



parks · recreation · cultural services

## PRIVATE OUTDOOR FEE-BASED ACTIVITY (POFA)

### GENERAL

It is the policy of the Colorado Springs Parks, Recreation & Cultural Services Department (PRCS), under circumstances appropriate for Colorado Springs parks, to permit citizens and organizations the use of specified areas within Colorado Springs parks for the provision of certain private outdoor fee-based activities and services to the public, subject to this Policy.

### PURPOSE

The Policy outlines the requirements, limitations and conditions under which temporarily permitted uses of Colorado Springs parks could be allowed for certain private outdoor fee-based activities or services consistent with the operation and public use of Colorado Springs parks. The purpose of the Policy is to establish an effective mechanism for allowing activities or services of this sort, while safeguarding the parks and the rights of park patrons to access and use the parks.

### DEFINITIONS

**Private Outdoor Fee Based Activity**, (referred to in this policy as POFA). Includes, but is not limited to, a class, clinic, camp, guided activity, program or related service organized and offered by a Permittee for which a payment, fee or other consideration is expected to be made to the Permittee, directly or indirectly, for the right of an individual to participate or attend, whether said POFA is by invitation-only or open to the public in general. POFA must be generally recreational in nature, or a common and customary park use.

**Exclusions from POFA:** Any activities, whether or not commercial in nature, which are authorized and conducted under a concession license, cooperative agreement, user agreement, lease, temporary vending permit, athletic permit, special event permit, film permit or as part of any City-sponsored or City-conducted program or activity, are not regarded as being POFA and shall not be subject to this Policy.

**Non-Exclusive List of POFA:** POFA may include, but is not limited to: sports camp or clinic, exercise or physical training program, guided class in aerobics, yoga or tai chi chuan, self-defense or martial arts class, dance class, gymnastics training, personal improvement instruction, physical education program, Zumba class, boot camp, circuit training, cross training, snow shoeing and cross-country training, guided trail hikes or rides, guided walks or tours, art classes, photography classes and guided angling. This list is only applicable to a POFA for which the Permittee is compensated in some manner. Inclusion in this list does not guarantee that a Permit will be issued for a specific type of POFA.

### PROVISIONS

- The Colorado Springs Parks, Recreation & Cultural Services (PRCS) Department reserves the right to prohibit POFA's from occurring in an entire park or a portion of any park and such prohibition(s) can be instituted at any time.

- Any form of visible identification provided by the PRCS Office of Special Events or required to be provided by the POFA Permittee must be displayed on the premises during all POFA's.
- All POFA permits:
  - Are non-exclusive.
  - Restrict the maximum number of participants to 50.
  - Do not allow the use of any structures, amenities, equipment or features as part of the POFA. This includes, but is not limited to playground equipment, benches, flower beds, pavilions, etc.
  - Allow the Permittee to hold POFA's 7 days per week during posted park hours unless stated otherwise in the Permit.
  - Allow the Permittee to conduct only one POFA at a time. Two or more simultaneous POFA's require an additional Permit for each simultaneous activity (if available).
  - May have restrictions such as the type of POFA allowed at a given POFA park and limitations and conditions designed to protect the park and assure that other park patrons have reasonable access to and use of the park.
- Commercial General Liability Insurance that names as Additional Insured, "The City of Colorado Springs, its elected officials, employees and volunteers" and any other public entities impacted by the event is required for all POFA's. The policy must be for a minimum of \$1,000,000.00 with an aggregate amount of \$1,000,000.00. Required general liability coverage may be obtained for certain types of POFA's by a Permittee, upon payment of a prescribed fee, through the Tenants User Liability Insurance Program (TULIP).
- POFA applicants must be a minimum of 18 years old and provide the following information:
  - Application, signed and dated
  - Certificate of Insurance
  - Noise Hardship Permit (if amplifying sound)

**PERMITS AND FEES**

- The appropriate permit fee must be paid prior to the issuance of the permit. Any required charges (unless said charges are deferred for payment at a later date) must be fully paid prior to approval and issuance of the Permit.
- POFA permits are issued for six month seasons:
  - PEAK - April through September
  - OFF-PEAK - October through March
- Seasonal Permit Fees:

<b>PARTICIPANT #</b>	<b>TIER A PEAK</b>	<b>TIER A OFF-PEAK</b>	<b>TIER B PEAK</b>	<b>TIER B OFF-PEAK</b>
1-25	\$175	\$75	\$50	\$35
26-50	\$250	\$150	\$125	\$75

**APPLICATION PROCESS**

- Applications will be processed on a first-come, first-served basis.
- There will be no pro-ration of fees for POFA permits that are less than six-months. Each POFA Permittee must pay the full, applicable six-month fee.
- POFA Permittees may request a reduction in fees per the PRCS Department's Fee Reduction Policy.
- Permits are not renewable nor does a Permittee of a given park have any priority for that park during future seasons.
- Once a POFA permit is issued there will be no refunds.



parks · recreation · cultural services

## PRIVATE OUTDOOR FEE-BASED ACTIVITY PERMIT APPLICATION

### CONTACT INFORMATION

*\*Applicant must be Chief Officer or authorized representative of the Host Organization*

Organization Name:

Organization Website:

Organization Type:  For Profit  Non-Profit (attach IRS 501(C) documentation)

Host Organization Representative\*:

Street Address:

City:

State:

Zip:

Phone:

Fax:

Email:

Contact on Event Day:

Phone:

Cell:

### ACTIVITY INFORMATION

Activity Name:

Website:

Site(s) Requested:

Date(s) Requested:

Permit Season:

Peak (May-September):  Off-Peak (October-April):

Describe Your Activity:

Number of Participants:

### INSURANCE REQUIREMENTS

Events are required to have Commercial General Liability Insurance that in which the **“City of Colorado Springs, its elected and appointed officials, employees and volunteers, are included as Additional Insured with respect to the policies required by this permit.”** The policy must be for a minimum of \$1,000,000, with an aggregate amount of \$1,000,000. Additional insurance may be required dependent upon the event size and any high risk activities. Coverage must be maintained for the duration of the event including setup and dismantle dates. Event insurance will be primary; any City insurance will be non-contributory.

# AFFIDAVIT OF APPLICATION

I, \_\_\_\_\_, am authorized to represent and bind the Host Organization. The Host Organization represents and certifies as follows:

1. That the information contained in this Application is true and correct to the best of my knowledge and belief.
2. That the Host Organization, has read, understands and agrees to comply with the ordinances governing the proposed POFA as set forth in the Parks, Recreation and Cultural Services POFA Policy.
3. To comply with all other laws, rules, regulations and requirements of the City, county, state, and federal governments, and any other applicable entity which may pertain to or govern the use of the event venue and the overall conduct of the special event.
4. The Host Organization acknowledges that the acceptance of any information required as a part of the POFA Application does not constitute an approval or an acknowledgment by the City of the adequacy of the information contained in the application.
5. To pay all applicable taxes, including possessory interest taxes and understands that the payment of any such taxes shall not reduce any consideration paid to the City pursuant to this activity or any other related permit.
6. In accord with the City Code, to pay any costs and fees for City services that are incurred by or on behalf of the special event within 30 days of billing by the City.
7. As required by the federal Americans with Disabilities Act of 1990, as amended, all events, workshops, conferences, hearings, or any other activities held on City property (City facilities, including buildings and parks, and public rights-of-way) must be accessible to people with disabilities.

***Prohibited Activities in Parks, Trails and Open Spaces:*** Included, but not limited to aircraft, alcohol, fireworks, golf (*except on designated golf courses*), petting zoo, projectile items such as airplanes and rockets, drones, and weapons such as knives, firearms, bows and arrows, martial art weapons.

- I have read and understand the [Parks, Recreation and Cultural Services Rules and Regulations](#).
- I acknowledge that activities are required to meet all ADA requirements and are the responsibility of the Organizer.
- I understand that fees may be non-refundable and that the permit is non-transferable.

Print Name of Applicant/Host Organization:

Title:

Signature: \_\_\_\_\_ Date:

Return completed application to:

City of Colorado Springs  
Office of Special Events  
1401 Recreation Way  
Colorado Springs, CO 80905  
E-Mail: [parks&recofficeofspecialevents@coloradosprings.gov](mailto:parks&recofficeofspecialevents@coloradosprings.gov)  
Phone: 719.385.5940