational activities or related education provided by the Permittee. Denver sales tax is applicable and must be collected and tendered to the Denver Department of Revenue.

- *Non-Profits.* Any not-for-profit organization or non-profit entity that permits a Recreation Facility may engage in the sale of goods or services only so far as the sale is clearly incidental but directly related to the not-for-profit purpose of the organization or the non-profit purpose of the entity and is not contrary to the organization or entity's tax exempt status. Denver sales tax is applicable and must be collected and tendered to the Denver Department of Finance.
- *Permittee's Charges.* A Permittee may charge attendees a reasonable registration or participation fee or charge for the Private Event. The Permittee shall include the amount of said fee or charge for each attendee in the application and state whether the fee or charge 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 Revenue.
- *Waivers of Liability.* Attendees may be required to sign a waiver, approved by the City, releasing the City of all liability. See sub-section 5.7 below.
- *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 loss of the Security Deposit. 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.
- *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 indemnify the City and County of Denver for all costs and expense arising from such injuries, loss, damage, or theft. Insurance will be

required for any Private Event for which fifty (50) or more attendees are expected and for a smaller Private Event that involves significant physical activities on the part of participants. See sub-section 5.6 below on indemnification and insurance requirements.

- *Occupancy Limitations.* Attendance for a Private Event must not exceed posted occupancy limitations under the Denver fire and building codes. 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.
- *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 4.3

#### **4.2 Fee Reduction, Waiver and Special Consideration Policy**

- *Fee Reduction.* Not-for-profit organizations and non-profit entities that have a documented federal 501(c)(3) status or similar non-profit status under state law will qualify for a fifty percent (50%) reduction of the Permit fee, subject to such limitations as otherwise provided in this Policy. A reduction in the Permit fee may be requested by completing the "Application for Reduced Fee" section of the permit application as set forth in **Addendum A** attached hereto. The Supervisor at the recreation center where the requested Recreation Facility is located will accept and process the reduced fee application.
- *Waiver.* A total waiver of the Permit fee will be made for Denver Public Schools, City agencies (including City Council), and registered neighborhood organizations. This waiver shall not apply to any DPR staff or equipment costs. A request for waiver must be included with the Permit application.
- *Special Consideration.* A not-for-profit organization, a non-profit entity, or a for-profit entity may have its Permit fee reduced, further reduced (beyond the 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 Special Consideration 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 Special Consideration must be equal to or exceed the value of the reduced fee or provide a substantial but immeasurable benefit. Any proposal to provide Special Consideration in exchange for a reduced fee or fee waiver must be fully described in writing, included on the Permit application, and submitted to the Supervisor. The request will be reviewed and approved, approved with terms and conditions, or disapproved by the Director of Recreation or the Director's designee.

- *Other Obligations.* Any reduction in or waiver of Permit fees 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 to provide a Security Deposit or insurance as required by this Policy or by ordinance.

### 4.3 Cancellation Policy

- *Reserved Right to Cancel.* DPR reserves the right to cancel a Permit at any time due to unforeseen factors or events, 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.
- *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, charges or Security Deposit, and/or to impose restrictions or prohibitions on the Permittee as to any future permitting or use of DPR parks and facilities, as the Supervisor and/or the Director of Recreation deem appropriate under the circumstances.
- *Cancellation by Permittee.* All Permit cancellations by the Permittee must be provided in writing to the Supervisor. In accordance with section 39-121(11)(d)(2) of the Denver Revised Municipal Code, a cancellation by the Permittee will result in the payment of a cancellation fee or forfeiture of the Permit fee as provided in the schedule in **Addendum B** attached hereto.

## 5.0 Procedures

**5.1 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 Manager of DPR or the Manager's designated representative and may require entry into a separate agreement.

1. Winter Session (Mid December-Mid March)  
Applications accepted beginning November 1
2. Spring Session (Mid March-end of May)  
Applications accepted beginning January 2
3. Summer Session (June 1-Mid August)  
Applications accepted beginning April 1

4. Fall Session (Mid August-Mid December)  
Applications accepted beginning July 1

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 4.1 above. For Permit applications received on the first application date listed above for a quarterly season, an impartial lottery system will be used to resolve any scheduling conflicts. Any application date which falls on a day when DPR staff is not available to accept applications will be moved to the next working day when DPR staff is available.

## 5.2 Process

A completed and signed application for a Permit must be 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 Supervisor and the Permittee.

## 5.3 Permit Fees & Other Charges

The appropriate Permit fee must be paid prior to the approval and issuance of the Permit. Any required charges (unless said charges are deferred for payment at a later date) must be fully paid prior to approval and issuance of the Permit. A receipt for payment will be provided. Permit fees and equipment and personnel charges shall be as set forth in **Addendum B** and conform with fees and charges set by section 39-121(11)(d) of the Denver Revised Municipal Code. Fees may be reduced or waived under appropriate circumstances as provided in the Reduced Fee, Waiver and Special Consideration Policy in sub-section 4.2 above.

## 5.4 Security Deposit

A Security Deposit is required for Private Events for which more than fifty (50) attendees are expected. A Security Deposit may also be required for a Private Event involving fewer than fifty (50) attendees if the Private Event is not of the type common and customary for DPR facilities and presents a significant risk that the activities of the Permittee or the attendees at the Private Event may result in damage or excessive wear to DPR facilities. 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.

The amount of the Security Deposit required for a Private Event is as provided in **Addendum B**. A waiver may be granted to Denver Public Schools, City agencies (including City Council), and registered neighborhood organizations.

Security Deposits will be refunded in full except under the following circumstances:

- Additional space used beyond the Recreation Facility specified in the Permit
- Occupancy limitation violation, which necessitated calling Denver Fire Department or necessitated terminating the Permit during the Private Event
- Poor guest conduct, which necessitated calling Denver Police Department or necessitated terminating 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 or excessive wear to facility, furnishings or equipment
- Inadequate clean-up
- Misrepresentation of the nature or size of the Private Event

Providing or forfeiting a Security Deposit does not eliminate or reduce the obligation of the Permittee to comply with the qualifications, restrictions, or criteria of this Policy or the legal remedies available to the City for violations of DPR rules and regulations, this Policy, or the Permit.

### **5.5 Refund and Appeal.**

A refund for a Security Deposit will take four to six weeks for processing and will be mailed directly to the Permittee at the address on the Permit application.

If DPR decides to retain all or a portion of the Security Deposit or cancels a Permit without refund of fees, charges or Security Deposit, as provided in sub-section 4.3 above, the Permittee will be notified in writing within the same four to six weeks, stating the reasons for denying the refund. The Permittee may appeal the decision by writing an appeal to the Manager of DPR. 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, charges, and/or Security Deposits. The Manager of DPR will review and decide the appeal and mail out her/his decision within two weeks of receiving the appeal.

### **5.6 Indemnification and Insurance.**

- As a condition of the Private Event Permit issued, the Permittee shall indemnify and hold harmless the City and County of Denver and its employees from and against any and all causes of action, losses, liability, and costs (including statutory liability under worker's compensation laws) in connection with any claims for damages as a result of injury or death to any person or damage to or loss of any property sustained by the

Permittee, the Permittee's employees, agents, or contractors, and any invitees, guests, attendees, or participants arising from or associated with the use or occupancy of the Recreation Facility permitted by the Permittee for a Private Event and/or other common areas used in connection with the Private Event, including but not limited to the recreation center, any surrounding park, and parking lots.

- *Insurance.*
  - General liability coverage is required for a Private Event for which fifty (50) or more attendees are expected and may also be required for a Private Event involving fewer than fifty (50) attendees if the Private Event involves significant physical activities that present a risk of injury to participants. 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.
  - General liability coverage of not less than \$1,000,000 is required, with the proof of insurance showing the City and County of Denver as an additional insured.
  - Exclusions to the general liability coverage that limit or deny coverage with respect to certain activities that might occur during the Private Event or with respect to juveniles who might attend the Private Event must be expressly identified to the Supervisor. The City reserves the right to require alternative protection, solely at the cost of the Permittee, in the event of such exclusions, including but not limited to special insurance coverage, the presence of additional security or DPR staff, or limitations on uninsured activities occurring during the Private Event, as the Supervisor and/or the Director of Recreation deem appropriate.
  - 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.
  - 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, may require additional types and amounts of insurance coverage, as required by the Risk Administrator in Denver's Office of Risk Management.
  - General liability coverage required under this section may be obtained by a Permittee, upon a payment of a prescribed fee, through the Tenants User Liability Insurance Program ("TULIP"). The availability or extent of coverage under the TULIP may be terminated or modified at any time, without notice, as directed by the Risk Administrator of Denver's Office of Risk Management.
  - All required insurance coverage must be obtained and paid for, and proof of insurance provided to the Supervisor, prior to the Private Event.

- A waiver of these requirements may be granted to Denver Public Schools, City agencies (including City Council), and registered neighborhood organizations.

### **5.7 Attendee Waiver of Liability.**

As a condition of the Permit, the Supervisor 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 the Supervisor prior to the Private Event. The Supervisor shall have the right to confirm that all persons required to sign a waiver have submitted fully and properly executed waivers. The form of the waiver will be similar to the example form contained in **Addendum C**.

## **6.0 Conditions of Use**

### **6.1 General conditions and restrictions.**

- Alcohol beverages (including beer, wine, hard liquor, and mixed drinks containing any quantity of alcohol) 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 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.
- Smoking is not allowed within any City-owned structure. The sale of tobacco or tobacco-related products is strictly prohibited.
- Gambling of any form is strictly prohibited.
- Weapons are typically not allowed; provided, however, that weapons commonly utilized in martial arts or in certain recreational activities, such as archery, may be permitted upon prior arrangement with the Supervisor 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 Denver Police officers, Sheriff's deputies, and duly authorized security personnel) are strictly prohibited.
- Pets or animals of any kind (except for service animals) are not allowed.
- Signs outside the recreation center advertising a Private Event are prohibited. Signs inside the recreation center are restricted to the Recreation Facility. With 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.

- 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.
- Temporary storage of any items before the Private Event or after the Private Event will not be provided unless pre-arranged with the Supervisor, subject to availability of storage space and opportunity to access the space.
- Any filming or videotaping of the Private Event shall be restricted to the Recreation Facility unless written permission is obtained from the Supervisor. Under no condition shall cameras or similar devices capable of preserving a visual image be permitted in restrooms or locker rooms.

## **6.2 Security.**

*Security Based on Attendance.* Security personnel shall be required for any Private Event for which attendance is expected to equal or exceed either: 1) two hundred (200) 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. One security person is required for 200 to 250 attendees, and one additional security person is required for every 250 attendees in excess of 250.

*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 payment on site for goods or services sold, individually or collectively in excess of two thousand dollars (\$2000.00), one security person will be required to be in attendance at the location where said funds are collected or received. The 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, 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 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.

All security personnel must be employed or contracted by a licensed, bonded and reputable security company, or they must be police officers, sheriff's deputies, or similarly qualified peace officers.

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.

Expectations of security personnel are as follows:

- Monitor Private Event to ensure that no alcohol consumption or illegal drug use is occurring
- Monitor for weapons and for fighting or other inappropriate behavior
- Monitor Private Event to ensure that only “expected/invited” guests are admitted to the Private Event, if the Private Event is by invitation only
- Monitor Recreation Facility and all associated public areas open to attendees
- Monitor Private Event attendees to ensure that they remain in appropriate areas and not in “off-limits” areas in the recreation center
- Monitor parking lot area regularly
- Other appropriate duties related to security and event monitoring as requested by the Permittee and/or the Supervisor

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 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 the Supervisor. Any criminal behavior must result in the Denver Police being contacted.

### **6.3 Food and drink**

- The recreation center does not furnish any utensils, plates, cups, serving dishes, tablecloths, etc.
- 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.
- No rice, confetti, or birdseed is allowed in or around the recreation center, including sidewalks, entrance areas, adjacent patios, lawn and/or parking lots.
- Food and drinks are allowed only in areas designated by the Supervisor. The Permittee shall be responsible for cleaning the area used.

### **6.4 Equipment, furniture and music.**

- Music and noise must be kept at a reasonable volume level, at the discretion of the Supervisor. Section 38-101, DRMC, regarding prohibited noises will be enforced.

- 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.
- 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.
- 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.

## 6.5 Decorations

- All decorations must be installed during the time specified in the Permit.
- 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.
- 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.
- Helium filled balloons are not allowed in gymnasiums, swimming pool area or rooms with ceilings greater than twelve feet in height.
- All decorations must be removed along with tape, tacks, staples, etc., and disposed of at the end of the Permit period.
- Any decorations must be put up without defacing the Recreation Facility and will be subject to the approval and subsequent supervision by the Supervisor.

**6.6 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 6.6. 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 nor perform any washing of dishes, chinaware, flatware, serving containers, utensils, and similar items in said kitchen. All serving and dining ware, along with remaining food, supplies and materials, brought by the Permittee must be removed, unwashed and in containers capable of preventing spills or drips, from the kitchen at the end of a Private Event. The Permittee is responsible for bringing sufficient backup serving and dining ware, food, supplies and materials to ensure that food preparation and washing do not occur in the kitchen

**6.7 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.

## 7.0 Addenda

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

**Addendum A** is the application form for Recreational Facility Permitting and reduced fees or waiver.

**Addendum B** is the schedule for fees, charges, and Security Deposits for Recreational Facility Permitting.

**Addendum C** is a form waiver of liability.

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 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 effective this \_\_\_\_ day of \_\_\_\_\_, 2009.

In accordance with section 39-2(e), D.R.M.C., copies of this 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 Alcohol Policy was published in \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2009. The notice included a statement that a copy of the Recreation Facility Permitting Policy is on file with the Manager of Parks and Recreation and is available for public inspection.

APPROVED AND ADOPTED:

\_\_\_\_\_  
Kevin Patterson  
Manager of Parks and Recreation

APPROVED FOR LEGALITY:

City Attorney for the City and County of Denver

\_\_\_\_\_  
Assistant City Attorney