



Supplemental Guidelines Permitted Activities

*Including Excerpts from the Five Rivers MetroParks Code of Ordinances
Generated: 21 December 2021*

The Five Rivers MetroParks (FRMP) Code of Ordinances (metroparks.org/rules) Chapter 94, Permits provides for the creation of supplemental guidelines based on the intended use and classification of each facility in the MetroParks system. The Supplemental Guidelines which follow are “based on a due regard for the purpose for which the facility is established, the safety of those using the facility, of park employees and of the public, the safety and maintenance of MetroParks property, the need for and the availability of supervisory personnel, and the maximum number of people who can safely use the facility at one time.” FRMP Code of Ordinances (94.01)

Public Use

As a tax supported public agency, Five Rivers MetroParks provides for free access to parks for use by the general public. FRMP must remain open to the public free of charge at all times. Park admission charges and “gated” entries associated with permitted activities are strictly prohibited. Public forums and limited use areas which are not subject to reservations including trails, designated parking areas, all playground and waterplay feature areas and public restrooms shall remain open to the public during regular hours of operation.

Permit Requirement

Chapter 94.02 of the FRMP Code of Ordinances (www.metroparks.org/rules) outlines those activities for which a permit is required.

Permit Fees

As FRMP may deem necessary and prudent, a proposed activity or event may be assessed fees in association with a permit request which necessitates an administrative review, operational changes, or requires equipment and/or resources outside of regular park operations.

Additional Permits

Separate permits are required for activities not specifically included in the conditions of use. For example, a Photography Permit is required for still commercially distributed photography at a permitted event. See www.metroparks.org/permits for additional information on Photography Permits, Multimedia Permits, and Unmanned Aircraft Systems Permits (drones). Questions regarding special use requests can be directed to the Permit Coordinator at permits@metroparks.org.

After Hours Access

Permit applications requesting park access during hours other than the posted hours of operation will be assessed a fee commensurate with the operational cost of facilitating the request.

Vehicular Access

Chapter 70.03 of the FRMP Code of Ordinances states: “No person shall use any portion of a park for purposes of way except drives, roadways, walks and trails established for such purposes. Trails established as horse trails, foot trails, bicycle trails or multipurpose trails shall not be used for motor vehicular traffic.”

Chapter 131.21 of the FRMP Code of Ordinances states: “No person shall operate a motor vehicle, motorcycle, motorized skateboard, motorized scooter, or any gasoline powered vehicle, on any trail designed solely for walking or bicycling.” Motorized vehicles are not permitted on recreational trails or in areas other than designated park roadways and public parking areas unless prior written authorization has been granted in conjunction with a permitted activity, or as provided for by the Americans with Disabilities Act. Access to service areas or areas designated “authorized use only” require prior approval which must be noted on Special Use Permit to be presented at point of entry.

Access to Reserved Areas, Permitted Sites and Facility Rentals

Reserved areas, permitted sites and facility rentals must be accessed from designated public parking areas. Driving to a shelter for any purpose, including unloading and loading, is prohibited. Any personal property or rental property to be used in conjunction with a reservation, permit or rental must be carried to and from vehicles parked in designated public parking areas; this includes all rental deliveries (chairs, table, tents, etc.) special vendor deliveries (flowers, food and beverages, cakes, etc.) and professional service providers (photographers, DJ's, musicians, caterers, etc.) and limousine service. It is the responsibility of the Permit Holder to convey this information to all guests, participants, vendors, and professional service providers. With advance notice FRMP will make every effort to accommodate guests with special needs.

Parking

The FRMP Code of Ordinances Chapter 73.03 states: “No person shall park any motor vehicle, bicycle, or other vehicle within any traveled roadway within the park or any location where posted signs prohibit parking except in emergencies or upon any sod, gravel or other surface not specifically designated as a parking area.”

The FRMP Code of Ordinances Chapter 73.05 states: “No person who is not handicapped or operating a vehicle to transport a handicapped person shall stop, stand, or park any motor vehicle at specially designated locations provided for the handicapped.” FRMP's Accessibility Policy can be viewed at www.metroparks.org/policies.

“Park in designated areas only. Driving to a shelter for any purpose, including unloading and loading, is prohibited. Passenger vehicles may not drive, stop or park on any recreation or bike trails for any reason. Vehicles must remain in designated parking areas only.” *Shelter Permits Statement of Policies* www.metroparks.org/policies

Permit Holder must provide designated parking attendant(s) for all events with an expected attendance greater than 200 persons utilizing on-site parking or a drop-off zone for off-site parking. Designated parking spaces may not be utilized as part of an event area.

Accommodations for additional ADA parking provisions will be required when fields or lots are utilized to create overflow parking in conjunction with an event. Any associated costs will be charged to the Permit Holder.

After Hours Parking

Vehicles left in parks after hours or outside of the permit period may be towed. If it is necessary to leave a vehicle in a park after hours contact FRMP Ranger Division at **937-225-HELP** (937-225-4357) with vehicle identification.



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Shelters

Special Use Permit applications which incorporate the use of one or more reservable shelters, as requested or required, are subject to the conditions of use associated with shelter reservations, *The Shelter Permits Statement of Policies* (www.metro parks.org/policies) incorporated here by reference.

Restrooms

Public restrooms will remain available for public use during posted park hours. Depending on the available restroom facilities, a permit applicant may be required to utilize an outside source to provide portable toilets in conjunction with a permitted activity or event. The number of portable toilets required and placement location will be determined by FRMP. A ratio of 1 toilet per 150 persons shall be used as a minimum requirement. ADA Standards require that at least five percent of portable toilet units must be accessible. The drop off and pick up of portable toilets must be coordinated with FRMP staff.

Changing Facilities

FRMP does not provide changing facilities or private staging areas.

Pets

Please do not bring pets to public programs or events unless the program specifies that pets are welcome. Pets are not allowed in water features or fountains in any park, or where prohibited by signage. Service animals exempt.

View the complete rules and regulations regarding animals (Chapter 90) at www.metro parks.org/rules. The FRMP Service Animal Policy can be viewed at www.metro parks.org/policies.

Tents and Portable Structures

Canopies and personal use tents in excess of 10' x 10', or portable structures or tents requiring the use of ground stakes must be noted on Special Use Permit applications. Permit requests should indicate proposed location(s) as well as size and type of tents or portable structures to be used. FRMP will take into consideration underground utilities as well as the potential impact on the park grounds when reviewing permit applications including tents and portable structures.

Fencing

Fencing, posting of signs or other types of barriers to exclude casual park visitors is prohibited.

Signs and Markings

Permanent and temporary markings, including spray chalk and paint, are prohibited on all property including recreation trails, roadways, trees, and structures. Nothing may be affixed to any structure or surface with tape, glue, staples, nails, tacks, screws, adhesive or other fasteners that may scratch or otherwise damage surfaces.

All temporary signage proposed for use (including inflatable signage and objects placed for attention-getting, identification, or advertising purposes) is subject to FRMP review and approval in conjunction with a Special Use Permit application. Removal of all temporary signage is required prior to expiration of permit period. Driving stakes or posts for signs is prohibited.

Decorations

No substance or material with a lasting residue or damaging effect on a surface or the environment may be used for decoration. Artificial flower petals, confetti, glitter, birdseed and rice are prohibited. Real flower petals or bubbles may be used for outdoor celebrations. FRMP displays, plantings, fixtures and signage should not be moved or obstructed. Helium balloons may only be used in conjunction with indoor facility rentals. Large decorations must be approved by FRMP at least 14 days prior to the event date.

Restoration

All park grounds and facilities must be restored to their original condition prior to expiration of permit period. FRMP is not responsible for any signage or personal property left following a permitted activity. The removal of any items left behind or any restoration of the park grounds and facilities deemed necessary by FRMP, following a permitted activity, may be charged to the Permit Holder on a time and material cost basis.

Park Property and Natural Features

Chapter 131.13 of the FRMP Code of Ordinances prohibits the removal of park property: www.metro parks.org/rules.

Fires

Fires are approved only at designated shelters and campsites. Only firewood provided by Five Rivers MetroParks may be used. The permit holder is not authorized to bring firewood to the park or collect firewood in the park. The use of charcoal is limited to designated grills provided by FRMP or have been granted a special use permit. The permit holder must ensure the fire is not flaming at the time of departure. Do not pour water on fire. Do not remove unused wood from the park. The dumping of ashes or coals is not permitted. Coals and unexpended wood will be cleaned by Five Rivers MetroParks staff upon conclusion of the permitted activity.

FRMP reserves the right to prohibit fires or smoking for limited periods at any location, as deemed prudent or necessary for the protection of park property or the safety of park visitors.

Grills

The use of personal, portable grills is strictly prohibited. FRMP provides permanently installed grills at many reservable shelter areas for this purpose. A Special Use Permit is required for tow-behind grills. If proposed for use in conjunction with a Public or Private Event Permit it must be noted on the permit application and will be subject to FRMP review and approval. If permitted, tow-behind grills must remain on paved surfaces and any used charcoal, wood, grease or drippings must be removed from the park upon departure. Ground surfaces under all grills and grease producing equipment must be covered with FRMP approved material prior to set up.



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Generators

No person shall operate a generator within a park without a Special Use Permit issued for generator use. When permitted, generator sound transmission must be confined to the permitted area and should not interfere with the use and enjoyment of the park by other persons. Special Use Permit applications should indicate proposed location(s) and generator specifications, including watts and weight, for FRMP review and approval. Generator permitting is limited to inverter generators unless specifically stated otherwise.

Electricity

Standard 110V power is available in designated areas. Additional electrical connections may be available upon request subject to access fees. Extension cords and electrical appliances provided for use by Permit Holder must be appropriately rated and warranted to be in good working order. Permit Holder assumes all responsibility for the liability associated with electrical appliances and extension cords used in conjunction with a reservation or permitted activity.

Noise

The FRMP Code of Ordinances Chapter 94.02 (A6) states that an individual may operate a device "possessed and used by an individual for his or her own enjoyment so long as it is operated in such a manner as not to interfere with the use and enjoyment of the park by any other person." However, a permit is required to "Operate or play a radio, TV, musical instrument or other amplifying or sound equipment." www.metro parks.org/rules

Amplified Sound

When permitted, amplified sound must be confined to the permitted area and cannot be amplified over the surrounding area. Location of sound source must be approved by FRMP. Where parks abut residential neighborhoods, sound checks and amplified sound should be kept to a minimum until after 10:00 am daily. A 10:00 pm termination of amplified sound must be observed unless stipulated otherwise on the approved permit.

Special Amusements

Operation of special amusements, including but not limited to animal or mechanical rides, inflatable play amusements (bouncy houses, slides, etc.), rock climbing walls, dunk tanks, and similar equipment are prohibited.

FRMP Business Operations

FRMP reserves the right to operate FRMP business operations including concessions at any time.

Concessionaires

Permit applicant shall submit to FRMP a complete list of vendors and their products 30 days prior to a permitted event. FRMP reserves the right to disallow any product sales inconsistent with FRMP policies, mission, and image as a public agency. Applicant shall submit to FRMP 1) Food, grease, charcoal, and gray water management plan (30 days prior to permit period start) 2) Proof of all required state and local health permits for food concessionaires (seven days prior to permit period start.) Applicant is responsible for conveying all applicable Conditions of Use and Supplemental Guidelines to all subcontractors and vendors. Water provisions vary by FRMP location. Glass beverage containers are not allowed. Ground surfaces under all grills and grease producing equipment must be covered with FRMP approved material prior to set up.

Event Layout

For events which include set up of temporary event areas, permit applicant must provide a scale diagram of the event site indicating the location of all displays, performers, speakers, tents, podium, sound systems, portable stages, portable restrooms and any other items 45 days prior to a permitted event. FRMP will work with the applicant to finalize the event layout. Event layout shall conform to these Supplemental Guidelines for Permitted Activities. Non-conforming event layouts must be specifically addressed in the Addendum to Permit. In all other cases the event layout shall defer to the Supplemental Guidelines.

Trail Use

FRMP does not warrant trail conditions. Permit Holders of Special Use Permits issued for trail use acknowledge the risks associated with outdoor activities which may be inherently dangerous and physically demanding. Permit Holders also understand the unforeseeable risks associated with trail use and the potential hazards which may be posed by weather conditions and natural occurrences. FRMP encourages event organizers utilizing permitted trails to create a medical emergency plan. FRMP reserves the right to close trails when prudent or necessary or when conditions are hazardous or risk damage.

Trails are not subject to reservation. Permits are issued for trail use with the intent to coordinate organized activities and minimize conflicting uses. Permits issued for trail use do not convey exclusive use. Blocking or otherwise impeding thoroughfare on trails is prohibited. No materials or obstructions of any kind shall be placed on trail surfaces. The use of ribbons, finish lines and traffic cones or other materials or objects may not be used across trails, or designated parking areas.

Special Arrangements

All requests for special arrangements must be made in writing and submitted to FRMP for review and consideration. Special arrangements not included in the permit document issued for the activity or event may not be honored.

Trash

For activities with an expected attendance of 250 or more, the Permit Holder will be required to provide additional trash receptacles and a dumpster. Specifications regarding size, type, and number of receptacles shall be coordinated with FRMP and the FRMP approved trash hauler. The Permit Holder must coordinate drop off, placement and pick up of the trash receptacles and dumpster with FRMP not less than 30 days prior to the event. All associated costs shall be paid by Permit Holder.

As a conservation agency, FRMP requests that Permit Holders comply with FRMP Solid Waste Management Policy (AP-12) by separating all recyclable materials accepted by Montgomery County waste management contractors and placing the same in appropriate receptacles available at most FRMP facilities and NOT in trash receptacles.



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Set Up and Tear Down

Set up and tear down must occur within the permit period. Permit Holder must coordinate set up and tear down plans with FRMP at least 14 days prior to the event date. Permit Holder must have a representative present at all times while the event set up and tear down takes place. No equipment may be left unattended in the park outside of the hours specified on the permit as the permit period.

Advertising and Publicity

Any publicly advertised activity or event requires a permit. Conditional Approval is required prior to advertising or publicizing an activity or event. The use of FRMP branding and logo on any materials is strictly prohibited. Reference to Five Rivers MetroParks can be made only in regard to the location of a permitted activity and must refer to the park or facility by its full name; for example "RiverScape MetroPark" or "MeadWestVaco Theatre." No advertising or publicity should infer that a permitted activity has been created, produced, or sponsored by FRMP. Refer to Partnership Agreements as applicable.

Liability Insurance

Chapter 94.03 (D) of the Five Rivers MetroParks Code of Ordinances addresses insurance requirements for permitted activities. The amounts and coverages required shall be determined by FRMP based upon the nature of the activity, the risk involved and the insurance requirements dictated by the Miami Conservancy District as specified in Land Use Permit No. 16-3489-10.

Applicants for public events, public programs and trail use are required to provide a Certificate of Liability Insurance evidencing coverage in the amount of One Million (\$1,000,000) Dollars, from any liability resulting from injuries to persons or property and all direct cost and expenses associated therewith. Verification must be provided to FRMP of liability coverage naming "Five Rivers MetroParks" (and, when applicable, the City of Dayton and/or the Miami Conservancy District) as an additional insured for an amount of not less than One Million (\$1,000,000) Dollars. Liability coverage must include Products and Completed Operations and Premises liability. Such coverage shall be primary insurance for the specified event for all claims. Coverage shall be combined single limits of \$1,000,000. Permit Applicant shall be indicated as the Insured and the Description of Operations shall indicate the event, date and location of the permitted activity. FRMP reserves the right to accept or reject a specific carrier. Certificates of Insurance shall be submitted to **Five Rivers MetroParks, 409 East Monument Street, 3rd Floor, Dayton OH 45402**.

Liquor Liability coverage in the amount of One Million (\$1,000,000) is required if alcohol is to be served in conjunction with a public event or sold in conjunction with a permitted event.

Events with motorized watercraft require liability coverage in the amount of \$3,000,000.

All certificates of insurance are subject to FRMP review and approval. Insurance certificates should be submitted for review 45 days prior to event date. Permits will not be issued without insurance approval.

Alcohol

See Chapter 93.03 of the Five Rivers MetroParks Code of Ordinances, www.metroparks.org/rules. An Alcohol Administration Fee will be charged to the applicant at the time permit fees are assessed for a permitted area designated for alcohol consumption.

A state liquor permit is required anytime alcohol is sold. Alcohol must be sold by tickets and proof of identification and age are required. Ticket sales for alcoholic beverages must end one hour prior to the end of permit period. Alcohol service must end one-half hour prior to the end of permit period. Ticket sales and alcohol service locations must have signs posted with these hours noted.

FRMP Law Enforcement Rangers will be assigned to an event any time alcohol is served or sold (with the exception of shelter rentals with fewer than 125 persons in attendance which are not subject to assigned law enforcement.) Ranger hours will be charged to the permit applicant at the time the permit fees are assessed. The number of Law Enforcement Rangers and the hours required shall be determined by FRMP. In addition to FRMP Law Enforcement, professional security is recommended for the duration of events offering alcohol for sale.

Utility Cost Recovery

FRMP reserves the right to recover utility costs associated with events or activities which utilize water or power or generate trash not related to customary park use.

Cancellation

FRMP reserves the right to cancel or postpone an event or permitted activity due to current or predicted weather related conditions, for flood control purposes or other condition that poses a safety risk to the public or the facility. Permit Holder agrees to meet with FRMP to assess park conditions prior to announcing a cancellation. In the event of a cancellation by FRMP the activity may be rescheduled, at the applicant's request, to a date mutually agreeable to FRMP and the Permit Holder.

If a permitted activity or event has been publicized and the Permit Holder determines that a cancellation or postponement is necessary, the Permit Holder must notify FRMP and the media 72 hours prior to the scheduled event or immediately upon the decision to cancel if the decision is made inside the 72-hour time frame.

FRMP reserves the right to change or modify these guidelines at any time prior to or during an event in the interest of safety of park visitors, staff or park amenities.

FRMP reserves the right to cancel or postpone an activity for any reason related to public safety, the security of staff or the facility, or in the best interests of the public.