

**CITY OF SAN DIEGO PARK AND RECREATION DEPARTMENT
RULES AND REGULATIONS FOR USE OF CITY PARK AND RECREATION DEPARTMENT SITES**

All rules and regulations regarding the use of City Parks are enforceable by the San Diego Police Department and the City of San Diego Park and Recreation Department staff. The recreation areas of the Department are primarily for the recreation use of youth and adult activities sponsored by the Department and/or the Community Recreation Council. When sponsored activities do not completely occupy rental areas, other groups may use the facilities. All users will comply with the following conditions:

1. This permit shall not be transferred or assigned. The Permittee shall not engage in any activity on park property other than the activity for which this Permit is expressly issued and shall comply with applicable municipal, state, and federal laws and regulations.
2. The City, in its sole discretion, reserves the right at any time, and from time to time, to close any park area(s) or park facility(ies) and to cancel or reschedule any previously permitted/scheduled use(s) of any park area(s) or park facility(ies). Permittee acknowledges the City's foregoing rights and irrevocably waives any claim Permittee may have now or ever have based upon or related to any cost, loss, damage, or liability that results from the City's closure of any park area(s) or park facility(ies) or the cancellation or rescheduling of any previously permitted/scheduled (prepaid or not) use(s) of any park area(s) or park facility(ies).
3. Any special requests, additional amenities and/or services (i.e. portable restrooms, dumpsters, fences, athletic equipment, generators, etc.) must be addressed in the Permit and are the sole responsibility of the Permittee. The additional amenities must be provided by the Permittee at no expense to the City. All additional amenities must be approved in writing by the City staff in advance of the event, including information as to the number of amenities, location, and pickup and delivery times.
4. There must always be at least a portion of the park available to the general public during all park uses and rentals. The designated area(s) for this permit are indicated on the General Development Plan or Site Plan. Unless the area has been designated as an area that can be reserved, no areas can be roped off or secured in any way. Reserved parking spaces are not permitted.
5. For commercial and public events, the Permittee shall not discriminate against anyone on the basis of race, color, creed, sex, age, national origin or ancestry, religion, pregnancy, physical or mental disability, veteran status, marital status, medical condition (including HIV, AIDS, and AIDS-related complex), gender (transsexual and transgender), or sexual orientation.
6. The Park and Recreation Department cannot be held responsible for any lost or stolen property.
7. Rental rates will apply as designated for each area as outlined in the current Park and Recreation Department Fee Schedule that is approved by the City Council.
8. The Permittee received a copy of the following items and must have them available on the day of event: the permit and the Rules and Regulations related to this event; the General Development Plan with the storm drain inlets indicated for the permitted area; all applicable Park and Recreation Department Best Management Practices (BMP's); Storm Water; the Facility Site Plan; and the Good Housekeeping Guidelines to the rental permit.
9. Each rental group is responsible for leaving the facility and equipment in a safe, proper working order and clean condition. Any violations of rules, regulations or policies and/or damage attributable to the Permittee, sponsors or any other party associated with this event, will result in the forfeiture of all or part of the security deposit and in the case of extensive damages, an invoice from the City will be issued to the Permittee with applicable charges not covered by the deposits. Any pre-existing damage or poor conditions must be reported in writing to the City staff prior to the start of the event or the Permittee may be held responsible. Staff must be notified of the conclusion of the rental activity.
10. Litter pick-up and disposal is the responsibility of the Permittee. Trash must be bagged, sealed and placed in the park's trash receptacles and/or dumpster. If trash does not fit in the receptacles and/or dumpster, the Permittee is responsible for removing the trash off of park property. Any additional cleaning performed by City forces will be invoiced.
11. The use of disposable expanded polystyrene (a.k.a. Styrofoam™) food ware is highly discouraged due to its tendency to easily break apart and create litter. Alternatives such as plastic, paper, or reusable plates/cups should be used instead.
12. Request for cancellation refunds will be handled according to the regulations in the current Park and Recreation Fee Schedule. Requests for refunds due to rain only pertain to Field and Picnic Shelter rental permits and will be approved provided that a written request (Request for Refund Form AC-1066) is submitted within 48 hours after the scheduled event. All refunds will be issued only to the Permittee.
13. The use of any equipment including but not limited to staging, platforms, tables, chairs, risers, jumpers, etc., if permitted, shall not damage any City property, turf, shrubbery or irrigation or inhibit public access [SDMC 63.0102(b) (4)]. If any item requires staking in the ground for safety reasons, the stakes must be no longer than six (6) inches, no more than 1.5 inches in diameter, and must be colored/highly visible. All stakes must be secured in a manner that precludes a tripping hazard. For any item which damages any facility, the Permittee will be liable for costs to repair the damage. Intended staking must be noted on the permit with the types and sizes of stakes to be used. Permittee may not dig on park property or tie or adhere anything to trees, shrubbery etc., or City property [SDMC 63.0102(b) (4)]. All signs must be free standing and approved by the park supervisor in writing prior to the event. Items cannot inhibit public access. [SDMC 63.0102(b) (25)]. Inflatable jumps are prohibited in Balboa Park, Presidio Park and Shoreline parks.
14. Electronic amplification for music and/or voice projection must be approved in writing on the final permit by City staff and must comply with City noise regulations [SDMC §59.5.0501]. The required maximum allowance is 65 decibels at 50 feet between the hours of 7:00 a.m.-7:00 p.m. Events violating the maximum allowance may be turned down or shut off by SDPD or Park Ranger.
15. City staff must approve the use of City tables and chairs which are available for indoor use only. All setting up and taking down of tables and chairs will be done by the group using the facility (except in Balboa Park).
16. The City of San Diego does not provide any equipment, electrical power or water hookups for outdoor events. The use of generators must be pre-approved as a part of the permit process before the event. Safety precautions for use of a generator must be followed. Generator cables must be properly covered and must not impede pedestrian traffic at any time. Drip pans must be placed under the generators to eliminate potential damage.
17. Petting zoos, pony rides or any animal-related activities are not allowed without prior City staff approval. The proper fastening and/or enclosures and the proper care for the animals is required. All County Health Department regulations must be followed. Balboa Park, Mission Bay Park, and Shoreline Parks prohibit the use of pony rides, petting zoos, and livestock demonstrations.

18. Youth activities must be chaperoned by adults. The adult signing the application must be present throughout the entire rental period. When the signing adult cannot be present throughout the entire rental period, the Permittee must provide a list of responsible adults in advance of the rental to the City staff. It is the Permittee's responsibility to ensure that an adequate number of adults will be present depending on the activity, rental size, and ages of the youth participants.
19. All fires must be contained within barbecues. Portable barbecues are permitted and coals must be emptied into the concrete hot coal containers or permanent barbecues.
20. All motor vehicles are restricted to parking lots and public roadways unless prior written authorization is given by the park supervisor.
21. Vehicle parking is prohibited in most parking lots in Mission Bay and the beach areas between 2:00 a.m. to 4:00 a.m. in accordance with SDMC. Some parking lots may have more restrictive hours and/or gates. Each parking lot is signed where parking is prohibited or restricted.
22. The Park and Recreation Department cannot guarantee the planting or blooming of flowers, shrubs, etc. Maintenance schedules cannot be modified (i.e., sprinklers, lawn renovations, fertilization, aeration, mow day, etc.) to accommodate events in public parks.
23. In general, dogs are allowed on beaches after **6 p.m. from April 1st to October 31st or after 4:00 p.m. from November 1st to March 31st**. Legally licensed dogs are allowed on the beach and on sidewalks and park areas near the beach during the night and early morning hours until 9 a.m., but they must be leashed.
24. Games such as horseshoes, baseball, lawn darts and other potentially hazardous games may be played only in courts/fields that are specifically designated for these purposes and requires prior written approval of the City staff.
25. The use of gypsum is allowed only for infield marking in baseball or softball. Biodegradable field marking paint must be used for all other field marking. These product(s) must be manufactured in the United States and approved by City staff in writing prior to use and a copy of the Material Safety Data Sheet of the product used must be provided to City staff.
26. Permittee must adhere to all County Health Department Food Handlers regulations. When caterers are used they must have a County Health Department permit. When food is served to the public, a Temporary Food Facility Permit or County Health Food Handlers Permit is required and must be submitted to City staff before a permit will be issued. More information regarding the regulations required to serve food can be obtained from the County Health Department at (619) 338-2222.
27. Alcohol is prohibited in certain parks; please refer to SDMC §56.54. If alcohol will be sold in park facilities, and/or caterers are used, renters are required to obtain a license from the California State Department of Alcoholic Beverage Control (619) 525-4064. Applicants requesting alcohol may be required to furnish additional written approval. Alcohol is not allowed on any athletic fields.
28. The following prohibitions are in place at all City parks and/or facilities:
 - Smoking [SDMC §43.1003]
 - Open fires [SDMC §630.102(b)(11)]
 - Glass beverage containers [SDMC §63.0102(b)(7)]
 - Picking flowers and/or damaging shrubs, plants, and trees [SDMC §62.0604]
 - Animals (other than service animals) inside buildings or off leash at any park facility (unless designated as an off leash site) [SDMC §63.0102(b)(2)]
 - Soliciting funds [SDMC §63.0102(b)(14)]
 - Sale of merchandise [SDMC §63.0102(b)(13)]
 - Balloons (all types) at all outdoor areas
 - Advertising on City park property; flyers, pamphlets, or handouts are not to be left on cars or passed out in parks [SDMC §63.0102]
 - Remote controlled soaring and/or gliding crafts [SDMC §63.0201]
29. The Permittee is required to obtain a minimum of \$1,000,000 general liability insurance with a \$2,000,000 aggregate insurance naming the City of San Diego as additionally insured in the following situations: groups conducting activities, instructions, and competitions; groups using supplemental staff; rentals open to the public; rentals using equipment such as jumpers, carnival, or animal rides; and other situations where deemed necessary.
30. The Permittee shall comply with all applicable provisions of this permit, municipal, state, and federal laws and regulations. It is the responsibility of the Permittee to clear with City staff any special requests not addressed in the Rules and Regulations as presented. Failure to comply may result in the termination of this permit.

Indemnification: Permittee shall protect, defend indemnify, and hold City, its elected officials, officers, representatives, agents, and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to Permittee's officers, employees, agents, contractors, invitees and guests, which arise out of or are in any manner directly or indirectly connected with this Permit or Permittee's Operations, and all expenses of investigating and defending against same, including without limitation reasonable attorney fees and costs; provided, however, that Permittee's duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of City, its elected officials, officers, representatives, agents and employees. City may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If City chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, Permittee shall pay all reasonable costs related thereto, including without limitation reasonable attorney fees and costs.

By signing I acknowledge that I read and understood and will abide by all the above listed rules and regulations as they apply to my specific rental or use of City park land or facility.

Signature: _____ Print Name: _____ Date: _____

Organization: _____