

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

CIVIC CENTER PARK AMPHITHEATER RENTAL AND USE POLICY

SUMMARY STATEMENT

With the construction of the amphitheater being completed and the surrounding grass area now being maintained by Town staff, a rental and use policy for the amphitheater outlining procedures and requirements private or public use is required. On March 6, 2008, the Park and Recreation Commission approved the policy by a 5-0-0-0 vote.

The policy is attached for the Council's review.

Recommended Action:

Review and Approve of the Amphitheater Rental and Use Policy

Proposed by: Ralph Wright, Community Services Manager

Item Number: _____

T. M. Approval: _____

Budgeted Item Yes No N/A

POLICY & PROCEDURE Apple Valley Community Services Department

TITLE: Amphitheater Use	NO: PAGE: 1 of 3
APPROVED BY:	DATE: February 29, 2008

Purpose:

As a public facility unique in Apple Valley and the High Desert, and in accordance with earlier commitments to local theater groups and other performance groups, the Town desires to make the amphitheater available for rent for private and public functions to individuals, businesses and organizations. This policy establishes guidelines and rules for such use. Failure to abide by any rules or conditions provided in this policy, or within another policy, permit application or agreement referenced in this policy, could result in cancellation of the event, eviction from the park, and prevent further use of Town facilities by the applicant.

Definitions:

For purposes of permitted and prohibited activities, the Amphitheater shall be treated as a “park” per **MC 11.68.020**. In addition, the Amphitheater shall be considered a “facility” for the purposes of **MC 11.68.070**, No Smoking in Park Facilities.

The amphitheater refers to the grassy, sloped seating area, as well as the stage, stairs, rails, wing walls and other portions that make up the stage facility. The amphitheater has no fixed seating. Maximum capacity is 1000.

Conditions of use:

All rentals will require a Facility Use Agreement (Community Services Department) and a Special Event Permit (Planning Department), and will be subject to all conditions and fees provided therein. At the discretion of the Community Services Manager, an on-site meeting may be required between the applicant and Town staff to review conditions of the rental. These conditions may include but are not limited to:

- Security and insurance requirements
- Temporary restrooms and trash disposal needs
- Maximum capacity and expected attendance
- Parking requirements and traffic control
- Lighting and signage limitations
- Use and location of canopies, stakes, tarps and generators
- Parking fees and revenue sharing
- Fire District and Health Department requirements
- Other conditions as determined during the permit process

Rules

Use of the amphitheater shall adhere to the policies and procedures set forth in the **Park Rental and Application Procedures** brochure, as well as Municipal Code **Chapter 11.68: USE OF PARK AND RECREATION FACILITIES**. Specifically, and not excluding additional rules found in the above mentioned publications, the following rules are in effect in all public parks, including the Amphitheater:

- All dogs and cats must be on a leash and in full control of their owner.
- No personal barbecues or any type of fire is allowed.
- The possession (open and closed containers), consumption, sale, transportation or disbursement of alcoholic beverages is prohibited in Town parks and facilities unless permission is obtained and approved in writing by the Town Manager or his designee, and in that event only in compliance with the conditions and restrictions of a permit from the Department of Alcohol and Beverage Control.
- Any items being moved in, out, or within the amphitheater area shall be transported in a manner so as not to cause any damage to surfaces, including but not limited to the concrete stage, pathways, and landscaping beds.
- Use of vehicles within the the amphitheater and/or park (excepting established parking lots) is prohibited without specific written authorization, and under no circumstance will motor vehicle use be authorized to occur on the landscape and turf areas of the facility.

Access to Amphitheater

Individual renters must be aware that the amphitheater is a public facility located in a public park. There is no controlled access, and fencing the facility is not permitted. A playground area is located immediately adjacent to the amphitheater. Any function held in the amphitheater may be observed by children, families and other members of the public who may be using other features of Civic Center Park. Rental of the amphitheater does not imply exclusive use of the other park facilities, and no guarantee is made that members of the public will not approach, pass through or attend the event.

Use of the Stage

The raised stage, stairs, rails, wing walls and other portions that make up the “stage” facility in the amphitheater is intended for use as a platform for performances, speeches or demonstrations only, and not as a play area.

Power Supply

The stage is equipped with standard 110 outlets both on the stage and on the back of the rear wall. Additionally, conduit exists from the front of the stage to a concrete pad that can be used as a location for a sound booth. Electrical cords may not lie across the sidewalk in front of the stage without appropriate cord covers. Use of electrical power may not exceed the load capacity of 125 amps. Users may be required to provide a list of all equipment to be plugged in, along with the electrical load of each item. At the discretion of the Community Services Manager, an on-site meeting may be required between the renter and staff to discuss power needs.

Entertainment and Performances

Entertainment, bands, dancers and other forms of performances held in the amphitheater or any public park shall conform to standards suitable for a family atmosphere. No profanity, either spoken or printed on clothing, signs or other means of visual communication, and no vulgar or offensive behavior is allowed. The Town reserves the right to request a playlist or other documentation that demonstrates the type of music or performance proposed. If such questionable language or behavior is observed, the Town reserves the right to stop the performance, and may stop the entire event and require that all present disperse, without a refund of fees or other compensation for loss of revenue or any other monetary damages claimed.

Use of Amplified Sound

The use of public address systems, amplified instruments or percussion instruments is allowed within the boundaries of the amphitheater. Such equipment shall be used in such place and manner that they will not unduly interfere with or be an annoyance to other groups or individual people who may be using the park at the same time or to the surrounding neighborhood. In no case may the amplified sound continue past 11 p.m.