

§ 248-6 **Reservation of park space.**

- A. Policy on reservation. The City-owned park ~~and park facilities~~ and shelter areas are primarily for the nonexclusive use of the residents and visitors of the City. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted. This section is intended to regulate exclusive use of municipally owned parks, ~~park facilities~~, park shelters, or parts thereof in the City to the ~~end extent~~ that the general welfare of the City is protected.
- B. ~~Fund-raising~~Financial gain (fundraising) activities. ~~See Chapter ??? Special Events. Notwithstanding any other language in this Code, fund-raising activities shall not be allowed in the City of Lodi parks except for activities conducted by nonprofit organizations which meet all of the following criteria:~~
- ~~(1) The headquarters of the organization is located within the geographical limits of the School District of Lodi or, in the case of an international, national or regional organization, it has a unit or subdivision with headquarters located within the geographical limits of the School District of Lodi or, in the case of an organization which does not have a local headquarters, the majority of the members of the governing body of the local unit of the organization reside within the geographical limits of the School District of Lodi.~~
 - ~~(2) The activities of the organization or its local unit or subdivision primarily support the betterment of the Lodi community.~~
- C. Reservation of park space. A person or group, firm, organization, partnership or corporation may reserve the use of a ~~park facility or a~~ park shelter by written application filed with the Clerk for a permit for exclusive use of the same. The Clerk, ~~or designee~~, shall issue permits for exclusive use of a park shelter, ~~or a portion of a park, while t~~ The Parks Committee Common Council shall issue permits for the exclusive use of the City parks ~~in accordance with Chapter ??? Special Events~~. Park ~~shelters and parks facilities~~ are reserved on a first-requested, first-reserved basis. [Amended 10-10-2006 by Ord. No. A-361; 3-5-2019 by Ord. No. A-534]
- D. Application. Applications shall be filed with the Clerk at least ~~30forty-five~~ days prior to the date on which the exclusive use of the entire park is requested, or at least ~~14fourteen~~ days prior to the date on which a park shelter or a portion of a park is to be used, and shall set forth the following information regarding the proposed exclusive use. Reservation applications will be received after January 1 of each year. [Amended 10-10-2006 by Ord. No. A-361; 3-5-2019 by Ord. No. A-534]
- (1) The name, address and telephone number of the applicant.
 - (2) If the exclusive use is proposed for a group, firm, organization, partnership or corporation, the name, address and telephone number of the headquarters of the same and the responsible and authorized heads or partners of the same.
 - (3) The name, address and telephone number of the person who will be responsible for the use of said park, area or facility.
 - (4) The date when the exclusive use is requested and the hours of the proposed exclusive date.
 - (5) The anticipated number of persons to use said park, area or facility.
 - (6) Any additional information which the ~~Parks Committee or~~ Clerk finds reasonably necessary to enable ~~it or him to make~~ a fair determination as to whether a permit should be issued.
- E. Deposit. All applicants for reservation of park space or shelters for which a permit is required shall pay a deposit as specified by the Common Council by resolution, to pay for the City's maintenance and cleanup expenses. This shall not limit the right of the City to collect from an individual or organization

in the event cleanup or repair costs exceed the amount deposited.

F. Reasons for denial. Applications may be denied for any of the following reasons:

- (1) If it is for a use which would involve a violation of federal or state law or any provisions of this Code.
- (2) If the granting of the permit would conflict with another permit already granted or for which application is already pending.
- (3) If the application does not contain the information required by Subsection C above.
- (4) The application is made less than the required days in advance of the scheduled exclusive use.
- (5) If it is for a use of the park or park facility at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park or park facility is expected and would be seriously adversely affected.
- (6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement in the park, park facility or shelter area involved or in the rest of the City.
- (7) The exclusive use will reasonably create a substantial risk of injury to persons or damage of property.
- (8) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.
- (9) Any other reason deemed appropriate by the ~~Parks Committee~~Common Council in light of the purpose of these regulations as stated in § 248-1A. **[Amended 3-5-2019 by Ord. No. A-534]**

G. Indemnification. Prior to granting any permit for exclusive use of the park, the City may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the City and such other third parties as may be injured or damaged, in such amount as City officials deem appropriate taking into account the likelihood of injury or damage as direct and proximate result of the exclusive use, and sufficient to indemnify the City and such third parties as may be injured or damaged thereby, for injuries or damages caused by the permittee, its agents or participants.

H. Permit not required for City activity. A permit is not required for exclusive use of the park or park facility for events sponsored by the City. However, the date must be scheduled by the City Clerk ~~and posted on the respective shelter bulletin board.~~

I. Permit revocation. The Common Council or ~~Parks Committee~~City Clerk, after granting a permit, may revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit. **[Amended 3-5-2019 by Ord. No. A-534]**

J. ~~Form of permit. Each permit shall be in a form prescribed by the Parks Committee and shall designate the park, park facility or shelter area involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the permit is issued. [Amended 3-5-2019 by Ord. No. A-534]~~

K. ~~Class "B" fermented malt beverage licenses. When fermented malt beverages are sold at any event authorized by this section, a valid fermented malt beverage license shall be obtained and the provisions of Chapter 204, Intoxicating Liquor and Fermented Malt Beverages, of this Code shall be fully complied~~

~~with. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request. [Amended 10-10-2006 by Ord. No. A-361]~~

- L. ~~Scheduling of softball tournaments. All softball tournaments to be played in the City of Lodi parks shall be scheduled by the Lodi Slow Pitch Softball League.~~