

CITY OF ARTESIA
FACILITY USE REGULATIONS
(Adopted by the Artesia City Council on September 8, 2025
by way of Resolution No. 25-3064

I. Section 1.00 – PURPOSE

The City of Artesia, through its Parks and Recreation Department, strives to provide facilities and services that will enrich the recreational and leisure life of Artesia residents. The City's Facility Use Regulations provide a fair and workable system for scheduling and controlling the use of the City's recreation and community facilities. These Regulations ensure that the use of available facilities is first available to programs supporting the Parks and Recreation Department, residents of the City, and then to non-residents if facilities are available. These Regulations enable the City's staff to consistently provide service to the community and collect the assigned fees in accordance with the regulations approved by City Council. The Facility Use Regulations also allow the City to secure additional revenue by making its facilities available to others when not needed for City programs or functions so as to partially offset the City's significant costs to maintain and support the City's recreational and community facilities.

II. Section 2.00 – DEFINITIONS

The following terms and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

APPLICANT shall mean the Person who signs and submits a Facility Use Application to the City.

CARNIVAL shall mean a traveling amusement show featuring exhibits and rides.

CIRCUS shall mean a traveling company with varied performances by clowns, acrobats and trained animals.

CITY shall mean the City of Artesia, California, its officers, agents, and employees.

CITY MANAGER shall mean the City Manager of the City, or his or her designee.

CODE shall mean the Municipal Code of the City.

COMMERCIAL shall mean profit making, wholesale or retail activity conducted by Persons other than a Non-Profit Organization.

DEPARTMENT shall mean the Parks and Recreation Department.

EQUIPMENT shall include City recreational equipment, including, but not limited to, tables, chairs, and ball field maintenance equipment (*e.g.*, rakes, bases, drag nets, screens, and nets), storage bins, utility vehicles, and other related equipment.

EXPRESSIVE ACTIVITY shall mean speech or conduct, the sole or principal object of which is the expression, dissemination or communication of verbal, visual, literary or auditory opinions, views, or ideas. Expressive Activity includes public forum speech or conduct protected by the First Amendment to the United States or California Constitutions.

FACILITY shall include Artesia Park, A.J. Padelford Park, Baber Park, City Community Centers, and any City recreation building, sports fields and courts, batting cage, sheltered and unsheltered picnic areas, BBQ pit, or playground thereon, and City streets, sidewalks, and public ways.

FACILITY USE APPLICATION shall mean the Department's form requesting Use of a Facility.

FACILITY USE PERMIT shall mean the Department's consent granting Use of a Facility.

FESTIVAL shall mean an occasion for feasting or celebration, or a regularly recurring program of performances.

FIRE DEPARTMENT shall mean the Los Angeles County Fire Department.

FOOD DISTRIBUTION shall mean any distribution of food, nonperishable or perishable items to the general public.

LEAGUE shall mean four or more teams associated together in a sports activity.

MANAGER shall mean the Manager of the Department, or his or her duly authorized representative.

NON-PROFIT ACTIVITY shall include those activities undertaken by a Non-Profit Organization which add to or support Parks and Recreation Department programs, and entail a charge by the Permittee designed to offset the City's costs in supporting said activities.

NON-PROFIT ORGANIZATION shall mean an organization registered as a non-profit corporation with the State of California Secretary of State and the Internal Revenue Service with current 501(c)(3) or 501(c)(4) status.

NON-RESIDENT shall mean a person, group, team, league or business not having or maintaining a principal residence, office, facility or business in the City. In the case of a group, team or organization, the Non-Resident group is composed of fifty percent (50%) or more members who do not have their principal residences in the City.

NON-RESIDENT NON-PROFIT shall mean a Non-Profit Organization whose membership is composed of fifty percent (50%) or more Non-Residents.

PERSON shall mean any individual, firm, partnership, association, corporation, company, group, or organization of any kind.

PERMITTEE shall mean any Person given consent to Use a Facility by obtaining a Facility Use Permit.

PROFIT MAKING shall mean funds received as part of a program above the actual cost of conducting the activity.

PUBLIC ASSEMBLY shall mean events consisting of more than three hundred (300) participants during any given time.

RESIDENT shall mean a person having or maintaining a principal residence in the City, or a government employee working for the City.

RESIDENT GROUP shall mean a person, group, team, league or business having or maintaining a principal residence, office, facility or business in the City. In the case of a group, team or organization, the Resident group is composed of fifty percent (50%) or more Residents.

RESIDENT NON-PROFIT shall mean a Non-Profit Organization whose membership is composed of fifty percent (50%) or more Residents.

SHERIFF'S DEPARTMENT shall mean the Los Angeles County Sheriff's Department.

STAFF shall mean City staff.

USE shall include meetings, activities, events, programs, processions, picnics, food distribution, non-athletic gatherings, organized athletic team or league contests or tournaments, exhibits, dramatic performances, radio or television broadcasts (excluding broadcasts of spontaneous news events), fairs, festivals, carnivals, circuses, musical events, or similar events.

VEHICLE shall mean any wheeled conveyance, whether motor powered, animal drawn or self-propelled. The term shall include trailers of any size, kind, or description. The term shall not include baby carriages, wheelchairs, and vehicles used in the service of City Parks.

III. Section 3.00 – USES REQUIRING A FACILITY USE PERMIT

- A. Facilities available for public facility use include Artesia Park, A.J. Padelford Park, Baber Park, Albert O. Little Community Center, North Artesia Community Center, City recreation buildings, sports fields and courts, batting cage, sheltered and unsheltered picnic areas, BBQ pit, or playground thereon, and City streets, sidewalks, and public ways.
- B. A Facility Use Permit or a large event Facility Use Permit is required for the following Uses when proposed to occur in or on any such Facilities:

1. Any picnic, food distribution, outing, or other similar non-athletic gathering organized by any Person for a common purpose and composed of thirty (30) or more Persons at any picnic area or BBQ pit. All uses at covered picnic areas or for food distribution in any area require a Use Permit regardless of the number of persons in attendance.
2. Any public meeting, assembly, parade, processional or other similar Expressive Activity, organized by any Person and consisting of seventy-five (75) or more Persons gathered for a common purpose, including, but not limited to, drills, maneuvers, ceremonies, addresses, speeches, or political meetings, which will (1) impede, obstruct, impair or interfere with free use of public ways, (2) obstruct traffic flow, or (3) which do not comply with traffic or park regulations.
3. Any Facility Use involving three hundred (300) or more Persons gathered for a common purpose and not falling within the categories described in Sections III.B.1 & III.B.2.
4. Any organized athletic team or league contests or tournaments.
5. Any exhibit, dramatic performance, play, motion picture, radio or television broadcast (excluding broadcasts of spontaneous news events), fair, festival, carnival, circus, musical event, or similar event.
6. Any Use requiring sound amplification.
7. Any instructional course, lesson, or class which is not run through the Department's contract class program.

IV. Section 4.00 – USES NOT REQUIRING A FACILITY USE PERMIT

A. A Facility Use Permit is not required for:

1. Any picnic, outing, or other similar non-athletic gathering organized by any Person for a common purpose and composed of less than thirty (30) Persons, with the exception of food distribution, when proposed to occur at any non-covered picnic area or BBQ pit.
2. Any public meeting, assembly, parade, processional or other similar Expressive Activity, organized by any Person and composed of less than seventy-five (75) Persons gathered for a common purpose, where the organizer has paid the applicable procession fee established by City Resolution No. 2009-2120, as provided in Exhibit A of this Resolution, and where all participants: (1) give way to others they encounter on the public way; (2) do not obstruct traffic flow; (3) obey all traffic regulations; and (4) obey all park regulations.

3. Any spontaneous Expressive Activity occasioned by news or affairs coming into public knowledge less than forty-eight (48) hours prior to such events. If practicable, the organizers should give at least four (4) hours advanced verbal or written notice to the Department prior to the spontaneous Expressive Activity informing the Department of the date and time of the event and providing an estimate of the approximate number of Persons who will be participating. Uses which require advance planning such as sports contests or tournaments organized at Artesia Park or A.J. Padelford Park, Uses requiring sound amplification, Festivals, Carnivals, or Circuses, or other Uses which require permits, licenses, insurance, or security personnel shall not be considered to be spontaneous Uses.
4. Spontaneous radio and television broadcasts of news events coming into public knowledge less than forty-eight (48) hours prior to such broadcast. If practicable, the organizers should give at least four (4) hours advanced verbal or written notice to the Department prior to the spontaneous news broadcast informing the Department of the date and time of the broadcast and providing an estimate of the approximate number of Persons who will be participating.

V. Section 5.00 – CLASSIFICATIONS OF USERS

- A. Each Facility Use Application will be reviewed by the Department and classified into a group depending on the type of Person or Group submitting the Facility Use Application and the intended Use. The Department determines eligibility for each group. The City’s Use of Facilities has first priority. The classifications are listed in order of priority with Group “1” first, Group “2” second, etc.

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|---------|---|
| Group 1 | <u>City</u> . Use organized, sponsored, co-sponsored, or conducted by the City. |
| Group 2 | <u>Resident Non-Profit</u> . Use by Resident Non-Profit groups which add to and support Parks and Recreation Department programs. |
| Group 3 | <u>Non-Resident Non-Profit</u> . Use by Non-Resident Non-Profit Groups which add to and support Parks and Recreation Department programs. |
| Group 4 | <u>Resident</u> . Use by Residents, Resident Groups, or Businesses within the City which are holding private uses or programs which are not complimenting or supporting the Parks and Recreation Department programs. |
| Group 5 | <u>Non-Resident</u> . Use by Non-Residents, Non-Resident Groups, Non-Resident Non-Profits or Businesses outside the City which are holding private uses or programs which are not complimenting or supporting the Parks and Recreation Department programs. |

B. Specifications for Group 2 Users

An organization shall not be considered for Group 2–Resident Non-Profit priority unless and until the organization satisfies the following criteria and submits the following information to the Department:

1. The Non-Profit Organization provides sufficient information for Staff to determine that the primary purpose of the organization is to serve the City’s community and at least fifty percent (50%) of its members are Residents of the City.
2. The organization must be registered as a non-profit corporation with the State of California Secretary of State and the Internal Revenue Service with current 501(c)(3) or 501(c)(4) status.
3. The organization must provide a program which compliments or supports the Parks and Recreation Department programs
4. The organization must submit the following:
 - a. a copy of its State incorporation papers and by-laws;
 - b. a summary of services provided to the City depicting the organization’s primary purpose is to serve the City’s community; and
 - c. a copy of a current membership roster showing residency of members.

C. Specifications for Group 3 Users

An organization shall not be considered for Group 3–Non-Resident Non-Profit priority unless and until the organization satisfies all criteria for Group 2 Users as specified in Section V.B. above, with the exception of the residency requirement specified in Section V.B.1 and V.B.4.c.

D. Specifications for Group 4 Users

To be considered a Group 4 User, a Person or Business must have a primary residence in the City. For groups, teams or leagues, at least fifty percent (50%) of its members must reside in the City.

E. Specifications for Group 5 Users

All other users or groups which do not meet the criteria for Groups 2-4 shall be considered Group 5 Users.

F. Specifications Public Assembly Use

An applicant shall be a Non-Profit Organization or applicable group who apply to conduct large scale events and who shall be subject to satisfying the following

criteria and submitting to the following information with the Facility Use Application to the Department:

1. The address (include City) of the principal and permanent meeting place of the organization.
2. An updated membership roster that lists the name, residence address (including City), and phone number of each member. Membership rosters will be kept confidential and will be used only for verifying residency status.
3. A roster of the organization's event committee shall be submitted with the names, addresses (including City), and phone number of each member.
4. Activity and implementation plan that includes a description, program, and itinerary for all activities.
5. The plot plan for the site of the intended use and specifications of all equipment, furnishings, sound, electrical, structures, etc.
6. All required special permits from the Fire Department, Building and Safety Official, Health Department, and local, state and federal regulatory agencies.

VI. Section 6.00 – USE HOURS OF AVAILABILITY FOR FACILITY USES

Facility Use Permits are limited to the Department's hours of availability and what is deemed to be conducive to the peace and safety of the community. All Uses are subject to date availability. The City reserves the right to set hours of operation on a seasonal basis.

ALBERT O. LITTLE COMMUNITY CENTER AND ARTESIA PARK

A. Community Center

| | |
|-------------------|------------------------|
| Sunday – Thursday | 8:00 a.m. – 8:00 p.m. |
| Friday – Saturday | 8:00 a.m. – 10:00 p.m. |

B. Sheltered/Unsheltered Picnic Areas

| | |
|-------------------|------------------------|
| Sunday – Thursday | 8:00 a.m. – 8:00 p.m. |
| Friday – Saturday | 8:00 a.m. – 10:00 p.m. |

C. Diamonds/Sports Fields/Courts (Sports Uses)

| | |
|-------------------|------------------------|
| Sunday – Thursday | 7:00 a.m. – 8:30 p.m. |
| Friday – Saturday | 7:00 a.m. – 10:00 p.m. |

D. Grass Areas (Non-Sports Uses)

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|-------------------|--|
| Sunday – Thursday | 7:00 a.m. – 9:00 p.m. (or until sunset for unlit grass areas) |
| Friday – Saturday | 7:00 a.m. – 10:00 p.m. (or until sunset for unlit grass areas) |

NORTH ARTESIA COMMUNITY CENTER AND A.J. PADEFORD PARK

A. Community Center

| | |
|-------------------|------------------------|
| Monday – Thursday | 9:00 a.m. – 8:00 p.m. |
| Friday – Sunday | 9:00 a.m. – 10:00 p.m. |

B. Sheltered Picnic Area

| | |
|-------------------|-----------------------|
| Monday – Thursday | 9:00 a.m. – 8:00 p.m. |
| Friday – Sunday | 9:00 a.m. – 8:00 p.m. |

Pursuant to Artesia Municipal Code Section 5-8.01, no person shall enter or remain in any public park in the City between the hours of 10:00 p.m. and 6:00 a.m. the following day. Section 5-8.01 does not apply to persons attending events or activities authorized by the City.

VII. Section 7.00 – FACILITY USE REGULATIONS

Use of the Facilities shall be subject to the Department’s control. Facility Use Permits may be issued provided such issuance is in accordance with all requirements of the Code and these rules and regulations. Applicants should thoroughly review these rules and regulations to become familiar with all fees, policies, and procedures. Facility Use Permits shall be issued according to the following limitations, with the exception of City Uses:

A. Filing Facility Use Applications

1. Applicants requesting Use of a Facility may make reservations up to six months in advance of the intended Use. (See Section VII.B. – Time for Filing Facility Use Applications.)
2. All Facility Use Applications shall be made on official forms provided by the Department and must be deemed completed in order to process the application.
3. The Applicant’s filing of a Facility Use Application does not constitute approval.
4. The Applicant must present valid identification with the filing of a Facility Use Application to establish (1) residency, (2) Non-Profit Organization status

(if applicable), (3) applicability of fees, and (4) the amount of fees, if any. **No exceptions.**

5. A person of at least twenty-one (21) years of age must sign and submit the Facility Use Application.
6. Facility Use Applications requesting the Use of any Facility for the following purposes requires the Applicant to apply for a large event Facility Use Permit:
 - a. Use of athletic fields or sports courts at Artesia Park or Padelford Park by priority Groups 2–5 for organized sports contests or sports tournaments. (See Exhibit B – Athletic Teams and Leagues.)
 - b. Use of Facilities involving three hundred (300) or more Persons gathered for a common purpose or Use of Facilities requiring sound amplification. (See Exhibit C – Large Groups and Special Equipment.)
 - c. Festivals, Carnivals, or Circuses. (See Exhibit D – Festivals, Carnivals and Circuses.)
7. The Applicant shall provide the Department with a single contact who is to serve as the responsible representative for the Use. The responsible representative must be present at all times during the time allotted on the approved Facility Use Permit.
8. The Facility Use Application must include preparation, set-up, and clean-up times should the Applicant require time to decorate or make other preparations.
9. The Applicant shall be responsible for securing all required permits, licenses, and/or insurance policies (see Exhibit F – Insurance Requirements). An Applicant requesting Use of a Facility for food distribution shall submit copies of required and necessary Los Angeles County Health Department permits issued to the Applicant for the food distribution with the filing of the Facility Use Application.
10. **Application Fees:**

An Applicant must submit fee of \$250 at the time of filing an application. The fee will be applied to the security deposit and fees applicable to the Use less \$50 for the processing fee. All payments of fees shall be made to the City of Artesia. The remaining rental fees shall be paid no later than two (2) weeks prior to the reservation. Payments are accepted in the form of cash, check, money order, cashier’s check, or credit card.
11. **Security Deposit Fee**

- a. All Facility Use Applications must be signed and submitted with a security deposit before consideration of Facility Use Permit Approval. The security deposit fee is necessary and must be adequate to cover any potential damage, anticipated police, public works, or recreation services costs, before consideration of Facility Use Permit Approval.
- b. All Facility Use Applications for large event Facility Uses (see Section VII.A.6.) must be signed and submitted with the security deposit determined by the Department to be necessary and adequate based upon the Use to cover any anticipated police, public works, or recreation service costs, before consideration of large event Facility Use Permit approval.
- c. The security deposit set forth shall secure the performance of the Applicant/Permittee's obligations. Charges for additional costs incurred by the City as a result of the Use, including, but not limited to, cleaning or repair costs, or Staff Overtime Fees (see Section VII.F.1.h.) shall be deducted from the security deposit. The balance of the security deposit will be refunded within fourteen (14) working days from date of Use together with a statement showing any charges made against such security deposit by the Department.

12. Facility Use Permit Fee

- a. Payment of Facility Use Permit Fees shall be made in full a minimum of three (3) weeks prior to the intended Use and prior to the issuance of a facility use permit.
- b. All established Facility Use fees have been reviewed and approved by City Council. (See Exhibit A – Facility Use Fee Schedule.) Any exceptions or special requests not covered by this policy must be submitted in writing to the Manager and shall be reviewed by the City Manager.
- c. The Permittee agrees to and shall be liable for all Sheriff's Department and additional charges incurred by the City at a rate equal to the Sheriff's Department billing rate for Sheriff's Department costs for any disturbances caused by the Permittee's guests.

Cancellation Fee

A Person holding an advance reservation for Use of a Facility and desiring to cancel such reservation shall be subject to the withholding of a portion of, or the entire, security deposit and/or fees:

- a. Reservations cancelled at least four (4) months prior to the event:
 - Rental Fees (if paid) – Full Refund
 - Security Deposit – Less 10% processing fee

- b. Reservations cancelled at least two (2) months prior to the event:
Rental Fees (if paid) – 50% Refund
Security Deposit – 50% Refund
- c. Reservations cancelled less than two (2) months prior to the event:
When Rental Fees are paid:
Rental Fees – No Refund
Security Deposit – Full Refund
When Rental Fees are not paid:
Security Deposit – No Refund

Waiver or Reduction of Fees

- a. Users are assessed different fee amounts based on the type of user Group 2-5, as outlined in Exhibit A: Facility Use Fee Schedule. All Facility Users shall pay the facility use fees corresponding to the type of user Group. No additional discounts or waivers shall be offered.

B. Time for Filing Facility Use Applications

- a. Facility Use Applications for all Uses shall be filed at least thirty (30) days in advance of the desired Use. Any application submitted within thirty (30) days of the desired Use shall be filed at least seven (7) businesses days prior to the desired Use date to allow for processing. The intensity of the desired use will be taken into consideration in the ability to process an application within seven (7) businesses days.
- b. Applicants may submit Facility Use Applications up to six (6) months in advance.
- c. Submission of a Facility Use Application shall not imply or constitute a guarantee of use of the Facility. Applications shall not advertise or print invitations prior to receiving written approval of the Use.
- d. The Department may permit Applicants to apply for continuous Use of Facilities up to a maximum of three (3) non-consecutive dates per year, per Facility Use Application, irrespective of the Applicant’s residency status. The Department, however, in its sole discretion, may permit Applicants for athletic teams and leagues large event Facility Use Permits to apply for continuous use of Facilities for more than three (3) dates per year, per Facility Use Application in order to facilitate necessary advanced planning for athletic contests or tournaments.
- e. The Department may preempt continuously scheduled Uses in the event of City use of the Facility or a national or local emergency that requires the City’s utilization of the reserved Facility during the emergency.

C. Standards for Approval of Facility Use Applications and Issuance of Facility Use Permits

1. Facility Use Permits shall only be issued to Applicants twenty-one (21) years of age or older.
2. No Use is permitted which is in violation of City, County, State, or Federal laws.
3. No Facility Use shall be granted for Commercial activity.
4. The Department may impose reasonable conditions or restrictions on the granting of a Facility Use Permit as is necessary to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful or impermissible uses, protect the safety of Persons and property, and to control vehicular and pedestrian traffic in and around the Facility, including, but not limited to, any of the following:
 - a. Restrictions on fires, fireworks, amplified sound, dance or sports events, use of animals, Equipment or Vehicles, the number of Persons to be present, the location of any bandstand or stage, or any other use which appears likely to create a risk of unreasonable harm to the use and enjoyment of the Facility by others, or of damage to the Facility;
 - b. A requirement that the Applicant post a security deposit calculated to include the cost of repair for any damage to Facilities and/or Equipment, or the cost of clean up, or both;
 - c. A requirement that the Applicant pay a fee to defray the Department's cost of furnishing adequate security personnel during the proposed Use;
 - d. A requirement that the Applicant pay any required business license tax or other required fees;
 - e. A requirement that the Applicant furnish additional sanitary and refuse facilities based on the Use for which the permit is being sought; and/or
 - f. A requirement that the Applicant provide evidence of insurance that the Manager determines to be necessary and adequate based upon the Use, other than, or in addition to, insurance required under Exhibit G of these regulations (*e.g.*, Uses involving the movement of large loads may require motor carrier's or trucker's liability insurance).
 - g. A requirement that the Applicant provide evidence of required and necessary Los Angeles County Health Department permits for Use of a Facility for food distribution.

5. The Department shall require a chaperon for every fifteen (15) youths under age eighteen (18) years at a dance or social function. Chaperons must be twenty-one (21) years or older. The Department shall also request a list of chaperons.
6. The applicant is responsible for providing security personnel that are licensed and certified by the State of California. The cost for security is the responsibility of the Permittee.

D. Approval and Denial of Facility Use Applications

1. A Facility Use Application is not considered approved until (1) the Applicant delivers to the Department the Facility Use Application, Application fee, Facility Use Permit fee, security deposit, certificate of insurance or insurance fee, written evidence of permits and licenses (if applicable), and any other items deemed necessary by the Department; and (2) the Department, based on the Applicant's satisfaction of all permit requirements and/or conditions, approves such Use in writing, or in the case of a Facility Use Application for a large event Facility Use, the City Council, approves the Use at a regularly scheduled City Council Meeting.
2. A copy of the Facility Use Application will be returned to the Applicant after approval or denial.
3. The Department shall not deny Facility Use Applications based upon the content of any Expressive Activity conveyed by the Use, the identity of associational relationships of the Applicant, or any assumptions or predictions as to the amount of hostility which may be aroused in the public by the content, if any, of speech or messages conveyed by the Use.
4. The Department may deny Facility Use Applications on the following, but not limited to, bases:
 - a. The proposed Use will unreasonably interfere with or detract from public health, safety, or welfare, or from the general public use and enjoyment of the Facility.
 - b. The proposed Use will entail an extraordinary expense or operation by the City.
 - c. The Facilities and/or Equipment desired have been reserved for another Use on the day and hours requested in the application.
 - d. The proposed Use will require the use of an entire City park.
 - e. The proposed Use will interfere with City-sponsored programs.

- f. The Applicant has not paid all applicable security deposits or Facility Use Permit fees, or any checks for such fees or security deposits were returned to the City for insufficient funds.
- g. The Applicant previously used a City Facility, and, due to lack of cleaning or damage to the Facility and/or Equipment, did not receive all of the Application deposit back, or that Applicant failed to pay all fees or balances on Facilities or Equipment as arranged with the City.
- h. The Applicant has failed to meet all Los Angeles County health and safety standards and requirements for food distribution.

5. **Appealing Department Denials of Facility Use Applications.** Within ten (10) business days after receipt of the security deposit and the Facility Use Application, the Department shall apprise the Applicant of its reasons for denying the Facility Use Application or of any condition attached to the issuance of a Facility Use Permit. The Applicant shall have the right to appeal in writing, within five (5) days, to the City Manager. The appeal must include a copy of the notice of denial or conditions, a brief recitation of the basis of the appeal, and any other information, which the appellant may wish to submit. The City Manager will sustain or overrule the Department's decision within five (5) business days of the appeal. The decision of the City Manager is final.

Facility Use Applications denied within thirty (30) days of the desired use shall file an appeal at least three (3) business days in advance of the desired use date to allow for processing time.

E. Indemnification, Insurance, and Subrogation

- 1. The Permittee shall indemnify, defend, and hold harmless the City, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Permittee's use or occupancy of the Facility or adjoining property, unless solely caused by the gross negligence or willful misconduct of the City, its officers, employees, or agents.
- 2. Permittee shall procure and maintain general liability insurance against any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Permittee's use or occupancy of the City's facilities and adjoining property in the amount of one million dollars (\$1,000,000) per occurrence. Such insurance shall name the City, its officers, employees, and agents as additional insured's prior to the rental date of the Facility. Permittee shall

file certificates of such insurance with the City, which shall be endorsed to provide thirty (30) days' notice to the City of cancellation or any change of coverage or limits. If a copy of the insurance certificates is not on file prior to the event, the City may deny access to the Facility.

3. Permittee shall report any personal injuries or property damage arising at any time during and/or arising out of or in any way connected with Permittee's use or occupancy of the City's Facilities and adjoining property to the Manager or his/her designee, in writing and as soon as practicable.
4. Permittee waives any right of recovery against the City, its officers, employees, and agents for fires, floods, earthquakes, civil disturbances, regulation of any public authority, and other causes beyond the City's control. Permittee shall not charge results of "acts of God" to the City, its officers, employees, or agents.
5. Permittee waives any right of recovery against the City, its officers, employees, and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with Permittee's use or occupancy of the Facility and adjoining property, even if the City, its officers, employees, or agents seek recovery against Permittee.

F. Conditions of Facility Use

1. General Facility Use Permit and Permittee Rules and Regulations

- a. The Permittee is an independent contractor and not the agent or employee of the City or Department.
- b. The Facility shall be used for the purpose stated in the Facility Use Permit and no other use will be permitted.
- c. Persons will not be permitted inside any Facility in excess of the established capacity of that Facility.
- d. Facility Use Permits shall not be transferred or assigned without the prior written consent of the Department.
- e. The Permittee shall not sublease the Facility to another Person to use the Facility for the period that Permittee has been allowed by the Facility Use Permit.
- f. The Permittee shall not allow another Person to use the Facility for the period that Permittee has been allowed by the Facility Use Permit.
- g. All Facility Use Schedules and Permits shall be issued for specific Facilities and/or Equipment and for specific hours, and the Facilities must be vacated as scheduled.

- h. The Permittee shall pay an additional Staff fee (referred to herein as “Staff Overtime Fee”) of fifty-eight (\$58.00) per hour for Use of a Facility beyond the Department’s hours of operation.
- i. Immediately prior to any Use of any Facility building the Permittee shall check in with and notify the Department of the Permittee’s intent to enter the building. Permittee shall complete a Pre-Use Inspection of the facility with Staff prior to beginning any Use setup. Permittee shall also complete a Post-Use Inspection of the facility with Staff prior to leaving the facility.
- j. The Permittee shall ensure that no disorderly or unseemly conduct be allowed in any City facility. Applicant may be liable for additional charges requiring law enforcement callouts.

2. Set Up · Clean Up · Decorations

- a. Immediately prior to and after any Use of any Facility, the Permittee and Staff shall complete and sign Pre-Use and Post-Use Inspection of the facility.
- b. The Permittee shall take full financial responsibility for any damage to or loss of City property or Equipment identified in the Condition of Inventory Checklist that occurs as a result of the Permittee’s Use and will be required to pay for same based on the current cost of repair or replacement. Funds to pay for damages or losses shall be deducted from the security deposit or paid additionally if the charge for damage is more than the security deposit. Until payment is received, the City shall have the right to revoke the Permittee’s current Facility Use Permit and reject future Facility Use Applications.
- c. The Permittee/responsible representative listed on the Facility Use Application must be present at all times during the Use, including setup, opening, closing, and cleanup.
- d. The Permittee, caterers, bands, florists, transporters of rental equipment, and related individuals will not be permitted access to the Facility prior to or after the Use time period. Permittee shall be responsible for arranging access during the time requested for entry and exit of the Facility.
- e. The Permittee shall not prepare or decorate the Facility prior to the Use start time.
- f. The Permittee is responsible for setting up, decorating, cleaning, and restoring the Facility and/or Equipment to its condition prior to Use. The Permittee shall pick up, bag, and remove all trash generated by all activity in any way connected with the Facility’s Use, leaving the

Facility clean and free of all trash and litter. The Permittee shall also leave all fixtures, if any, in good working condition. Everything must be accomplished prior to the closing time stated in the Facility Use Permit and Staff may utilize the Condition of Inventory Checklist (see Section VII.F.2.b.) to ensure that this provision is satisfied. Should the Permittee fail to do so, the City's actual cost to do so will be deducted from the security deposit.

- g. The City takes no responsibility for Permittee's items left in or on the Facility.
- h. The Permittee shall not drive or permit to be driven nails, hooks, tacks, screws, staples, poles, stakes or other forms of fasteners into any part of the Facility and shall not make or allow to be made any alterations of any kind therein. No putty shall be permitted on any part of the Facility. No rice, birdseed, confetti, glitter or other similar items shall be thrown in or around any Facility. No open flames are permitted. However, the Manager may, by written consent, permit centerpiece candles if the Manager determines the fire safety of the candles to be adequate under the circumstances.
- i. No signs, posters, pictures, advertisements, names or notices shall be inscribed, displayed, printed, or affixed to any part of the outside of any Facility without the Department's prior written approval based upon content-neutral time, place, and manner restrictions.
- j. Any decorating or other alterations to any Facility are subject to the Department's approval based upon content-neutral time, place, and manner restrictions. No structures may be erected or assembled on premises, nor may extraordinary electrical, mechanical, or other equipment be brought thereon unless written approval has been obtained from the Department. All Use of Facilities shall comply with all State and local fire, health and safety laws and all decorative materials must either be made of non-combustible substances or treated with State approved flame retardant.
- k. All exit doors must be operable and no part of any stairway, hallway, corridor, or exit may be used in a way that obstructs its use as an exit.

3. Use of City Equipment and Storage of Permittee's Equipment

- a. Equipment may not be removed, relocated, or taken from any Facility. The Permittee may only use Equipment normally located at the Facility with the prior written approval of the Department. Should the Permittee remove, relocate, or take City Equipment from any Facility, the cost to replace or relocate the City Equipment will be deducted from the security deposit.

- b. Storage of the Permittee's personal equipment and materials is not permitted at any Facility without the Department's prior written consent as to the type of equipment or materials to be stored, the facility or container that will be used to store the equipment or materials, and the location of the storage facility or container. Should the Permittee store personal equipment and materials at any Facility without the Department's prior written consent, the Department retains the right to dispose of the equipment and bill the Permittee for the disposal cost.
- c. City owned utility vehicles shall not be made available for use and shall not be used by the Permittee.
- d. The Permittee may be authorized to drive personal utility vehicles on park grounds with the prior written consent of the Department and under reasonable terms and conditions as imposed by the Department and the Facility Use Permit. The Permittee shall not drive any other type of motorized vehicles on fields or green space.
- e. The Permittee shall secure the approval of the Department before using audio/visual systems, public address systems, and live or recorded amplified music.

4. Miscellaneous

- a. The City shall have the right to control and operate the public portions of the Facilities, the heating and air conditioning, and any common use areas, in a manner deemed best for the City.
- b. Staff shall be assigned to be present during the Use. Staff shall be responsible for, and have complete authority over, the Facility, all Equipment, participants and Uses, and shall have the authority to request changes in Use, a reduction in the volume of noise created or emanating from the Use, or cessation of Use for public safety and wellbeing, and the group(s) using the Facility must comply with these requests or instructions.
- c. Failure to comply with Staff instructions or requests shall result in a loss of all fees, security deposits paid, and cessation of Use.
- d. The City shall provide normal use building maintenance. However, should additional maintenance be required, due to damage or an abnormal condition caused by the Permittee, the security deposit will be surrendered to cover any and all janitorial fees and/or repair fees incurred by the Department as a result of same. Permittees will not be allowed continued Use of any Facility or Equipment until such fees are submitted.

- e. Buildings shall be vacated no later than 10:00 p.m. on Friday through Saturday and 8:00 p.m. on Sunday through Thursday, and outdoor activities no later than 10:00 p.m. on Friday through Saturday evenings, unless it is co-sponsored by the City. Outdoor usage Sunday through Thursday shall be no later than 8:00 p.m. Buildings are not available for Use City holidays or holiday eves unless prior written consent is granted by the City Council based upon Staff availability and any extraordinary expense or operation the City may incur as a result of the Use date.
- f. The Permittee shall not use the City or Department's name to suggest endorsement or sponsorship of Use without the prior written consent of the Department.
- g. The Permittee shall observe, obey, and comply with all applicable City, County, State, and Federal laws, and these rules and regulations, including, but not limited to, the City's Public Parks and Public Restrooms Code (Artesia Mun. Code, title 5, ch. 8, §§ 5-8.01-5-8.06.) and the Noise Code (Artesia Mun. Code, title 5, ch. 2, §§ 5-2.05, 5-2.06(a)-(b), & 5-2.07(a).).
- h. The Permittee shall not discriminate against any person because of race, color, gender, age, national origin, marital status, sexual orientation, political or religious affiliations, and/or disability.
- i. No publicity shall be made of the Use and no advertising shall be exhibited in or on Facilities prior to the issuance of the Facility Use Permit and unless expressly authorized in the Facility Use Permit. Approved publicity shall clearly and accurately identify the name of the sponsoring organization or individual.
- j. No gambling of any kind shall be conducted on or in Facilities. An exception applies to charitable bingo games, raffles, or casino nights sponsored by Non-Profit Organizations as funding mechanisms to provide support for the Non-Profit Organizations' beneficial and charitable purposes.
- k. The Permittee shall insure that no illegal or disorderly conduct shall be allowed in any Facility. The Permittee shall take full responsibility for the conduct of those using the Facility and Equipment and shall see to it that unauthorized portions of the Facility are not used.
- l. No collection of donations or contributions, and no sale of entry tickets or of anything of value shall be made on City property without the Department's prior written consent, nor shall any City property be used for purposes of personal gain. Charges of this nature are subject to the Department's approval.

- m. Alcoholic beverages are prohibited and shall not be permitted in or on any Facility, with the exception of the Community Center when requested and approved in writing by the Manager for City sponsored or co-sponsored events. (Artesia Municipal Code, title 5, ch. 8, § 5-8.02.) The City reserves the right to place restrictions on the use of alcoholic beverages in accordance with state law and Department policy. No alcoholic beverages are permitted for Community Center Uses expressly conducted for Persons under the age of 21. (See Exhibit G – Serving of Alcoholic Beverages).
- n. Where applicable, the Permittee shall demonstrate proof of adequate insurance coverage. (See Exhibit F – Insurance Requirements.)
- o. Where applicable, the Permittee shall provide reasonable security for the permitted Use to insure the safety and security of Persons and/or personal property. (See Exhibit E – Security.)
- p. Inspection and permits by the Fire Department to assure compliance with public assembly regulations may be required at the Permittee’s expense. The Permittee shall be present during such inspection and be billed directly by the Fire Department.
- q. The City is not liable for accidents or injuries to Persons, or loss of or damage to group or individual personal property that occurs in connection with the permitted Use, unless solely caused by the negligence of the City, its officers, employees, or agents.

5. Failure of Permittee to Comply with the Conditions of Facility Use

- a. Should the Permittee fail to comply with any provision of the Conditions of Facility Use, and such failure results in the City incurring damages, losses, expenses, fees, or costs (“costs”) for which the security deposit is insufficient to collect, the City may, and retains the right to, file a civil collection action against the Permittee for payment of all or part of the costs should the City bill the Permittee for all or part of the costs, and the Permittee fails to pay the monies owed within the time specified in the bill.

G. Cancellation and Revocation

- 1. The Permittee is responsible for notifying the Department of any changes in Use, including cancellations of advance reservations. Permittees shall be liable for cancellation fees, including, but not limited to, the nonrefundable application fee of fifty dollars (\$50.00) and applicable fees as outlined in Section VII.A.12 outlined above. If the security deposit is insufficient to collect the forfeit fee, the City may, and retains the right to, file a civil collection action against the Permittee for payment of all or part of the forfeit

fee if the City bills the Permittee for all or part of the forfeit fee and the Permittee fails to pay the monies owed within the time specified in the bill.

2. The Department has the authority to revoke an advance Facility reservation or a Facility Use Permit at any time whenever false information has been reported to the City or Department, or there has been a violation of any City, County, State or Federal laws, or these rules and regulations, or any condition or restriction under which the Facility Use Permit was issued. A revocation of an advance Facility reservation shall result in the loss of the application deposit. A revocation of a Facility Use Permit may result in the Department denying the Permittee further Use of the Facility and Permittee shall forfeit a portion or all of the rental fee and/or the security deposit.

EXHIBIT A
CITY OF ARTESIA
FACILITY USE FEE SCHEDULE

| Room/Area of Use | Maximum Capacity | Minimum Hours of Use | Group 2 and Group 3 Users | Group 4 Users | Group 5 Users | Security Deposit |
|--|------------------|----------------------|---------------------------|-------------------------|-------------------------|-----------------------------|
| Albert O. Little Community Center | | | | | | |
| Meeting Room A or B | 40 | 2 hours | \$30 per hour | \$50 per hour | \$80 per hour | \$150 |
| Southeast Multipurpose Room | 75 | 5 hours | \$36 per hour | \$60 per hour | \$90 per hour | \$150 |
| East Multipurpose Room | 150 | 5 hours | \$60 per hour | \$100 per hour | \$130 per hour | \$150 |
| West Auditorium | 150 | 5 hours | \$78 per hour | \$130 per hour | \$160 per hour | \$150 |
| Entire Hall | 300 | 5 hours | \$132 per hour | \$220 per hour | \$250 per hour | \$300 |
| Artesia Park | | | | | | |
| Unsheltered Picnic Area | *1 | None | Free | Free | Free | \$50 |
| Sheltered Picnic Area | 10 tables | 4 hours | \$15 per hour | \$25 per hour | \$55 per hour | \$75 |
| Sports Courts: Tennis, Basketball, Soccer | * | 1 hour | \$10 per hour | \$15 per hour | \$20 per hour | \$150 |
| Lights for a single type of Sports Court | * | 1 hour | \$5 per hour | \$5 per hour | \$5 per hour | |
| Baseball Diamonds 1,2,3, or 4 No Lights | * | 1 hour | \$30 per hour per field | \$50 per hour per field | \$80 per hour per field | \$150 |
| Lights for single Baseball Diamonds | * | 1 hour | \$10 per hour per field | \$10 per hour per field | \$10 per hour per field | Estimate Costs ² |
| Pee Wee Diamonds & Open Space Areas | * | 1 hour | \$30 per hour per area | \$50 per hour per area | \$80 per hour per area | \$150 |
| Grass Area Inside Baseball Diamond Fence – No Lights | * | 1 hour | \$60 per hour | \$100 per hour | \$130 per hour | \$500 |

¹ Outdoor spaces have variable capacities depending on the type and location of the Use.

² Users requesting use of field lights will be charged an estimated light security fee based on the estimated duration and time of day of the event and expected sunset time. Any unused light security funds will be refunded following the use along with the security deposit. If the light security fee is insufficient for the time the lights are on, the balance will be deducted from the facility use security deposit.

| | | | | | | |
|---|---|------------------------|---------------|-----------------|-----------------|--------------------------------|
| Baseball Diamonds 1-4 Tournament & Snack Bark Use/No Lights | * | Maximum of 14 hours | \$720 per day | \$1,200 per day | \$1,500 per day | \$800 |
| Field Lights for tournament and grass area use (all lights). | * | 1 hour | \$40 per hour | \$40 per hour | \$40 per hour | Estimate Costs ² |

| Room/Area of Use | Maximum Capacity | Minimum Hours of Use | Group 2 and Group 3 Users | Group 4 Users | Group 5 Users | Security Deposit |
|--|---------------------|-------------------------|------------------------------|----------------|----------------|---------------------|
| North Artesia Community Center/AJ Padelford Park | | | | | | |
| Multipurpose Room | 120 | 5 hours | \$60 per hour | \$100 per hour | \$130 per hour | \$150 |
| Classrooms A, B, or C | 20 | 1 hour | \$15 per hour | \$25 per hour | \$55 per hour | \$150 |
| Sheltered Picnic Area | 5 tables | 4 hours | \$15 per hour | \$25 per hour | \$55 per hour | \$100 |
| Basketball Court | * | 1 hour | \$10 per hour | \$15 per hour | \$20 per hour | \$150 |
| Open Space | * | 1 hour | \$30 per hour | \$50 per hour | \$80 per hour | \$150 |

All Uses scheduled outside of facility operational hours will be assessed a \$58 per hour staff fee to keep facilities open. At no time will a facility use occur without staff members present.

The Facility Use Fee Schedule will be reviewed annually to ensure the fees assessed are adequate to recover the cost of operations in association with facility uses.

EXHIBIT B

CITY OF ARTESIA LARGE EVENT FACILITY USE PERMITS AND ADDITIONAL FEES

ATHLETIC TEAMS AND LEAGUES

- A. Use of the athletic fields or courts at Artesia Park or A.J. Padelford Park by Priority Groups 2–5 for organized sports team or sports tournament uses will require a large event Facility Use Permit, a maintenance security deposit as determined by the Department to be necessary and adequate under the circumstances, and the approval of the City Council.
- B. Continuous Use of the athletic fields or courts at Artesia Park or A.J. Padelford Park for organized sports team or sports tournament uses recommended for approval by the Parks and Recreation Department require payment of facility use fees in accordance with the City Facility Use Fee Schedule (see Exhibit A).
- C. The large event Facility Use Permit shall be issued for a period not to exceed 15 days in one month to permit other use of the athletic fields and to allow for the recovery of athletic fields.
- D. The large event Facility Use Permit shall only be issued for Use of the athletic fields when there is no City Use of the fields.
- E. The large event Facility Use Permit shall be applied for in the manner set forth in the City’s Facility Use Regulations and require approval of the Manager. All rules and regulations established by the City shall be followed in conducting said sports team or sports tournament Use.
- F. In addition to the Facility Use Application requirements set forth in Section VII.C. of the Facility Use Regulations, a Facility Use Application for an organized sports team or sports tournament Use is not considered approved until the Applicant delivers to the Department the team rosters of teams participating in the athletic Use.
- G. In order to maintain the quality and long range scheduling of the Artesia and Padelford Parks for organized sports team or sports tournament Use, Permittee shall keep and maintain the athletic fields or courts in a good and clean condition (*e.g.*, by picking up and properly disposing of trash left by Permittee and/or event participants, not causing the pooling of water on the athletic fields after hosing down fields, etc.). Should extra maintenance be required, due to an abnormal condition caused by the Permittee, the security deposit will be surrendered to cover said maintenance and damages.
- H. See Exhibit F for applicable insurance requirements.
- I. The City may cancel uses of Artesia or A.J. Padelford Parks for any of the following reasons:

1. The City is engaged in repair work involving any of the Facilities scheduled to be utilized.
2. The Department has determined at check-in time that heavy rains have rendered the athletic fields or courts unusable.
3. The Department has determined at check-in time that the health and safety of participants are threatened due to impending conditions, including, but not limited to, heavy rains, excessive heat, or smog alerts.

EXHIBIT C

CITY OF ARTESIA LARGE EVENT FACILITY USE PERMITS AND ADDITIONAL FEES

LARGE GROUPS AND SPECIAL EQUIPMENT

- A. Facility Uses involving large groups exceeding three hundred (300) Persons gathered for a common purpose or requiring sound amplification require large event Facility Use Permits, Use Fees (see Exhibit A — Facility Use Fee Schedule), additional fees as outlined in Exhibit D—Large Event Facility Use Permits and Additional Fees, and the approval of the City Council.
- B. Plot plans/maps shall accompany large event Facility Use Applications for Uses involving sound amplification, tents, booths, bleachers, special equipment, or large groups exceeding three hundred (300) Persons.

EXHIBIT D

CITY OF ARTESIA LARGE EVENT FACILITY USE PERMITS AND ADDITIONAL FEES

FESTIVALS, CARNIVALS AND CIRCUSES

- A. Festival, Carnival and Circus large event Facility Use Permits shall be applied for in the manner set forth in the City's Facility Use Regulations and require the approval of the City Council. All rules and regulations established by the City shall be followed in conducting said Festival, Carnival, or Circus.
- B. A one thousand five hundred dollar (\$1,500) refundable cash security deposit (see Section VII.A.11.b. – Security Deposit Fee) and liability insurance bond in the minimum amount of five million dollars (\$5,000,000) with the City of Artesia named as additional insured, must be on file with the Department at least fourteen (14) days prior to the Festival/Carnival/Circus equipment entering the Facilities.
- C. Festivals, Carnivals, or Circuses, for which the large event Facility Use Permittee's employees are used to set up or operate, are required to show evidence of workers' compensation insurance.
- D. The large event Facility Use Permittee and Festival/Carnival/Circus management shall file a plot plan/map of the physical arrangements of the Festival/Carnival/Circus (*i.e.*, location of tents, canopies, temporary membrane structures, stages, seating, portable toilets, etc.) with the Department. The ratio of the number of portable toilets to the projected number of Festival/Carnival/Circus participants shall comply with applicable State Health Department and Americans with Disabilities Act requirements. The Department must approve the plot plan/map prior to approval of the large event Facility Use Permit for the Festival/Carnival/Circus. The large event Facility Use Permittee and Festival/Carnival/Circus management shall adhere to the approved plot plan/map.
- E. The large event Facility Use Permittee and Festival/Carnival/Circus management shall file an operation plan with the Department. The operation plan shall describe the set up operations and clean up operations, including the time periods allowed for each, who and how many persons will be involved, and arrangements for trash and debris containment and removal. The Department must approve the operation plan prior to approval of the large event Facility Use Permit for the Festival/Carnival/Circus. The large event Facility Use Permittee and Festival/Carnival/Circus management shall adhere to the approved operation plan.
- F. The large event Facility Use Permittee and Festival/Carnival/Circus management shall file a program itinerary with the Department. The program itinerary shall include the timing of events to occur, information on plans to ensure occupancy/participant attendance, and crowd control plans for before, during, and after the event. The Department must approve the program itinerary prior to approval of the large event Facility Use Permit for the Festival/Carnival/Circus. The large event Facility Use

Permittee and Festival/Carnival/Circus management shall adhere to the approved program itinerary.

- G. The large event Facility Use Permittee and Festival/Carnival/Circus management shall file a parking, traffic control, and circulation plan with the Department. The Department must approve the plan prior to approval of the large event Facility Use Permit for the Festival/Carnival/Circus. The large event Facility Use Permittee and Festival/Carnival/Circus management shall adhere to the approved parking, traffic control, and circulation plan.
- H. The large event Facility Use Permittee shall submit to the City, at least fourteen (14) days prior to the Festival/Carnival/Circus opening, the name, address, and phone numbers of the Festival/Carnival/Circus' management.
- I. Festival/Carnival/Circus management shall submit a list of Festival/Carnival/Circus personnel to the Department at least fourteen (14) days prior to the Festival/Carnival/Circus equipment entering the City. The Department must have the names and phone numbers of Festival/Carnival/Circus representatives who can be reached twenty-four (24) hours a day.
- J. Festival/Carnival/Circus personnel, who will be working at least two (2) weeks prior to the Festival/Carnival opening, shall complete and file investigation cards with the Sheriff's Department. These cards may be obtained from the Department.
- K. The large event Facility Use Permittee and Festival/Carnival/Circus management shall obtain all applicable electrical and safety permits from the City's Building and Safety Department. Inspections will be made by appointment only between the hours of 10:00 a.m. to 1:00 p.m.
- L. It is the responsibility of the large event Facility Use Permittee and Festival/Carnival/Circus management to observe, obey, and comply with all applicable City, County, State, and Federal laws, these Facility Use rules and regulations, and any special rules and regulations governing Festivals, Carnivals or Circuses.
- M. It is the responsibility of the large event Facility Use Permittee and Festival/Carnival/Circus management to observe, obey, and comply with all applicable noise and sound limitations imposed by the large event Facility Use Permit in order to ensure that disturbance to surrounding residents is minimized.
- N. It is the responsibility of the large event Facility Use Permittee and Festival/Carnival/Circus management to observe, obey, and comply with all applicable standards in the operation of elevators and/or portable amusement rides (including bungee jumping) during the Festival/Carnival/Circus, including, but not limited to, California Code of Regulations, title 8, chapter 4, subchapter 6, California Code of Regulations, title 8, article 35, sections 3900 to 3920, and California Labor Code sections 7901 to 7906. Further, the large event Facility Use Permittee and Festival/Carnival/Circus management shall be responsible for obtaining all necessary permits for the operation of elevators and/or portable amusement rides from the

Department of Industrial Relations (DIR) Division of Occupational Safety and Health (DOSH) Elevator, Ride and Tramway Unit.

- O. It is the responsibility of the large event Facility Use Permittee and Festival/Carnival/Circus management to observe, obey, and comply with all applicable minimum safety standards in the care and conduct of animals used in the Festival/Carnival/Circus as promulgated by the United States Department of Agriculture and the Los Angeles County Department of Animal Care & Control, and/or contained in the Los Angeles County Codes pertaining to animal care and control.
- P. The large event Facility Use Permittee shall be responsible for police patrol during the set-up, operation, and tear down of the Festival/Carnival/Circus. The large event Facility Use Permittee shall contact the Sheriff's Department and be financially responsible for the officers. The Sheriff's Department shall specify the number of Sheriff's Deputies required.
- Q. The large event Facility Use Permittee shall be responsible for any City Staff costs for setting up, monitoring, and taking down the event Facilities. The actual costs will be determined following the Festival/Carnival/Circus, and the amount paid will be deducted from the cash security deposit, resulting in either a refund to the large event Facility Use Permittee or a balance due to the City.
- R. The Department shall conduct an inspection of the grounds prior to the Festival/Carnival/Circus equipment entering Artesia Park and immediately after the Festival/Carnival/Circus equipment leaves the Park.
- S. No Festival/Carnival/Circus or any activities related thereto will be permitted on the turf area of Artesia Park without prior consent from the City.
- T. Festival/Carnival/Circus equipment shall not be permitted on the Facilities prior to the date and time approved by the Manager.
- U. The large event Facility Use Permittee shall be responsible for any non-operation hours fees and any additional Staff Overtime Fees.

EXHIBIT E

CITY OF ARTESIA SECURITY

- A. The Department, when necessary and adequate under the circumstances, shall require a minimum number of security officers for the Use. The cost of security is the responsibility of the Permittee. Security shall be arranged through the Department and made a condition to approval of the Facility Use Application. Security services must be in place ten (10) working days prior to the activity.
- B. The Sheriff's Department shall determine the number of security officers or personnel required for the Use based on the description of the event, whether or not alcohol will be served, and the number of participants, their ages, etc. Security officers or personnel shall be present at all Private events held at the Community Center at which alcohol is served. The Department may, when adequate under the circumstances, authorize Permittee's employment of security personnel, other than Sheriff's Department personnel, provided the personnel employed meet the requirements of the Sheriff's Department for the type of Use.
- C. Permittee is solely responsible for supervising all individuals at the Facility and adjoining property during the Use. The Department is not responsible for providing this supervision. However, Staff shall monitor Facility Uses and have authority to suspend the serving of alcohol, evict individuals from the Facility if their conduct is reasonably deemed to be detrimental to the public, and/or terminate the Facility Use.
- D. Should Staff determine the need to contact the Sheriff's Department for any disturbances caused by the Permittee's guests, the Permittee agrees to and shall be liable for all Sheriff's Department and additional charges incurred by the City at a minimum rate of one hundred fifty dollars (\$150.00) per hour. If the security deposit is insufficient to collect the additional charges, the City may, and retains the right to, file a civil collection action against the Permittee for payment of all or part of the additional charges if the City bills the Permittee for all or part of the charges and the Permittee fails to pay the monies owed within the time specified in the bill.

EXHIBIT F

CITY OF ARTESIA INSURANCE REQUIREMENTS

- A. The procurement of insurance shall be required for all facility uses. In addition, the following uses require additional insurance and information to be provided by the user prior to the Use: (1) athletic organized sports team or sports tournament Uses; (2) Uses anticipating a large number of participants exceeding three hundred (300) Persons; (3) Festival, Carnival, and Circus Uses; and (4) Uses requiring security officers or personnel.
- B. All Persons reserving Uses that require additional insurance and provisions shall provide the City with a Certificate of Insurance naming the City of Artesia as an additional insured, as outlined below.
1. The Permittee shall obtain, and keep in full force, at the Permittee's expense and for the mutual benefit of the City and the Permittee, a general liability insurance policy providing for:
 - a. claims and liability for personal injury, death or property damage arising from the Use, occupancy or disuse of the Facility or adjoining areas and ways;
 - b. at least one million dollars (\$1,000,000) for bodily injury or death for any one person;
 - c. at least one million dollars (\$1,000,000) for any one accident or occurrence; and
 - d. no less than two million dollars (\$2,000,000) general aggregate.
 2. Unless otherwise approved by City, insurance provided pursuant to these requirements shall be by insurers authorized to do business in California and with a minimum A.M. Best rating of A:VII.
 3. Further, all such policies shall contain language to the effect that:
 - a. the City of Artesia and its respective elected and appointed officials, officers, employees, and volunteers are added, by endorsement, as additional insureds prior to the Use date of the Facility;
 - b. the insured waives the right of subrogation against the City of Artesia and against the City of Artesia's agents and representatives;
 - c. the policies are primary and noncontributing with any insurance that may be carried by the City of Artesia; and

- d. the policies cannot be canceled or materially changed except upon prior thirty (30) day written notice by the insurer to the City of Artesia.
4. In the event of any cancellation or material change, any agreement between the City and the Permittee shall terminate and be of no further force and effect.
5. The Permittee shall furnish the City with a certificate of insurance evidencing such insurance and naming the City of Artesia as additional insured at least fourteen (14) working days prior to the Permittee's Use of the Facility. Certificates issued to the City shall contain the following language:

THE CITY OF ARTESIA, ITS ELECTED OR APPOINTED OFFICIALS, EMPLOYEES, AND VOLUNTEERS ARE INCLUDED AS INSURED BY ENDORSEMENT. THIS COVERAGE SHALL BE PRIMARY AND CITY INSURANCE SHALL NOT BE CONTRIBUTORY. THERE SHALL BE NO SUBROGATION AGAINST THE CITY. NO CANCELLATION OR MATERIAL CHANGE SHALL BE MADE WITHOUT THIRTY (30) DAYS WRITTEN NOTICE TO THE CITY.
6. Certificates are subject to review and approval by the City.
7. If a copy of the certificate is not on file prior to the Use, the City may deny access to the Facility.
8. The Permittee shall report any personal injuries or property damage arising at any time during, out of, or in any way connected with Permittee's Use or occupancy of a Facility and adjoining property to the Manager, or his/her designee, in writing as soon as practicable.

EXHIBIT G

CITY OF ARTESIA SERVING OF ALCOHOLIC BEVERAGES

- A. The service of alcohol is only permitted during City sponsored or co-sponsored Uses in the Community Center. (Artesia Municipal Code, title 5, ch. 8, § 5-8.02.)
- B. Facility Uses requesting the service of alcohol in the Community Center shall be applied for in the manner set forth in the City's Facility Use Regulations and require prior written consent of the City Manager. All rules and regulations established by the City shall be followed in conducting said Use.
- C. In order to serve alcohol, the Applicant/Permittee must comply with the following process:
 - 1. Applicants shall submit Facility Use Applications to serve alcohol in the Community Center to the Manager. Facility Use Applications to serve alcohol in the Community Center shall contain the following information:
 - a. The name, address, and phone number of the responsible representative, including, where applicable, the officers and/or directors of a corporation.
 - b. The date and hours of occupancy of the Community Center.
 - c. A State permit and/or license for alcoholic beverages.
 - d. An additional clean-up and damage security deposit determined to be necessary and adequate by the Department under the circumstances.
 - e. Evidence of the hiring of the Sheriff's Department for the Use of the Community Center.
 - f. Evidence (in the form of certificates and additional insured endorsements) of Host Liquor Liability insurance coverage in an amount no less than one million (\$1,000,000) in addition to other insurance requirements, as described in Exhibit G.
 - 2. The City reserves the right to place restrictions on the use of alcoholic beverages in accordance with State Law and Department policy.
 - 3. The Permittee shall only sell alcoholic beverages with proof of permits allowing the sale of alcohol and prior written consent of the Department.
 - 4. No alcoholic beverages are permitted for Uses expressly conducted for persons under the age of 21 and the Permittee shall not serve alcohol to minors. The Permittee's failure to comply, monitor and enforce this law is grounds for terminating the Facility Use and forfeiting all security deposits and fees. Injuries

caused to any person as a result of alcoholic beverages being served and/or consumed by a minor on City premises shall be the sole responsibility of the Permittee and/or responsible representative, unless solely caused by the negligence of the City, its officers, employees, or agents.

5. Injuries caused to any person as a result of alcoholic beverages being served and/or consumed by any person on the City's premises, or arising off the City's premises, or as a result alcohol being available on the City's premises, shall be the sole responsibility of the Permittee and/or responsible representative.
6. The Permittee shall only serve alcohol within the Community Center. The Permittee shall not serve alcohol or allow alcohol to be consumed in the Community Center's parking lots, public patio areas, or adjacent outside grounds adjacent.
7. Persons other than the Permittee shall not bring alcoholic beverages into the Facility.
8. Security officers or personnel shall be present at all Private events held at the Community Center at which alcohol is served. The Department, may authorize Permittee's employment of security personnel, other than Sheriff's Department personnel, provided the personnel employed meets the requirements of the Sheriff's Department for the type of Use. The cost of security is the responsibility of the Permittee. Security shall be arranged through the Department and made a condition to approval of the Facility Use Application.
9. Staff shall monitor Uses and have authority to suspend the serving of alcoholic beverages and/or terminate the Use. Should Staff determine the need to contact the Sheriff's Department for any disturbances caused by the Permittee's guests, the Permittee shall be liable for all Sheriff's Department and additional charges incurred by the City at a minimum rate of one hundred fifty dollars (\$150.00) per hour. If the security deposit is insufficient to collect the additional charges, the City may, and retains the right to, file a civil collection action against the Permittee for payment of all or part of the additional charges if the City bills the Permittee for all or part of the charges and the Permittee fails to pay the monies owed within the time specified in the bill.
10. If security is not present, Staff may request that the Use be discontinued and to ask the Permittee's group to leave the area.
11. If participants are found to be using illegal drugs on City property, the Use will be terminated immediately.