

**CITY OF MILPITAS
FACILITY MANUAL
INDOOR AND OUTDOOR FACILITIES**



**PLEASE NOTE FEES AND INSURANCE REQUIREMENTS
ARE SUBJECT TO CHANGE**

Approved by City Council 12/01/09

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GENERAL RENTAL INFORMATION

1. Rental facilities may be viewed during regular business hours, by appointment only, provided no other functions are scheduled. To make an appointment please call the desired rental facility.
2. No phone, mail or fax reservations are accepted. Permits for any of the indoor and outdoor facilities must be obtained in person at the locations listed below:
Community Center, City Hall, Special Events/Equipment, Higuera Adobe building & Parks: Community Center, 457 E. Calaveras Blvd., Monday-Thursday, 8:00 am to 6:00 pm, Friday, 8:00 am to 5:00 pm, 408-586-3210.
Sal Cracolice (temporary Senior Center): 540 S. Abel St., Monday - Friday, 9:00 am to 4:00 pm, 408-586-2775.
Sports Center, Teen Center, Pool, Tennis Courts & Sports Fields: Sports Center, 1325 E. Calaveras Blvd., Monday - Thursday, 5:30 am to 9:00 pm, Friday, 5:30 am to 5:00pm, Saturday, 8:00 am to 1:00 pm, 408-586-3225.
Milpitas Police Department Community Room: Police Department, 1275 N. Milpitas Blvd., Monday-Friday, 8:00 am to 5:00 pm, 408-586-2400, resident use only.
Entertainment Event permits must be obtained in person at the City Clerk's Office, located at 455 E. Calaveras Blvd., Monday - Friday, 8:00 am to 5:00 pm, 408-586-3000.
3. Facilities may be reserved for use anytime from 7:00 am to 12 Midnight with the exception of the Police Department Community Room, which is available for residents only from 8:00 am to 11:00 pm. Rental fees are charged from the time you or your caterers, florists, etc. enter the facility until your function is over. When planning your rental times, be sure to include set-up time for decorating, caterers, florist, etc.

RESERVATIONS TIMELINE

1. The City of Milpitas, must receive a Facility Use Application, a cleaning & damage deposit and an application fee before any function may be scheduled (at the appropriate location above). **All fees must be paid in the form of a cashier's check, money order, cash or VISA/MC. Cashier's check or money orders must be payable to: City of Milpitas.** No personal checks will be accepted. Final rental fees, set-up diagram, proof of insurance (if applicable) are due 45 days prior to the rental date and must be paid in person.
2. Reservations can be made according to these timelines: Milpitas Residents – Up to 1 year in advance (two forms of proof of residency required, photo ID & current utility bill); Non-Residents – Up to 6 months in advance; Resident non-profits, see guidelines below.

RESIDENT NON-PROFIT ORGANIZATION TIMELINE

Organizations may reserve up to three dates on one application. Resident non-profits must submit, every January, the following:

- a. A current roster with 51% or more Milpitas Residents and a letter verifying current non-profit status.
- b. A letter listing two (2) individuals authorized to make reservations, changes or cancellations.
- c. A mission statement of the organizations purpose.

For Non-Profit Meetings In
January-March
April-June
July-September
October-December

Non -Profit Application Accepted
December 1
March 1
June 1
September 1

For further information regarding rental policies, please refer to the Facility Use Rules & Regulations. Should you have any questions, please call the Milpitas Community Center at 408-586-3210.

FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES

I. PRIORITIES

Priorities are designed to determine fee and reservation status. For reservation status see rule 2.3 and 2.4.

1.1 To provide for public activities in the best interest of the Community, City facilities will be reserved in accordance with the following group priorities:

Priority I. City administered programs.

- | | | | |
|----|---------------|----|--------------------|
| 1. | No deposit | 3. | No staff fee |
| 2. | No rental fee | 4. | No application fee |

Priority II. Programs or activities for Senior Citizens and approved co-sponsored groups which are principally composed of local residents (51% or more), private or public schools located in Milpitas, the Milpitas Chamber of Commerce and governmental agencies. (Excluding staff trainings, poll worker trainings, staff retirement parties)

1. No deposit
2. Rental fee according to fee schedule
3. Staff fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

Priority III. Non-profit groups that are organized for recreational, social, cultural, religious or civic purposes and whose membership is principally composed of local residents (51% or more) or whose National charter is based in Milpitas.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

Priority IV. Any other group, business or individual resident of the City of Milpitas.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

Priority V. Any non-resident group, business or individual.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

II. RESERVATIONS/APPLICATIONS

- 2.1 Permits for use of City facilities (indoor and outdoor) shall be issued by the City upon the approval of the City Manager or his or her authorized representative and shall be consistent with City regulations governing such use.
- 2.2 The use of those facilities shall not be inconsistent with other such use for City purposes or interfere with the regular conduct of City programs. City sponsored programs shall receive first priority over use by any other group or organization. The City reserves the right, if necessary, to preempt, or revoke permit (if previously issued) for the use if for any reason it becomes unavoidably necessary for the City to utilize said facility or facilities at the same time. If and when such action is necessary, the City will give applicants as much advance notice as possible.
- 2.3 Applications for use of indoor City facilities will not be accepted more than one (1) year to the date prior to proposed use for Priorities II-IV. Priority V applications will not be accepted more than six (6) months prior to the proposed use. For outdoor City facilities are accepted six (6) months to the date prior to proposed use for Priorities II-IV and 90 days for Priority V. Applications will not be accepted with less than thirty 30 days prior to the proposed date, unless authorized by the City Manager or his/her authorized representative.

In cases where the earliest date to reserve a facility falls on a weekend (Saturday or Sunday) or City holiday, reservations will be accepted on the preceding weekday. Should the preceding weekday be a City Holiday, applications will be accepted on the prior workday.

Priority IV and V users may only reserve fields or sports facilities for three consecutive days during minimal use periods. No blanket permits will be allowed.

2.4 A – Priority III

Organizations may reserve up to three dates on one application and must submit an application according to the reservation schedule listed on Page 3. Groups may not use a facility without an application on file. Should additional maintenance or custodial services be required or the group exceeds the reserved rental hours, groups will be assessed additional fees or charges as necessary. Priorities II & III may reserve indoor facilities for special events or parties one (1) year to the date prior to the proposed use date under the set fee schedule and timeline of reserving such facilities

2.4 B

- a) Priority III groups may drop-off Facility Use application(s) with requested dates and times as outlined above during facility business hours;
- b) On the following business day, designated city representative will review all Priority III applications with requested dates and times and distribute dates equally between any groups requesting the same dates. Should there not be an equal amount of dates available, city representative will do a lottery pull for any extra date and schedule accordingly. Applicants will be notified by mail regarding the status of application.
- c) Once the Facility Reservations are confirmed, the groups will be required to submit necessary applicable fees (i.e. application fee, deposit and rental fees according to the Master Fee Schedule within 3 business days). Should payment not be received within 3 business days, the dates will be released to any other group requesting them.
(approved by City Council October 16, 2007)

- 2.5 All applications for use must be signed by an adult (18-year minimum age) and said adult shall agree to be responsible for facility use. Groups composed of minors 17 years of age

and under must be supervised by one (1) adult for each 15 minors. All activities must have adult supervision to ensure adequate control. (Please refer to rule 5.5, regarding no alcohol at youth functions). The applicant must be present at all times during the rental. At the beginning of rental, applicant and facility staff shall meet to review pre facility inspection guidelines. Prior to leaving facility, applicant and facility staff shall confer and sign off on the facility inspection report.

- 2.6 No permit will normally be issued for a period longer than one (1) day. Applicants may reserve a facility for consecutive days whenever the facility is in the periods of minimal demand. Buildings are closed on all holidays observed by the City of Milpitas. Picnic reservations and indoor facility reservations are not accepted for New Year's day, Martin Luther King Jr.'s Birthday, Lincoln's Birthday, Presidents' Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving, Friday following Thanksgiving, Christmas Eve, Christmas Day and New Year's Eve.
- 2.7 A staff person shall be required for a facility where permits are granted involving the opening and closing of a building or park. (Charges for necessary City Personnel will be assessed according to master fee schedule). If more than 150 people are scheduled to attend, two staff may be required.
- 2.8 No rental shall begin prior to 7:00 am and all activities shall cease at 12:00 midnight for indoor facilities, and 10:00 pm for outdoor facilities, unless prior approval has been received from City Manager or his or her authorized representative.

III. FEES AND CHARGES

- 3.1 Current rates are established by the Milpitas City Council. City staff does not have the authority to deviate from these rates.
- 3.2 No reservation will be accepted without the specified application fee (non-refundable), cleaning and damage deposit. The deposit must be in the form of a cashier's check, money order, cash or by VISA/MC (personal checks are not accepted). Cashier's check or money orders must be made payable to: CITY OF MILPITAS. The deposit is refundable after the use date and will be returned to the applicant by mail in the form of a City check in approximately 30 days, unless damages, additional maintenance or services were assessed. Checks are returned to the person on the Rental Application Form. Please contact us immediately should address changes occur. Additional insurance and fees may apply.
- 3.3 Charges begin when a facility is entered for any purpose, i.e. decorating, catering, set-up etc. Groups will be assessed charges according to their reservation priority, nature of activity and/or services and staff required. Hours of use may not be changed less than 45 days prior to rental date. Additional insurance, security guard, and fees may be required depending on the type of function. If use begins or continues beyond the approved time, additional fees shall be deducted from the cleaning and damage deposit. In cases where a cleaning and damage deposit has not been required, the user group will be billed. Fees will not, however, be pro-rated for events or activities that finish prior to the approved times.
- 3.4 Rental fees shall be paid at least 45 days in advance of permit use date, or permit shall be declared invalid. Payment must be made by cashier's check, money order, cash, or by VISA/MC. Cashier's check or money orders must be made payable to: CITY OF MILPITAS.

- 3.5 Waiver of rental fees or deposits must be approved by City Council. Personnel costs for staff, insurance fees, and application fees are not eligible to be waived. To seek waiver, applicant must submit a written request at least 90 days prior to the proposed date of use. Request will be reviewed by City Council at a regularly scheduled City Council meeting.
- 3.6 A confirmed rental means no rental will be considered a Confirmed Rental without the following:
- a. A completed, signed and approved Facility Use Application on file.
 - b. Payment of appropriate Cleaning and Damage Deposit, Application Fee and applicable insurance fees (if necessary).
 - c. Signed Important Reminders for Permit Applicants on file.
 - d. Signed Rental Applicant Clean Up & Decorating Policies Responsibilities on file.
- 3.7 Groups participating in City sponsored leagues or City co-sponsored programs are exempt from fees and deposits for regularly scheduled games or activities. Stated fees and deposits will apply for all other use of facilities by such groups.
- 3.8 Facility cancellation of the Milpitas Community Center, City Hall Building, Plaza and Grounds, Sports Center Fields/Pools, Adobe, Sal Cracolice building, Senior Center, Teen Center, Police Department Community Room, or City park, must be done in writing on forms provided by the City. Cancellation forms will be accepted in person only at the location where the rental was made. No mail, facsimile or phone cancellations will be accepted. Please note: All facility application cancellations will forfeit the application fee.
- a. Full refund of deposit will be granted, provided a cancellation is made within 30 days of deposit and there are 160 days remaining until the approved rental date

If cancellation is made with more than 160 days remaining until the proposed use date, 25% of deposit will be forfeited.

If cancellation is made with 120-159 days remaining until the proposed use date, 50% of deposit will be forfeited.

If cancellation is made with 91-119 days remaining until the proposed use date, 75% of deposit will be forfeited.

If cancellation is made with 1-90 days remaining until the proposed use date, entire deposit will be forfeited.
 - b. Should the City cancel said reservation a full refund will be issued.
 - c. Should a request for a change of rental date be made, a rescheduling fee of \$100 will be implemented providing the date and staff availability, and there are 45 days remaining prior to the original scheduled date.
 - e. Any group not abiding by the Facility Use Rules and Regulations will forfeit entire rental deposit.
 - f. Refunds will not be issued for canceled park/picnic reservations. Reservations that cannot be held due to inclement weather will be issued a credit toward a rescheduled reservation. Applicant is responsible for contacting Community Center Office within 7 business days to initiate credit. You may re-schedule

reservation or receive a credit towards future Parks and Recreation programs or facility rentals minus the non-refundable application fee.

- 3.9 Depending on the nature of your event (i.e. alcohol being served, attendance at event, collection of money, youth function, fundraising event open to the public, which includes presold tickets, etc.) security guards and liability insurance may be required at the discretion of City Manager or his or her authorized representative. A copy of the security guard contract must be submitted 45 days prior to event.

**IV. FUND-RAISING
Priority II and III**

- 4.1 Groups wishing to use City facilities for fund-raising events and/or activities will be charged according to Priority II & Priority III facility use fee schedule.
- 4.2 Concessions, other than City operated, will be subject to the approval of the City Manager or his or her authorized representative and must possess a valid City of Milpitas business license and any other applicable state, county or federal permit. Concessions will be defined as the sale of any food, beverage, souvenir item or service (i.e. face painting). Copies of said permits and licenses must be submitted a minimum of 45 working days in advance of permit use date. Food being sold to the public requires a Health Permit obtainable from the County of Santa Clara's Health Department and must be submitted to the City, 45 working days prior to permit use date.
- 4.3 Any person sponsoring, promoting, operating, etc. an entertainment activity (outside), open to the public, charging admission or as described in the Milpitas Municipal Code (Title III, Chapter 5, Entertainment Event) may be required to obtain an Entertainment Permit. Permit information and applications are available at the City Clerk's Office, 455 E. Calaveras Blvd., Monday-Friday, 8:00 am - 5:00 pm. If required, Entertainment Permit must be obtained prior to receiving rental permit.

V. SMOKING/ALCOHOL

- 5.1 By City ordinance, smoking is not permitted in any City facility or within 25 feet of the facility.
- 5.2 Smoking or alcohol consumption is not permissible in the Milpitas Sports Center gymnasium or on the pool deck.
- 5.3 Serving or selling alcohol must cease one hour prior to the ending time as stated on the permit.
- 5.4 As a host of the event, if you are serving/selling alcohol, you are responsible and potentially liable for the safety of your guests at the event and while still under the influence of beverages. You should maintain strict control over alcohol service and assure guests are able to safely return home after the party. This is not the responsibility of the facility attendant.
- 5.5 No alcoholic beverages may be served or sold at youth oriented events or events held in honor of a minor such as birthday parties, baptisms, dances, graduations, coming out parties, quinceanera, bar/bahmitsvahs or presentations. A youth activity is any activity designed for individuals under the age of 21 years. The designation of such an activity will be at the discretion of the City Manager or his or her authorized representative. Should facility staff witness alcohol being served, consumed or on the premises, the parking lot, the party will be shut down immediately and entire deposit will be forfeited.

- 5.6 By City ordinance, beer or wine is permissible for adults in City parks unless otherwise posted. California State law expressly forbids alcoholic beverages of any kind at Russell Middle School softball facility under any circumstances as it is located on school property. Sale of beer or wine is allowed or other alcoholic beverages subject to the above location restrictions and upon approval of the Milpitas Police Department and the acquisition of a valid permit by the user group from the Alcoholic Beverage Control Department, 100 Paseo de San Antonio, San Jose, CA 408-277-1200. Alcohol permit is due 30 days in advance of the permit date. Additional insurance is required. All permits requiring insurance will be assessed a \$15 insurance processing fee.

VI. DECORATIONS

- 6.1 All decorations must be flame retardant treated.
- 6.2 No decoration can be stapled, tacked or taped to any amenities (i.e. walls, windows, grounds, flag poles, or ceiling). All free standing decorations must not be placed in walkways or impede egress creating a tripping hazard in any way.
- 6.3 No confetti, birdseed or rice may be thrown in or outside any building.
- 6.4 The building or equipment in the building may not be altered in any way without consent of the staff on duty (i.e. moving existing equipment).
- 6.5 Colored punch may not be served at any indoor facilities.
- 6.6 No candles, lanterns, incense or open flames are allowed in any building (excluding Sterno).

VII. SET-UP/CLEAN-UP

- 7.1 If after an activity, additional maintenance is required other than what is considered normal and/or equipment is left damaged, the user group will be charged accordingly.
- 7.2 City facilities must be protected by the user from damage or mistreatment. Groups using City facilities must be responsible for the condition in which the facility and its equipment are left. Groups must leave the facility free of litter, such as paper, food or drink and if decorations are to be used, they must be approved in advance by the City and removed before the group leaves.
- 7.3 At least 45 days before the permit use date, the user group must submit a room set-up diagram.
- 7.4 Upon leaving the facility each group must see that trash is placed in appropriate receptacles, that restrooms and parking lots are free of litter and unwanted debris and that the facility is returned to its original condition. Tables must be cleared and decorations removed.
- 7.5 Kitchen must be thoroughly cleaned, if used. Staff shall provide necessary custodial services such as mopping floors and emptying garbage cans after above items have been completed. It is required that the rental applicant check in and out with staff and complete a pre and post inspection form upon arriving/leaving the facility.

VIII. SPECIAL SPORTS CENTER/GYMNASIUM REGULATIONS

- 8.1 No food or beverages are allowed in the Milpitas Sports Center gymnasium.
- 8.2 Gymnasium participants must wear athletic type shoes and socks. (Hard soles or black soles are not permitted on the gymnasium floor.)
- 8.4 Gymnasium facilities will only be rented to groups for sporting activities or programs. Requests for non-sports related activities will not be granted.
- 8.5 Locker room facilities are not available.
- 8.6 Minors are not allowed inside the facilities without proper adult supervision.
- 8.7 No other type of equipment is allowed inside the gyms without prior consent of Parks and Recreation Services. No equipment other than fixed pieces of equipment are available.
- 8.8 Access is limited to that portion of the facility agreed upon and is restricted from all other areas.
- 8.9 Parks and Recreation Services shall be notified immediately of any maintenance problems or concerns, including vandalism and theft.
- 8.10 Dry mopping of the floor must be done after each use of the facility. All garbage must be disposed of properly. Any wet spills must be taken care of promptly and thoroughly.
- 8.11 Facility should be left in the condition in which it was found.
- 8.12 Groups proposing to charge an admission fee must receive permission and also include explanation in the cover letter as to the amount of charge and what proceeds are to be used for, which needs to be submitted at the time of application and subject to approval from the City Manager or his or her authorized representative and if not satisfied, to the City Council, whose decision shall be final.
- 8.13 Total gym capacity is not to exceed 600. Bleacher capacity is not to exceed 305 seated spectators.

IX. SPECIAL POLICE DEPARTMENT COMMUNITY ROOM REGULATIONS

- 9.1 Rental hours 8:00 am to 11:00 pm
- 9.2 Use of the facility shall be primarily for residents, groups or individuals. No non-resident group or non-resident individual use will be permitted.
- 9.3 No alcohol is permitted in the facility.
- 9.4 No parties may be scheduled for the facility.
- 9.5 Exceptions to any policy or regulation are subject to the approval of the Chief of Police or his or her authorized representative. The applicant must submit exception requests in writing. Decisions of the Chief of Police or his or her authorized representative may be appealed to the City Manager and if not satisfied, to the City Council, whose decision shall be final.

X. OPERATING PROCEDURES

- 10.1 No food or beverages may be served in the dance studio at the Milpitas Community Center.
- 10.2 No barbecuing or use of propane stoves is allowed outside or near all City facilities unless in a designated fire pit at the Adobe Building. At the Adobe Building only electric charcoal starters or fluids made for the purpose of igniting charcoal may be used in the fire pit. Starters must be used according to the manufacturers instructions.
- 10.3 Groups granted use of City facilities shall use them only for such purposes as specified in their facility use permit and shall limit use to the facility requested. Groups using additional facilities will be charged in accordance with the schedule of charges and such charges may be deducted from the cleaning and damage deposit.
- 10.4 Groups may use certain facility equipment, provided it is not removed from the premises. Use of equipment must be specified in facility use application. City approval is required for any removal or change in the location of any stage rigging or other equipment, structures, enclosures or utility connections. All equipment must remain inside all designated facilities (i.e. tables, chairs, etc.)
- 10.5 Facility Attendant is provided by the City to assist you with equipment/furniture needs and room set up. The attendant is not present in the meeting/party site at all times during your event. The attendant is not responsible for supervision of guests, security, law enforcement or conflict resolution. The attendant, if present, is instructed to call 911 if an emergency situation arises. You, as a host, must assume responsibility for these and other unforeseeable possible situations.
- 10.6 Any person, public or private firm, organization or corporation, which owns, rents, leases, or manages facility that hosts a ticketed event for live entertainment shall make an announcement of the availability of emergency exits prior to the beginning of the live entertainment.
- 10.7 The Community Center marquee is to be used for City sponsored activities only. Exceptions must be approved by City Council. To seek exception, applicant must submit a written request at least 90 days prior to the proposed date of use. Requests will be reviewed by the City Council at a regularly scheduled City Council meeting.
- 10.8 Facility use shall not be granted:
 - a. To any group or individual, political or otherwise that advocates the overthrow of the United States Government or the State of California by force, violence or other unlawful means.
 - b. When for any reason such use may not be in the best interest of the City and/or community, as determined by the City Manager or his or her authorized representative, whose decision may be appealed to the City Council who's decision shall be final.
- 10.9 Gambling, casino nights or any legal function or activity involving games of chance may be held in a City facility. The activity must, however, be open to the public and admission may not be charged. Donations may be accepted as long as access is not denied if a donation is not received.
- 10.10 The City of Milpitas is not responsible for accidents, injury, illness, or loss of group or individual property. The applicant agrees to indemnify at its own expense, and hold

harmless the City, its officers, agents, volunteers, and employees from all costs, expenses, reasonable attorney fees, claims, liabilities or damages to persons or property that may arise during or be caused in any way by such use of occupancy of the facilities of the City of Milpitas. The applicant agrees to reimburse the City of Milpitas for any damage to said facilities occasioned by or growing out of the use herein requested and to abide by the rules and regulations governing such use of. The City requires insurance coverage for certain types of rentals in accordance with the alcohol and insurance requirement guidelines. In addition, the City may, at its discretion, require user to provide at user's expense such police and/or fire protection as deemed reasonable for the protection and preservation of the public property and peace.

- 10.11 The City Manager or his or her authorized representative, shall have the right to unrestricted access to all facilities at all times during any and all use. Groups found in violation of established City laws and ordinances or constituting a public nuisance may be required to leave said facility. The misuse of facilities, failure to conform to established regulations or other applicable City Ordinances, will be sufficient reason for termination of the function. Permits may not be transferred, assigned or sold.
- 10.12 Any group not abiding by all the Facility Use Rules and Regulations will forfeit entire rental deposit.

XI. CITY HALL BUILDING, PLAZA AND GROUNDS REGULATIONS

- 11.1 No food is allowed in Council Chambers.
- 11.2 No tents or structures allowed on grass.
- 11.3 Chairs and tables are available on a first come, first serve basis, and due to the amount of rentals at the facility, may not be available for use. Should this occur, it is the applicant's responsibility to provide their own tables and chairs. Please Note: Samples of chairs and tables must be approved 45 days prior to the event.
- 11.4 Access to parking garage is restricted.
- 11.5 Flag ceremonies in Plaza Area are limited to ground ceremonies only and require prior City Council approval.
- 11.6 All facility rentals require staffing. The number of staff (Maintenance and Information Services) is to be determined by the City Manager or his or her authorized representative on a per event basis.
- 11.7 All City Hall Buildings, Plaza and Ground permits are subject to Chapter 100, Title I of the Milpitas Municipal Code and all uses must be approved by the City Manager.
- 11.8 No political fundraising is allowed at the City Hall Building, Plaza, and Grounds.
- 11.9 No amplified or "live" music is allowed in rentable outdoor facilities due to disruption of surrounding facilities.
- 11.10 City Council Chamber dais is not available for use.
- 11.11 Use of alcohol is permissible upon approval of City Manager or his or her authorized representative.

CITY OF MILPITAS FACILITY & PARKS
ALCOHOL AND INSURANCE REQUIREMENT
GUIDELINES FOR RENTAL GROUPS

The table below summarizes the Insurance and Alcohol Permit requirements by rental type for facilities and parks rentals.

RENTAL TYPE	FACILITY	PARK
Private use/meeting No alcohol	No insurance required	No insurance required
Private Party - no alcohol	No insurance required	No insurance required
Party or meeting serving alcohol	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability Coverage	No insurance required
Public Attended Event (Please refer to the type of events that require insurance and hazard classification)	1. Purchase Special Events Liability Insurance Or 2. Provide Certificate of Insurance	1. Purchase Special Events Liability Insurance Or 2. Provide Certificate of Insurance
Sell Alcohol	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability coverage And 4. Obtain Alcohol Permit	1. Purchase Special Events Liability Insurance And 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability coverage And 4. Obtain Alcohol Permit

The applicant, which opts to provide a certificate of insurance, must satisfy the minimum insurance requirement of \$2,000,000 general liability per occurrence. The insurance coverage must be endorsed to provide primary coverage and must name the City, its officers, agents, volunteers, and its employees as additional insured. Please note that purchase of liquor legal liability coverage from the City is available only in conjunction with purchase of special event liability coverage also purchased from the City.

The applicant must provide the certificate of insurance **45 days** prior to event or begin the process of purchasing special events insurance with Parks and Recreation Services staff at the time of application. The costs of purchasing special events insurance is in addition to the rental fees.

Please note: this information is subject to change without prior notice.

The purchase cost of special event insurance from the City per day according to classification of hazard is as follows:

Please note: All permits requiring insurance will be assessed a \$15 insurance processing fee.

TENANT/USER EVENT RATES PER DAY*

	Hazard Class I	Hazard Class II	Hazard Class III
Attendance	Premium	Premium	Premium
1-100	\$ 83.32	\$122.46	\$194.42
101-500	\$116.15	\$213.36	\$342.13
501-1500	\$174.32	\$252.50	\$451.97
1501-3000	\$225.98	\$420.41	\$710.78
3001-5000	\$342.13	\$536.56	\$872.38
Add Liquor Liability if applicable		Hazard Class II/III 1-150 \$125.00 151-300 \$150.00 301-500 \$200.00 501-up To be determined	Hazard Class II/III 1-151 \$125.00 151-300 \$150.00 301-500 \$200.00 501-up To be determined

*fees subject to change

EXAMPLE OF PREMIUM CALCULATION:

Wedding with 300 serving alcohol: Hazard Class II Total Attendance: 300	Attendance Category: 101-300	Total Premium: \$15 + \$213.36 + \$150.00 = \$378.36
Company basketball game: Hazard Class III Total Attendance: 40	Attendance Category: 1-100	Total Premium: \$194.42 + \$15.00= \$209.42

TENANT/USER EVENT RISK CLASSIFICATIONS

Hazard Class I	Hazard Class II	Hazard Class III
Art Shows/Auctions/Awards Presentations/Business Mtgs	*Parties/Celebrations (w/liquor) Chinese New Year, Wedding Receptions, Banquets, Debuts, Wedding Anniversary, etc.	Animal Acts/Shows
*Banquets/Seminars	*Private parties/meetings serving alcohol	Union Meetings
*Concerts indoor (under 1,500)	*Corporate Events (w/liquor)	*Live Entertainment
PARTIES/CELEBRATIONS (no liquor) Chinese New Year, Wedding Receptions, Banquets, Wedding Anniversary, etc.	Animal Training/Dog Shows/Reunions/Dances/Job Fairs	*Basketball/Baseball/Soft ball/Sporting Events in Buildings (non-professional)
Luncheons/Meetings (indoors)	*Reunions/Dances (w/liquor)	*Carnivals (no rides)
Speaking Engagements	*Food Concessions	

Notes:

- * Requires prior insurance company's approval dependent upon the number of attendance and/or liquor
- ** Athletic Events coverage requires prior company's approval and signed waiver(s) by participant. The City reserves the right to classify any other non-listed event.

City of Milpitas-Parks and Recreation Services

**SPECIAL EVENT RULES AND REGULATIONS
EQUIPMENT RENTAL**

I. CITY SPONSORED SPECIAL EVENTS

1.1 The purpose of City Sponsored Special Events is to provide the public with activities to attend within the community. Planning for each event takes place 6 months prior to the event. These rules and regulations pertain to non-City group participation and use of City equipment for and during City sponsored, co-sponsored, public, non-profit events.

1.2 Calendar of Events (dates and events are subject to change)

Children’s Memorial Day	April
Memorial Day Ceremony	May
Family Day	May
4 th of July Festival	July
Commissioner’s Recognition	April
Summer Concert Series	June-August
Movies in the Park	June-September
Halloween Event	October
Veteran’s Day Ceremony	November
Tree Lighting Ceremony	December
Breakfast with Santa	December
Cultural Arts Grant	Throughout the year

II. ORGANIZATION/GROUP SEEKING PARTICIPATION

2.1 Any organization/group that would like to participate in any City sponsored Special Event must contact Parks and Recreation Services at least 6 months prior to an event and submit a Special Events Application attached with a written request explaining in detail their participation in an event. There will be NO EXCEPTIONS to this rule due to the importance of the planning process.

2.2 Parks and Recreation Services must approve all requests to participate in a Special Event. A written response will be mailed to the address listed on the Special Event Application either approving or denying the organizations/groups involvement in a City Sponsored Special Event, within fourteen (14) working days from receiving the initial request.

2.3 Once granted permission to participate in an event by Parks and Recreation Services, a special events contract will be executed to ensure participation meets City standards. This contract must be reviewed and signed by the group representative and City Staff (City Attorney, City Manager and City Clerk) one (1) month prior to the event.

2.4 Special Event Contract authorizes the terms for organizations/groups to conduct events only as described within the contract. It is unlawful for an organization/group to violate the terms and conditions of the contract.

2.5 Parks and Recreation Services reserves the right to refuse or deny a group’s participation at any time, either prior or during an event.

III. ORGANIZATION/GROUP PERMISSION TO PARTICIPATE

- 3.1 A pre-approved organization/group will have the opportunity to participate in a City sponsored Special Event in one of the following methods:
 - a. Resource Table - Displaying pre-approved information at an event about the organizations/groups purpose and presence in Milpitas.
 - b. Vending Booth - The sale of pre-approved merchandise and food or distributing items to the public. The sale of any tangible personal property or food requires permits. Milpitas Recreation Services will assist in obtaining permits such as Health Permit, Milpitas Business License, etc.
 - c. Speech Presentation - The speech must be no longer than five (5) minutes in length and must be appropriate for the event. A copy of the speech must be provided to the Recreation Services Management at least one (1) month prior to the event.
- 3.2 A sample of all items being distributed, sold, displayed and/or given to the public must be presented to Parks and Recreation Services Management for approval at least fourteen (14) working days prior to the event. Any items issued at an event without approval may result in automatic forfeit of participation in the event and/or any future City sponsored Special Events.

IV. EQUIPMENT RENTAL

- 4.1 A Special Events Application must be completed and submitted to Parks and Recreation Services Customer Service staff to request the use of any City equipment and/or supplies at least two (2) months prior to the organizations/groups event.
- 4.2 A deposit is required for all rented equipment and is refundable upon the return of the equipment provided no damage has occurred to any of the items. Parks and Recreation Services will review the request and upon approval or denial, a letter will be mailed to the address listed on the Special Event Application, which will include the necessary rental fee. All equipment availability is based on Parks and Recreation Services events schedule. (See below for fee schedule)
- 4.3 Special detailed inspections should be well documented for the mobile stage and related equipment, stage rigging, etc. Special attention should be paid to paths and walkways in and around facilities and sports fields.
- 4.4 All outdoor equipment (i.e. bleachers, picnic tables, barbecue pits, etc.) are not moveable and shall remain in designated locations.
- 4.5 Additional equipment (i.e. bounce houses, chairs, additional seating, staging/platforms, etc.) must be noted on the application and pre approved by staff. All additional event features must be obtained independently by the applicant, including rental costs, fees, insurance and delivery.

- 4.6 Equipment Fee Schedule:

<u>Equipment</u>	<u>Fee</u>	<u>Deposit (refundable)</u>
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*Mobile Stage

V. MAINTENANCE

- 5.1 Parks Services is responsible for all aspects of field maintenance. Recreation Services and Building Maintenance are responsible for facility maintenance.
- 5.2 Permittees are responsible for obtaining pre-approval and permission from Park Services prior to altering fields in any manner.
- 5.3 Permittees are responsible for obtaining pre-approval and permission from Recreation Services for alteration of an indoor facility.
- 5.4 User is responsible to ensure that clean-up has occurred following any rental. Garbage cans are provided for clean-up purposes.
- 5.5 Should damage to field or facility occur, permittee is responsible for all direct costs involved in the repair, replacement or clean-up caused due to damage.
- 5.6 City of Milpitas reserves the right to revoke or cancel any permitted use if it is deemed to be dangerous, hazardous or not in the best interest of the City of Milpitas.
- 5.7 Permittee shall report any unsafe condition to Parks and Recreation Services immediately and suspend activities until corrections or repair has ensured that the situation is safe for participants or spectators.

VI. SET-UP/CLEAN-UP

- 6.1 If after an activity, additional maintenance is required other than what is considered normal, and/or equipment is left damaged, the user group will be charged accordingly.
- 6.2 City facilities must be protected by the user from damage or mistreatment. Groups using City facilities must be responsible for the condition in which the facility and its equipment are left. Groups must leave the facility free of litter, such as paper, food or drink, and if decorations are to be used, they must be approved in advance by the City and removed before the group leaves.
- 76.3 Upon leaving the facility each group must see that trash is placed in appropriate receptacles, that restrooms and parking lots are free of litter and unwanted debris, and that the facility is returned to its original condition. Tables must be cleared and decorations removed. Attendant shall provide necessary custodial services such as mopping floors, and emptying garbage cans after above items have been completed.

City of Milpitas- Parks and Recreation Services

FIELD USE & SPORTS/POOL FACILITY USE RULES AND REGULATIONS

VII. PUBLIC BASKETBALL COURT RULES

- 7.1 Basketball Courts hours: 8:30 am – 8:30 pm daily. Basketball Courts are for recreational purpose in two-hour increments and are on a drop-in basis. Courts must be forfeited if another group/individual is waiting.
- 7.2 Amplified music including car and portable radios are prohibited
- 7.3 The Milpitas Police Department may stop play based on complaints

VIII. TENNIS COURT RULES & ETIQUETTE

- 8.1 Court Time Limit: Courts must be relinquished to players waiting after one hour of play for singles or 1 hour 30 minutes for doubles.
- 8.2 Waiting Players should state their intent of play to current occupants upon arrival.
- 8.3 Maximum of four (4) players per court.
- 8.4 No single player may use court when others are waiting.
- 8.5 City-Sponsored Programs have first priority on tennis courts at all times.
- 8.6 Absolutely no roller skates, roller blades, skateboards, bikes, food, glass objects or alcoholic beverages on courts. All food and drinks must be left outside tennis courts fence.
- 8.7 Smooth bottomed tennis shoes only. No knobby, black soled, sports cleats (baseball, soccer, football) or street shoes.
- 8.8 No instructional aids allowed (i.e. ball machines, etc.) unless prior approval has been received from the City of Milpitas Parks and -*Recreation Services, 408-586-3225.
- 8.9 Conducting any business or concession within any City Park is prohibited except by permit MMC 1-9-4.01 (i.e. private tennis lessons, selling food or beverage, etc.) and appropriate licenses or permits are required.
- 8.10 For your safety and enjoyment, use caution when playing. Surface may be slippery when wet or dirty.
- 8.11 Smoking is prohibited within 25 feet of tennis courts.
- 8.12 Report any problems with courts. Please call Parks Hot-line at 408-586-2600.

IX. SPECIAL POOL REGULATIONS

- 9.1 No smoking or alcohol consumption is allowed in the aquatics facility.
- 9.2 All pool users and patrons must bear appropriate swim attire. No jeans, cut-off shorts, leotards or any other extra articles of clothing are allowed (Ca. Health Code # 65838).
- 9.3 Youth Locker Rooms are available for shower and changing use.
- 9.4 No personal flotation devices, no flotation devices attached to the swim suits, no inflatable pool toys of any kind allowed.
- 9.5 No diving allowed.
- 9.6 No running allowed. Please walk at all times.
- 9.7 All children under 7 years old swimming in the yard or meter pool must have an adult attendance in the water with them at all times.
- 9.8 Parents must change their children in the Youth locker rooms.
- 9.9 No food or drink is allowed on the pool deck, except in the designated areas. Glass containers are not allowed.
- 9.10 Ramp usage by request only. See Lifeguard on duty.

Exceptions to any policy or regulation are subject to the approval of the City Manager or his or her authorized representative. Exception requests must be submitted in writing by the applicant. Decisions of the City Manager may be appealed, if not satisfied, to the City Council, whose decision shall be final.

Approved by City Council 12/01/09
69257_S_Facility Manual