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## 312-Commercial Use of District Facilities

### 1.0 Purpose

It is the policy of the William Shore Memorial Pool District (District) to require a contract or use permit as evidence of persons seeking permission for commercial use of District facilities to show clearly that the applicant has made satisfactory arrangements to meet the various concerns of the District. These concerns include the following:

1. Protection of the facilities
2. Minimized disruption of public use and public enjoyment;
3. Avoidance of public safety, public health problems;
4. Limiting the District's potential liability exposure; and
5. Reimbursement to the Park District for use or damage to District property.

**2.0 Definition of Commercial Use.** For purposes of this policy "commercial use" is use of District Property to generate income or profit.

### 3.0 Policy:

1. No person shall (a) conduct or engage in any private instruction, lesson, class, or similar activity or undertaking or (b) engage in any retail or commercial use at or in any District Facility at any time except as previously approved by the Executive Director. Only District employees may provide instruction.
2. Commercial/Individual applications will be limited to licensed and regulated services that serve the community but who's services cannot be provided by the District.

### 4.0 Applications for Commercial Use:

Persons seeking to use District Property for commercial purposes shall apply for a permit for such use on standard forms provided by the District. Applications must be completed in full, and all other documentary evidence required therein must be provided, in order for consideration to be given to the application. Additional information and assurances may be required, and conditions or restrictions may be placed on the permittee's use, by the District, as appropriate to the particular application.

1. **Fees:** It is the policy of the District to charge fees for commercial use of District Property. Such fees are not to be considered in any way a release from responsibility on the part of the permittee for repair and full redress of any and all damages, injuries or other undesirable effects experienced as a result of the permittee's use of District Property. The fees charged for commercial use of District Property shall be determined by the Board of Commissioners, these fees shall be reviewed periodically by the Board and are subject to change from time to time. The entire fee must be paid prior to commencement of use
2. **Waived or Reduced Fees.** The District may, in its sole discretion, waive or reduce the required fee with respect to commercial use under the following circumstances:
  - A. Where the use, or product derived or made from such use, is for educational or instructional purposes in District or local school programs;

- B. The use furthers (directly or indirectly) or the proceeds from the sale or distribution of the product derived or made from such use are used in support of public park, recreation or conservation programs or purposes, or other public purposes;
- C. The use or product of such use is made by a not-for-profit organization which is affiliated with the District or the majority of whose members are residents of the Park District;
- E. The user donates or contributes something of at least equal value to the District;

The waiver or reduction of fee is otherwise determined by the Board to be in the best interests of the District.

3. **Additional Charges.** In addition to the foregoing fees, the District will charge for items as applicable, such as electricity, labor for clean-up, required security or supervision, and rental charges for any District equipment required by the permittee, at rates established by the District. Further, depending on the nature/ duration of the proposed use, the District may require a security deposit.
4. **Certificate of Insurance.** Applications must be accompanied by a Certificate of Insurance indicating, which the applicant will have in effect during the entire period for which the permit is sought, public liability insurance of not less than \$1 million, and property damage insurance of not less than \$1 million. The insurance must be provided by a carrier acceptable to the District. The District (and, if the property is leased by the District, also the lessor) must be named as an additional insured under the policy or policies of insurance.