CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2015-634

A RESOLUTION OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING AN AMENDED POLICY FOR PICNIC SHELTER RENTALS.

WHEREAS, the City of Sammamish owns and operates a number of public park facilities; and

WHEREAS, many of the City park facilities include picnic shelters that may be reserved for private facility rentals; and

WHEREAS, the City of Sammamish Municipal Code, Chapter 7.12 provides general guidelines for public facility use; and

WHEREAS, a previous policy governing facility rentals at picnic shelters was approved by Resolution 2007-294; and

WHEREAS, the City of Sammamish now desires to update the previously adopted policy.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Policy on Picnic Shelter Rental, Adopted. The City Council hereby adopts a policy for picnic shelter rentals, attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. Effective Date. The effective date of this Policy shall be May 1, 2015.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 21ST DAY OF APRIL, 2015.

CITY OF SAMMAMISH

APPROVED

Mayor Thomas E. Vance

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk:	April 16, 2015
Passed by the City Council:	April 21, 2015
Resolution No.:	R2015-634

Exhibit A

CITY OF SAMMAMISH POLICIES AND PROCEDURES

Subject: PICNIC SHELTER RENTALS			Department: PARKS Number: 076.01.02
Effective Date: 05/01/15	**Supersedes:** R2007-294	**Approved By:** City Council	**Date:** 04/21/15

1.0 PURPOSE

To establish a policy for rental of the picnic shelters at City of Sammamish parks.

2.0 DEFINITIONS

Applicant: Refers to individuals or groups reserving a facility and completing a facility usage/rental application.

Business Hours: 8:30 AM to 5 PM, Monday through Friday, except holidays.

City Hall: Building located at Sammamish Commons at 801 - 228th Avenue SE.

City Co-Sponsored: City provides funding or in-kind services in the support of a program, activity, special event or meeting.

City Sponsored: City funded, operated and managed programs, activities, special events or meetings.

Commercial: Individuals, groups or businesses engaged in profit-making activities that charge admissions, fees for services, sell tickets, food or other items, solicit funds or donations, offer other money-making activities or promote a commercial business.

Dusk: The time that is thirty (30) minutes after sunset. At this time and under good weather conditions, there is enough light for objects to be clearly distinguishable. Outdoor activities without artificial illumination should end at this time. A civil twilight schedule will be used to establish this time of day throughout the year.

Long-Term Rentals: Rentals that book a consistent day and time for three (3) or more consecutive months.

Resident: Individuals whose primary residential or business address is within the City limits of the City of Sammamish.

Shelter Season: March 1 thru September 30.

Exhibit A

3.0 POLICY

All picnic shelter rentals at City of Sammamish parks are to be in accordance with the following policies:

3.01 Purpose of Rentals

Picnic shelters may be reserved for civic, non-profit/not-for-profit, recreational and non-commercial purposes. Picnic shelters are not available for commercial use except by concession contract or by special use permit issued by the Parks and Recreation Director or his/her designee.

3.02 Right of Refusal

The City reserves the right to limit or deny rental of the picnic shelters due to incompatibility of the rental request with the City's facilities, or for other similar reasons.

3.03 Non-Discrimination

The City does not discriminate on the basis of race, creed, color, national origin, religion, gender, marital status, age, sexual orientation, political affiliation, or sensory, mental or physical disability or any other unlawful basis. Any persons or group reserving picnic shelter facilities must follow the same non-discriminatory policy.

3.04 Non-Endorsement

Permission to use City facilities does not constitute an endorsement of an Applicant's philosophies, policies, beliefs, mission or purpose.

3.05 Facility Usage Priority

City programs and activities take precedence over all other facility usage requests. City sponsored or co-sponsored public meetings, public events, public activities and organizations that have a contractual relationship with the City take precedence over non-City sponsored or non-City co-sponsored events. The same priority structure applies to facility resources and other equipment.

3.06 Liability

A. The Applicant agrees to defend, indemnify and hold the City, its elected officials, officers, employees, agents, and volunteers harmless from any and all claims, demands, losses, actions and liabilities, including costs or attorney's fees, to or by any and all persons or entities, including, without limitation, their respective agents, licensees, or representatives, arising from, resulting from or connected with the Applicant's use of the facility or by the Applicant's breach of the rental agreement except only such injury or damage as shall have been occasioned by the sole negligence of the City.

B. The City is not responsible for the loss, theft or damage to the Applicant's property.

3.07 Security
The City reserves the right to require and establish ratios of security personnel and/or adult supervision to monitor the safety and welfare of the attendees of any function at City facilities at the Applicant's expense.

3.08 Special Conditions
The City reserves the right to add requirements or restrictions, including but not limited to the payment of an additional damage deposit as a condition of the rental.

3.09 Picnic Shelter Rental Fees

A. Picnic shelter rental fees are established by the City Council. Rental fees are generally reviewed on an annual basis and adjusted using a comparative rental fee study. Facility rental fees are subject to change without notice. A copy of the current fee schedule is available at City Hall and on the City's website.

B. A resident discount may be established for certain City facilities. Applicants must provide proof of residency to qualify for the resident discount.

3.10 Cancellation

A. The City reserves the right to close a picnic shelter or cancel a rental at any time due to an emergency, severe weather, situations that may result in facility damage or personal injury or for any other reason deemed necessary by the Parks and Recreation Director or his/her designee.

B. A full refund will be issued for City-initiated cancellations.

3.11 Policy Violation
Violation of these policies may result in the immediate termination of the rental or the usage agreement with or without a refund.

3.12 Policy Interpretation
The City Manager or his/her designee shall make any necessary interpretations of this policy, and such interpretations shall be final and binding.

4.0 PROCEDURE

4.01 Facility Reservations

A. Scheduling of the picnic shelters is done through the Parks and Recreation Department located at City Hall. Rental applications are accepted on a first-come, first-served basis, during business hours only.

B. An Application for use of the facility must be made by a person eighteen (18) years of age or older.

C. The Applicant must be on site for the entire duration of the rental.

D. Picnic shelter rentals are subject to availability and may be reserved during the Shelter Season during the following hours:

Half Day – AM	9 AM to 2 PM
Half Day – PM	3 PM to Dusk
All day	9 AM to Dusk

E. City of Sammamish residents may reserve picnic shelters on or after January 1 for the upcoming Shelter Season. Non-residents may reserve picnic shelters on or after March 1.

F. Reservation requests must be made at least fourteen (14) days in advance of the rental date. Reservation requests received with less notice than previously specified may not be accommodated.

G. The City does not "hold" rental dates. Reservations are confirmed and the rental date and time are secured after the rental application has been approved and the rental fees have been paid in full.

H. Long-term and ongoing rentals are not permitted.

I. All reservation requests are subject to review and approval by the Parks and Recreation Director or his/her designee.

4.02 Payment for Facility Rentals

Picnic shelter reservations require full payment at the time of booking.

4.03 Damage Deposits

A. A damage deposit may be required as deemed necessary by the Parks and Recreation Director or his/her designee.

B. Damage deposits are fully refundable provided the following conditions are met:

i. The rented picnic shelter is left in a clean and orderly manner.

ii. The picnic shelter and the other facilities and grounds near the shelter were not damaged as a result of the rental.

iii. Use of the picnic shelter did not exceed the scheduled reservation time.

iv. All rules/guidelines governing use of the picnic shelter were met.

C. If all conditions are met to the satisfaction of the City, a refund will be processed within six (6) weeks of the rental date. If the conditions are not met to the satisfaction of the City, an appropriate fee will be deducted from the

damage deposit. If necessary, the Applicant will be charged to cover any additional costs incurred by the City as a result of the rental.

D. Appeals regarding the decision to withhold all or a portion of a damage deposit shall be directed to the Parks and Recreation Director or his/her designee.

4.04 Rental Cancellations

A. Rental cancellations will result in a non-refundable cancellation fee of twenty percent (20%) of the rental fees, regardless of the amount of notice given.

B. Cancellations made with less than one (1) month advance notice will result in a non-refundable cancellation fee of fifty percent (50%) of the rental fees or twenty-five dollars ($25), whichever is greater.

C. Cancellations made with less than two (2) weeks advance notice will not be refunded.

D. Appeals regarding the application of a cancellation fee shall be directed to the Parks and Recreation Director or his/her designee.

4.05 Rental Date and Time Changes

A. All facility rental date and time change requests are subject to availability.

B. Additional rental time must be paid for in full at the time the request for additional time is made.

4.06 Insurance Requirements

A. Liability insurance naming the City of Sammamish as an additional insured is required for picnic shelter rentals that are open to the public or for other reasons as deemed necessary by the Parks and Recreation Director or his/her designee.

B. Applicants required to obtain insurance shall provide proof of Commercial General Liability insurance in the amount of one million dollars ($1,000,000.00) per occurrence, two million dollars ($2,000,000) general aggregate. Such insurance shall be primary over any coverage held by the City and shall name the City as an additional insured.

C. One (1) month prior to the rental, the Applicant shall submit a copy of the Certificate of Insurance to the City as evidence of acceptable insurance coverage. The following items shall be included on the Certificate of Insurance:

i. Location of activity/rental;

ii. Type of proposed activity;

iii. Separate Endorsement Sheet, including a copy of the additional insured endorsement; and

iv. Effective date(s) of coverage.

D. Insurance may be available through the Washington Cities Insurance Authority (WCIA) website under the Tenant User Liability Insurance Program (TULIP).

5.0 GENERAL REGULATIONS

5.01 Solicitation and Sale of Goods

The solicitation or sale of goods, services, wares, merchandise, liquids, or edibles for human consumption, or the distribution or posting of any handbills, circulars, or signs is prohibited in any City of Sammamish park area, except by concession contract or by special use permit issued by the Parks and Recreation Department.

5.02 Alcohol Prohibited

Alcohol is prohibited in all City parks, which includes all picnic shelters.

5.03 Tobacco and Related Products Prohibited

Tobacco products, vaporizers, electric cigarettes, cigars, pipes of any kind, including but not limited to hookah pipes, chewing tobacco, and other related products are prohibited in all City parks, which includes all picnic shelters.

5.03 Amplified Sound

Use of amplified sounds is prohibited, except by contract or by special use permit issued by the Parks and Recreation Director of his/her designee.

5.04 Prohibited Equipment

Dunk tanks, trackless trains, inflatable toys and other similar equipment, rides or features are prohibited.

5.05 Barbecues

A. The use of barbecues is restricted to the outdoor areas immediately adjacent to the picnic shelters. .

B. Residential, kettle-style, or propane-style barbecues are allowed. Commercial-style or large pit barbecues are not allowed, except when advance approval of the Parks and Recreation Director or his/her designee is obtained.

C. It is the responsibility of the Applicant to dispose of ashes and briquettes in a designated coal bin.

5.06 Animals

Pony rides and other live animal features or demonstrations are prohibited.

5.07 Clean-Up

A. At the conclusion of the picnic shelter rental, the Applicant is responsible for cleaning the picnic shelter and the surrounding area according to the following:

i. All decorations and personal items shall be removed from the facility.

ii. All garbage shall be bagged and deposited in an appropriate garbage receptacle.

B. Any cleaning and/or repairs that require staff time and materials may be charged to the Applicant.

Adopted: 12/04/07
Amended: 04/21/15