

Midland County Parks Event Application Packet

Thank-you for considering Midland County Parks as a possible venue for your upcoming event.

Please read through the instruction below before filling out any of the attached documents. If you are contemplating an event at any Midland County Park facility...

An event is any outside group or individual planning activities in the park outside the scope of normal park activities. Picnics, swimming, reunions, pavilion rentals, general recreation are examples of normal park activities.

1. If you fit into this category please read, fill-out, e-mail the **EVENT APPLICATION** form.
2. If your event will include any form of activity/device that may put you, a member of your group, a guest, participant or the public at risk of injury, fill out the attached **RELEASE AND IDEMNIFICATION** form.
3. If your event involves situations or activities in which (you) event host, concessionaire and/or vendor must defend against lawsuits or pay damages for bodily injury or property damage to third parties, you must provide a copy of your **GENERAL LIABILITY INSURANCE including Midland County as additionally insured.**

The address to be used is: Midland County
220 Ellsworth St.
Midland, MI 48640-5194

4. If your event will include any outside host, concessionaire and/or vendors operating within the park, they must fill out the applicable forms.

If you have questions regarding the above instruction, please contact Midland County Parks Manager at (989) 832-6876 ext. 5. You may e-mail completed applications to **parksinfo@co.midland.mi.us**

We appreciate your patronage and look forward to working with you in the planning of your event at Midland County Parks.

Guidelines for Events in Midland County Parks

PURPOSE

The Midland County Parks and Recreation Commission recognizes that Midland County park areas are requested for use as a location for charitable fund raising and private sector events. This policy has been developed to standardize the application process for use of the parks under County jurisdiction as a location for these events. Information is included to inform the event sponsor of requirements for conducting an event in the parks.

SCOPE

These guidelines cover any charitable fund raising and private sector event, or other special event, conducted in any park area under the jurisdiction of the Midland County Parks and Recreation Department (sometimes hereinafter referred to as the County or the Department) by any group other than the Department.

DEFINITIONS

Event - A fund raising event, or other special event, proposed to be held in any Midland County park (conducted by a charitable organization or private sector entity).

Recognized Organization - A non-profit, tax-exempt organization or private sector entity.

Sponsor - The identified individuals or contact persons conducting the event.

POLICY STATEMENT

County Parks are subject to Park Rules adopted by the Midland County Parks and Recreation Commission and the Midland County Board of Commissioners. A copy of the Park Rules accompanies event applications.

The public's access and use of any Midland County park will not be denied or limited by any event. Any event that would interfere with the public's right to use the parks will be denied or, if in progress, may be terminated without advance notice.

FEES

Fees may be assessed or waived for events held in any Midland County park area at the discretion of the Midland County Parks and Recreation Department.

CONDITIONS FOR CONDUCTING EVENTS

The Sponsor is responsible for all publicity, operational details, collection and security of any funds, and participant support and safety during the event. The Sponsor is responsible for managing the event while it is in progress. If the sponsor should for any reason be unavailable during the event, it is his/her responsibility to nominate a representative to act as a point of contact should parks staff have questions or concerns in regards to the event.

The Sponsor is responsible for the conduct of all event participants. The Sponsor will make Park Rules and regulations and safety information available to all participants.

The Sponsor is responsible for the set up and tear down of all of their equipment used in the event. The Midland County Parks and Recreation Department must approve all placement of equipment to be used for the event. Unless previously approved, all equipment must be set up and removed on the day of the event. The Department is not responsible for providing or insuring any equipment, whether privately owned or rented, that is used in the event.

The parks department must approve markers or signs used for the event. Sponsors may not cut, penetrate, or mark asphalt surfaces in any way. Markers may not be attached to any tree, fence, sign, guardrail, bridge, etc. in any manner without approval from the Department.

The Sponsor will have adequate and trained staff to conduct the event. This includes crossing guards, security personnel, parking attendants, and others as determined by the Parks and Recreation Department prior to the event.

The Sponsor will obtain liability insurance for their event if it is the opinion of the County that it is necessary. The County will be a necessary named insured to any such policy.

Specific activities require approval of the Midland County Parks and Recreation Commission and, upon approval; sponsor applicant must sign a Midland County Parks and Recreation Department Release and Indemnification Agreement. These activities include but are not limited to:

1. Operation of special amusements including, but not limited to carnival rides, dunk tanks, fireworks displays, pony rides, horse drawn wagons, etc.
2. Rallies, races, athletic games or practices, and other organized events.
3. Construction of tents, canopies, inflatable amusements, or other temporary structures.
4. Sale of food, beverages, other goods or services.

Any event that takes place within a Midland County park and that may extend outside the boundaries of an approved park must also have the permission of the appropriate government agency or landowners.

Sponsor will be responsible for signing a hold harmless/indemnification agreement and providing insurance as required in the event application.

PROCEDURE

Requests must be submitted in writing to the Midland County Parks Director or his/her designee and include the group or organization's name, location contact person, phone number, email address, and age group(s), if applicable, of the intended participants. The request must also include the number of people for the event, the park desired to hold the event, and dates, times, and areas being requested to be reserved. The request must outline the purpose and intent of the event. A request to use a Midland County park area for an event must be made a minimum of thirty days in advance of the proposed event. This will generally ensure adequate time for presentation to the Midland County Parks and Recreation Commission for approval and processing. An event application can be downloaded from the Midland County Parks and Recreation Commission's website or may be requested in writing or by telephone to the following address:

Midland County Parks and Recreation Department
220 West Ellsworth Street
Midland, MI 48640-5194
Phone: (989) 832-6876

All applications submitted will be reviewed in accordance with the Michigan Municipal Risk Management Authority's Midland County Risk Transfer Manual Guidelines.

If the event is approved, the Parks and Recreation Department reserves the right to alter, amend, or cancel it at any time in order to protect the interest of Midland County park patrons or the Department.

EVENT APPLICATION

Prior to completing this application, first read the accompanying **GUIDELINES FOR EVENTS IN MIDLAND COUNTY PARKS**. Please use additional paper as necessary to fully answer application questions.

PARK AREA REQUESTED – CHECK ANY THAT APPLY

Laur Big Salt River Park
 Manitou Park
 Pere Marquette Rail-Trail

Pine Haven Recreation Area
 River Trails Heritage Park
 Sanford Lake Park
 Veterans Memorial Park

EVENT SPONSOR:

PERSON COMPLETING THIS APPLICATION:

CONTACT PERSON & TITLE (indicate “same” if same as above):

ADDRESS: _____

TELEPHONE NO.

EMAIL: _____

1. Describe the proposed event, including the park area where event will take. Attach plan; drawing or diagram of proposed area for event if applicable. (Park maps can be accessed on the Midland County Parks and Recreation website at: www.co.midland.mi.us)

2. State the date of the proposed event:

3. State the times the proposed event is to begin and end: (standard summer hours are 7a.m. – 9p.m. opening/closing and outside regular hours requires \$50/hr fee)

4. If the event is held in Sanford Lake Park, who will be responsible for gate entry fees?

Individual

Organization

5. If organization will pay for entry fees, will a pass be provided for entrants (recommended):

6. How many participants are expected:

7. Indicate all equipment (examples: tables, tents, chairs, P.A. systems) and/or signs being proposed to support the event and their location:

8. Indicate the proposed number of trained staff, volunteers, and/or others that will conduct the event and their assignments:

9. State who will be in charge of the proposed event, where they will be on the date it is held, and how they can be contacted if necessary:

10. Will event activities take place outside the park boundaries? YES NO

11. If yes, has your event been presented to adjacent landowners or appropriate government agency(s) for approval? YES NO

12. If required, will the event sponsor be able to provide liability insurance naming Midland County as co-insured for the proposed event? YES NO

13. If required, per event guidelines, has a *Release and Indemnification Agreement* been signed?

The event sponsor understands that public access and use of any Midland County Park will not be denied or limited by any event. Any event that would interfere with the public's right to use the park will be denied or, if in progress, may be terminated without advance notice.

All applications submitted will be reviewed in accordance with the Michigan Municipal Risk Management Authority's Midland County Risk Transfer Manual Guidelines.

By signing this application, I certify that I have read the **GUIDELINES FOR EVENTS MIDLAND COUNTY PARKS AND RECREATION DEPARTMENT**. Further, I certify that should our proposed event be approved, I, and the sponsoring organization, will abide by all responsibilities and obligations outlined therein.

Signed: _____

Date: _____

PARK RULES

Pursuant to Act 261 of the Public Acts of the State of Michigan of 1965, as amended, the Midland County Parks and Recreation Commission herewith promulgates and publishes the following rules for the use, protection, regulation and control of all of its services, facilities and parks, recreation, conservation, education, historic and scenic areas and preserves and parkways. Amendments may be made to these rules from time to time in accordance with this act.

SECTION 1 MIDLAND COUNTY PARKS AND RECREATION LANDS, MISCELLANEOUS, UNLAWFUL ACTS

It shall be unlawful:

- 1.1 For any person to enter or remain upon property administered by the Commission between the hours of sunset and sunrise, or specifically posted hours of operation without proper written permission.
 - 1a) To enter a county park without first obtaining a permit as required by the park rules.
 - 1b) For any person to enter a park that has been posted temporarily closed to vehicle and pedestrian traffic.
- 1.2 To remove, deface or to injure any building, property or vegetation.
- 1.3 To sell or offer for sale food, drink, ice, newspapers, or other items without first obtaining proper written permission.
- 1.4 To peddle or systematically solicit business of any nature, or to distribute handbills or other advertising matter, to post signs on any lands, waters, structures or property, or to use such areas as a base of commercial operations without proper written permission.
- 1.5 To use a loudspeaker, public address system or sound amplifying equipment of any kind without proper written permission. Permission will not be granted if in the determination of the Parks and Recreation Director such a system is capable of interfering with the use and enjoyment of the park by others. No person may operate any motor boat, motor vehicle, radio, television or any other device in such a manner that it produces excessive noise.
- 1.6 To engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others.
- 1.7 The parking lots in all county parks are hereby closed to all park activities except the parking of vehicles and the entry and exit from those vehicles. Activities including, but not limited to picnicking, consuming alcoholic beverages, and game playing are prohibited.
- 1.8 To build fires except in designated places or in approved stoves or grills, as approved by an authorized representative of the Midland County Parks and Recreation Commission.
- 1.9 To deposit refuse or waste material which has originated outside a park in receptacles provided for park users, to litter or discard refuse of any kind except in receptacles provided for park users, to set fire to the contents of a trash container or to place or burn garbage in a fire ring or stove.
- 1.10 To moor, anchor, or otherwise place any boat within 100 feet of any area designated for swimming or bathing and to store or leave a boat between the hours of 10:00 p.m. and 7:00 a.m. without first obtaining proper written permission. Permission will not be granted except in cases of emergency.
- 1.11 For any person to have a glass container or possess or consume food or beverages within any land or water area designated as a bathing beach.
- 1.12 To interfere with, or in any manner hinder, any employee or agent of the Commission while they are performing their official duties.

- 1.13 To interfere with any park employee or agent during the discharge of his/her duties; or fail or refuse to obey any lawful command of any Commission employee or agent.
- 1.14 To impersonate any employee or agent of the Commission for any reason whatsoever.
- 1.15 To continuously loiter or cruise in any motor vehicle through and around any park drive, picnic area or campground for the purpose of attracting or distracting persons.
- 1.16 To operate a metal detector within any property administered by the Commission without obtaining permission from the Parks Director or his/her designated park supervisor.
- 1.17 To possess or consume alcoholic beverages within the property comprising the Pere Marquette Rail-Trail of Mid-Michigan.

SECTION 2 MOTOR VEHICLES, UNLAWFUL ACTS

It shall be unlawful:

- 2.1 To operate or park a motor vehicle except on roads or designated parking areas; to operate a motor vehicle on a road or parking lot at a speed exceeding 10 miles per hour, in an unsafe manner, at a speed greater than that posted, or to disobey traffic signs. When a motor vehicle is found parked in a county park or recreation area, the registration plate displayed on the motor vehicle shall constitute prima facie evidence that the owner of the vehicle was the person who parked it on the location where found.
- 2.2 To operate an off-the-road motor-driven vehicle such as a minibike, motorcycle, dunemobile, snowmobile, converted snowmobile, amphibious vehicle, or any other motorized device except on designated roads, trails or areas posted for such use without proper written permission.
- 2.3 To violate provisions of the Motor Vehicle Code Act #300 of the Public Acts of 1949, as amended. This act is hereby adopted in its entirety and made a part and incorporated herein by reference.

SECTION 3 BICYCLES AND OTHER WHEELED NON-MOTORIZED RECREATION AND/OR TRANSPORTATION DEVICES, UNLAWFUL ACTS

It shall be unlawful:

- 3.1 To operate in a negligent, unsafe or reckless manner or in a way that endangers the life, limb or property of any person.
- 3.2 To operate excessive speeds, especially when passing other trail users, or in areas with short sight distances, or in an irresponsible manner in violation of posted trail rules, etiquette or posted speed limits.
- 3.3 To operate on single track hiking or horseback riding trails.
- 3.4 To operate on any non-motorized trail which has been temporarily closed for safety reasons.

SECTION 4 ANIMALS, UNLAWFUL ACTS

It shall be unlawful:

- 4.1 To possess a dog or other animal unless the same shall be under immediate control on a leash not exceeding 6 feet in length. To have a dog or other animal within a water or land area designated as a bathing beach, or in any other water area used for swimming or wading; to bring a dog or other animal into an enclosed park building or to leave a dog or other animal unattended at any time; to permit a dog or other animal to run loose, create a disturbance or to fail to properly control a dog or other animal. Any dog found not in the possession or under the immediate control of its owner, or the owner's agent, or any dog creating a nuisance or disturbance, may be removed from the park.
- 4.2 To ride, permit or allow horses or other riding animals, except on bridle trails designated by the Commission.

SECTION 5 CAMPING, UNLAWFUL ACTS

It shall be unlawful:

- 5.1 To camp overnight without proper written permission upon any property administered by the Commission except in designated campgrounds, or to violate posted rules at designated campgrounds.
- 5.2 To camp without a permit.
- 5.3 For more than one (1) family consisting of a father, mother and unmarried children to occupy a single campsite.
- 5.4 For more than four (4) unrelated persons to occupy a single campsite.
- 5.5 For unsupervised children to occupy a campsite. Supervision must be provided by a parent or legal guardian eighteen (18) years of age or older.
- 5.6 For more than two (2) motor vehicles, and one (1) major camping unit to occupy a single campsite.
- 5.7 For anyone between the hours of 11:00 p.m. and 7:00 a.m. to create a disturbance to disrupt the peace, quiet and tranquility of the camping area.
- 5.8 For person(s) to wash dishes at pumps or drinking fountains; to fail to clean campsites daily; or to discharge wastes of any type, except into designated containers, or dumping stations.
- 5.9 To occupy a campsite after 3:00 p.m. on the last day covered by the permit.
- 5.10 To occupy campsite contrary to assignments made by the Commission's authorized representative.
- 5.11 For unregistered campground visitors to enter or remain in a campground or day use area between 10:00 p.m. and 8:00 a.m.
- 5.12 For trailers to be parked with the tongue facing the center of the campsite. Trailer tongues must face the road for easy hook up in case of fire.
- 5.13 To dig a trench or make any excavation on any campsite.

SECTION 6 FIREARMS AND HUNTING, UNLAWFUL ACTS

- 6.1 To possess firearms, air guns, fireworks and bow-and-arrows within any area under the jurisdiction of the Parks and Recreation Commission, except in compliance with the laws of The State of Michigan and rules and regulations of the Department of Natural Resources, and only in areas designated for such purposes.
- 6.2 To hunt, trap, fish, catch, wound, kill or treat cruelly any bird or animal. Molest or rob, any nest, lair, den or burrow of any bird or animal in or upon any land or waters administered by the Commission, except in compliance with the laws of The Sate of Michigan and rules and regulations of the Department of Natural Resources, and only in areas designated for such purposes.

SECTION 7 DEFINITION OF PROPER WRITTEN PERMISSION

- 7.1 "Proper written permission" as used in these rules means a permit issued by the Midland County Parks and Recreation Commission or an authorized representative.

SECTION 8 REIMBURSEMENT FOR DAMAGES; JUDGEMENT; COLLECTIONS; JOINT CONVICTIONS; MINOR DEFENDANT

- 8.1 In addition to the penalties provided for in Act 261 of the Public Acts of The State of Michigan of 1965 for violating its provisions, any person convicted of an act of vandalism or destruction of property shall reimburse the Commission for up to three (3) times the amount of the damage as determined by the court.
- 8.2 In every case of conviction for the offenses, the court before whom such conviction is obtained, shall enter judgment in favor of the Commission and against the defendant for liquidated damages in a sum as provided in subsection 8.1. The Commission shall, with the assistance of the prosecuting attorney, collect the award by execution or otherwise. If two (2) or more defendants are convicted of the vandalism or destruction of property, the judgment for damages shall be entered against them jointly. If the defendant is a minor, the judgment shall be entered against his/her parents. This section is authorized by MCLA 318.255; MSA 13.1064(5).

SECTION 9 WILLFULLY REMAINING ON THE PREMISES

Upon violation of the Park Rules, the Commission may revoke any permits and expel the offending person from the park, provided:

- 9.1 The offending person is notified by the Director of his designee that:
- 1a) The person is such Director or designee, and;
 - 1b) The offending person is in violation of properly promulgated (enacted) rules of the County of Midland.
- 9.2 It appears to the Director or his designee that the offending person is in fact in violation of such rules.
- 9.3 The offending person is directed to leave Commission property.
- 9.4 The offending person remains, and thereby:
- 9a) Constitutes a clear and substantial risk of physical harm or injury to other persons or of damage or destruction to Commission property and facilities, or;
 - 9b) Constitutes an unreasonable prevention or disruption of the customary and lawful functions of the Commission.

SECTION 10 EMERGENCY POWERS

Nothing in these rules shall:

- 10.1 Prohibit or hinder duly authorized agents of the Commission or any peace officers from performing their official duties.
- 10.2 Prohibit the Commission, Director, or Parks Supervisor from establishing emergency rules required to protect the health, welfare and safety of park visitors and to protect park property and maintain order.

SECTION 11 PENALTIES

- 11.1 Violation of any rule or failure to perform any act set forth in the rules is punishable by a fine of not more than \$100.00 and costs of prosecution, or by imprisonment in the County jail for not more than 90 days, or both fine and imprisonment in the discretion of the Court.

Rules adopted by the Midland County Parks and Recreation Commission May 26, 1970 as amended and adopted by the Midland County Board of Commissioners on June 16, 1970, April 25, 1978, and December 16, 1986.

The above amendments adopted by the Midland County Parks and Recreation Commission May 4, 1994 and by the Midland County Board of Commissioners June 21, 1994.

**MIDLAND COUNTY PARKS AND RECREATION DEPARTMENT
RELEASE AND INDEMNIFICATION AGREEMENT**

_____, a (choose one) individual, Corporation/LLC, partnership,
whose address is _____, _____, MI, for
himself/herself/itself, hereby releases and indemnifies the County of Midland, the Midland
County Parks and Recreation Commission, all of the respective commissioners, officers,
agents, and employees of the County from and against any and all claims, losses,
damages, or lawsuits for damages, arising from, allegedly rising from, or related to the use
of the property, be it real or personal, owned by the County of Midland, or any of its
agencies. This release and indemnification agreement specifically includes, but is not
limited to the operation of the following device or activity proposed to occur at
_____ on or about the _____ of _____, 20__:

Agreed to this _____ day of _____, 20__.

By: _____

Its: _____

Received: _____, 20__, by _____
Midland County Parks and Recreation