

**DELANAN PARKS & RECREATION DEPARTMENT  
PARKLAND, FACILITY & EQUIPMENT USE POLICY**

**Department Policy:** City of Delavan Parks and Recreation Department (herein referred to as “The Department”) Parkland, Facility & Equipment Use Policy

**Effective Date:** July 1, 2007. Replaces Facility Rental Policy

**Approved by:** Parks and Recreation Commission (herein referred to as “The Commission”)

**Purpose:** This policy is intended to regulate use of City of Delavan (herein referred to as “The City”) owned parkland, park facilities, and City-owned, park-related equipment.

**Philosophy:** The City-owned parkland, park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the City. However, when feasible, these facilities shall be made available for use or rent by non-departmental entities such as resident and non-resident individuals at least 18 years of age; private and public, non-profit and for profit organizations; other government agencies and other City of Delavan departments, collectively referred herein as “The Renter”.

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**I. General Information.**

- A. The Renter shall be held responsible for the condition of the facility and the conduct of the group using the facility.
- B. Park Rental Hours are from 10:00 am to 10:00 pm. All City parks close at 10:00 pm. Facility rentals shall be ended by 9:00 pm to allow for clean up.
- C. Alcohol sales and consumption are prohibited in all parks except as noted in section VII, Alcohol Sales and Consumption, of this policy.
- D. Motor vehicles are not permitted on park trails or grass.
- E. Glass bottles are not permitted in the parks.
- F. Users shall not deface or otherwise mark or damage the shelter, picnic tables, trash containers, trees or anything else.
- G. The Renter shall clean tables and place trash in the appropriate containers prior to leaving the site.
- H. The Renter shall carry the Facility Reservation Form at all times during the rental.
- I. The Renter may be asked to show proof of residency.

**II. Requests For Use.**

All requests to use parkland, park facilities and equipment shall be made in writing.

- A. **Facility Reservation Forms** are available, at the Department’s main office and online on the City’s website, for the reservation/rental of park facilities such as open-air shelters, gazebos and the Mill Pond Beach House and park equipment directly associated with the use of these facilities. Facility Reservation Forms may be submitted beginning on the first regular business day following January 1 for bookings within the calendar year. Facility Reservation Forms may be submitted up to and including the date of the

first booking (or the last regular business day before the booking date, should the date fall on a weekend or holiday) with approval subject to the Department's ability to get the facility ready.

- B. For requests involving other park facilities, parkland or park equipment not directly associated with the use of the facilities of section (A), a **Letter of Request**, including the required information listed below must be submitted to the Parks and Recreation Department. Letters of Request shall be submitted at least 60 days prior to the date for which use is requested.

A **Letter of Request** shall include:

1. The name, address and telephone number of the applicant.
2. The group, firm, organization, partnership or corporation, name, address and telephone number of the headquarters of the same, and the responsible and authorized heads or partners of the same.
3. The name, address and telephone number of the person who will be responsible for the use of the said park, area or facility (if different than above.)
4. A description of the event/activity being sponsored.
5. The specific park and location being requested.
6. The date and the hours requested.
7. The anticipated number of persons to use the said park, area or facility.
8. Requested support that will be required by the Park and Recreation Department, i.e. additional picnic tables, garbage cans, etc.
9. Additional information as requested by the Parks and Recreation Department.

### **III. Approval.**

- A. The Parks & Recreation Director or his/her designee shall have the authority to approve parkland, facility and equipment requests. The Director may defer to the Parks & Recreation Commission at his/her discretion. Any decision by the Parks & Recreation Director may be appealed to the Parks and Recreation Commission.
- B. Guidelines for denial of requests:
1. Any use that would involve a violation of Federal, State or local laws or ordinances.
  2. Any use that would conflict with another granted or pending request.
  3. Incomplete Facility Reservation Forms or Letters of Request.
  4. Requests submitted outside of the required timeframe for making a request.
  5. Any use conflicting with an anticipated nonexclusive use by the general public.
  6. Any use that will create a substantial risk of injury to people or damage to property.
  7. Any use that, in the judgment of the Parks & Recreation Director, is so poorly organized that participants are likely to engage in aggressive or destructive activity.
  8. Any use which would substantially reduce the Department's ability to continue to provide high quality maintenance of the park system.
  9. Any use which would substantially disturb the peace.
  10. This list shall not be considered all-inclusive, and the Department reserves the right to refuse parkland, facility and equipment requests.

**IV. Facility Rental Fees, Security Deposits and Other Fees.**

- A. **Facility Rental Fees** shall be established by the Parks and Recreation Commission based upon recommendations from Department staff.
- B. **Security Deposit Fees** shall be established by the Parks and Recreation Commission based upon recommendations from Department staff. Security Deposit Fees are due at the time of reservation request. Security Deposit Fees shall be refunded within 7-14 business days provided no damage or clean-up charges are deemed necessary by Department staff.
- C. **Other Fees** shall be charged to recover any Departmental support costs associated with the event including but not limited to labor, vehicle/equipment use and consumable supplies. These fees shall cover hauling and set-up of requested equipment not already available at the facility, take-down and hauling of the same, excess cleaning and maintenance made necessary by improper or insufficient clean-up or damage caused by the Renter.
- D. **Waiver or Reduction of Fees.** Requests to waive or reduce Facility Rental Fees and Security Deposit Fees shall be reviewed on a case-by-case basis. Requests must be made in writing at least 60 days prior to the first booking date, and will be reviewed by the Commission at their next regular meeting. General guidelines for the reduction or waiver of fees:
  - 1. Facility Rental Fees shall be waived for local schools; churches; legally recognized, non-profit organizations or other not-for-profit groups when donations and/or in-kind services of equal or greater value have been committed/given to the Department in the same calendar year.
  - 2. Facility Rental Fees shall be waived for all Delavan-Darien School District or Wisconsin School for the Deaf sponsored events.
  - 3. Facility Rental Fees may be waived or reduced for other local schools, churches and legally recognized, non-profit organizations.
  - 4. Security Deposit Fees may be waived for local schools, churches and legally recognized non-profit organizations.
  - 5. No Departmental Support cost fees shall be waived.

**V. Cancellations.**

Facility rental reservations may be cancelled at any time.

- A. A 100% refund of all fees paid will be granted for cancellations that take place at least 10 business days in advance of the first booking date.
- B. A 50% refund of the Facility Rental Fee will be granted for all cancellations that take place at least two business days in advance of the first booking date.
- C. No Facility Rental Fees shall be refunded after that point.
- D. A 100% refund of the Security Deposit Fee shall be refunded for cancelled rentals.
- E. A 100% refund of other fees charged for Departmental support costs, that have not been incurred by the Department, at the time of cancellation, shall be refunded.

**VI. Supervision.**

- A. Renters must be 18 years of age or older to rent facilities.
- B. Appropriate supervision of youth activities is to be provided by the renter.

**VII. Alcohol Sales and Consumption.**

- A. **Class B Fermented Malt Beverage Licenses.** When fermented malt beverages are sold at any event, a valid Fermented Malt Beverage license shall be obtained and compliance with the provisions of Municipal Code Sections 7-2-4 and 11-4-1 shall be required. Said license shall be held by the individual who filed the original license and shall be presented to any law enforcement officer upon request.
- B. Beer consumption is permitted in the Veteran’s Park Lion’s Shelter.
- C. Beer consumption is permitted in the vicinity of the ballfield at Delavan Fest.
- D. Beer consumption is permitted in the Upper Springs Park Shelter by permit only. Beer privileges are requested on the Facility Reservation Form.
- E. Beer consumption is permitted in Congdon Park only upon application and issuance of Class “B” Fermented Malt Beverage Picnic License.
- F. Consumption of beer must be restricted to the shelter or gazebo and the immediate vicinity – not in the parking area, playground, restrooms, or woods.
- G. No other intoxicating beverages are permitted.
- H. All laws pertaining to the consumption of alcohol by minors shall be observed.

**VIII. Clean Up.**

The Renter shall be completely responsible for cleaning up the facilities after the event to the satisfaction of Department staff. Inadequate cleaning shall result in forfeiture of Security Deposit Fees and/or invoice for the balance of Department resources used in clean up.

**IX. Indemnification.**

Prior to granting any request for exclusive use of parkland, park facilities or parks equipment, the Department may require the Renter to submit a certificate of insurance naming the City and such other third parties as may be injured or damaged as additional insured. Coverage levels required are to be established and reviewed periodically by the Parks and Recreation Commission with guidance from the City Attorney.

**X. Parks Equipment.**

- A. Shelter and Gazebo rentals shall include the availability of an established number of picnic tables and trashcans already onsite. Additional tables may be requested and provided, if available, for an additional fee as established by the Parks & Recreation Commission. Requests for extra tables can be made on the Facility Reservation Form.
- B. The Department shall provide, upon request, and when possible and available, parks equipment such as picnic tables, benches, staging, trashcans, tent, etc. Fees for parks equipment shall be established by the Parks & Recreation Commission. A Letter of Request shall be submitted to request parks equipment at least 60 days in advance of the first booking date.