

City of Visalia Parks and Recreation Facility Use Policy

The City of Visalia Parks and Recreation Department is dedicated to fostering healthy lifestyles and helping the community thrive. The City recognizes that programs, activities and sports leagues are a fundamental component of this goal and that facility availability is necessary for local organizations and individuals. As such, the Visalia Parks and Recreation Department coordinates and issues permits for the use of City facilities for general public use for cultural, social and recreational activities and programs.

The purpose of this policy is to outline the City's allocation procedure and rental policies for the permitted use of facilities in the City of Visalia. The City has experienced tremendous growth in population and need for facility use for a multitude of purposes. This growth is anticipated to continue. The Parks and Recreation Department has already experienced an increased demand for the use of City facilities and finds it necessary to emphasize sharing in the use of all facilities among our present and future organizations.

This policy has been established to assure that City facilities are utilized for recreational, cultural, educational, social and community service functions that meet the needs of the community, as well as, set clear policies, procedures and regulations for such uses.

Due to the limited number of facilities available, the Visalia Parks and Recreation Department and the Parks & Recreation Commission have established criteria for priority use. The Visalia Parks and Recreation Department will give priority to Visalia residents and will monitor proper use of allocations and permits.

The City of Visalia is dedicated to creating partnerships with local organizations to ensure there is ample opportunity to participate in programs and services. The allocation/permitting process provides an organization the exclusive use of a facility to the exclusion of all others. The objective of this policy is to create a clear, written allocation policy with procedures that:

- Fairly distributes facilities.
- Maximizes participation time.
- Incorporates maintenance periods to maintain safe, quality facilities.
- Communicates financial issues and recovery policy.
- Outlines facility use regulations.

I. **Definition of Terms:**

Visalia Resident – a person residing within the city limits of the City of Visalia. The City may require identification or documentation of residency to be considered for priority brokering. In the event proof of residency cannot be established, non-residency status will be imposed. Note: Any person owning and paying taxes on real property in Visalia, but who is not living in the City, and any person having only a Visalia business address are NOT considered residents for facility use application purposes.

Youth programs – participants are ages 18 and under.

Adult programs – participants are ages 18 and over.

Open membership – Organizations, or portions of organizations, that have open registration regardless of skill level. Organizations must have an “everyone plays” philosophy requiring

that each player suited up and able to play is entered into games for a significant period of time (i.e., ½ or game or 2 of every 5 innings or 2 of 4 quarters, etc.). Open membership organizations are recreational in nature and provide scholarship opportunities for players who demonstrate a financial need.

Non-profit status – Must be established as a non-profit organization. Non-profit status is defined as an organization that is so defined by the Internal Revenue Code, 501c and has a State of California Tax Identification Number. Organizations must submit the following to be considered for Non-Profit Status:

- 501c IRS papers and bylaws
- Current financial statement
- Roster of officers
- List of persons authorized to make reservations for your organization

Basic services – Basic services are defined as the maintenance of safe, clean, attractive parks and buildings and the provision of recreation services for the general public. Basic services preserve and promote physical and mental wellbeing and will continue to be supported by taxpayer resources.

Seasonal Brokering Periods – For the purpose of scheduling facilities, the City has established three (3) brokering periods in which request shall be reviewed and facilities shall be allocated.

Special services – Special services are those above and beyond basic services. Revenues are necessary to support special services; therefore, users will be charged a fee for the privilege of using the facilities to the exclusion of others and without interference.

Game slot – amount of time or facility space needed to reasonably accommodate play. In instances where modified fields are used, appropriate field space shall be allocated, this may be an increment of a field or facility rather than designating an entire field or facility.

Practice slot - amount of time or facility space needed to reasonably accommodate play. In instances where modified fields are used, appropriate field space shall be allocated, this may be an increment of a field or facility rather than designating an entire field or facility.

Facility Use Permit – A facility use permit is required for all organized use associated with a team, league, organization or school. Users who do not submit a request during the established brokering period must submit a request for use to the Parks and Recreation Department a minimum of ten (10) working days prior to the requested use date. Once the request has been approved and the user has complied with insurance requirements and paid all applicable fees, a written Facility User Permit shall be issued.

II. Facility Use Permitting:

Facility use requests are considered at three different time periods per fiscal year. Facility space will be awarded on a priority basis prior to the fall, winter/spring, and summer periods. After the original requests are processed, based on priority, the facilities are available for use

to other requests. To apply for a Facility Use Permit, an applicant must submit a written request to the Parks and Recreation Department outlining the dates, times, facility, number of courts/fields and intended use. Requests shall only be considered for organizations who are in good standing with the Parks and Recreation Department and who do not have a past due balance.

Facility use reservations, not allocated during the established brokering periods, can be made no less than ten (10) calendar days prior to the desired date(s) of use. These requests shall be granted on a first come, first served basis based on field availability.

Submission of an application does not constitute approval. Approvals shall be in the form of a written facility use permit issued by the Parks and Recreation Department.

Requests for additional use or programs not covered by the Priority Use Policy should be addressed in writing to the Recreation Manager. The Parks and Recreation Director will make interpretation of language in the Priority Use Policy. An appeal to the Parks and Recreation Commission of the Director's decision must be submitted in writing with justification within ten (10) working days from the decision and will be heard at the next regularly scheduled Parks and Recreation Commission meeting, unless appeal is received fewer than ten (10) days prior to a meeting, in which case it will be heard at the following meeting of the Parks and Recreation Commission.

III. Facility Request Form Deadlines:

The three seasonal brokering periods are as follows;

<u>Season</u>	<u>Dates</u>	<u>Request deadline</u>
Fall	August 1 through December 31	May 1
Winter/Spring	January 1 through May 31	November 1
Summer	June 1 through July 31	March 1

All requests received by the established deadline shall be reviewed after the deadline date. A facility use permit shall be issued a maximum of thirty (30) days after the deadline.

Facility use requests for primary organization use will be accepted no more than three (3) months prior to the request deadline. Requests for use outside of the organization's primary use (regular league play), such as tournaments on a regional, state or national level, may be made up to three (3) years in advance.

IV. Eligibility - facility use shall be granted based on the following priority:

Priority 1:

1. City activities and programs.
2. Facility use agreements (organizations having special status assigned by City Council action as a result of having had historical use of facilities).
3. Visalia resident (at least 90%), youth programs, open membership, non-profit organizations or leagues.

Priority 2:

- Visalia resident (at least 51%), youth programs, non-profit organizations or leagues.

Priority 3:

- Visalia resident (at least 51%), adult programs, open membership, non-profit organizations or leagues.

Priority 4:

- For-profit programs and events.

Priority 5:

- Organizations that have previously violated the terms of the priority use policy.

Resident status will be determined from the prior season's actual rosters (fall season for fall season, spring season for spring season).

To resolve a discrepancy between two organizations in the same priority use class that request use of the same site/field and that cannot be worked out between the two organizations, the following allocation formula will be used to determine the amount of field use that will be allocated to each organization.

Facilities will be allocated within each priority use class to organizations based on the percentage of verifiable Visalia residents registered with that organization in relation to the total number of all registered Visalia residents in all organizations in the priority use class combined.

The total number of all Visalia residents registered in all organizations within that priority use class will then be determined. Each organization's resident number will be divided by the total of all residents registered to determine the percentage of use to be allocated to each group.

An example of this would be:

Baseball Group A has 750 Visalia residents

Baseball Group B has 900 Visalia residents

Total Visalia residents registered in both organizations is 1,650

750 divided by 1,650 equals 45%. Group A would receive 45% of the available time.

900 divided by 1,650 equals 55%. Group B would receive 55% of the available time.

Additional factors to determine priority use:

- Priority 1 & 2 athletic organizations shall be allocated a maximum of one (1) game slot per team per week and one (1) practice slot (1/2 field) per team per week (as space allows). Number of teams shall be determined based on the number of registered participants in each program taking into consideration the number of players per team for each age division.
- League game play takes priority over practice with the exception of non-resident vs. non-resident game play.

- Adult program access – per this policy, adult play would receive low priority. To provide for equal access for adult leagues, 25% of facility space shall be dedicated to adult play in the above mentioned priority order.
- Sport season priority – Traditional sports seasons have priority as follows:

Fall	Football, volleyball and soccer
Winter	Basketball
Spring	Baseball and softball
Summer	Aquatics
- Facility use shall be permitted for activities that the facilities are intended for, designed for, classified as, or for activities conducted in a manner that does not compromise public safety or facility quality or integrity.

V. Cost Recovery Philosophy

As the City continues to grow and facilities age, the Visalia Parks and Recreation Department must develop a financial system to support our community investment while maintaining the high level of service residents demand. The City will continue to provide basic services funded entirely by general taxpayers and user fees; however, those benefiting from special services (which create additional City expenses) must contribute financially. The recovery policy is intended for the participants to supplement, rather than supplant the investment of the general taxpayers. The recovery policy strives to:

- Amortize the capital investment and cover maintenance/operational cost of a facility.
- Pay for and augment operation/maintenance costs for a facility where tax appropriations support the basic service.
- Control use of the facility.
- Assess a portion of the cost of the facility to users who may not be tax supporters.
- Enable the Visalia Parks and Recreation Department to provide facilities for which funds might not otherwise be available.

The primary purpose of this policy statement is to develop an understanding that the pricing of services is a conscious procedure that requires continual investigation and review by Visalia Parks and Recreation Department, the Parks and Recreation Commission and the Visalia City Council.

VI. Permit Rules and Regulations:

1. Permits cannot be transferred or assigned to any other person, group, or organization for any reason.
2. The misuse of City facilities or the failure to conform to facility regulations, established policies, and procedures or any other Federal, State, or local law, rule, regulation or ordinance shall be sufficient grounds for the immediate revocation of the permit and/or denial of any future applications. No refund will be granted.
3. Permit holders shall restrict their use to only those facilities specifically reserved and paid for as designated on the permit. Other facilities may be scheduled by other groups and may not be available. Permit holders must be in possession of their Facility Use Permit in case there is a need to address the question of who has a reservation for the facility in question. If the

permit holder cannot use a facility due to unauthorized use by another party, the permit holder should contact the City of Visalia Police Department.

4. Fees - all fees are due and payable prior to the issuance of an approved Facility Use Permit. Payment plans may be arranged for multiple-use reservations with payment in advance for monthly use. The fees and charges for permits are established by the Visalia Parks and Recreation Commission and approved by the Visalia City Council annually and are not negotiable. Only the Parks and Recreation Commission and/or City Council have the authority to waive or modify fees and charges by amendment to the City Rates and Fees Schedule.
5. Deposits – A refundable deposit may be required for facility use. The City reserves the right to deduct from the security deposit all additional charges relating to, but not limited to, janitorial services, maintenance/repair services, staff time, failure to comply with the cancellation policy or emergency services that are required as a result of the facility use.
6. Insurance - A valid insurance certificate is required for use of any City of Visalia facility. The insurance certificate must afford one million dollars (\$1,000,000) of general liability coverage per occurrence listing the dates and location of coverage and must contain the following language:

“The City of Visalia, its officers, agents, employees, representatives and volunteers are added as additional insured as respects operations and activities of, or on behalf of the named insured, performed under contract with the City of Visalia.” Certificate must guarantee thirty (30) days prior notice to change or cancel the policy.

7. Residency Verification - The City of Visalia Parks and Recreation Department may request a master roster complete with participant first and last name (or identification number), division, team and place of residency or school attending. Leagues may be required to make rosters available for verification and additional proof of residency such as utility billing or photo identification may be required.

Any group or organization found to be misrepresenting its residency status will have its permit revoked for the season and will be assigned the last (or lowest) priority for the immediate and following season. In addition, any group or organization found to be reserving facilities for another organization will be penalized by the revocation of its permit for the season for which the permit is issued and that group or organization will be assigned the last (or lowest) priority for facility use scheduling for the immediate and following season.

8. Teams and organizations may be required to provide schedules to show that all of the allocated facilities are being utilized. If an allocated facility is not utilized by the designated organization a total of two (2) times during the permit period, the facility will be reassigned. User shall be notified by the Parks and Recreation Department prior to reassignment.
9. The City reserves the right to cancel an approved reservation due to maintenance needs, overuse of the facility, unsafe conditions or due to a conflict with a City event or a one-time event that has a direct benefit to the community. In these cases all attempts will be made to provide a minimum of 15 days advance notice and to provide an alternate location for the group’s scheduled activity. In the event of an emergency when only short or no notice can be provided, groups must cooperate with the request to not use the facility or risk loss of current permit and denial of future use. If there are no alternate facilities available, the City is not

obligated to provide an alternate facility. In the case of such an event, a full refund will be given.

10. It is the responsibility of the organization's president and the individual in charge of the permit to enforce the rules and regulations regarding the conduct of the group while on permitted facilities. They are also responsible for ensuring that coaches receive and understand that a permit must be on site during facility use.
11. Use begins and ends at the times stated on the permit including set-up and clean-up. A two (2) hour minimum is required per reservation. Groups are not allowed on fields prior to the start time on the permit and are required to have the fields cleaned and cleared by the ending time indicated on the permit. Unauthorized or extended field use beyond times listed on the permit may result in the retention of a portion or all of the deposit and/or result in the cancellation of current use and/or prohibition of future use.

VII. General Rules and Regulations

1. No person shall use an athletic facility which is posted as being closed, whether the closure is for excess rainfall or for field maintenance or other reason.
2. All motor vehicles must park in marked stalls in the parking lots or legally on side streets or be subject to citation. No unauthorized vehicles shall enter park premises.
3. All dogs must be on a leash and owners must clean up after their dogs.
4. No portable BBQ's are permitted at any time in any facility.
5. No golf is permitted at any park or sports complex.
6. Alcohol is not allowed in any City facility without a permit. No alcohol is allowed at Riverway Sports Park. Alcohol may be consumed at the Plaza Park softball fields provided such beverages are purchased from the permitted concessionaire.
7. Athletic facilities may be lined prior to a group use with the permission of the Parks and Recreation Department. Water soluble spray paint is the only permitted means of lining a field. No fields are permitted to be lined by means of Round Up, Dolomite, or other herbicide which can permanently burn lines into the field.
8. Vending at a facility is permitted only if the vendor is associated with the activity and has received the prior approval of the City.
9. Gambling is prohibited at all City property without a permit.
10. Restrooms – some facilities have public restrooms which may be utilized. In instances where public restrooms are not available, or not adequate for the size and scope of the facility use, the user shall be responsible, at user's expense, to provide additional portable restrooms. User groups must coordinate placement of portable restrooms with Parks and Recreation staff.
11. Storage – no group or individual is permitted to maintain a storage unit (or similar object) on or around City facilities without written approval from the City.
12. Use of utility vehicles shall be allowed with the issuance of a permit from the City. Any person operating a utility vehicle on City property must possess a valid California Driver's License and organization must provide the City of Visalia with a certificate of insurance covering operation of said vehicle.

13. Lights are available for some outside facilities. Light requests must be made ten (10) working days in advance and are subject to light fees at the time of reservation.
14. The City of Visalia encourages partnerships and volunteerism to improve facility quality and maintenance, however in the absence of a written agreement, donations and/or contributions of time does not give an organization priority at any facility. Groups wishing to make alterations to facilities must submit these improvement requests in advance to the City of Visalia Parks and Recreation Department. No groups will be allowed to make any alterations to any facility without first obtaining the City's approval.
15. Scheduling – a maximum number of games per time slot shall be determined by Parks and Recreation Department and shall be adhered to when preparing league game and practice schedules.
16. Wet Field Policy - The purpose of the policy is to guide the use of City athletic facilities and to prevent injuries to participants and damage to the playing surface brought upon by inclement weather and/or unsafe playing conditions. An effective facility maintenance program is essential for safe, quality fields and sport complexes. User groups are asked to help us by accepting and adhering to these rules. Groups who use City athletic facilities are expected to assist in protecting their participants and the facilities during periods of rain or inclement weather.

The City of Visalia reserves the right to cancel or suspend facility use permits when facility conditions could result in injury to players or cause damage to the facility. Permits may also be cancelled when the health and safety of participants are threatened due to impending conditions, including but not limited to, heavy rains, smog alerts or pesticide application.

During inclement weather, the City's maintenance staff will assess the playability of all city owned fields to determine if use will occur. The Director or designated representative shall have the authority to close any/all fields owned and operated by the City of Visalia.
17. Banners - Organizations must obtain approval and/or permits prior to placing any signage or banners in any City of Visalia facility.
18. Users must pick up and remove any trash generated by their activity.
19. Good Neighbor Policy - The purpose of this policy is to ensure that decisions regarding the use of City facilities, parks, and athletic complexes and District sites are used in the best interests of the neighborhoods, sports organizations, and citizens of the City of Visalia. The city has established the following rules and regulations to govern the use of the City's facilities for the safe and pleasant enjoyment of participants and neighbors. Every person is expected to abide by these rules or be subject to forfeiture of the security deposit and/or loss of the privilege of future use of the facilities.
 - a. All litter and debris that may occur as a result of your event must be picked up and deposited into trash receptacles, when provided, or removed from the premises.
 - b. All groups are responsible for the condition in which they leave the facility. Any excessive clean-up required by City crews following your use will be cause for forfeiture of all or part of your damage deposit.
 - c. No amplified music, use of musical instruments, radios, public address systems or other such noise allowed before 9:00am or after 8:00pm unless authorized by

special permit. In all parks, care shall be taken so that speakers are not directed at residences.

- d. Complaints from surrounding neighborhood residents as to noise level, litter and debris, and disregard for use of parking regulations could result in cancellation of your reservation, forfeiture of security deposit, and denial of future facility use.
- e. No person shall park a motor vehicle in such a place or manner as would block or obstruct any gate, entrance, exit or resident driveway.

VIII. Cancellations

Cancellations must be made in writing and submitted to the Visalia Recreation Department at least ten (10) business days in advance of the scheduled use in order to be entitled to receive a refund (minus the processing fee). If it rains on the date of reservation, a full refund shall be credited to the user's account. No refunds or credits will be given to facilities released after that time. Failure to release unused facilities shall be considered a violation of this Priority Use Policy. If a user fails to release unused facilities, the permit may be revoked for the season and user will be assigned the last (or lowest) priority for the immediate and following season.

IX. Failure to Comply with Facility Use Policies and Procedures

In most cases, the City utilizes a three-strike policy for violations as follows:

First Offense: Written warning to the user group/individual and restitution for damages/costs if applicable.

Second Offense: Written notice of three day suspension and restitution for damages/costs if applicable.

Third Offense: Written notice of termination of any existing permits, loss of future rental/allocation privileges and restitution for damages/costs if applicable.

The City reserves the right to cancel any permit for non-compliance with City Policy, Rules or Ordinances regardless of the three-strike policy listed above.