

SPECIAL USE PERMIT APPLICATION CHECK LIST

- A complete Special Use Permit Agreement
- A Certificate of Liability Insurance from your insurance provider which shows:
 - The permit applicant as the insured party
 - In accordance to Montana State statute, section 2-9-108 MCA a minimum amount of \$750,000 for each claim and \$1.5 million for each occurrence must be provided. Valid throughout the requested permit dates.
 - City of Missoula named as additional insured on the certificate.
 - Missoula County named as additional insured on the certificate for events at Fort Missoula.

- Deposit Fee of \$ 100.00 for 1-2 day events or programs.
Deposit Fee of \$ 400.00 required in using a tent or canopy.

- Required Fee
- \$ 62.50 per day for groups 100 or less in addition to other applicable fees.
- \$104.00 per day for groups 101- 500 in addition to other applicable fees.
- \$208.00 per day for groups 501 – 1000 in addition to other applicable fees
- Fee increases incrementally \$100 for each 500 people added to group size.

- \$281 Seasonal Use Up to 9 days/month
- \$385 Seasonal Use 10 days & over/month

- Two checks must be submitted one for deposit and the other for fee.
(The deposit check will be returned to you if all conditions of the agreement are met.)
- Visa or MasterCard can be used for both fees and deposit. Deposit will be credited back to credit card after the event.

Questions please contact: Shirley Kinsey, Recreation Superintendent
552-6273
kinseys@ci.missoula.mt.us

Thanks for your cooperation!

SPECIAL USE PERMIT AGREEMENT

Missoula Parks and Recreation, 600 Cregg Lane , Missoula MT 59801 (406) 552-6273 or 721-PARK Fax (406) 552-6275

In consideration of the covenants herein expressed, the City of Missoula Parks and Recreation Department hereinafter called the "City", does hereby grant permission to organization/individual below here in after called "Permit Holder":

(Name of Organization) (Organization Representative)

Address: _____

City: _____ State _____ Zip _____

Phone: Days _____ E-Mail Address: _____

2nd Contact Person _____ Phone _____

Event Name: _____ (Include copy of any printed material going out to public)

Expected # of Participants _____

Name of Park: _____

Specified Area in Park: _____

Date of Use: From _____ To _____, 2022.

Time of Use: From _____ To _____

Special requirements of this permit: _____

CHECK LIST: (Please send separate checks for Fee & Deposit)

- \$62.50 fee – group less than 100 people
- \$104 fee – groups 101- 500 people
- \$208 fee – groups 501 - 1000 people
- Fee Increases in increments of \$100 for each additional 500 people in the event.
- Seasonal Use Up to 9 days/month \$281
- Seasonal Use 10 days & over/month \$385
- Fee Collected: _____ Date Paid: _____
- Deposit Fee: _____ Date Paid: _____ Deposit \$100/\$400 if using a Tent or Canopy
- Copy of Special Use Permit Agreement Terms and Conditions To Permit Holder
- Copy of Liability Insurance from Permit Holder (All special events require insurance)
- Alcohol being served by caterer with cabaret license, provide copy of permit/license
- Answer All Question on back of this page!

The Special Use Permit constitutes the entire agreement between the parties hereto.

Missoula Parks and Recreation Approval BY: _____

The parties have hereunto executed this document _____, 2022.

The Permit Holder has received and Agrees to the Special Use Permit Terms and Conditions.

Organization Representative (Signature) _____

Name (Printed): _____ Title: _____

Must include **ALL** equipment you will be using – tent, canopy, toys, generators, etc.

NO MOTORIZED VEHICLES WILL BE ALLOWED TO OPERATE IN PARKS, or on trails per City of Missoula Ordinance Section 3, 12.40.020 Parks, Trails, Conservation Lands – operation and parking of motorized vehicles. For events wishing to access parks by motor vehicle can submit a Vehicle Permit for Park/Conservation Lands Access Application for consideration and park access authorization.

TENTS OR CANOPIES can only be erected in designated sites in community parks (Fort Missoula, McCormick, Playfair, (Bonner is the exception). Prior to release of the deposit after the event, irrigation lines near the canopy and/or tent sites will be inspected for damage within 5 working days.

IRRIGATION LINES AND DESIGNATED SITES ARE NOT CLEARLY MARKED, PERMIT HOLDERS ERECTING CANOPIES OR TENTS DO SO AT THEIR OWN RISK, AND WILL BE HELD LIABLE FOR DAMAGES.

What you will need if you are inviting the public to your event:

ITEM	PERMIT REQUIRED
<input type="checkbox"/> Serving Food / Concessions of any kind	Parks & Recreation Concession Permit
<input type="checkbox"/> Will there be Alcohol at event?	Parks & Recreation Alcohol Permit
<input type="checkbox"/> Are you charging a fee?	Liability Insurance & Concession Permit (See 3. under Terms & Conditions)
<input type="checkbox"/> Are you planning to amplify sound?	Parks & Recreation Amplification Permit only available in community parks: (Playfair, Fort Missoula, McCormick, Bonner)
<input type="checkbox"/> If portable toilet rental is needed it is the responsibility of the event organizer	
<input type="checkbox"/> Adequate trash receptacles for number of participants	

Please note:

- Permit Holder must remove all trash from the facility to prevent forfeiture of the deposit.
- There is no electrical access available except at: Bonner Shelter, Bonner Bandshell; 44 Ranch Shelter and Pineview Shelter.
- Electrical access available at Silver Shelter, Silver Pavilion and Fort Missoula Regional Park Belle Vista Pavilion, Overlook Shelter, and Moose Meadows Shelters.
- There is no water access available at any park, except drinking fountains.
- If Permit Holder is renting the Bonner Bandshell, they must pick the key up 24 hours in advance, or on Friday if a weekend rental.
- **Permit Holders using the TRAILS may NOT use SPRAY PAINT or SPRAY CHALK** on park grounds or facilities for runs or any other event purposes. **Use of spray paint or spray chalk will result in the loss of deposit.** If deposit will not cover the direct cost of removal of paint or chalk the organization or individual Permit Holder will be invoiced for the actual cost of clean-up.
- **ALL QUESTIONS/CONCERNS REGARDING THIS PERMIT NEED TO BE ADDRESSED TO**
- **SHIRLEY KINSEY, RECREATION SUPERINTENDENT AT (406) 552-6273.**
- **IF CONCERNS ARISE AFTER REGULAR BUSINESS HOURS CALL (406) 552-6229 AND SPEAK WITH MANAGER ON CALL.**

- **Bounce House Requirement:** It has been determined by the Montana Municipal Interlocal Authority (MMIA) that there is considerable risk associated with inflatable structures including bounce houses. Any group wishing to use these structures will be required to complete an **INFLATABLE STRUCTURES – USER AGREEMENT**. In addition, User will agree to contract with only those vendors who have completed an **INFLATABLE STRUCTURES – VENDOR AGREEMENT** with the City of Missoula Parks and Recreation, which includes required insurance per MMIA recommendations.

Special Use Permit Agreement Terms and Conditions:

Organization/Organization Representative referred to as PERMIT HOLDER in Terms & Conditions.

1. The Missoula Parks and Recreation will not issue an assurance of a Special Use Permit without required documentation. The PERMIT HOLDER is responsible and required to obtain all licenses and permits required by Federal, State, and County or Municipal government. Licenses and permits could include; a copy of your city business license, non-profit ID, and if applicable, your Workman's Compensation I.D.
2. The PERMIT HOLDER hereby indemnifies and holds the City of Missoula harmless of and free from any and all loss, damage or injury to any person or persons, whomsoever, or property, arising from any cause or for any reason whatsoever in or about the described facilities; and the PERMIT HOLDER further agrees to waive all claims against the City on account of any loss, damage or injury from whatever cause which may occur to it and its property in the use and occupancy of said described premises, the giving of this waiver being one of the considerations upon which this Special Use Permit is granted.
3. The PERMIT HOLDER agrees to furnish the City of Missoula a **CERTIFICATE OF LIABILITY INSURANCE** for their entity providing liability insurance coverage for their event that also identifies the **CITY OF MISSOULA** as an **ADDITIONAL INSURED** on the **CERTIFICATE OF LIABILITY INSURANCE**. The **CERTIFICATE OF LIABILITY INSURANCE** coverage limits shall provide liability insurance coverage in accordance to Montana State Statute, Section 2-9-108 MCA of **\$750,000 for each claim and \$1.5 million for each occurrence**. The **CERTIFICATE OF INSURANCE** shall also provide that the insurance coverage shall not be amended, altered, canceled, or reduced without providing at least ten (10) days advance written notice to both the insured as well as to the City of Missoula. The **CERTIFICATE OF LIABILITY INSURANCE** shall be filed by the PERMIT HOLDER/PERMITTEE along with their application for a permit.”
4. All Special Use Permits issued for events at FORT MISSOULA PARK are additionally required to also furnish Missoula County a CERTIFICATE OF LIABILITY INSURANCE that identifies MISSOULA COUNTY as an ADDITIONAL INSURED on the CERTIFICATE OF LIABILITY INSURANCE. The **CERTIFICATE OF INSURANCE** coverage limits shall provide liability insurance coverage in the minimum amounts of **\$750,000 for each claim and \$1.5 million for each occurrence** per Montana State Statute, Section 2-9-108 MCA. The **CERTIFICATE OF LIABILITY INSURANCE** shall also provide that the insurance coverage shall not be amended, altered, canceled, or reduced without providing at least ten (10) days advance written notice to both the insured as well as to the City of Missoula. The **CERTIFICATE OF LIABILITY INSURANCE** shall be filed by the PERMIT HOLDER along with their application for a permit.”
5. The Parks and Recreation Department will provide guidelines for users special needs on a case by case basis. Electricity is available at Kiwanis Park. Electricity is available at Bonner band shell for 2 hours per day. Users must provide all their own equipment. The Parks and Recreation Department is not responsible for losses due to electrical failures or weather conditions beyond our control.
6. The PERMIT HOLDER shall not assign or transfer this Special Use Permit or sublet any portion thereof without the written consent of the City of Missoula.

7. The PERMIT HOLDER, either as an individual or on behalf of a group or organization, hereby agrees that this permit shall not be used in any manner that would discriminate against any person or persons on the basis of race, ancestry, color, physical or mental disability, religion, national origin, sex, age, marital or familial status, creed, ex-offender status, physical condition, political belief, public assistance status or sexual orientation, gender identity or expression.
8. Any Alcohol being served or sold to the public needs to be provided through a business with a Cabaret License, or organization needs to obtain a Special Revenue Permit from the State of Montana.
9. An Individual or organization who allows alcohol to be consumed by participants may be held responsible for death, personal injuries, medical bills and any damages that may occur as a result of allowing alcohol consumption at their event.
10. The PERMIT HOLDER is responsible for picking up all garbage generated from the event and when specified on your permit to remove excess from site. Events at Fort Missoula Regional Park, Playfair Park, McCormick Park are required to comply with City ZERO-by Fifty policy to recycle aluminum and plastic bottles. Plan must be submitted as part of the Permit packet.
11. The PERMIT HOLDER will be responsible for any and all damages that occur to Parks and Recreation facilities due to USER'S negligence or willful action.
12. The Missoula Parks and Rec. Dept. shall have the right to terminate Special Use Permits if it is determined the PERMIT HOLDER is not acting in the best interest of the general public or the City of Missoula.
13. The PERMIT HOLDER shall pay a damage/security deposit of \$100 or \$400 if using a tent or canopy at the time the agreement is signed. This deposit fee will be released after the event if all requirements of the agreement are met. Prior to release of a deposit for groups choosing to erect a tent or canopy, the MP&R will not release the damage deposit until irrigation lines near the canopy and/or tent sites have been inspected for damage. Inspection time will normally be within 5 working days. NOTE: IRRIGATION LINES AND DESIGNATED SITES ARE NOT CLEARLY MARKED, USERS ERECTING CANOPIES OR TENTS DO SO AT THEIR OWN RISK, AND WILL BE HELD LIABLE FOR ALL DAMAGES.
14. *Deposit Checks not pick up by November 1 will be destroyed.*
15. The Parks and Recreation Department reserves the right to allow more than one Special Use Permit at a facility, park, or on conservation lands.
16. PERMIT HOLDER agrees that the City of Missoula and/or its designated representatives may enter upon the used facilities or area as described herein at all reasonable times to make inspection in conformity with this Special Use Permit Agreement.
17. Permit being issued for an event / work / or educational purposes on conservation lands will be given separate terms and conditions as related to the specific area to be used. USER agrees to abide by all rules and regulations of these attached terms specific to use of conservation lands.
18. PERMIT HOLDER agrees to abide by FAA regulations regarding the prohibition of drones for recreational operations in Class B airspace around most major airports without specific air traffic permission and coordination. This pertains to most city parks including Fort Missoula Regional Park.
19. Winter events: See Attachment
20. FMRP Events: See Addendum

Attachment A of Special Use Permit Agreement

Winter Events – Special Use Permits

Planning a Special Event in the winter months (November – March) can be a challenge. Depending on the event, special consideration and preparation needs to be in place to deal with unpredictable, weather conditions.

It is important to understand that due to circumstances beyond our control, you may not have the support you desire to insure a successful event. During a snow event, the Parks Operations Crew is mandated to plow priority routes and sidewalks first, and keep them open during the snow event. All secondary trails and lots are on a waiting list until resources and weather permit crews to access them. For example, the Milwaukee trail is a priority commuter route, much of the River front trail is a secondary route and may not be plowed until late afternoon, or even the next day depending on duration and depth of snow event.

Special requests associated with events can impact resources and staff time that otherwise would have been allocated to other priority areas. If at all possible, we will respond to special requests or provide extra resources due to winter conditions. Any extra resources or staff time allocated to a special request will be assessed to the event. This charge will be in addition to the Special Use Permit Fee. (NOTE: Parks and Recreation cannot control weather conditions, thus even with additional services, the course may not meet expectations within minutes or hours of the additional work being completed.

Extra cost could include but are not limited to:

- \$19/bag of ice melt. Need dependent on conditions. Use may be impacted by location and concern for environmental impacts of salts on vegetation or near waterways.
- Cost recovery on sand used for traction on icy trail sections.
- \$66.50 /hour additional labor costs (could be \$92.00/hr if situation calls for staff to work overtime).
- \$25/hour equipment costs.

Special Considerations for Events at Low Priority Parks:

In addition to the information above, if you are planning an event at Silver Park or other parks where the parking lots are not plowed during the winter months, you will need to also consider and provide for the following:

1. Option A: Provide port-a-johns for the events.
2. Option B: Vault toilets are closed for winter as a result of vandalism. We would consider opening per event schedule and charging fees associated with cleaning, and making accessible (see additional labor costs above). There is no water source during the winter at this facility.
3. Have a licensed snow removal company on stand by to clear the parking lot.
 - a. Licensed snow removal contractor must have appropriate insurance (Special Use Permit Terms and Conditions limits apply). If the contractor does not have appropriate insurance the event insurance must include snow plowing activity listed as part of their event on the Certificate of Liability. Damages to parking lots, including medians, are at the expense of the snow removal company or permit holder.
 - b. Due to liability, contractors will not be allowed to remove snow from trails, courts, or fields.

It would be in the Special Permit Holders best interest to advertise their event as an “All Conditions Event”, meaning folks could possibly be running in fresh snow or icy conditions. Event organizers need to be prepared to cancel the day of event.