



**CITY OF WINTER PARK
PARKS AND RECREATION DEPARTMENT
PARKS OPEN SPACE BUSINESS PERMIT POLICY**

Parks Commission Approval 12/10/2008

City Commission Approval 1/12/2009

Parks Commission Approval –Updated Fee Structure – 11/17/2010

City Commission Approval Updated Fee Schedule -4/25/2011

Parks Commission Revision –Background Checks per State Statute 2/9/11

Parks Commission added the Concessioner Section 5/22/13

Parks Commission Approval –Updated Fee Structure – 1/17/2018

INTENT: The Parks Open Space Business Permit shall be issued to licensed businesses or individuals engaging in business on the open space areas of City parks. Types of businesses this policy is intended to address include personal trainers, fitness instructors, martial arts instructors, personal coaching, program instructors, still photography, film, concessionaires, water sport equipment rentals, and the like.

LOCATIONS:

- A. Parks Open Space Business Permits will be issued for activities taking place in parks open spaces only and subject to approval. Permit does not grant exclusive use of open area, park remains open to the public.
- B. Any use of athletic fields, courts, or pavilions require rental of those fields, courts, or pavilions at the rate posted on the City of Winter Park current fee schedule.

GROUP RULES:

- A. Groups larger than 20 people must be considered by the Parks and Recreation Commission.
- B. No tents, tables, or equipment other than mats may be utilized on park open space.
- C. Parking may not interfere with surrounding residential or business areas.

FILMING:

All filming must initially go through the Orlando Film Commission. Filming deemed exempt by the Orlando Film Commission must go through the Open Space Business Permit application process to be approved for filming.

SALES BUSINESSES AND CONCESSIONAIRES:

- A. Parks Open Space Business Permits MAY be issued for sale of concession items such as food and drink as deemed appropriate for a particular property or event.
 - a. Potential concessionaires must provide proof of compliance with all state and local Department of Health regulations and meet all guidelines pertaining to the preparation and service of food and drink. Additional temporary food permit guidelines are in place by Winter Park Parks and Recreation, Code Enforcement, Fire Department and Building Department.
 - b. Potential concessionaires must comply with all physical regulations as they relate to the service of said food and drink such as fire resistant tenting, hand wash sinks, proper refrigeration, proper food temperatures and the like.
 - c. All potential concessionaires are subject to periodic spontaneous inspection of sales area if approved for sales.
- B. Concessionaires will be divided into the following categories for sales:
 - a. Prepackaged commercially available non-alcoholic beverages, snacks such as candy, chips, muffins and the like as regulated by the Florida Department of Agriculture and Consumer Services.

- b. Prepared food of any sort that requires cooking or sales of foods as defined by the Department of Florida Department of Business and Professional Regulations and which include but are not limited to the sale of foods that require refrigeration such as sandwiches, meats, etc.
- c. Fees
 - a. Concession Category a:
 - i. \$25 per sales day per sales station.
 - ii. \$60 per week per sales station
 - iii. \$150 per month per sales station
 - b. Concession Category b:
 - i. \$50 per sales day per sales station.
 - ii. \$120 per week per sales station
 - iii. \$300 per month per sales station
 - c. Open Space Business
 - i. \$35 per month twenty attendees or less
 - ii. \$110 per month over twenty attendees
 - d. Photography/Film
 - i. \$25 per day
 - ii. \$60 per week
 - iii. \$150 per month

BUSINESS PERMITS PROCESS:

- A. Interested businesses must submit an application to the Parks and Recreation administrative office at 721 W New England Ave, Winter Park FL 32789 or by email at recreation@cityofwinterpark.org
- B. Proof of business license, County Tax Certificate, State of Florida Food Permit (if applicable), and liability insurance in the amount of \$1 million general aggregate and \$500,000 each occurrence must accompany request along with completed application.
- C. Business working with children must submit proof of two background checks on all volunteers and staff members in accordance with Florida Statute 409.221.
- D. The Director of Parks and Recreation will be responsible for approval or disapproval of request within 30 days.**
- E. Upon approval, a contract will be executed pending the receipt of a certificate of insurance naming of the City of Winter Park as an additional insured and liability waivers signed by every participant. Applicant is personally responsible to ensure that every participant signs a liability waiver which must be submitted to the City prior to that individual participating.
- F. Payment at the current rate as posted on the City of Winter Park fee schedule will be due in advance.
- G. Payments will be accepted monthly, quarterly, or annually.
- H. The City of Winter Park has the right to cancel any agreement or arrangement with 30 days' notice.

I have read and understand all of the above Rules and Regulations. I agree to abide by all of the above.

Signature _____

Date _____

Application for Parks Open Space Business Permit
City of Winter Park
Parks and Recreation Department

Business Name: _____ Date: _____

Business Manager: _____ Title: _____

Business Address: _____

Business Phone: _____ Cell: _____

Email Address: _____ Fax: _____

Park Requested: _____ Area: _____

Type of Activity: _____

Describe in Detail: _____

Time: _____ Date(s): _____

Number of Expected Participants: _____ Ages of Participants: _____

By signing below, applicant acknowledges receipt of rules and regulations. Applicant has read rules and regulations and agrees to abide by same.

Signature: _____ Date: _____

FOR OFFICE USE ONLY:

Proof of Insurance?: _____ Proof of Orange County Tax Certificate: _____

Proof of Background Checks if Applicable: _____ Liability Waivers on File?: _____

Director of Parks and Recreation Signature of Approval: _____

Business Permit Number: _____ Amount Paid: _____

Expiration Date: _____ Approved Park: _____

INTENT:

The Parks Open Space Business Permit shall be issued to licensed businesses or individuals engaging in business on the open space areas of City parks. Types of businesses this policy is intended to address include personal trainers, fitness instructors, martial arts instructors, personal coaching, summer camps, program instructors, and the like. Concessionaires require an additional application form.



City of Winter Park Individual Liability Waiver

NAME: _____ ACTIVITY: _____

RELEASE AND WAIVER OF LIABILITY (READ CAREFULLY)

In consideration of being permitted to engage in the above activity, I hereby ASSUME THE RISK OF PERSONAL INJURY OR DEATH AND I, FOR MY HEIRS, EXECUTORS, REPRESENTATIVES AND ADMINISTRATORS, HEREBY AGREE TO RELEASE, HOLD HARMLESS, AND FOREVER DISCHARGE THE CITY OF WINTER PARK, THE CITY OF WINTER PARK'S EMPLOYEES, AGENTS, AND REPRESENTATIVES FROM ANY AND ALL LIABILITY, CLAIMS, DEMANDS, DAMAGES, EXPENSES, FEES, SUITS, PROCEEDINGS, CAUSES OF ACTION, COST OF ACTIONS, INCLUDING ATTORNEY'S FEES, FOR TRIAL AND APPEAL, WHICH I MAY HAVE AGAINST THEM ARISING OUT OF OR IN ANY WAY CONNECTED WITH MY PARTICIPATION IN THE ACTIVITY LISTED ABOVE. I UNDERSTAND THAT THIS RELEASE AND WAIVER INCLUDES ANY CLAIMS BASED ON NEGLIGENCE, GROSS NEGLIGENCE, ACTIONS, OR INACTIONS OF THE CITY OF WINTER PARK, IT'S EMPLOYEES, AGENTS, AND/OR REPRESENTATIVES.

I HAVE READ THIS CONTRACT BEFORE SIGNING.

NAME (PRINT)

DATE

SIGNATURE

DATE OF BIRTH

WITNESS NAME (PRINT)

DATE

WITNESS SIGNATURE