

Exhibit A
RIVERFRONT PARK
TERMS AND CONDITIONS FOR ALL PUBLIC AND PRIVATE SPECIAL USES

SPECIAL USES IN RIVERFRONT PARK

These terms and conditions apply to all special uses which are staged within the boundaries of Riverfront Park, (including Opera House steps) or have impact upon its property and/or facilities. It is the sole responsibility of the sponsor to ensure participants have knowledge of and are in compliance with the following terms and conditions.

LAWS, RULES & REGULATIONS

Sponsor will comply with all state laws, city ordinances, parks codes and regulations governing the use of Riverfront Park properties for public or private special uses as set forth by the Spokane City Park Board, and other city & state agencies where applicable.

CONDITIONS OF PREMISES

Sponsor will accept the premises to be used for the special use activity in its present condition and at the time(s) designated on the Special Use Permit. Pre-arranged inspections of the premises may be requested. For public events, contact the Special Events Coordinator. For private events, contact the Group Sales Coordinator. Upon termination of the Special Use Permit, or upon revocation of permit, the sponsor will leave the property in the same condition as it was immediately prior to the activity.

SPECIAL – USE SITE PLAN

Depending on the nature of the special use activity, a site plan may be required. If an activity interferes with normal park operations or requires special arrangements, including, but not limited to additional power, potable water, fencing, vendor / information booths, tents, canopies, stages, air inflated balloon or characters, first-aid stations, lost & found areas, portable rest rooms, vehicles on site, temporary concession booths, beverage gardens and / or temporary reduction of irrigation park grounds, or additional on-site signs or banners, a site plan will be required. All canopies, tents, inflatables and other similar structures must be secured by weights. **NO STAKES ALLOWED.** A site plan must show the locations of all elements of the activity. This plan may need the approval of other city and county departments and /or agencies. Riverfront Park always retains the right to alter site plans if, in the opinion of park management, certain grounds / facility conditions cannot support the special use as planned or if the set up interferes with normal park operations.

RUNS / WALKS / RACES

Riverfront Park reserves the right to change the routes of Runs/Walks/Races if, at the discretion of Riverfront Park management, the route interferes with normal park operations, raises public safety concerns or the turf conditions cannot support the event. Participants must stay on the pathways in the park. Riverfront Park encourages the use of cones, free standing signage and volunteers to make sure participants stay on course. Signs are not allowed to be nailed, stapled or bungee corded to trees, buildings, light poles or road signs, and/or stakes driven into the ground, and/or the painting of any pavement or hard surface. Any marking used to designate the route must be removed by the end of the day.

VEHICLES IN THE PARK

Private vehicles are not allowed in Riverfront Park without a valid vehicle permit. Vehicle permits may be obtained by contacting your park representative. All vehicles related to a special use must have a vehicle permit displayed in the front window when on park property. There is a fee for vehicle permits. A pre-determined number of permits may be available at no charge and additional permits will be issued for a fee if certain conditions are met. (See Facility Use Fee Schedule). Vehicle permit requests must be submitted at least 48 hours prior to the special use date. Proof of insurance may be requested before vehicle permits are issued. Vehicles may not remain on Riverfront Park grounds during an event unless stated on an approved facility use agreement and vehicle permit. To remain on site a vehicle must: 1) have a vehicle permit in front window; 2) be shown on the site plan; and 3) Must not interfere with normal park operations. A \$25.00 fee will be issued to vehicles found on park grounds without proper vehicle permits or if the vehicle is located in an unauthorized location. Vehicles may also be impounded at the owner's expense. All

damages to park grounds or facilities that have been caused by vehicles will be billed directly to the sponsor of the event.

INSURANCE REQUIREMENTS

For major public special uses, general liability insurance is required. Evidence of insurance will be required before a final permit is approved. Sponsor is required to provide a certificate of insurance which shows \$1 million in commercial general liability insurance and a policy endorsement which names the City of Spokane as additional insured. Some special uses may require a higher limit of insurance. Some special uses may not require any insurance. Each special use is evaluated on its risk exposure.

PERFORMANCE BOND

Some special uses may require a performance bond in addition to the damage deposit. A performance bond is a written guarantee from a bonding company or approved surety agreeing to make payment to Riverfront Park is an event sponsor does not fully comply with a Special Use Permit.

ALCOHOL POLICY

The consumption of alcoholic beverages is not permitted in Riverfront Park unless the sponsor is granted a temporary license through the Washington State Liquor control Board and a special use permit is approved by Riverfront Park management. If plans include the sale or consumption of alcohol, permission must be granted by the Parks Director or his designee. Special conditions in which the sponsor must adhere in order to allow alcohol use: 1) arrangements to contract with Park Security must be made. The number of security personnel for each event will be determined by park management based on number attending; 2) all areas where alcohol is being consumed must be enclosed by walls or fencing; and 3) all attendees consuming alcohol must remain in designated secured areas. Non-compliance of any of the above conditions or associated conditions required by the Liquor Board will be cause for immediate permit revocation and closure of the function.

TOBACCO-FREE PARK ZONES POLICY

In September 2009, the Spokane Parks and Recreation Board established a *Tobacco-Free Zones* policy for Spokane Parks and Recreation Areas and Facilities. This policy requires that *tobacco-free zones* be established at large public events conducted in Parks and Recreation areas and/or facilities.

Rules of procedure include, but are not limited to the following:

- 1) *Tobacco-free zones* areas are established where children recreate such as playgrounds, swimming pools, splash pads, picnic shelters, park restrooms, skate parks, formal gardens, etc.
- 2) A current list of community events where tobacco use will be restricted is available through the Riverfront Park Special Events coordinator. Other events may be added as appropriate.
- 3) The Spokane Parks and Recreation Department will provide and install standardized *tobacco-free zone* signs when required.
- 4) Temporary event signage will be the responsibility of the event sponsor.
- 5) The promotion of tobacco based products is prohibited at all park properties and events conducted on park property.
- 6) Each and every request for an event permit will require a review of the Tobacco policy with the user group.
- 7) Enforcement of this policy will be self directed and by peer pressure influence. Voluntary compliance will be encouraged through signage, educational material and public information releases.

The entire *Tobacco-Free Zone* Policy is available for review at <http://spokaneparks.org/Parks/page/122/> or through the Riverfront Park Events Office.

UTILITIES

See "Riverfront Park General Facilities Information" for information regarding power and water services available in Riverfront Park facilities or open spaces.

GARBAGE / WASTE WATER / GARBAGE DISPOSAL

Site plans must include plans for the disposal of excess garbage or other waste directly related to the special use. Storm drains, man holes, restrooms, grass / shrubbery or the river are not to be used for this disposal. Proper disposal methods will be strictly enforced. Sponsors will be charged for any excessive disposal of waste or any damage which occurs as a result of improper disposal.

FOOD / BEVERAGE / MERCHANDISE

Merchandise is not permitted for sale that is of an unwholesome or deleterious nature. Tobacco, Drug Paraphernalia and/or other related products are not permitted for sale. Merchandise sales must be in accordance with requirements of all federal, state and city laws and ordinances. A City of Spokane Business License is required for any merchandise sales. Riverfront Park has exclusive rights on food / beverage and merchandise sales for public or private activities; however, sponsors for private activities are allowed to use outside park approved caterers or may be permitted to bring food / beverages on site by paying a user fee or commission for that privilege. Our Group Sales Department will be able to provide you a list of approved Riverfront Park caterers. Sponsors for public activities will need special permission from park management to allow outside concessionaires to sell, sample or promote food, beverage and merchandise. Sponsors for public activities who are permitted to bring food / beverage on site, must make special arrangements with the Spokane County Health District. For more information on Health Department requirements, call 324-1594.

PERSONNEL AND EQUIPMENT

Depending on the nature of the event, extra services, including security personnel or additional equipment may be required. The cost will be paid by the sponsor according to the "Riverfront Park Services / Equipment Fee Schedule". All extra services must be requested no later than 10 working days prior to the special use. If available, extra services / equipment requested less than 10 days prior to the event will be charged at twice the regular rate.

RESTROOMS

While most areas of Riverfront Park are equipped with restroom facilities, these may not be adequate for large events. The County Health Department advises to have one (1) portable restroom for every 250 people. The number and location of portable restrooms will be determined by the Special Events Coordinator for public events or the Group Sales Coordinator for private activities. Five percent (5%) of all portable rest rooms must be ADA approved. Portable restroom will be at the expense of the sponsor.

PARKING

Riverfront Park has seven convenient parking lots for your parking needs. We offer daily, monthly and quarterly parking. Lot #1 is located on the North end of the Washington Street Bridge. Lot #2 is located on the corner of Howard and Mallon (South of the Spokane Arena). Lot #3, #4, and #5 are located on Cataldo Street, between Howard and Washington. Lot #6 (formerly the YMCA lot) is located on Post Street, North of Spokane Falls Boulevard. Lot #7 (formerly the Bosch lot) is located on Lincoln Street, between Bridge and Broadway. These lots are operated by Riverfront Park. Group and Event parking is available. Contact either the Special Event or Group Sales Coordinator for more information.

MUSIC / PUBLIC ADDRESS SYSTEMS / NOISE ORDINANCE

P.A. systems cannot be used after 10 pm unless a variance has been granted by the City of Spokane Code Enforcement office. Park management retains the right to control the P.A. volume. When music or a public address system is necessary for a special use activity, manage approval is necessary and the sponsor is responsible to:

- 1) Get proper approval from the Park and City of Spokane Code Enforcement office.
- 2) Be sure to check area / locations for power requirements
- 3) Use professional audio / stage technicians
- 4) Adhere to "start/end" times
- 5) Ensure the use of approved staging
- 6) Provide all extra services and equipment as necessary

Inappropriate language or actions may result in the privilege being revoked

PUBLIC ACCESS / GREEN SPACE

It is the desire of the Spokane Parks and Recreation Department to maintain free public access to Riverfront Park facilities and grounds. However, under certain circumstances, restricting public access to park facilities and areas may be allowed. It is the sponsor's responsibility to provide appropriate signs directing the public to alternate pathways away from any limited access areas. Spokane Parks and Recreation Department desires to maintain all city parks as open green spaces. To accomplish this, Riverfront Park may have limited scheduling to allow time for re-seeding, watering and growing time. Scheduling shall reflect a policy to minimize impact and maximize renovation and growing time.

DAMAGES

All damages, including excessive turf damage as a result of a special use will be billed to the sponsor. Pre-arranged site inspections with Riverfront Park's Special Event Coordinator (public events) or Group Sales Coordinator (private use activities) before and after the event is highly advised.

PUBLIC "SPECIAL-USE" FEE – CASH DEPOSIT – PAYMENT SCHEDULE

A \$75.00 non-refundable special event fee is required for all public special uses. In addition, many public and private use sponsors may be required to place a minimum cash deposit to cover the costs of special arrangements including, but not limited to, food & beverage service, merchandise, extra equipment, labor and/or additional services. All remaining fees are to be paid no later than 30 days after completion of the activity. Late fees will be charged.

EVENT FEE – CASH DEPOSIT – CANCELLATION POLICY

1. By city ordinance, public special event permit fees must be accompanied with the permit application and are non-refundable.
2. Full refunds for cash deposits will be given if activity is canceled 61 or more days in advance.
3. 50% refund will be given if canceled later than 31-60 days in advance.
4. No refund if canceled less than 30 days prior to the activity.
5. An administrative fee of \$15.00 will be charged on all refunds.

CANCELLATION POLICY

1. Full refunds will be given if activity is cancelled 61 or more days in advance.
2. 50% refund will be given if cancelled later than 31-60 days in advance.
3. No refund if canceled less than 30 days prior to the activity.
4. An administrative fee of \$15.00 will be charged on all refunds.

FEE REDUCTION POLICY FOR PUBLIC SPECIAL USES

Upon receipt of a written or e-mailed request from the sponsor or applicant in advance of the activity, *Limited* park fees & charges may be considered for reduced rates if the activity meets one or more of the following criteria:

- 1) The event is co-sponsored by Riverfront Park and a portion of the proceeds goes to either Riverfront Park or the Park Foundation.
- 2) The event is deemed to be of an overriding public service and consistent with the goals of Riverfront Park, Parks and Recreation Department, and the event is free and open to the public without concessions or sales of any type;
- 3) The event is put on by an outside group as a benefit and proceeds are donated to either Riverfront Park or the Park Foundation.

APPEALS

All restrictions, conditions and fees, or the denial of a permit may be appealed to the Riverfront Park Director or designee. Appeals must be at least 30 days in advance of the activity and must be in writing. The name / address / phone number of the applicant; name of the activity, a description of the proposed activity, date of the requested usage and the nature of the appeal must all be on the appeal request. Your park representative will make every attempt to be in contact with you within 10 working days with the results of the appeals process.