

CITY OF APPLETON POLICY		TITLE: AQUATIC SPECIAL EVENT POLICY
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#### I. PURPOSE

The purpose of this policy is to provide a procedure to equitably regulate space and administer user fees for special events which occur at ~~city~~ [City](#) owned pool facilities by private and/or non-profit groups or organizations other than the City of Appleton.

#### II. POLICY

It is the policy of the city of Appleton to allow for the ~~city's~~ [City's](#) pool facilities to be rented pursuant to the terms of this policy.

#### III. DISCUSSION

It is recognized that special events of all sizes often bring benefits to the community. At the same time, the City must have sufficient notice prior to a special event so ~~that~~ the City can evaluate the potential impact the event might have on resources of City departments, City owned properties and facilities, and ultimately on the public. Because events have unique characteristics with different potential impacts on City services, the issuance of a [special events](#) license is considered on a case-by-case basis and in accordance with this policy.

For licensing purposes there are three categories of special events: (i) Small Events, which are events with an anticipated attendance of under 1,000 people, (ii) Large Events, which are events with an anticipated attendance of between 1,000 and 5,000 people, and (iii) Significant Events, which are events with an anticipated attendance of over 5,000 people. Events may take place on one day or for multiple days.

The event category plus the number of days the event will occur will determine (i) the fee for the event, (ii) the license application deadline, and (iii) any other minimum resources required for the event.

#### IV. DEFINITIONS

**Anticipated attendance** means an objective estimate made by an applicant of the total number of people who will attend a special event.

**Applicant** means the person applying for the special event license.

**Days** means calendar days.

**Event category** means the size of the event, either a Small Event, Large Event or Significant Event.

**Large Event** means a special event with an anticipated attendance of between 1,000 and 5,000 people.

**License** means the license issued by the City Clerk to the applicant for the special event.

**Multiple day event** means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval (e.g., an event occurring on a consecutive Saturday and Sunday or an event occurring every other Tuesday), ~~at the same start and end time~~ and at the same location. One special event license will be issued for a multiple day event.

**Normal and ordinary use** means the way City owned property should normally and ordinarily be used, as established by the department that of jurisdiction (e.g., a ball diamond complex's normal and ordinary use is for baseball/softball games, a public streets normal and ordinary use is for vehicular traffic, a sidewalks normal and ordinary use is for pedestrian use). Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.

**Significant event** means a special event with an anticipated attendance of over 5,000 people.

**Single day event** means a special event that does not meet the definition of a multiple day event.

**Small event** means a special event with an anticipated attendance of under 1,000 people.

**Special event** ~~or event~~ means any planned occurrence in the public right-of-way or on public property including, but not limited to, parades, gatherings, festivals and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. Whether the event is considered within the normal and ordinary use of the public facility or property shall be determined by the City department that maintains jurisdiction over the property. A special event may be a single day event or a multiple day event.

**Special Event License Application Form** ~~or application~~ means the application available from the City Clerk that must be approved by the City Clerk on the recommendation of the Special Events Committee in order to obtain a license to hold a special event.

**Special Events Committee** ~~or Committee~~ means the committee comprised of City employees representing the following City departments: Community and Economic Development, Health,

Human Resources, Fire, Legal Services, Parks, Recreation and Facility Management, Police, Public Works, and Valley Transit.

## V. PROCEDURE

### A. Management of Facilities

1. Erb and Mead Pools shall be managed and maintained by the Appleton Parks, Recreation and Facilities Management Department (“APRFMD”) for the benefit of the citizens of Appleton and the general public. Use shall be governed by the health and safety codes and statutes of the State of Wisconsin.
2. APRFMD reserves the right to deny special events which conflict with existing programs, use of the facilities for an event that the facilities were not intended, or which would cause undue hardship on the facility and/or surrounding area.
3. A maximum of two (2) full day/weekend multiple day special events and two (2) half day multiple day special events that, when scheduled would interfere with regularly scheduled public swimming opportunities at Erb and Mead Pools between June 1 and August 31 may be allowed. Full day and/or half day multiple day special events will not be allowed Monday-Thursday due to regular scheduled programming with the exception of a one week break around the 4<sup>th</sup> of July ~~that when~~ swim lessons ~~is are~~ not held.

### B. Use of Facilities

1. If an event is determined to be a special event by the APRFMD, all applicants must, in addition to renting the facility from APRFMD and paying all applicable fees, complete a City of Appleton Special Event Application and obtain approval from the City of Appleton Special Event Committee for the event to occur. The applicant is responsible for all required fees during the special event application process.
2. Use of the pool facilities by private individuals or organizations for financial gain must be approved by the Common Council, by way of the Parks and Recreation Committee.
3. The sale of food or beverages will not be allowed within the confines of Erb and Mead Pools. ~~The sale of food and beverages must~~ may occur outside of the fenced confines of the pool in an approved area by APRFMD i.e. park pavilions or suitable service area. All pertinent permits must be obtained prior to the sale of food or beverages in any City owned park property.
4. APRFMD may sell concessions during any special event from the pool concession stand. This concession stand is not available for rental to any outside group during a special event.
5. Organizations and/or groups shall be responsible for the daily clean-up of pool and park facilities as well as securing any personal or City-owned equipment at the conclusion of each day. Any additional clean-up or special services requested shall be charged to the user for actual cost plus a 15% administrative fee.

6. Organizations and/or groups ~~whom are~~ renting Erb Pool shall have access to the following rooms at the facility: men's and women's locker rooms, ~~designated storage area on southwest area of maintenance building,~~ multi-purpose room ~~(oasis), and eabanashade pavilion,~~ and 50-meter pool.
7. The following areas at Erb Pool are **NOT** included in the rental of the facility during Special Events: manager/guard office, concession stand, mechanical room, ~~APRFMD~~ equipment storage rooms, ~~leisure pool~~ and water slides.
8. Organizations and/or groups may sell clothing, souvenirs, sporting goods, etc. within the facility if they have obtained all appropriate permits.
9. Organizations and/or groups may not charge for parking within the confinements of the park unless approved by the Common Council by way of the Parks and Recreation Committee.
10. Organizations and/or groups are in charge of maintaining parking lots and informing visitors when lots are full and to direct them to on street parking in approved areas surrounding the park and neighborhood.

C. Rental of Pool Facilities

1. The time of rentals for Special Events must be within the following hours:

Erb Pool: 7:00 a.m. – 10:30 p.m.

Mead Pool: 7:00 a.m. –10:30 p.m.

Rental requests for hours beyond these times require approval from the Common Council by way of the Parks and Recreation Committee. Pursuant to City of Appleton ordinance, all Special Event attendees are required to exit the park by 11:00 p.m.

2. Special Event rentals shall either be a full day or half day rental. Half day rentals shall occur between the hours of 7:00 am and conclude by 1:00 pm. Full day rentals shall occur between the hours of 7:00 am and conclude by 10:30 pm.
3. The special event rental fee shall include the following: All ~~APRFMD~~ personnel (facility managers, lifeguards, facilities management) costs, cleaning and toiletry supplies, utilities, and use of pool. ~~APRFMD~~ will appoint a facility manager who will be responsible for opening the facility and will remain on site for the duration of the rental. ~~All~~ The number of lifeguards supplied by the ~~APRFMD~~ for the special event will be determined by the Department of Agriculture, Trade and Consumer Protection 76.23. Keys for the aquatic facilities will not be given out to renters.
4. Alcoholic beverages are not allowed in any pool facilities.
5. The use of amplified sound must be requested at the time of reservation and approved by the Director of ~~APRFMD~~ or ~~his/her/their~~ designee. Amplified sound may be used from 7:00 a.m. to 9:00 p.m. It is the responsibility of the renter to keep the amplified sound at levels that meet the ~~Health Department regulations~~ Municipal Code (Chapter 12, Article IV).

6. Organizations and/or groups shall have a responsible contact person 18 years of age or older on the premises throughout the duration of their event. The renter must agree to replace or pay for the repair/replacement of any items damaged by persons in their party during their event. The renter also agrees to pay for additional maintenance costs associated with more than normal facility maintenance caused by the rental party.
7. The City reserves the right to request a certificate of insurance from the renter of the pool facility.
8. The renter of the pool facility must agree to indemnify, ~~defend~~defend, and hold harmless the City of Appleton, and its employees, officials, and agents from any and all liability from claims of bodily injury, property damage, or any other nature whatsoever arising out of the use of the pool facility.

D. Facility Reservation and Fees

~~1.~~ Reservations for the rental of Erb and/or Mead Pool can be made up to 12 months in advance. Renters have thirty (30) days after rental of the facility to reserve any and all facilities associated with the Special Event for the following year. ~~For 2018, renters from 2016 will be given first opportunity to schedule a Special Event since no events were allowed in 2017 due to park and pool construction.~~

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2. All applications for use of an aquatic facility for a special event must be made at least sixty (60) business days prior to the reservation date requested. Applications not made before this time period will be charged an additional \$25.00 for the reservation or may be denied.

~~3. Organizations/groups that have reserved pool facilities for special events shall have thirty (30) days after the date of the special event to reserve the facility for the next year. After thirty (30) days, APRFMD will make the facility available to other interested parties.~~

~~4.3. A deposit of \$500 must be made at the time of the reservation for each Special Event. Event organizers will be billed upon conclusion of the event, and have the \$500 deposit applied to their account balance. Organizers will be billed according to the Special Event Reservation Fees part of this policy.~~

~~5.4.~~ An increase of 3% per hour may occur each consecutive year from the inception of this policy to account for rising costs of personnel, goods, and supplies that the APRFMD incurs.

~~6.5.~~ In case of cancellation of the rental by the APRFMD due to inclement weather, mechanical problems, water contamination prior to the event, etc., APRFMD will attempt to reschedule the rental or issue a full refund of all fees paid.

E. Payment Considerations

1. Failure of the renting party to comply with the rental policy will void the rental and result in the loss of all ~~fees, and~~fees and may result in the renting party being charged back for all services associated with the rental.

2. Non-profit organizations within the city limits of Appleton that host a multiple full-day special event at Erb or Mead Pool shall receive a 50% discount on their event. These events shall be categorized as a large or significant event depending on the anticipated attendance.

F. Miscellaneous Provisions

1. Additional charges will be assessed to the responsible party for any damage or cleaning required after the end of the reservation. Charges assessed will be based on the current ~~A~~PRFMD rate.
2. A violation of this policy or the terms of use attached to the reservation form may result in denial of future reservation requests.
3. No additions, alterations, or changes to park grounds or a pool facility are allowed at any time except with the prior written approval by the Department Director or designee.
4. There is one rental per facility allowed at any given time.

G. Pool Rental Information and Closing Checklist

1. No signs are to be posted at any of the driveways, roads, or entrances to the pools unless otherwise approved by the Director of ~~A~~PRFMD or designee.
2. No wires, ropes, string, cords, ribbons, ~~signs~~signs, or poles may be strung from any part of the pool.
3. No staples, duct tape, nails, tacks, or screws may be used on any walls within the pool.
4. Tables, chairs and other furniture from the pool reservation areas may not be moved for any reason outside of the designated reservation space.
5. Renters will remove all food, ~~decorations~~decorations, and other items at the conclusion of the rental.
6. Swim equipment (i.e. lane lines, timing devices, etc.) shall be stored in designated areas approved by the Department Director or designee.

**SPECIAL EVENT RENTAL FEES**

FACILITY		All rental fees include the following: Lifeguards and management staff, City of Appleton equipment set-up and take down, and miscellaneous supplies	FULL DAY 7:00 a.m. to 10:30 p.m.	HALF DAY 7:00 a.m. to 1:00 p.m.
SPECIAL EVENT – ERB POOL			<del>*\$5,150 Per Full Day</del> <u>*\$5,300.00 per full day</u>	<del>\$775 Per Half Day</del> <u>*\$800.00 per half day</u>
SPECIAL EVENT – MEAD POOL			<del>*\$2,875 Per Full Day</del> <u>*\$2960.00 per full day</u>	<del>\$775 Per Half Day</del> <u>*\$800.00 per half day</u>
SPECIAL SERVICES (scoreboard set-up, starting blocks, electrical set-up, moving equipment, etc.)		Actual Cost +15%		

*\* Non-profit organizations within the city limits of Appleton that host a multiple full-day special event at Erb or Mead Pool shall receive a 50% discount on their event. These events shall be categorized as a large or significant event depending on the anticipated attendance.*