

<b>CITY OF APPLETON POLICY</b>		<b>TITLE: HOUDINI PLAZA – RENTAL AND FEE SCHEDULE</b>
<b>ISSUE DATE:</b> Day of Council Adoption	<b>LAST UPDATE:</b> November 5, 2014	<b>TEXT NAME:</b>
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**I. Purpose**

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges and manage the use of Houdini Plaza for private and/or community events. The Parks, Recreation and Facilities Management Department also recognizes Houdini Plaza provides quality of life uses for individuals, organizations and groups and bring certain benefits to the community, but has certain use limitations due to size, available facilities, site development and location.

**II. Policy**

This policy authorizes the Parks, Recreation and Facilities Management Department to charge fees for the use of Houdini Plaza within the rate schedule established by the Parks and Recreation Committee and City Council. The Parks, Recreation and Facilities Management Department has also established guidelines for the preservation of the public’s health, safety, welfare, and to promote the responsible use of publicly owned property and facilities. To effectively manage, protect facilities, and promote wise use of urban spaces, this policy authorizes the Parks, Recreation and Facilities Management Director and/or designees to:

1. Cancel and/or relocate any reservation that potentially threatens the integrity of Houdini Plaza due to misrepresentation of information on the Facility Reservation Agreement, or if conditions of the facility or grounds would potentially create an unsafe situation.
2. Limit the availability of Houdini Plaza to perform routine and/or required maintenance and renovations to preserve the plaza integrity, including hard surfaces, turf, trees, vegetation, amenities, etc.
3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of facilities.
4. Enforce park rules, regulations, and policies.
5. Require insurance coverage with limits established by the City Risk Manager for all activities or events scheduled for Houdini Plaza.

### III. Definitions

- **Houdini Plaza** – Urban space on the southeast corner of Appleton Street and College Avenue as identified in Attachment A.
- **Local Non-Profit Organization** - Non-profit organization located in the Fox Cities that offers activity and/or event to promote quality of life experiences for citizens of Appleton and surrounding communities.
- **National Non-Profit Organization** – National non-profit organization that offers activity and/or event to promote its objectives and focus.
- **For-Profit Organization** – For-profit organization that offers activity and/or event for the primary purpose of raising money for its operations/objectives/programs.
- **Private Event** – Exclusive use of the plaza for an event and/or activity by an organization, group or individual that requires some or all of Houdini Plaza to be closed to the public.
- **Concessions/Sales/Exchange of Money** - The sale of food, beverage and other associated products or the exchange of any money at an event or program that is held in Houdini Plaza specifically reserved for that event or program.
- **Facility Reservation Policies and Procedures** - These policies and procedures are stated on the back of the Facility Reservation Agreement that explain reservations, sales of concessions, cancellation/refund procedures, alcohol policies and damage policies.
- **Park Rules & Regulations** - Are formulated by the City Council and published by the Parks, Recreation and Facilities Management Department. These rules and regulations are included with every Facility Reservation Agreement packet.
- **Processing Fee** - Fee charged to process a refund and/or cancellation request that is received before the reservation date.
- **Special Event** - An event or activity that meets the City of Appleton’s requirements for a special event activity, is held in a city park and/or special area, and exceeds the normal and ordinary use of the park and/or special area.
- **Event Fee** – Fee charged for any rental of Houdini Plaza that is determined to be a special event.

### IV. Discussion

This policy defines how Houdini Plaza shall be reserved by individuals, organizations and/or groups (herein “organizers”) for use of the facility. The policy shall also define the fee (s) charged to these organizers for their reservation request.

### V. Reservations:

1. All organizers reserving Houdini Plaza will be charged in accordance with the established rate schedule, including but not limited to: reservation fee; concessions/sales/exchange of money permit; tent permit; tent inspection fee; late registration; event fee for facility.
2. All reservations of Houdini Plaza shall be limited to events and activities open to the general public and considered special events. The use of Houdini Plaza for a private event must be approved by the City Council.
3. The reservation of Houdini Plaza shall follow the procedures identified in the Special

- Events Policy and will be required to pay the all the fees required under the Special Events Policy, including a separate “Event Fee” of \$50.00 as listed in the Fee Schedule on the last page of this policy.
4. The reservation request for Houdini Plaza shall include the actual time needed for the activity or event, including the time period for all set up, tear down and clean up.
  5. All reservations for Houdini Plaza shall be considered for the entire day. Reservations for the same day by two different organizations or groups is not permitted unless written confirmation is received from both organizations or groups and the City of Appleton is not responsible for any additional service required to accommodate the multiple events.
  6. Houdini Plaza is available year around, however during the winter months (November through March) the Parks, Recreation and Facilities Management Department reserves the right to limit access to the plaza and facilities and charge back to the organizations/groups costs to prepare the plaza for any activity or event. Preparations services during the winter months include but are not limited to snow removal, ice control, waste containers, etc.
  7. If an organizer performs set-up or takedown of any equipment on any date not included on the reservation, the organizer will be charged for the full day in which setup or takedown occurs. In addition, if these actions interfere with another rental, the City reserves the right to have any set-up removed at the organizations cost.
  8. Organizers that have reserved Houdini Plaza for an event or activity shall have thirty (30) days after the date of the special event to reserve Houdini Plaza for the same weekend and/or date for the following year. After thirty (30) days, the Parks, Recreation and Facilities Management Department will make Houdini Plaza available to other interested parties.
  9. A reservation request for Houdini Plaza will not be issued until all approvals have been received through the Special Events Permit process.
  10. All other reservations for Houdini Plaza are on a first-come, first-served basis and may be made no more than one (1) year in advance.
  11. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. The amount of the security deposit will be based on factors listed earlier. The security deposit will be returned within 10-14 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up; proper vacation of the facilities; removal of personal equipment/supplies/etc.; and leaving the facility (s) in a clean and orderly condition.
  12. All applications for facility reservations should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs associated with your Special Event. No license will be granted with less than ten days before the date of your event.
  13. This policy shall become effective for any events scheduled after March 1, 2019, and shall remain in effect until it is modified, changed, and/or repealed.

**Terms & Conditions of Use:**

- The special event license holder must bring his/her copy of the approved reservation to show City personnel upon request. In all cases, special event license holders shall be given preference for the use of the space designated on the approved agreement.
- Vehicles are not allowed on any park surface at any time; this includes trucks, cars, Utility Task Vehicles (“UTVs”), golf carts, etc. used for the unloading and loading of equipment and supplies. Authorization may be given for unique circumstances, but must be approved in advance by the Deputy Director of Parks, Recreation and Facilities Management or his/her designee.
- Organizers shall leave the facility in a clean and orderly condition. Groups are not permitted to remove any City equipment or supplies. The City will not be held financially or legally responsible for any damage that occurs as a result of the rental and reserves the right to bill the organizer for repair and replacement costs incurred by such damage to parks and/or park amenities during the rented timeframe.
- No equipment that utilizes fuels or electrical power for food preparation, craft making, etc. shall be allowed within the park.

**Cancellation/Refunds:**

- A full refund of the rental fee will be made if the reservation is cancelled more than 90 days in advance of the event. A full refund of the rental fee for a cancellation of Houdini Plaza less than 90 days in advance of the event will be made only if the facility can be rented to another party for the date canceled. Refunds are subject to a \$10.00 processing fee.
- A full refund of the rental fee will be made if the reservation is cancelled by the Parks, Recreation and Facilities Management Department due to unsafe conditions, issues/concerns with plaza facilities, construction activities, etc. These refunds are not subject to the \$10.00 processing fee.

# HOUDINI PLAZA

## FEE SCHEDULE

<u>Organization/Group</u>	<u>Fees</u>
Local Non-Profit Organization	\$25.00 per day
National Non-Profit Organization	\$100.00 per day
For-Profit Organization	\$300.00 per day
Private Event	\$500.00 per day
<u>Other Services</u>	<u>Fees</u>
Concessions/Sales/Exchange of Money Permit	\$25.00 per day \$100.00 per season
Tent Permit	\$15.00 per tent, per day
Fire Inspection (for tents)	\$25.00 per event
Late Reservation	\$10.00
Processing Fee	\$10.00
Event Fee	\$50.00 per event