TITLE:	EFFECTIVE DATE:
Park Pavilion Reservation Policy	**July 27, 2015**

General

The City of St. Joseph, recognizing that the use of the pavilions located within City parks is a great benefit to area residents and visitors, wishes to formalize and update the policies, rules, and procedures related to the reservation and use of these facilities. This Policy applies to:

Kiwanis Park
Kiwanis Shelter

Lions' Park Beach
Lions' Park North Shelter
Lions' Park Center Shelter
Lions' Park South Shelter

Riverview Park
Briarwood Shelter
Lions' Shelter
Picnic Grove #1
Picnic Grove #2
Woodbine Lodge

Tiscornia Beach
Tiscornia Shelter

This Policy does not apply to the John E. N. Howard Bandshell, which is the subject of a separate Commission-approved policy. Fees for the reservation and use of these facilities shall be set by City Commission resolution. In exchange for annual maintenance of their namesake parks, no fee will be charged to the St. Joseph Lions' Club and the St. Joseph Kiwanis Club for club rental of park pavilion once per year.

The Kiwanis shelter may be reserved only on behalf of religious organizations and non-profit charitable organizations whose primary mission is for the benefit of children.

Any questions involving the interpretation or application of these rules and this Policy, or any questions or requests not addressed in this Policy, shall be decided by the City Manager.

Additional Park Rules and Regulations Regarding Pavilions

1. Paragraphs 7 through 15 of this Policy are additional Park Rules and Regulations issued pursuant to Section 20-19 of the City Code of Ordinances, and any violation shall constitute a civil infraction, unless otherwise noted. In addition, persons who violate Park Rules and Regulations, applicable ordinances, or the pavilion rental agreement may be required to vacate the pavilion and leave the park; no rental refunds will be issued.

2. Persons who reserve City parks pavilions may not prevent other park users from using park facilities that are not part of the reserved pavilion. Facility reservation includes only the exclusive right to use and decorate the facility during the rented hours. Facility reservation does not include any exclusive parking rights. Renters should be aware that these pavilions are located in public parks, and the exclusive right to use a pavilion is limited to the pavilion itself, including immediately adjacent picnic tables and grills, but not to other neighboring areas of the park.

3. Restrooms which may be located in the pavilion structure but which are accessible directly from the exterior are public facilities and are not reserved for the exclusive use of the pavilion patrons.

4. The responsible party who has reserved the pavilion must be present during the period the pavilion is used, and shall present the reservation agreement to City employees upon request.

5. Persons who do not have a valid reservation for a pavilion shall promptly yield the use of the pavilion to persons who have properly reserved the pavilion for that time, and shall not attempt to interfere with the permitted use of the pavilion by the authorized party.

6. During times when a pavilion is not reserved, any open-air portion of the pavilion shall be considered part of the surrounding park and may be used by the public in the same manner as any other place or structure in the park, on a non-exclusive first-come, first-served basis. Persons who have not reserved a pavilion shall have no exclusive right to use the facility, and may not attempt to prevent other persons from sharing use of the pavilion.

7. Persons who have not reserved a pavilion shall not falsely claim to have reserved the pavilion.

8. Pavilion patrons must abide by all park rules. Renters may furnish and operate a portable amplified sound system but must not disturb the public use of the park or infringe on the quiet enjoyment of nearby residents through operating the sound system unnecessarily or at an excessive volume. Simple decorations, such as flowers or garlands, are permitted; decorations must be attached in a manner that does not damage the facility, and must be removed before the end of the rental period. The renter must also clean any other litter or debris and deposit it in trash receptacles provided at the pavilion by the City. All set-up and clean-up must take place within the rented hours.

9. Throwing or dispersing rice, birdseed or other similar food material, or confetti or other material is absolutely prohibited. Blowing soap bubbles or similar acts that neither create a littering problem nor attract birds or other animals to the site are permitted.

10. The presence or consumption of alcoholic beverages is permitted only at Briarwood and Woodbine pavilions in Riverview Park, and then only if the presence of alcoholic beverages is made known to the City at the time the reservation is made. Alcoholic beverages are otherwise banned by ordinance, and a violation of this prohibition is punishable as a misdemeanor.

11. The daily pavilion reservation hours shall be the same as the hours of the park in which the pavilion is located, being generally 8:00 AM – 10:30 PM or as otherwise posted.

Procedures

12. The City Clerk's Office shall be in charge of accepting and tracking reservations for pavilions in City Parks.

13. On the first business day following January 1 of each year, the City Clerk's Office will begin to accept reservations for the next sequential calendar year. *(Example: in January 2007, reservations for calendar year 2008 may be accepted.)*

14. City-sponsored events, if known at the time the reservation book is opened, shall have first priority in annual scheduling, and shall be scheduled before accepting any public reservations. Other City-sponsored events, including necessary set-up and clean-up times, shall be reserved as they become known or approved, subject to the then-current availability of the facilities.

15. For the first two calendar months of the initial acceptance of reservations for a calendar year, reservations shall only be accepted from persons who, or entities which, reside or own property within the City of St. Joseph. *(Example: in January and February 2007, reservations for calendar year 2008 would be accepted only from "City" requestors.)*

16. On the first business day in March of each year, reservations for the next sequential calendar year shall be accepted from all persons. *(Example: beginning in March 2007, reservations for calendar year 2008 would be accepted from any requestor.)*

17. In all cases, reservations will be accepted only upon receipt of full payment for the use of the facility and upon signing an agreement provided by the City. The agreement will indicate the pavilion; the date, time, and duration of the reservation; the name and contact information of the responsible party; a statement indicating that the responsible party understands that the reservation is for their own use and is not being made on behalf of another party; and acknowledgement that the responsible party will ensure that park rules are obeyed. In addition, the Woodbine Lodge and Briarwood Shelter agreements will indicate whether alcoholic beverages will be served. This agreement should be held by the responsible party and brought to the pavilion as evidence of the valid reservation. In the event that it is determined that the responsible party has made the reservation on behalf of another person or otherwise failed to complete the agreement truthfully, the reservation will be cancelled and no refund will be issued.

18. If the rental payment is made by check, the check must be in the name of the responsible party, or the entity represented by the responsible party.

19. No reservation may be made by a person who is in default to the City for any reason, such as delinquent property taxes or utility charges, or an unpaid fee for a lost pavilion key.

20. Proceeds from facility rental shall be deposited in the General Fund.

21. A renter may cancel the reservation no less than 30 days before the scheduled date and receive a refund equal to three-quarters of the rental fee; the remaining one-quarter of the rental fee shall be forfeited as a cancellation penalty. The refund to the renting party shall be processed as a check through the normal accounts payable process. There will be no refund for a cancellation within 30 days of the day of the reservation, nor will a refund be

issued in the event of inclement weather on the day of the reservation unless the City closes the park or otherwise cancels the reservation.

22. The City reserves the right to cancel a reservation, if deemed to be in the best interests of the public health, safety and welfare, or otherwise in the discretion in the City. In the event a reservation is cancelled, the City will refund the full rental amount through the normal accounts payable process and shall offer an alternate date during that calendar year at no charge. The City's liability in case of such a cancellation is limited to the refund of that rental fee and offer of that alternate date.

23. In the event that reservations for more than one party are inadvertently accepted for a pavilion for a particular date, the party who first reserved the pavilion shall be considered to hold the valid reservation. Any party whose reservation is thereby cancelled will receive a full refund of any rental amount and the opportunity to reschedule to any available pavilion and date within that calendar year or the following calendar year at no charge.

24. If necessary, a key for the facility may be obtained from the City Clerk's Office located at City Hall on the morning of the reservation during business hours. Keys for weekend rentals may be obtained on Friday afternoon before the rental. The responsible party must pick up the key.

25. The key must be returned to City Hall no later than the day following the reservation. There is a drop box located just inside the Broad Street entrance of City Hall that is available 24 hours/7 days per week for your convenience in returning the key. In the event a key is lost, the responsible party will be billed a nonrefundable $100 fee.

26. City staff inspects and cleans park pavilions prior to each rental. However, the renter must also leave the pavilion free of litter and/or debris. All decorations, litter and debris must be placed in trash receptacles provided at the pavilion by the City. <u>If the premises are not left in good order the responsible party will be billed for extra time required to clean the facility.</u>

Upon arrival at your pavilion rental, if there are any issues relating to the condition, utility or availability of the pavilion, please call 269-983-2571 for assistance. Someone from the City will be dispatched to assist you and resolve the issue; <u>no</u> refunds will be issued.

CALL 269-983-2571 FOR ALL PAVILION ASSISTANCE