

Parks & Recreation Ordinance Discussion

The logo for the City of Addison, featuring the word "ADDISON" in a bold, blue, sans-serif font centered within a white circle. The circle is set against a blue background that is part of a larger graphic design on the right side of the slide, which includes diagonal lines and a grey triangle in the top right corner.

ADDISON

Proposed Park Use Permit – In June 2020, staff recommended changes to the Park Ordinance to create a Park Use Permit to help manage and define criteria for group gatherings that were occurring in the parks.

Coordination with Special Events - Following the discussion with Council regarding the proposed Park Use Permit staff has coordinated with Special Events on changes they are proposing to the Special Events permit. As a result, staff is proposing modifications to the proposed Park Use Permit.

Ordinance Interpretation- While proposing updates to the ordinance staff has reviewed the ordinance and is suggesting modifications to allow for clearer interpretation of the ordinance and eliminate non-applicable elements of the ordinance.

Proposed Park Use Permit

Parks and Rec staff has seen a significant increase in requests for group gatherings Addison Circle Park by groups of 100 or less. These gatherings would not trigger a Special Events Permit which will be proposed for groups over 100 people. Changes are being proposed based on this information

Park Use Permit Overview	
Who Can Apply for a Permit?	Addison Residents and Businesses
What is the Cost of the Permit?	Residents - \$150 Refundable Deposit Businesses - \$150 Refundable Deposit + \$75 first 3 hours and \$25 / Hour thereafter Non-Resident or Non-Addison Business Destination Parks only - Deposits and Rental Fee would correlate at rate established by Special Events.
What are the hours of use?	8:00 AM – 8:00 PM
What locations are appropriate for park use by groups?	Urban Parks – Addison residents and businesses Neighborhood Parks – Addison residents for neighborhood gatherings only. Destination Parks – Not limited to Addison residents or businesses. Can only be reserved less than 30 in advance.
What size group requires a permit?	20-100 would require a Park Use Permit > 100 would require a Special Event Permit
What are the rules?	Individual making the reservation is responsible for damage. Individual making the reservation is responsible for clean up and off-site disposal of garbage. Permit is for a specific area in the park. The park remains open for public use. Approval is required for the set up of portable items, music, alcohol, games and food trucks and a small fee may be associated if staff presence is required.
What is the recourse if the rules are broken?	Park Use Permit applicant will lose their deposit, plus charges will incur for replacement or repair of any damage to the park or park facilities. If a Park Use Permit was not secured for a group gathering a citation would be issued, and a fine up to \$500 may be issued by the Municipal Court.

Proposed Park Use Permit

The following definitions, or modifications to definitions, are added to Section 58-1 Definitions in the Parks and Recreation ordinance to define the parks which will be used to issue Park Use Permits

Adopted Plan – Refers to the Park, Recreation and Open Space Plan which was adopted in April 2019, a copy is on file in the office of the City Secretary.

Neighborhood Gathering – Is an event produced by a community-based Homeowner’s Association (HOA) or neighborhood group for the benefit of their members and does not require use of parking.

Park Use Permit – Is a permit that is issued by the Department of Parks and Recreation and upon application and approval for group gatherings or neighborhood gatherings of more than 20 but less than 100 people.

Park Property – Means any park, athletic facility, reservation, playground, recreation center or any other areas in the Town, owned or used by the Town and devoted to active or passive recreation, but is not acquired or designated by the Town for use as a public park. Park Properties are identified in the Parks, Recreation and Open Space Plan. The Plan also classifies parks in the following categories: Destination Park, Community Facility, Urban Park, Neighborhood Park and Greenbelt Trail.

Proposed Park Use Permit

Section 58-43 was added in the Parks and Recreation Ordinance to define the requirements of a Park Use Permit.

Sec. 58-43. Group Gatherings.

- (a) Group gatherings or Neighborhood Gatherings of more than 20 but less than 100 people on Park Property must obtain a Park Use Permit. All applications for a Park Use Permit must be submitted to the Director for review and either approval or denial. Group gatherings or Neighborhood Gatherings of more than 100 people will require a Special Events Permit.
- (b.) Requirements:
 - (i) Applicant must be a current Addison resident or a business located in Addison, with the exception of request to use a Destination Park;
 - (ii) Events are only allowed between the hours of 8:00 a.m. and 8:00 p.m.; and
 - (iii) Applicable to Parks classified as Urban Parks, Neighborhood Parks, or Les Lac Pavilion in the Adopted Plan. Only Neighborhood Gatherings that do not require parking, are allowed in Neighborhood Parks except for Les Lac Pavilion.
- (c.) Fees:
 - (i) Addison Residents - \$150.00 refundable deposit
 - (ii) Addison Businesses - \$150.00 refundable deposit plus \$75 for the first 3 hours of use. Each additional hour will be \$25 per hour.
 - (iii) Non-Addison Resident or Business (Destination Park Only) - \$150 refundable deposit plus hourly rate that correlates with
 - (iii) An inspection fee of \$25.00 will be required for any equipment that must be staked in the ground.

Proposed Park Use Permit

Section 58-43 was added in the Parks and Recreation Ordinance to define the requirements of a Park Use Permit.

Sec. 58-43. Group Gatherings (cont'd.)

- (d.) Rules
 - (i) Applicant is responsible for:
 - (1) Printing and displaying the permit;
 - (2) Damage;
 - (3) Clean-up and off-site disposal of garbage; and
 - (4) Ensuring compliance with any and all provisions of a Park Use Permit, this chapter, or any other city ordinance or applicable law, rule, standard, or regulation.
 - (ii) A Park Use Permit is for a specific area of the Park Property. The Park Property shall remain open for public use.
 - (ii) Application must identify all portable items, including but not limited to, music, games, and food trucks. Separate approval is required for the set-up of any such portable item.
- (e.) Enforcement. The Director of Parks and Recreation and/or their designee and/or the Town's Police Department, shall have the authority to enforce the provisions of this chapter.

Proposed Park Use Permit

Section 58-43 was added in the Parks and Recreation Ordinance to define the requirements of a Park Use Permit.

Sec. 58-43. Group Gatherings (cont'd.)

(f.) Offenses.

- (i) A person commits an offense if the person commences or conducts a group gathering or Neighborhood Gathering of more than 20 but less than 100 people:
 - (1) Without a Park Use Permit; or
 - (2) In violation of any provision of a Park Use Permit, this chapter, or any other city ordinance or applicable law, rule, standard, or regulation.
 - (3) A culpable mental state is not required for the commission of an offense under this section.

(g.) Penalty.

- (i) An offense is punishable by:
 - (1) a fine not to exceed \$500.00;
 - (2) loss of deposit; and/or
 - (3) actual costs of damages including remediation costs.

Ordinance Clarifications

The following definitions, or modifications to definitions, are added to section 58-1 Definitions in the Parks and Recreation ordinance to add clarity to help enforce the Park and Recreation Ordinance.

Dependent – Is an individual linked to a primary membership account at the Addison Athletic Club. The primary member is the legal guardian of the dependent.

League Play- Means an organized group of people that regularly practice and / or play and organized sport.

Organized Sport – Means any game, competition or practice which is played by three or more persons and is carried out under an agreed set of rules.

Section 58-3 Vending and peddling prohibited was clarified to add:

No person on Park Property shall expose or offer for sale any article, service or thing, nor shall they station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. **No fitness instructor or fitness training is allowed on Park Properties unless the fitness instructor or fitness group has applied for and been approved by the Department of Parks and Recreation as an outdoor vendor.** Concessionaires acting by and under the express written authority and regulation of the Director are excepted.

Questions?