

PARK & FACILITIES USAGE POLICY

I. GENERAL INFORMATION

The Park and Facilities Usage Policy outlines specific regulations and fees associated with the permitted rental of a public facility within a park and/or community building. Obtaining a permit shall grant the user basic usage and access rights for the approved purpose and time. Fees will be established and charged for reserving or using a facility for events or private gatherings, and because each park or facility may have different amenities, as such, the fees may vary for each facility. In accordance with the Oakley Municipal Code (Section 6.5.114.h), any fees or deposits established by the City Council or conditions related to shall be paid or compiled by the applicant before the effective date of the permit.

Facilities available for rental include:

1. White House (204 Second Street) –(Exhibit A)
2. City Council Chambers (3231 Main Street) – (Exhibit B)
3. Public Parks – Please see attached Park Matrix

A public facility shall also be defined as, but is not limited to, sports field, baseball diamond, restroom, picnic area, soccer field, BBQ locations, park table, shade structures and/or community buildings. In order to itemize these types of areas, each facility shall be categorized as:

- Field Areas Open grass suitable for practice or field sports
- Sports Areas Baseball diamond or area for specified sport
- Picnic Areas Tables and BBQ grill area

Individual areas may be subject to limited availability due to weather, maintenance requirements, or other conditions. Permits and insurance coverage are required for

all league use and City staff shall endeavor to schedule programs appropriately to ensure that residential opportunities are sufficient to meet general demand.

In issuing permits, priority shall be given to Group(s) of Oakley Citizens and events serving the Oakley community. The non-inclusive group categories below shall serve as a guide, with the highest preference given to Group 1, next highest to Group 2, and so on. The purpose of the permit process is not to exclude any person(s) for general purpose of use. However, certain requests may be limited and/or denied at the discretion of the City Manager per Oakley Municipal Code 6.5.118

II. USER GROUPS DEFINED

GROUP 1: Oakley Resident Use

Residential Use establishes Oakley residents as a priority. Verification of residency must be provided by user upon submittal of permit application. This permitted group(s) activities or events shall encompass but is not limited to a specified purpose such as weddings, baby showers, birthday parties and/or family gatherings.

GROUP 2: Non-Resident Use

Non-Residential Use shall permit non-Oakley residents for requested activities.

GROUP 3: Community Partner

Community Partner(s) group(s) shall consist of but is not limited to community organizations, public agencies; Federal and State agencies that are in direct or indirect partnership with the City of Oakley per a Memorandum of Understanding. Community Partner(s) group(s) must generally benefit the Oakley community.

GROUP 4: Non-Profit Use

Non-Profit group(s) shall present verified and current 501-C3 non-profit status upon submittal of permit application.

GROUP 5: For-Profit Use

For-Profit group(s) is defined as commercial opportunities generating profit and revenue specific for a business, commerce or industry. Companies must include a waiver of subrogation to cover the City of Oakley's liability for specified usage.

III. GENERAL USAGE POLICIES

These policies are for the use of City-owned or controlled park and community facilities. This non-inclusive list is further detailed in the Oakley Municipal Code Title 4.

1. City of Oakley parks and facilities are available for use by the public either on a reservation basis or, if no reservation has been made, on a first come, first serve basis.
2. For organized events and/or to reserve City parks and facilities, applicants must submit a complete application packet to City Hall, a refundable damage deposit, applicable user fees, and a certificate of insurance as described in **Section IV, INSURANCE REQUIREMENTS**. Group 5 users may arrange alternate type of verification of insurance pending City Of Oakley permission, as determined by the City Manager.
3. Parks are open from DAWN to DUSK seven days each week. For more information refer to the City of Oakley Municipal Code Section 6.5.148
4. Possession and/or consumption of alcoholic beverages are prohibited in City of Oakley facilities and parks unless an alcohol-use permit is obtained from the Oakley Police Department at least three (3) business days prior to the event or activity.
5. Smoking is prohibited inside City of Oakley facilities and within a 25-foot radius of outdoor playground areas or sports fields.
6. Jumpers, large play features, and extreme sports equipment shall only be permitted in the parks with prior, written approval of the Recreation Division. Such a request should be made at least 15 business days prior to the date of the event. Proper insurance is required including an endorsement listing the City of Oakley its officials, officers, employees and volunteers as additionally insured. Said insurance may be available from the rental business.
7. Tents or other items (including jumpers or extreme sports equipment) shall not be staked into the ground unless written permission and site approval is granted by the Parks Supervisor in writing. Users may use individual sand bags or other types of weights without expressed permission.
8. Permitted user(s) shall monitor park usage and supervise parking lot areas. Users shall be held responsible for damage or inappropriate behavior of the members associated with reserved group occurring within the duration their permitted time.

9. Extremely dry or rainy days shall be communicated to the public daily and may affect whether use will be permitted (even if a permit has been granted). To access information about affected scheduled uses, the public or leagues may contact the Recreation Division Office Monday – Friday between the hours of 8:30 am – 5:00 pm or visit the City’s website (www.oakleyinfo.com) for updates.
10. Parks and Facilities Use permit applications may be submitted up to 30 days prior to the date of the requested event
11. Reservations will not be confirmed over the phone
12. Cancellations must be made at least 10 business days prior to the reservation date in order to receive a refund on the deposit
13. Any person claiming Group 1 status must be a resident of the City of Oakley and must present a valid California Drivers license listing an Oakley address
14. The City of Oakley reserves the right to cancel, revoke or suspend any and all reservations or permits, or to require users to leave the premises, if the City Manager determines that inappropriate, flagrantly disrespectful and harmful activities are taking place in the park or facility. No notice is required and, in some cases, the Oakley Police Department will be notified and enforcement action will be taken
15. Users of all park facilities shall comply with the Park Regulations set forth in Title 6, Chapter 5 of the Oakley Municipal Code. Users of all City-owned property or facilities shall comply with all city, state and federal laws, including but not limited to provisions of the Oakley Municipal Code
16. Users must provide the name and cell phone number of a principal contact person and a secondary contact person for each permitted reservation. The principal contact person shall be present onsite during the approved usage period, shall be the emergency contact person for the group and shall be responsible for ensuring compliance with all park and public facility usage policies. The principal contact person shall keep a copy of the permit with him or her during the approved usage period so that it may be presented to any City staff member upon request during the approved usage period.
17. The City of Oakley reserves the right to cancel, revoke or suspend any and all reservations, permits and applications if deemed that inappropriate, flagrantly disrespectful and harmful activities are taking place in the park or facility. No notice is required and, in some cases, the Oakley Police Department will be notified and enforcement action will be taken.

18. The City of Oakley strives to serve the public in a Polite, Professional and Progressive manner. In order to better improve the permitting process and customer service, users are encouraged to submit a completed survey at the duration of their respected usage.

IV. INSURANCE REQUIREMENTS

Users are responsible to present a certificate of insurance demonstrating coverage as specified in the application package and naming the City of Oakley, its officials, officers, employees and volunteers as additionally insured no later than 14 business days prior to the scheduled event. Groups 1 & 2 may be allowed to demonstrate coverage through other means, such as a homeowner's policy. Exceptions to any insurance requirements may only be granted upon approval of the City Manager. Insurance Certificates must be submitted to:

Attn: Recreation Division
City of Oakley
3231 Main Street
Oakley, CA 94561

V. WAIVER AND RELEASE

In consideration of the acceptance of the application to rent the City of Oakley's City Council Chambers, the Group(s) is required to waive, release and discharge any claims for damages, for death, for personal injury or property damage which any person associated with the permitted use may have against the City of Oakley as a result of the User's activities. This release is intended to discharge the City, its agents, and employees from and against any and all liability arising out of or connected in any way with User's activities, even though the liability may arise out of carelessness or negligence on the part of the City or persons named above. User must further agree to indemnify and hold harmless and defend the City and its officers, agents, servants and employees from any and all claims resulting from injuries, damages and losses sustained arising out of or in any way associated with the rental or use of any City, property, park or other facility. Group 5 users will be required to include a waiver of subrogation.

VI. CODE OF CONDUCT

The City of Oakley Recreation Division strives to create Community through People, Parks and Programs. City staff including the Oakley Police Department shall encourage a high standard of good sportsmanship and fair play, polite and positive

attitudes, and positive role models in accordance with the Oakley Municipal Code Section 6.5.142

VII. ON-SITE EQUIPMENT STORAGE

Storage of equipment by Users at City parks and facilities may be permitted as approved by the Parks Supervisor on a case-by-case basis subject to:

1. Requests must be submitted by the User in writing not less than two weeks prior to the proposed delivery date. Requests shall include a sketch showing the proposed location or locations as well as an itemized list of the equipment being stored.
2. User shall provide phone number(s) and additional information for the designated contact person or persons as part of the written request. The designated contact person or persons shall be able to be contacted at the phone number provided on a 24 hour basis, 7 days per week.
3. Labels with the phone number and the organization name shall be affixed to the equipment to the extent practicable.
4. Requests will be reviewed and approved by the Parks Supervisor.
5. All costs related to the delivery, rental, cleaning and maintenance of the equipment shall be the sole responsibility of the User. In addition, the User shall assume all liability related to the equipment and shall indemnify the City for any and all damage or losses related to the storage of the equipment on City property.
6. User shall store the equipment in a neat and orderly fashion in the approved location only.
7. Non-compliance to the approved storage plan may result in impounding of supplies and staff time may be charged to remove or relocate equipment (to be charged on a time and materials basis), along with penalties and/or loss of use of the facilities.
8. No equipment shall be stored on turf or shrubs or any other location that will damage City owned improvements or landscaping.
9. Users are responsible for keeping all equipment clean and in good repair at all times in accordance with current liability standards.
10. All equipment shall be locked and stored properly when not in use.
11. All equipment must be removed immediately after use.

12. Any costs incurred by the City of Oakley related to User's equipment shall be charged to the User on a time and material basis.

VIII. PORTABLE TOILETS AND WASH FACILITIES POLICIES

Placement and use of portable toilets and wash facilities may be permitted at City parks and facilities as approved by Parks Supervisor on a case-by-case basis subject to the following:

1. Requests must be submitted in writing by the User to the City not less than two weeks prior to the proposed delivery date. Requests shall include a sketch showing the proposed location or locations of the portable toilets and wash facilities.
2. User shall provide phone number and additional information for the designated contact person or persons as part of the written request. The designated contact person or persons shall be able to be contacted at the phone number provided on a 24 hour basis, 7 days per week.
3. The phone number along with organization name shall be posted on the portable toilets and wash facilities.
4. Requests will be reviewed and approved by the Recreation Manager, 925-625-7042, and Park Supervisor, 925-625-7015.
5. All costs related to the delivery, rental, cleaning and maintenance of the portable toilets and wash facilities shall be the sole responsibility of the User. Damage to or resulting from the use of the portable toilets and wash facilities shall be the sole responsibility of the User. User shall assume all liability related to the portable toilets and wash facilities and shall indemnify the City for any and all damage or losses related to the storage of the equipment on City property.
6. Portable toilets and wash facilities shall not be placed on turf or shrubs or any other location that will damage City-owned improvement or landscaping. Portable toilets and wash facilities shall not be placed on sidewalks or in streets.
7. Users are responsible for keeping all portable toilets and wash facilities clean and in good repair at all times.
8. All portable toilets and wash facilities shall be locked when not in use.
9. All portable toilets and wash facilities must be removed from City-owned property NO LATER THEN 5 days after the User's event or season is over.

10. Non-compliance with the approved storage plan may result in forfeiture of permit and/or additional fees to be invoiced by the City.
11. Any costs incurred by the City of Oakley related to User(s) portable toilets and wash facilities shall be charged to the User on a time and materials basis.
12. All Users requesting portable facilities shall be required to submit a written sanitation plan to the Recreation Division, in order to insure the health, safety and cleanliness of Oakley's public parks, residents and participants. The plan should include, but is not limited to, the frequency and scheduling of cleaning and emptying, and the contact information for the contracted business providing the portable facility. All contact information must also be posted on the portable facility onsite. Permitted Group or User shall be ultimately responsible for the implementation of the sanitation plan.

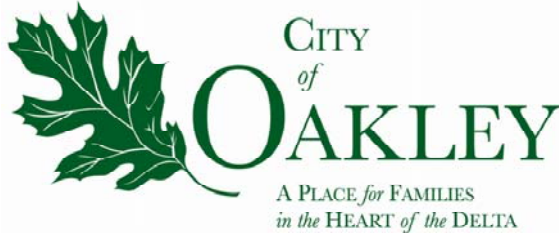


EXHIBIT A

THE WHITE HOUSE (204 SECOND STREET) POLICY GUIDELINES

I. ELIGIBILITY

The White House is not available for partisan political meetings, sectarian religious meetings, purely social meetings or for the direct financial benefit of private individuals or commercial enterprises. The City Manager reserves the right to refuse the use of a room whenever, in the City Manager's best judgment, such use would be inappropriate or does not conform to these policies.

II. PRIORITY

City business will take precedence over any and all other meetings. Groups that have reserved the room in advance are subject to cancellations, in very rare circumstances, to accommodate this priority. The City will attempt to accommodate groups prior to cancellation. All fees will be returned to the user if the City requires a cancellation or relocation of the reserved event.

III. FACILITY USE

1. Hours of use by occupant are 9:00 am to 9:00 pm Sunday through Thursday, and 9:00 am - 10:00 pm Friday and Saturday. For more information please reference the City of Oakley's Municipal Code 4.2.208.
2. Users are required to submit a refundable damage deposit, pay applicable fees, and provide a certificate of insurance with original endorsements naming the City of Oakley as an additional insured. Private parties may arrange alternate type of verification of insurance. The certificate of insurance must be provided to the City at least 15 days prior to your event.
3. The White House may be reserved up to six months in advance. Reservations must be made at least one week (7 days) prior to the event. Reservations made after one week (7 days) prior to the event are subject to penalty fees.
4. Food and beverages may be served, but not prepared on site. Food for sale requires approval in writing from the Contra Costa County Health Department (925) 646-5225.
5. Wine and beer may be served upon written permission from the Oakley Police Department. Please contact (925) 625-8855 to obtain a permit to serve alcohol. A permit must be obtained and submitted to the City of Oakley prior to the event.

- Liquor consumption or sale of liquor, must be processed with an Alcohol Beverage Control (ABC) Permit.
6. Decorations are limited to table tops and walls. No glue, staples, nails, thumbtacks, or adhesives of any kind are permitted to hang up decorations. User agrees to use blue painter's tape to hang any decorations and further agrees to remove them at the end of the rental period. Set-up and clean-up time will be charged at the appropriate rate based on your organization's status.
 7. Open flames of any kind are prohibited. This includes birthday candles and BBQ's. The City shall allow use of BBQ's upon written request at the time of submittal of permit application. BBQ's must be located outside of the building approximately 50ft. form the building.
 8. User must be age 18 years or older and must sign all forms furnished by the City of Oakley including the rental agreement and indemnification and waiver of liability in favor of the City of Oakley.
 9. For every fifteen (15) minors using the facility, one (1) adult a chaperone must be present at all times.
 10. Maximum occupancy for the facility is as follows:
 - Theater style seating 75 maximum
 - Banquet 55 maximum
 - Classroom style seating 55 maximum
 11. The room size is approximately 800 square feet. Counter top space is available in the pantry area for serving. Open flamed cooking is NOT allowed in doors. You may NOT use personal or rented cooking appliances into the White House. The facility shall provide microwaves and coffee pots for general use.
 12. Applicant is responsibility for scheduling an appointment for a walkthrough prior to the event. Appointments are scheduled Monday through Friday, 8:30 am to 4:30 pm.
 13. Smoking is prohibited within a 25-foot radius of the building. You are required to dispose of cigarette waste into the proper receptacle provided onsite.
 14. The City will review facility fees and rental uses at least annually.
 15. The City reserves the right to refuse any proposed use of the facility, amend any aspect of this policy, and adjust the fee schedule without prior notice.
 16. The City of Oakley is not responsible for lost or stolen items.

IV. PAYMENT INFORMATION

1. A refundable deposit must be submitted and is required in order to process and confirm rental.
2. Payment for deposit received shall be in the form of a personal check, cashiers check or money order made payable to the City of Oakley and is due at the time of application. No cash will be accepted for deposit fees. An additional Alcohol deposit will apply.
3. User is financially responsible for all items in the building that may be damaged during the event or as a result of the event. The City of Oakley will return the damage deposit within two weeks of the event upon satisfactory completion of an onsite inspection by the Recreation Division.
4. Rental fees and damage deposit can be made with cash, cashiers check or money order made payable to the City of Oakley.

V. CANCELLATION POLICY

1. Cancellations occurring fifteen (15) business days or more prior to the event will be refunded 100% of all fees and deposits.
2. Cancellations occurring fourteen (14) business days to five (5) business days prior to the event will be refunded 50% of all fees and 100% of the deposit.
3. Cancellations occurring four (4) business days or less prior to the event will forfeit all applicable fees and be refunded 100% of the deposit.

VI. WAIVER AND RELEASE

In consideration of the acceptance of the application to rent the City of Oakley's White House, USER will be required to waive, release and discharge any claims for damages, for death, for personal injury or property damage which USER may have against the City of Oakley as a result of the USER'S activities. This release will discharge the City, its agents, and employees from and against any and all liability arising out of or connected in any way with User's activities, even though the liability may arise out of carelessness or negligence on the part of the City or persons named above. User must further agree to indemnify and hold harmless and defend the City and its officers, agents, servants and employees from any and all claims resulting from injuries, damages and losses sustained arising out of or in any way associated with the rental of this facility.

*For non 911 emergencies, please call (925) 625-7041 or (925) 470-6030
after hours or on weekends*

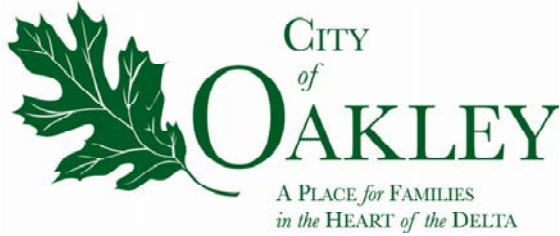


EXHIBIT B

CITY COUNCIL CHAMBERS POLICY GUIDELINES

I. ELIGIBILITY

The City Council Chambers are not available for partisan political meetings, sectarian religious meetings, purely social meetings or for the direct financial benefit of private individuals or commercial enterprises. The City Manager reserves the right to refuse the use of a room whenever, in the City Manager's best judgment, such use would be inappropriate or does not conform to these policies.

II. PRIORITY

City business will take precedence over any and all other meetings. Groups that have reserved the room in advance are subject to cancellations, in very rare circumstances, to accommodate this priority. The City will attempt to accommodate groups prior to cancellation at the White House (204 Second Street). All fees will be returned to the user if City requires a cancellation or relocation of the reserved event.

III. FACILITY USE

1. Hours of use by occupant are 8:30 am to 5:00 pm Monday through Friday. Use of the City Council Chambers outside of regular business hours (i.e., after 5:00 pm on weekdays and weekends.) are subject to additional rental fees to cover costs, as determined by the City Manager. For more information reference the City of Oakley Municipal Code 4.2.208
2. Users must submit a refundable damage deposit, pay applicable fees, and provide certificate of insurance with original endorsements naming the City of Oakley as an additionally insured. Private community parties may arrange alternate type of verification of insurance. This endorsement must be submitted at least 15 days before your event.
3. The Council Chambers may be reserved up to three months in advance. Reservations must be made at least fourteen (14 days) prior to the event. Reservations made after fourteen (14 days) prior to the event are subject to penalty fees.

4. Food and beverages may be served, but not prepared on site. Food for sale requires approval in writing from the Contra Costa County Health Department, (925) 646-5225.
5. Wine and beer, may be served upon written permission from the Oakley Police Department. Please contact (925) 625-8855 to obtain a permit to serve alcohol. A permit must be obtained and submitted to the City of Oakley prior to the event. Liquor consumption or sale of liquor, must be processed with an Alcohol Beverage Control (ABC) Permit.
6. Decorations are limited to table tops. Decorations are not allowed on the walls or windows. Set-up and clean-up time will be charged at the appropriate rate based on your organization's status.
7. Open flames of any kind are prohibited. This includes birthday candles and BBQs.
8. The renting party must be an adult (age 18 years or older) and must sign all forms furnished by the City of Oakley, including an Indemnification and Waiver of Liability in favor of the City. For every fifteen (15) minors using the facility, one (1) adult chaperone must be present at all times.
9. Occupancy for the facility is:
 - Theater style seating 175 +/-
 - Banquet 100 +/-
 - Classroom style seating 100 +/-
10. The room size is approximately 2,000 square feet.
11. The City Council Conference Room behind the Council dais may be made available with permission of the City Manager. Cooking is NOT allowed in this area and you may NOT bring personal or rented cooking appliance into the Conference Room or into the City Council Chambers.
12. It is the applicant's responsibility to schedule an appointment for a walkthrough prior to the event. Appointments are scheduled Monday through Friday, 8:30 am to 4:30 pm.
13. Smoking is prohibited within a 50-foot radius of the building. You are required to dispose of cigarette butts properly in a receptacle.
14. The address or phone number of City Hall may not be used as the official address of any organization using the Chambers, nor may any group publicize its activities in such a way to imply City sponsorship of the organization or event.

15. Use of the Council Chambers must not interfere in any way with the conduct of City business. Disruptive or noisy groups will be required to leave the facility upon the direction of the City Manager or designee.
16. Groups are responsible for the cost of repairing damage to equipment, furniture, or the building caused by people in attendance at their meeting.

IV. CANCELLATION POLICY

1. Cancellations occurring fifteen (15) business days or more prior to the event will be refunded 100% of all fees and deposits.
2. Cancellations occurring fourteen (14) business days to five (5) business days prior to the event will be refunded 50% of all fees and 100% of the deposit.
3. Cancellations occurring four (4) business days or less prior to the event will forfeit all applicable fees and be refunded 100% of the deposit.
4. The City will review facility fees, rental uses, and community value of the operations on a quarterly basis throughout the year. The City reserves the right to adjust operations accordingly.
5. Fee payment can be made with cash, check, or credit card. The deposit must be made by cashiers check or money order.

V. WAIVER AND RELEASE

In consideration of the acceptance of the application to rent the City of Oakley's City Council Chambers, USER will be required to waive, release and discharge any claims for damages, for death, for personal injury or property damage which USER may have against the City of Oakley as a result of the USER'S activities. This release is intended to discharge the City, its agents, and employees from and against any and all liability arising out of or connected in any way with User's activities, even though the liability may arise out of carelessness or negligence on the part of the City or persons named above. User must further agree to indemnify and hold harmless and defend the City and its officers, agents, servants and employees from any and all claims resulting from injuries, damages and losses sustained arising out of or in any way associated with the rental of this facility.

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