

City of Smithville  
Public Facility Use Policy

I. Purpose

The Facility Use Policy governs use of public facilities pursuant to Section 105.030 of the Municipal Code. The purpose of this policy is to fairly and reasonably provide access to City facilities for the Smithville community. It is the goal of the City to balance the needs of users to reserve facilities for exclusive use, and the needs and expectations of residents so they will have access to City facilities for their use. The primary purpose of public parks is for the use and enjoyment of City residents. Uses which will substantially impair the rights of the public in general to use public facilities in favor of specific individuals or groups should not be permitted.

II. Rate Categories

A. The following categories are utilized only for the purpose of determining fees and charges. Category status is determined based upon the type of event and individual or group who is reserving. Category status is determined when the reservation application is approved. All events will be charged as a Category V unless documentation required is submitted.

Misrepresentation of any event category will result in loss of an organization's category status; all deposits and/or fees paid, and may jeopardize future reservations.

Category I    A – City

                  B – City co-sponsor

A Joint Use Agreement with the City is required. Generally, applicants do not pay rental fees unless the event imposes additional expenses to the City.

Category II    Other governmental entities

Must provide a Letter of Authorization on letterhead from the governmental entity responsible for the event.

Category III    Smithville-incorporated non-profit entities

Must submit the following items to maintain status:

- A copy of the organization's State of Missouri certification of good standing
- A copy of the organization's tax-exempt IRS 501(c)(3) letter

- Proof of a current City of Smithville Business License
- A Letter of Authorization on letterhead from the organization responsible for the event.

Category IV Smithville-incorporated for-profit entities, residents

Businesses must provide proof of a current City of Smithville Business License and a Letter of Authorization on letterhead from the entity responsible for the event. Residents must provide photo identification to provide proof of resident status.

Category V Non Smithville-incorporated businesses, non-residents and any other individual or group not identified elsewhere

Businesses using City facilities for commercial purposes must provide proof of a current City of Smithville Business License.

III. Indoor Facility Permits

A. Facilities

1. Senior Center

The primary use of this facility is by the Smithville Senior Citizens. The facility may be reserved during hours of operation not reserved under the lease with the Smithville Senior Citizens.

2. City Hall Meeting Room

The City Hall Meeting Room is a government facility. The primary use of this facility is for City functions. To protect the integrity of the City Hall Meeting room and preserves space for government functions, while allowing citizen access for civic function, the City Hall Meeting Room may be available for use to Category I or Category II facility users in good standing.

IV. Outdoor Facility Permits

A. Facilities

1. Heritage Park Shelter Houses

When the shelter houses are not reserved, they may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

2. Smith's Fork Park Shelter Houses

When the shelter houses are not reserved, they may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

3. Smith's Fork Park Boy Scout Camping Area

When the camping area is not reserved, it may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

4. Courtyard Park

When the park is not reserved, it may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

5. Smith's Fork Campground

Use of the Smith's Fork Campground requires a reservation. If all campsites are reserved for an event, an occupancy rate is determined by using the average campground occupancy per day based on the previous season.

6. Lake Remote Trail System

When the trail system is not reserved, it may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

7. Smith's Fork Cross Country Trail System

When the trail system is not reserved, it may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

8. Helvey Park

When the park is not reserved, it may be used by the public for walk-on private party activities during park hours per the Smithville Park Regulations.

V. Permits for Parades and Special Events

A. Parades

A parade is defined as any parade, march, race, walk or procession, or any similar event, in or upon any public street, pursuant to Section 520.100 of the Municipal Code.

1. Standards of Issuance

A parade permit shall be issued under the following considerations:

- a. The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- b. The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper police protection of areas contiguous to such assembly areas;
- c. The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance; and
- d. The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.

2. Exceptions

This article shall not apply to:

- a. Funeral or wedding processions;
- b. Students going to and from school classes or participating in education activities, providing such conduct is under the immediate discretion and supervision of the proper school authorities; or
- c. A governmental agency acting within the scope of its functions.

B. Special Events

A special event is defined as any ceremony, show, exhibition, festival, pageant or gathering, or any similar event, in or upon any public street, pursuant to Section 520.100 of the Municipal Code.

1. Standards of Issuance

A special event permit shall be issued under the following considerations:

- a. The conduct of the special event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- b. The concentration of persons, animals and vehicles at assembly points of the special event will not unduly interfere with proper police protection of areas contiguous to such assembly areas; and
- c. The conduct of the special event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.

2. Exceptions

This article shall not apply to:

- a. Funeral or wedding processions;
- b. Students going to and from school classes or participating in education activities, providing such conduct is under the immediate discretion and supervision of the proper school authorities; or
- c. A governmental agency acting within the scope of its functions.

VI. Sports Field Permits

A. General

1. Concession Stands

Applicants requesting use of a concession stand must complete a Concession Stand Request Form. The City reserves the right to operate concession stands. The City may elect to offer these concessions and retain all proceeds without compensation to the applicant.

3. Field Maintenance

Field maintenance is mandatory and will be provided by the Smithville Parks Department.

B. Annual Meeting

An annual meeting will be held to determine the initial order in which athletic field reservations for games and tournaments are made. A lottery system will be used to determine the order in which each team present will select time slots.

Only one representative from each team must be designated to select time slots. Each team will select two 2-hour time slots during each round of the selection process. Reservation fees are due and payment must be received at the annual meeting. After the annual meeting, reservations for scheduling practices and additional games are taken on a first-come, first-serve basis during normal business hours.

C. Sports Fields

1. Heritage Park Baseball Fields

Heritage Park Baseball Fields are open the public for walk-on private party activities during unreserved park hours. Walk-on use is not permitted after dusk. Sports field lighting will only be turned on for reserved and scheduled use. Sports fields are available for the sole use of the applicant and may not be shared with others without approval by the City. Organized use of City sports parks is prohibited without a permit.

2. Heritage Park Soccer Fields

Heritage Park Soccer Fields are open the public for walk-on private party activities during unreserved park hours. Walk-on use is not permitted after dusk. Sports field lighting will only be turned on for reserved and scheduled use. Sports fields are available for the sole use of the applicant and may not be shared with others without approval by the City. Organized use of City sports parks is prohibited without a permit.

3. Smith's Fork Park Baseball Fields

Smith's Fork Park Baseball Fields are open the public for walk-on private party activities during unreserved park hours. Walk-on use is not permitted after dusk. Sports field lighting will only be turned on for reserved and scheduled use. Sports fields are available for the sole use of the applicant and may not be shared with others without approval by the City. Organized use of City sports parks is prohibited without a permit.

4. Smith's Fork Park Soccer Fields

Smith's Fork Park Soccer Fields are open the public for walk-on private party activities during unreserved park hours. Walk-on use is not permitted after dusk. Sports field lighting will only be turned on for reserved and scheduled use. Sports fields are available for the sole use of the applicant and may not be shared with others without approval by the City. Organized use of City sports parks is prohibited without a permit.

5. Smith's Fork Park Football Field

Smith's Fork Park Football Fields are open the public for walk-on private party activities during unreserved park hours. Walk-on use is not permitted after dusk. Sports field lighting will only be turned on for reserved and scheduled use. Sports fields are available for the sole use of the applicant and may not be shared with others without approval by the City. Organized use of City sports parks is prohibited without a permit.

## VII. Requirements for Use

### A. Availability

Facilities are available for general reservation on a first-come, first-served basis. The City reserves the right to determine which days, times, and facilities are reserved based on other scheduled use, wear and maintenance issues. The City does not grandfather or give priority to returning reservations.

### B. Signs and Advertisement

#### 1. Posting Signs in City Parks

Applicants requesting to display signs at City parks and facilities during reservations are subject to the sign requirements outlined in Section 400.505 of the Municipal Code. Requests must be approved during the application process. Signs must be removed at the end of the reservation.

#### 2. Advertisements

For any event that will be advertised to the public, the following disclaimer is required to be printed on the flyer or electronic communication: *This event is a private reservation and is not endorsed or sponsored by the City of Smithville.*

### B. Applications and Cancellations

#### 1. Applications

Applications and all required documentation should be submitted at least thirty (30) calendar days prior to the requested reservation date. Requests received outside this timeframe may be granted only if time and conditions allow. A nonrefundable application fee of 10% or \$25 (whichever is higher) is required at the time of application. Once an application has been approved, the fee will be applied toward reservation fees. An approved application does not guarantee access to the facility. A facility is not considered reserved until payment in full is received.

An applicant applying on behalf of an organization must be authorized by that organization to reserve facilities.

2. Changes and Cancellations

The City will not be held financially or legally responsible for consequences experienced by users due to circumstances beyond the City's control, including, but not limited to: inclement weather, natural disasters and naturally-occurring health hazards. The City reserves the right to cancel or reject current and future reservations due to the misrepresentation, misuse of facilities, flagrant violation of policies and regulations, or mistreatment of staff.

a. Changes

Changes include, but are not limited to any adjustment to time, number of attendees, etc. One change per applications will be processed at no charge. Additional changes made will be charged an additional non-refundable application fee per change.

b. Cancellations

Cancellations are defined as discontinuing a reservation and not rescheduling. Cancellations made more than thirty (30) days prior to the event forfeit the non-refundable application fee; the remainder will be refunded. Cancellations made less than thirty (30) days prior to the original reservation date forfeit all fees paid (excluding deposits). No shows are considered cancellations

C. Deposits

Any expense incurred by the City to correct facilities and/or equipment not returned to original condition due to the applicant's use will be billed against the applicant's deposits.

The City reserves the right to bill the applicant for damages and costs incurred above the deposit amount.

D. Insurance

Liability insurance coverage in the amount of \$1,000,000 per occurrence is required for outdoor events consisting of 100 or more people. Any event requiring such liability insurance must provide a copy of the certificate of insurance and a separate endorsement page naming the City of Smithville as additionally insured. Events held at Smith's Fork Park facilities also require the Army Corps of Engineers to be listed as additional insured.



A City of Smithville “Hold Harmless Agreement” is required as part of the application.

Liquor liability insurance is require for all events serving alcoholic beverages.

E. Alcohol Use

1. Alcohol is prohibited for indoor facility permits.
2. Liquor liability insurance and security are both required for all events serving alcoholic beverages.
3. Any person or group wishing to serve alcoholic beverages at a facility will be required to prove bartenders are at least twenty-one (21) years of age, with proof of completion of the State of Missouri Alcohol Responsibility Training (SMART) Online Server Training Program. Bartenders and serving attendants are not allowed to drink alcoholic beverages or be under the influence of alcohol while serving alcohol.
4. Alcohol may only be consumed with the facility or authorized area, and not beyond the perimeters of these areas. (Alcohol use is not permitted on athletic fields or courts.)
5. The applicant is responsible for contacting the Missouri Department of Public Safety to obtain a license if alcohol is to be sold during the scheduled activity. A copy of all applicable liquor licenses must be provided.
6. Service to or consumption of alcoholic beverages by minors will result in immediate cancellation of the event without refund of fees. Alcohol is not allowed at events where the majority of participants are minors.
7. Alcoholic beverages may only be served within a designated area that is pre-approved by the City, pursuant to Section 600.070 of the Municipal Code.
8. Alcoholic service must be suspended one (1) hour prior to the ending time of the event. At last call, only one (1) drink per person will be allowed, and the serving cup size may not exceed ten (10) ounces.

F. Smoking

Smoking is prohibited in all indoor facilities.

G. Security

The City of Smithville reserves the right to require security at events held on City property. A security plan must be submitted for all parades and special events, subject to approval by the Police Department..

#### H. Street Closings

If an event will require the closure of any portion of City roadways (i.e., partial lane closures or complete road closures), a map and traffic control plan showing road and lane closures, delineation, and detour routes meeting the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) is required.

Certification that the applicant or sponsoring organization has notified in writing all owners, managers, or residents of property adjacent to the proposed street closing(s), to include 1) name of event; 2) name of sponsor organization, mailing address, and telephone number; 3) date of event; 4) starting and ending times; and 5) detailed description of streets to be closed.

##### 1. Block Parties

A Block Party is defined as barricading a specific portion of a residential street, denying access to the through-traffic for a purpose of allowing the residents who reside within the barricaded area to conduct a special event.

At least 60% of the residents who live in the blocked-off area must sign this application indicating they are in favor. Neighborhood block parties are to be conducted only between the hours of 7:00 a.m. and 10:00 p.m.

#### I. Reservation Times

Reservation times requested on the application must include the entire time needed to prepare food, decorate, set-up before the event and to completely clean up after the event. If use of the facility begins prior to or ends after the scheduled reservation, the City reserves the right to bill at 150% of the applicable rate. Refunds or credits are not available for early departure from a scheduled reservation or for unused time or facility.

#### J. Festival Vendors

If an event will have vendors present, the vendors are subject to Section 610.110 of the Municipal Code.

#### K. Structures

If an event includes structures (i.e. bleachers, tents, stages, platforms, etc.), a site

plan identifying the location of such structures, including electrical, plumbing, and sanitation plans is required as part of the application process.