




## MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

9500 Brunett Avenue  
Silver Spring, Maryland 20901

MCPB Item # 17  
October 21, 2004

To: The Montgomery County Planning Board  
Via: Les Straw, Superintendent of Parks  
From: Carolyn D. Wainwright, Community Services Supervisor   
Commander Nat Barber, Park Police  
Re: Policies, Rules, and Fees Governing Special Events and Tournaments in Parks

Staff Recommends: **APPROVAL**

### BACKGROUND

The general public requests space on Commission-owned property for a variety of public events and gatherings: walks, runs, community festivals, rallies, athletic events, etc.. The largest of these have been cultural events such as the Iranian Festival and the Turkish Festival, attracting from 5000-12,000 participants. Sponsoring groups, ranging from community associations and non-profit corporations to for-profit companies and special interest groups, use recreation buildings and fields in local parks as well as hiker/biker trails and regional parks for their venues. Accommodating each group's needs has become an increasing challenge for our park system as we take into account parking, maintenance, noise abatement, security and costs.

While some fees, rules and policies are in place to address these events, staff feels that now is the time to review those items and recommend modifications in certain areas. We especially want to establish procedures and cost recovery mechanisms that will be equitable for both the Commission and our customers. In preparation for this report, staff explored other jurisdictions outside of the bi-county area as well as our colleagues in Montgomery and Prince George's Counties.

### EXISTING PERMITS AND FEES

Permit fees are currently charged for the use of recreation buildings, athletic fields, picnic shelters and primitive campsites. For each type of facility, there is also an applicable security deposit. *(See Attachment A for current permit fees)*

For several years, staff has offered "Temporary Concessionaire Permits" to for-profit and non-profit groups who wish to sell to customers at festivals or tournaments. Fees for these permits are determined by the frequency of use requested. *(See Attachment A, p. 2)*

Tournaments for field sports are events that usually require additional maintenance, sanitary services and security. Currently a tournament fee of \$30 per field in a local park provides all-day (about 9 hours) use.

Historically, the Montgomery County Recreation Department (MCRD) has acquired permits for tennis tournaments conducted by that agency as well as other non-profit groups within the County. Indeed, the Park and Planning Commission revised its "Tennis Court Permit Policy" in March 1991, addressing eligible groups, regulations, fees, court use and time of allowable use for tournaments (*see Attachment B*). However, the MCRD no longer operates tennis tournaments, and non-profit organizations are now requesting permits of their own for tournaments.

### **SPECIAL EVENT POLICY**

*It is the policy of the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission to offer suitable parks and facilities for use as venues of special events sponsored by government agencies, community groups, non-profit organizations, and for-profit corporations in exchange for fees that will cover the costs of providing the services and personnel to support the event.*

### **DEFINITION OF "SPECIAL EVENT"**

Requests for the use of public facilities come to both the Park Permit Office and to individual park managers. For instance, users needing hiker/biker trails or neighborhood/urban parks usually get a letter from the park manager, giving permission and setting the rules for clean-up. No fees or deposits are required. When users request permitted facilities (fields, shelters, recreation buildings, picnic areas etc), they come through the Park Permit office and receive a permit for a fee and pay other applicable fees and deposits. These types of facilities have a maximum allowable capacity for attendance.

So what, then, moves a request for use of a facility to the level of "special event?" Is it the level of attendance, use of amplified music, sponsorship, exchange of monies, need for additional park personnel or services? Staff believes that the determination is triggered by any one or a combination of these factors. When the combined use of facilities is requested, total allowable capacity for attendance increases dramatically. It is at this point that staff must evaluate the proposed event and our capability to provide services to it.

*Therefore, staff recommends that a "special event" is that which is offered to the general public to attend, has the potential of attracting more than 300 persons, and contains one or more of the following:*

- *requires the general or exclusive use of one or more park facilities or features*
- *requires facility use for more than 4 hours*
- *provides some type of entertainment,*
- *offers items or food for sale,*
- *exceeds the capacity of the existing parking at the proposed facility,*
- *requires maintenance, sanitation and/or police services beyond what basically is provided,*
- *includes mechanical amusements (moon bounces, dunk tanks, etc).*

### **EVENT ANALYSIS**

Park Police have procedures in place for analyzing a proposal for a special event and providing approval and services (*see Attachment C*). However, these procedures were primarily developed to cover events in community centers operated by the Department of Recreation or in

parks where the park manager was authorized to issue a letter of permission. Because of the expansion of the types of events being proposed and the inclusion of permittable facilities in these events, the Community Services Supervisor has become more involved in the approval process. Acting as a liaison between the requesting organization and the Department, the Community Services Supervisor explores potential sites, identifies required permits and licenses, and coordinates divisional staff involvement prior to the final proposal being made. Sometimes this part of the process may involve as many as 2-3 meetings with several personnel.

*Staff recommends that proposals for events with the potential of attracting more than 2000 participants be submitted for event analysis at least 6 months prior to the proposed event date. All other event proposals should be presented at least 90 days prior to the event date.*

*Staff recommends that requests for tournaments be submitted by May15 (for the fall season) and by December 15 (for the spring season).*

*Staff recommends that a non-refundable "Special Event Application Fee" of \$100 be approved to cover the event analysis process.*

### **CATEGORIES OF SPECIAL EVENT PERMITS**

While the majority of large special events (more than 1000 participants) are located in regional/recreational parks, many of the events (walks, runs, community festivals, etc) are held in neighborhood, urban, stream valley and local parks. Tournaments, which can be scheduled for either local park or regional park fields, have their own unique characteristic of attracting more than the normal attendance. *Staff, therefore, recommends that "Special Event Permits" be issued in four categories:*

- *small/medium size parks (neighborhood, urban, and local parks)*
- *stream valley parks (for sponsored walks, runs, and bike rides),*
- *large parks (regional/recreational and special parks) and*
- *tournaments (in either local parks or regional/recreational parks).*

A \$100 non-refundable application fee would apply to each category. However, the final permit fee, security deposits and other applicable fees would be determined by the park category.

Small/medium parks	\$100 Special Event Permit fee (covers basic maintenance and security services) \$500 refundable security deposit Other applicable facility fees
Large parks (Reg/Rec/Spec)	\$100 Special Event Permit fee (covers basic maintenance and security services) \$200 refundable security deposit for each permittable facility (shelter, field, building, etc) not to exceed \$2000 Other applicable facility fees
Stream Valley Trails	\$100 Special Event Permit fee (covers basic maintenance and security services) \$500 refundable security deposit (for walks, runs, bike-a-thons, etc) Other applicable facility fees

## Tournaments

\$100 Special Event Permit fee (covers basic maintenance and security services)

*(Field sports:)*

\$200 for each regional/recreational park field for a 9-hour day (9 a.m to 6 p.m.)

\$100 for each local park field for a 9 hour day

\$500 per field refundable security deposit (not to exceed \$2000 per local park)

*(Tennis courts at Regional/Recreational Parks only:)*

\$30 per court per day (for participants 18 and older) OR

\$16 per hour (2 hour minimum)

\$500 refundable security deposit per tennis tournament request

*(Basketball courts at Regional/Recreational Parks only:)*

\$16 per hour (2 hour minimum)

\$500 refundable security deposit per basketball tournament request

Other applicable facility fees

## SPONSORS

Historically, events meeting the aforementioned criteria have been sponsored by either non-profit or for-profit groups or organizations, rather than individuals. ***Staff recommends that special event permits only be issued to government agencies, established civic, homeowner or community associations, non-profit organizations with proof of a tax-exempt status or for-profit companies or corporations.*** Having these responsible parties as the legal permit holders reduces the Commission's risk of loss from damages incurred by the event.

## CONSIDERATION OF FEES, DEPOSITS AND CHARGES

The most recent example of a "special event" that met the definition above was the Turkish-American Festival held in Cabin John Regional Park. While the initial proposal requested the use of the entire picnic area as well as Fields 5 and 6 and all adjacent parking, final approval was given only for the use of the picnic area, the amphitheatre and train. Although fees and deposits exist for shelter rentals, concessionaire permits, and hourly rates for extra police personnel, there were no existing fees for the cost of extra maintenance and security services beyond those that are usually provided. Staff also required that the sponsors provide plans for satellite parking and port-a-johns. ***(See Attachment D for detailed summary of charges for the Turkish-American Festival)***

***Staff recommends that, when park management determines that additional staff is needed to support an event, the following hourly rates (subject to change as COLAs and other salary adjustments are made) be charged for a 12 hour block of time to cover the cost for additional maintenance and security services:***

- ***\$20 per hour for each Park Maintenance Worker II/III***
- ***\$30 per hour for each Park Manager or Supervisor***
- ***\$30 per hour for each Park Police Officer (required for events of 500 attendees or more)***

*Staff recommends that the arrangements and costs for port-a-john rentals, shuttle buses and trash removal shall be the responsibility of the event sponsor.*

*Staff recommends that events held by Montgomery County government agencies, WSSC, the Montgomery County Board of Education and community and homeowner associations registered with the Commission will receive a 30% discount on all costs when using a small/medium park or a stream valley trail as a venue during the week.*

*Staff recommends that Friends Groups associated with the facility requested are exempt from special event permit and rental fees.*

*Staff recommends that no discounts be given for use of regional, recreational or special parks.*

*Staff recommends that concessionaire fees and proof of required licenses and insurances be submitted 30 days prior to the approved event date.*

## **PENALTIES**

Sometimes sponsoring organizations responsible for the special event exceed attendance limits or otherwise violate park rules, causing excessive damage to park property or requiring more than basic services to repair the damage. *In these instances, staff recommends that event sponsors lose their security deposit, be subject to any applicable civil citations and fines, and be held liable for the cost of repairing the damage, as assessed by the park manager.*

*Staff recommends that event sponsors lose their security deposit when they fail to fulfill other obligations and requirements of the permit, such as the number of attendees, the number of port-a-johns supplied, the number of volunteers obligated, the number of shuttle buses, etc.*

## **AUTHORITY**

The Superintendent of Parks has the authority to grant or deny a Special Event Permit in accordance with the Rules and Regulations of the Commission Governing Use of Commission Park and Recreation Facilities in Prince George's and Montgomery Counties – adopted March 2001. *Staff recommends that, once an event receives the approval of the Park Manager, the Park Police and the Superintendent of Parks, all fees and deposits be assessed and permits for Special Events be issued through the Park Permit Office. Staff recommends that the Park Police have authority to close a park or facility when such a facility reaches its capacity, as agreed upon in the Special Event Permit.*

## **OTHER REQUIREMENTS**

Frequently venues within parks do not provide sufficient parking or sanitary services for the event's projected attendance. *For events that exceed the facility's capacity for parking and sanitary services, staff recommends that the requestor provide the Commission with a detailed plan for the provision of such services at the time of the application submission.*

Many events feature a number of activities that require additional personnel. *Staff recommends that the requestor provide a list of volunteers and their assignments no less than 30 days prior to the event date. Lists of VIP's that need special parking or entrance should also be provided no less than 30 days prior to the event date.*

Many events include food or mechanical recreation devices (Moon bounces, carousels, etc). *Staff recommends that the required insurance certificates and licenses for the provision of these services be provided no later than 30 days prior to the date of the event.*

*Staff recommends that sponsors provide a first-aid station for events of 500 or more participants.*

## **SUMMARY OF RECOMMENDATIONS**

### **SPECIAL EVENT POLICY**

*It is the policy of the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission to offer suitable parks and facilities for use as venues of special events sponsored by government agencies, community groups, non-profit organizations, and for-profit corporations in exchange for fees that will cover the costs of providing the services and personnel to support the event.*

### **DEFINITION OF "SPECIAL EVENT"**

*Staff recommends that a "special event" is that which is offered to the general public to attend, has the potential of attracting more than 300 persons, and contains one or more of the following:*

- *requires the use of more than one type of facility*
- *requires facility use for more than 4 hours,*
- *provides some type of entertainment,*
- *offers items or food for sale,*
- *exceeds the capacity of the existing parking,*
- *requires maintenance, sanitation and/or police services beyond what is basically provided,*
- *includes mechanical amusements (moon bounces, dunk tanks, etc).*

### **EVENT ANALYSIS**

*Staff recommends that proposals for events with the potential of attracting more than 2000 participants be submitted for event analysis at least 6 months prior to the proposed event date. All other event proposals should be presented at least 90 days prior to the event date.*

*Staff recommends that requests for tournaments be submitted by May 15 (for the fall season) and by December 15 (for the spring season).*

*Staff recommends that a non-refundable "Special Event Application Fee" of \$100 be approved to cover the event analysis process.*

### **CATEGORIES OF SPECIAL EVENT PERMITS**

*Staff recommends that "Special Event Permits" be issued in four categories:*

- *small/medium size parks (neighborhood, urban, and local parks)*
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- *large parks (regional/recreational and special parks) and*
- *tournaments (in either local parks or regional/recreational parks).*

*A \$100 non-refundable application fee would apply to each category. However, the final permit fee, security deposits and other applicable fees would be determined by the park category.*

Small/medium parks	<p>\$100 Special Event Permit fee (covers basic maintenance and security services)  \$500 refundable security deposit  Other applicable facility fees</p>
Large parks (Reg/Rec/Spec)	<p>\$100 Special Event Permit fee (covers basic maintenance and security services)  \$200 refundable security deposit for each permittable facility (shelter, field, building, etc) not to exceed \$2000  Other applicable facility fees</p>
Stream Valley Trails	<p>\$100 Special Event Permit fee (covers basic maintenance and security services)  \$500 refundable security deposit (for walks, runs, bike-a-thons, etc)  Other applicable facility fees</p>
Tournaments	<p>\$100 Special Event Permit fee (covers basic maintenance and security services)</p> <p><i>(Field sports:)</i>  \$200 for each regional/recreational park field for a 9-hour day (9 a.m to 6 p.m.)  \$100 for each local park field for a 9 hour day  \$500 per field refundable security deposit (not to exceed \$2000 per local park)</p> <p><i>(Tennis courts at Regional/Recreational Parks only:)</i>  \$30 per court per day (for participants 18 and older) OR  \$16 per hour (2 hour minimum)  \$500 refundable security deposit per tennis tournament request</p> <p><i>(Basketball courts at Regional/Recreational Parks only:)</i>  \$16 per hour (2 hour minimum)  \$500 refundable security deposit per basketball tournament request</p> <p>Other applicable facility fees</p>

**SPONSORS**

***Staff recommends that special event permits be issued only to government agencies, established civic, homeowner or community associations, non-profit organizations with proof of a tax-exempt status or for-profit companies or corporations.***

## **CONSIDERATION OF FEES, DEPOSITS AND CHARGES**

*To cover the cost for additional maintenance and security services, staff recommends the following hourly rates (subject to change as COLAs and other salary adjustments are made) be charged for a 12 hour block of time:*

- *\$20per hour for each Park Maintenance Worker II/III*
- *\$30per hour for each Park Manager or Supervisor*
- *\$30per hour for each Park Police Officer (required for events of 500 attendees or more)*

*Staff recommends that the arrangements and cost for port-a-john rentals, shuttle buses and trash removal shall be the responsibility of the event sponsor.*

*Staff recommends that events held by Montgomery County government agencies, WSSC, the Montgomery County Board of Education and community and homeowner associations registered with the Commission will receive a 30% discount on all costs when using a small/medium park or a stream valley trail as a venue during the week.*

*Staff recommends that Friends Groups associated with the facility requested are exempt from special event permit and rental fees.*

*Staff recommends that no discounts be given for use of regional, recreational or special parks.*

## **PENALTIES**

*Staff recommends that event sponsors lose their security deposit, be subject to any applicable civil citations and fines (as stated in the Park Rules and Regulations, Chapter 1, Section 3, as adopted March 2001), and be held liable for the cost of repairing the damage, as assessed by the park manager.*

*Staff recommends that event sponsors lose their security deposit when they fail to fulfill other obligations and requirements of the permit, such as the number of attendees, the number of port-a-johns supplied, the number of volunteers obligated, the number of shuttle buses, etc.*

## **AUTHORITY**

*Staff recommends that the Superintendent of Parks have the authority to grant or deny a Special Event Permit ( in accordance with the Rules and Regulations of the Commission Governing Use of Commission Park and Recreation Facilities in Prince George's and Montgomery Counties – adopted March 2001).*

*Staff recommends that, once an event receives the approval of the Park Manager, the Park Police and the Superintendent of Parks, all fees and deposits be assessed and permits for Special Events be issued through the Park Permit Office.*

*Staff recommends that the Park Police have authority to close a park or facility when such a facility reaches its capacity, as agreed upon in the Special Event Permit.*



## **OTHER REQUIREMENTS**

*For events that have the potential for exceeding the facility's capacity for parking and sanitary services, staff recommends that the requestor provide the Commission with a detailed plan for the provision of such services at the time of the application submission.*

*Staff recommends that the requestor provide a list of volunteers and their assignments no less than 30 days prior to the event date. Lists of VIP's that need special parking or entrance should also be provided no less than 30 days prior to the event date.*

*Staff recommends that concessionaire fees and proof of required licenses and insurances be submitted 30 days prior to the approved event date.*

## **APPENDIX**

- *List of special events exceeding 200 participants in park, March 2003 to September 2004*
- *Proposed categories and fees charged by the Community Use of Public Facilities Office (September, 2004)*
- *Rental fees for facilities of the Department of Parks and Recreation in Prince George's County*
- *Rental fees for facilities of the City of Frederick Department of Recreation*

## **SPECIAL EVENT REQUIREMENTS AND FEES**

- 1. For events with the potential attendance of 2000 or more, proposals must be submitted at least six months prior to the projected event date.**
- 2. For events with the potential attendance of 300-2000, proposals must be submitted at least 90 days prior to the projected event date.**
- 3. For tournaments, requests must be submitted by May15 (for the fall season) and by December 15 (for the spring season).**
- 4. The following items must be included at the time of submitting an application for a Special Event Permit:**
  - Proof of non-profit status**
  - Proof of articles of incorporation for a for-profit company**
  - A detailed plan for satellite parking and shuttle service**
  - A detailed plan for sanitation services**
  - A detailed plan for trash removal services**
- 5. The following items must be submitted at least 30 days prior to the approved event date:**
  - A certificate of liability insurance in the amount of \$1,000,000, naming the Maryland-National Capital Park and Planning Commission as additionally insured,**
  - An insurance certificate covering the use of mechanical amusement devices**
  - A copy of the application for a Health Department license to sell food**
  - A list of names of volunteers**
  - A list of VIP's needing special entrance or parking spaces**
  - A list of vendors**
- 6. These fees must be paid according to the following schedule:**
  - \$100 non-refundable Special Event Application or Tournament Application fee due at time of application (for those events subject to event analysis)**
  - \$100 Special Event Permit fee due at time of submitting the full event proposal**
  - \$500-\$2000 refundable security deposit (depending upon the type of park category requested) due at time of submitting the full event proposal**
  - All applicable facility rental fees and deposits are due at time of submitting the full event proposal, but no later than 30 days prior to the approved event date**
  - All maintenance and security staff fees exceeding basic services are due 30 days prior to the approved event date**
  - All concessionaire permit fees are due 30 days prior to the approved event date**