

## City of Huntington Park City Property and Facility Use Fee Waiver Policy

### 1.0 PURPOSE

1.1 To provide policies and procedures for requesting and approving a waiver of facility fees, departmental service charges, fee schedules and other related City fees established by the City of Huntington Park for use of City-owned and operated property for Activities in Public Places, as defined in Section 5-13.01 of the Municipal Code.

### 2.0 POLICY

2.1 The City of Huntington Park ("City") recognizes the value of partnering with non-profit agencies and organizations and other governmental agencies to provide services beneficial to the community. In an effort to provide support these organizations and agencies that provide a community benefit, the following procedures have been established for determining when fees or other department-specific charges may be waived by the City.

2.2 All fee waiver requests related to Activities in Public Places must be reviewed by the applicable Department Head, the City Manager and, for requests to have fees waived for the City's Parks or Park facilities, as set forth in Schedule A attached to this Policy, to by the Parks and Recreation Commission ("Parks and Recreation Commission") for review and recommendation for approval/denial and then to the City Council for final review and decision.

2.3 The City shall consider fee waiver requests if and when:

- (a) The facility requested is available; and
- (b) Requested use of facility does not occur during Peak Hours of Operation, as defined by this Policy; and
- (c) Requested use of facility does not conflict with or impede facility reservations for which full fees are paid; and
- (d) Requested use of facility does not exceed three (3) days.

2.4 The City reserves the right to change the facility for which a fee waiver is granted, within one week of the event, if it is determined that another organization/individual will pay all fees to use said facility.

### 3.0 DEFINITIONS

**Activities in Public Places:** For purposes of this Policy, "Activities in Public Places" shall have the same meaning as defined in Chapter 13 – Activities in Public Places, Sections 5-13.01 (A) of Title 5 Public Welfare, Morals and Conduct of the City's municipal code and which have all required City permits and other required approval set forth in the City's municipal code.

**Affiliated Event:** Is an event where a City of Huntington Park department is not involved in determining program content or publicity, but does facilitate date and space requests for an external organization. Affiliated Events are not funded by the City since the external organization is in a position to recover a portion of event costs by charging event-related fees (i.e. vendor booth fees, carnival ride profit, etc.).

**Co-Sponsored Event, Program or Activity:** Is an event, program, or activity in which a City of Huntington Park department is fully engaged with an external organization in the planning, coordination and execution of the event, and both entities are responsible for funding the event.

All resources provided by the City in sponsorship of a Co-Sponsored Event must be provided for within the City's pre-budgeted allocations without a reduction of services.

**Limited Use Activities:** A Limited Use Activity is one which involves 4 hours or less of City Facilities, park or park facility use. These types of uses, as an example involve requests by local Scout troops for limited activities, requests by individual school classrooms for park facility use and similar limited use activities.

**City Facilities:** Are all City owned facilities, including but not limited to streets, alleys, sidewalks, public places, public property or public right of ways, and those facilities listed in Attachment A to this Policy.

**Departmental service charges:** Are the actual costs which a department of the City incurs in connection with activities for which a permit is required including, but not limited to, costs associated with fire safety, traffic, and/or pedestrian control, water safety, the closure of streets or intersection(s) for the diverting of traffic, the salaries of City personnel involved in the administration or coordination of City services for the event, the cost to the City to provide support personnel, equipment, materials and supplies, and related City costs such as fringe benefits or employee overtime.

**Local Non-Profit:** Is a group or organization of not less than five (5) people which is based in the City of Huntington Park and is registered with a Federal non-profit exempt status (i.e. 501(c)(3)) that is organized primarily for community, veteran, youth, patriotic, welfare, civic betterment, or charitable purposes; has been organized and established in the City for a minimum of one (1) continuous year; and has its principle and permanent meeting place in the City.

**City Fees:** Are fees, costs and charges established by the City of Huntington Park for the use of City facilities, including park facilities, permit application fees, facility use rental fees and departmental service charges.

**Peak Hours of Operation:** Are those hours identified in Attachment B to this Policy.

**City Sponsored Event:** Is an event planned, coordinated and executed primarily by City employees and is approved and funded by the City.

#### 4.0 RESPONSIBILITY

- 4.1 Established fees for the use of City Facilities for Activities in Public Places may be waived pursuant Section 6.0 of this Policy, if the applicant is eligible for a fee waiver under Section 7.0 of this Policy and the appropriate criteria are met.
- 4.2 Except for fee waivers for Limited Use Activities, an application for fee waiver must be submitted at least 90 days prior to the event date(s), pursuant Section 5-13.03 of the city's Municipal Code. Late applications may be considered only if all criteria identified in this Policy are met.

## 5.0 FEES ELIGIBLE FOR CONSIDERATION

5.1 Fees and charges eligible for waiver by action of the City, pursuant Section 6.0 of this policy are:

- (a) Permit application fees
- (b) Facility use rental fees
- (c) Any other City Fee or cost deemed appropriate by the City Council.

## 6.0 AUTHORITY

- (a) The Department Head and City Manager may not waive departmental service charges. Departmental service charges may only be waived by action of the City Council per Section 5-13.09 of the City's municipal code, if the appropriate criteria and requirements are met.
- (b) A Department Head or City Manager may waive fees associated with Limited Use Activities.
- (c) Except for Limited Use Activities fee waivers, all fee waiver requests for City Park and Recreation Facilities must first be presented to the Parks and Recreation Commission for review and recommendation for approval or denial. After review by the Parks and Recreation Commission, the request for fee waiver will be presented to the City Council for final review for approval or denial of the request.
- (d) Except for Limited Use Activities fee waivers, all fee waiver requests for City Facilities which are not Park and Recreation Facilities must first be presented to the applicable department impacted for review and recommendation for approval or denial. After review by the department and City Manager, the request for fee waiver will be presented to the City Council for final review for approval or denial of the request. In no event shall the City Council waive fees in excess of \$25,000 for any single event or non-profit group or organization per fiscal year.
- (e) In the event that the request for a fee waiver includes street or alley closures or other interruption of street or sidewalk use, the applicant, in addition to all other requirements of the City, must obtain written consent of a least seventy percent (70%) of the businesses, individuals or parties directly blocked by the event or activity.

## 7.0 ELIGIBILITY FOR FEE WAIVER

A Department Head, the City Manager or City Council may waive fees and charges, pursuant to Sections 5.0 and 6.0 of this policy, for an organization, individual or program if it determines that it is either an affiliate event, co-sponsored event and/or is a local non-profit or other local or non-local tax-exempt organization; and

- (a) The event or program is in compliance with the City's non-discrimination policy, a copy of which may be obtained from the Human Resources Department; and
- (b) The proposed event or program shall have no detrimental impacts on the existing facilities or department activities, and that the permitted organization shall provide in-kind services to offset the actual cost to the City or mitigate impacts that are created by the event or program; and
- (c) The Fee Waiver Application is submitted prior to the date of the event. *Please refer to Section 9.0 for specific guidelines;* and
- (d) If fee waiver is approved, a certificate of insurance or statement of self-insurance and hold harmless agreement must be provided by the Applicant. Insurance

- certificate must include additional insured endorsement naming the City of Huntington Park, its Officers, Agents and employees as additional insured; and
- (e) The City Council has determined via the submittal of appropriate documentation that no profit will be made from the event by the permitting organization or by any other private individual or business; and
  - (f) The proposed group is not using the facility for a fundraiser or where a participation fee/donation is charged or requested; and
  - (g) Organizations or individuals which receive fee waivers are not associating political activities or supporting or endorsing any candidate for office, ballot measure or other political measure with the program/activities for which they receive such waivers.
  - (h) **In no event shall the City approve a fee waiver for any for profit individual, group or organization.**

## 8.0 ELIGIBILITY FOR FEE EXEMPTION

An individual or organization is exempt from paying facility use fees and service charges, if they meet one or more of the following criteria:

### 8.1 Intergovernmental Cooperation:

- (a) The organization is another governmental agency; and
- (b) The use of the facility is related to the performance of the agencies' governmental duties; and
- (c) The equipment and staffing needs associated with the event can be provided for within the Department's existing budgetary allocations without reduction in services in other areas of the Department.
- (d) Nothing contained in this section shall waive the obligation for the governmental group, organization or individual from obtaining any and all other City permits or approvals required to conduct and hold the event.

### 8.2 City-Sponsored event, program or activity.

## 9.0 PROCEDURE

Fee Waiver Application(s) (Application) must be submitted pursuant to Section 5-13.03 of the municipal code to be considered by the City.

Organizations that meet the Fee Exemption criteria in Section 8.0 are not required to complete or submit an Application for a Fee Waiver, but must submit a facilities use application. *When an organization is not certain that it meets the criteria of Section 8.0 above, it is recommended that the organization submit an Application to the Department pursuant to this Policy.*

### 9.1 Fee Waiver Application Procedure

- (a) Applicant seeking a fee waiver must obtain an Application from the Department Head or Designee. The form must be filled out completely and correctly and timely returned to the Department Head for review and consideration. If the Application is for a Limited Use Activity, the Department Head shall approve or deny the application or shall forward the Application to the City Manager for review and approval or denial.

- (b) Non-profit organizations seeking a facility fee waiver must provide proof of their Federal tax-exempt or non-profit status at the time the Application is submitted.
- (c) Applicant may be asked by the Department Head or Designee to submit financial information for the organization or event to support Application.
- (d) Applicant must submit a financial hardship letter which includes proof of financial hardship, as evidenced by relevant information or documentation satisfactory to the Department (i.e. bank statement, an organization's adopted budget or financial report, etc.).
- (e) Application is approved or denied by the City based on criteria established in this policy.
- (f) Within thirty (30) days after the conclusion of an event in which fees have been waived, the City may request a profit and loss statement or other report requested from the Applicant following the event.
- (g) If it is determined by the City that false information, statement or report has been provided by the Applicant or any individual, group, organization or entity seeking or receiving a fee waiver granted pursuant to this policy, the City shall be entitled to a full refund or payment of the fees waived. The City shall have the authority to take whatever legal remedies are available, including filing legal action(s), to impose, charge and collect fees waived under the false pretense or information submitted by the Applicant, individual, group, organization or entity.

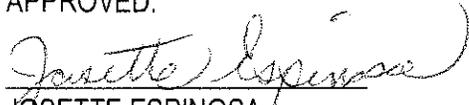
10.0 REVIEW AND REVISION

It is the responsibility of the City Manager or his/her designee to review and submit recommendations for the update this policy and procedure on an annual basis.

11.0 AUDITING

Staff shall provide annual reports to the City Council regarding all facility use fee waivers and departmental services charges that have been approved and issued during the fiscal year, including the organizations and the amounts waived for each organization. The reports shall include an overview as to the effectiveness of the fee waiver program.

APPROVED:



JOSETTE ESPINOSA  
DEPARTMENT HEAD



KARINA MACIAS  
MAYOR

AUTHORIZED ON:

7-6-15

7-6-15

**ATTACHMENT A**

**DEPARTMENT OF PARKS AND RECREATION FACILITIES**

| Park Site   | Park Facility                 |
|---|-------------------------------|
| <p align="center"><b>Salt Lake Park</b><br/>3401 E. Florence Ave.</p>                     | Lounge                        |
|   | Social Hall                   |
|   | Club Rooms 1, 2 & 3           |
|   | Mat Room, Dance Room          |
|   | Muni Building                 |
|   | Parking Lots (7)              |
|   | Muni Picnic Shelter           |
|   | Kevin De Leon Campo de Futbol |
|   | Soccer Square                 |
|   | Ball fields (4)               |
|   | Batting Cages (2)             |
|   | Indoor Multipurpose Gymnasium |
|   | Outdoor Basketball Courts (5) |
| Outdoor Tennis Courts (5)   |                               |
| Outdoor Volleyball Courts (2)   |                               |
| <p align="center"><b>Huntington Park<br/>Community Center</b><br/>6925 Salt Lake Ave.</p> | Community Center              |
|   | Senior Park + Pavilion        |
|   | Parking Lot                   |
| <p align="center"><b>Raul R. Perez Memorial Park</b><br/>6208 E. Alameda St.</p>          | Event Room A, B & C           |
|   | Parking Lot                   |
|   | Multipurpose Athletic Field   |
|   | Outdoor Basketball Courts (2) |
| <p align="center"><b>Freedom Park</b><br/>3801 E. 61<sup>st</sup> St.</p>                 | Community Center              |
|   | Multipurpose Athletic Field   |
|   | Outdoor Basketball Courts (2) |
| <p align="center"><b>Keller Park</b><br/>6550 Miles Ave.</p>                              | Picnic Shelter                |

**ATTACHMENT B  
DEPARTMENT OF PARKS AND RECREATION  
PEAK HOURS OF OPERATION**

| <b>Park Site/Facility</b>   | <b>Normal Hours of Operation</b> |                  | <b>Peak Hours</b>   |
|---|----------------------------------|------------------|---------------------|
| <b>Salt Lake Park</b><br><i>Ball Fields</i>   | Monday – Thursday                | 6 a.m. – 10 p.m. | 5:30 p.m. – 8 p.m.  |
|   | Friday                           | 6 a.m. – 10 p.m. | 5:30 p.m. – 10 p.m. |
|   | Saturday                         | 6 a.m. – 10 p.m. | 1 p.m. – 10 p.m.    |
|   | Sunday                           | 6 a.m. – 10 p.m. | 9 a.m. – 6 p.m.     |
| <b>Salt Lake Park</b><br><i>Gymnasium</i>   | Monday – Thursday                | 8 a.m. – 7 p.m.  | 5:30 p.m. – 8 p.m.  |
|   | Friday                           | 8 a.m. – 5 p.m.  | 5:30 p.m. – 10 p.m. |
|   | Saturday                         | 8 a.m. – 2 p.m.  | 9 a.m. – 2 p.m.     |
|   | Sunday*                          | Closed           | 9 a.m. – 3 p.m.     |
| <b>Salt Lake Park</b><br><i>Soccer Circle</i>   | Monday – Friday                  | 2 p.m. – 10 p.m. | 5 p.m. – 9 p.m.     |
|   | Saturday                         | 8 a.m. – 10 p.m. | 9 a.m. – 9 p.m.     |
|   | Sunday                           | 8 a.m. – 10 p.m. | 9 a.m. – 7 p.m.     |
| <b>Salt Lake Park</b><br><i>Hon. Kevin De Leon Soccer Field</i>                       | Monday – Friday                  | 2 p.m. – 10 p.m. | 5 p.m. – 9 p.m.     |
|   | Saturday                         | 8 a.m. – 10 p.m. | 9 a.m. – 7 p.m.     |
|   | Sunday                           | 8 a.m. – 10 p.m. | 9 a.m. – 5 p.m.     |
| <b>Salt Lake Park</b><br><i>Recreation Center</i>                                     | Monday – Thursday                | 8 a.m. – 7 p.m.  | 5 p.m. – 7 p.m.     |
|   | Friday                           | 8 a.m. – 5 p.m.  | 5 p.m. – 9 p.m.     |
|   | Saturday                         | 8 a.m. – 2 p.m.  | 9 a.m. – 2 p.m.     |
|   | Sunday                           | Closed           |                     |
| <b>Salt Lake Park</b><br><i>Skate Park</i>  | Monday – Sunday                  | 10 a.m. – 9 p.m. | 3 p.m. – 8 p.m.     |
| <b>Raul R. Perez Memorial Park</b><br><i>Recreation Center</i>                        | Monday – Friday                  | 11 a.m. – 7 p.m. | 4 p.m. – 6 p.m.     |
|   | Saturday                         | Closed           |                     |
|   | Sunday                           | Closed           |                     |
| <b>Raul R. Perez Memorial Park</b><br><i>Athletic Field</i>                           | Monday – Thursday                | 9 a.m. – 8 p.m.  | 5:30 p.m. – 8 p.m.  |
|   | Friday                           | 9 a.m. – 8 p.m.  | 5:30 p.m. – 8 p.m.  |
|   | Saturday                         | 9 a.m. – 8 p.m.  | 12 p.m. – 5 p.m.    |
|   | Sunday                           | 9 a.m. – 8 p.m.  | 12 p.m. – 5 p.m.    |
| <b>Freedom Park</b><br><i>Recreation Center</i>                                       | Monday – Thursday                | 1 p.m. – 5 p.m.  | 2:30 p.m. – 5 p.m.  |
|   | Friday                           | 1 p.m. – 5 p.m.  | 2:30 p.m. – 5 p.m.  |
|   | Saturday - Sunday                | Closed           |                     |
| <b>Freedom Park</b><br><i>Athletic Field</i>  | Monday – Thursday                | 1 p.m. – 5 p.m.  | 2:30 p.m. – 5 p.m.  |
|   | Friday                           | 1 p.m. – 5 p.m.  | 2:30 p.m. – 5 p.m.  |
|   | Saturday - Sunday                | Closed           |                     |
| <b>Huntington Park Community Center &amp; Senior Park</b><br><i>Recreation Center</i> | Monday, Wednesday & Friday       | 9 a.m. – 6 p.m.  | 9 a.m. – 3 p.m.     |
|   | Saturday                         | Closed           | 2 p.m. – 10 p.m.    |
|   | Sunday                           | Closed           |                     |