

CITY OF OSSEO

BOERBOOM PARK BANDSHELL USE POLICY



The Henry J. Boerboom Veterans Memorial Park is a small City park and is meant for family-oriented uses and events. Monuments have been erected to honor the veterans from various wars. A bandshell was constructed in the park in 2006 through donations to the City, and is intended for performing arts and the Music & Movies in the Park series each summer.

A. PRIORITY FOR USAGE AND GENERAL REGULATIONS

1. The Osseo Bandshell Park shall be used primarily for City of Osseo performing arts programs and special events such as Concerts/Performances in the Park or Movies in the Park/Family Film Festival. These City-sponsored programs have first rights to schedule the bandshell park for performances or use. Concerts/Performances and Movies in the Park are typically held on Tuesday evenings. No rental for other events or ceremonies will be allowed on these dates.
2. The bandshell may be used for wedding or similar ceremonies. The stage is small, designed for performing arts, and is an elevated floor without guardrails.
3. All applicants must complete the Bandshell Park Use Application. All such applications will be reviewed by City staff, including the Public Works Department and the Police Department. **APPLICATIONS MUST BE RECEIVED A MINIMUM OF TEN (10) DAYS PRIOR TO THE EVENT.**
4. Participants or sponsors may not seek donations, pass a collection plate, or solicit from the audience unless prior permission is granted via a Special Event Permit.
5. Use of the bandshell shall not begin before 10:00 a.m. and shall end no later than 10:00 p.m.
6. No sales of any items are allowed during uses by performers or sponsors without permission from the City via a Special Event Permit. Similarly, sales of food or refreshments by civic groups and non-profit groups may be allowed only with prior permission.
7. The applicant signing the application must be at least 18 years of age.
8. No gambling of any kind may be conducted except with permission via a Special Event Permit.
9. The applicant may be required to provide proof of insurance.
10. The applicant understands that other users such as the general public may be in the park at any time allowed by general City policies. The rental agreement does not provide exclusive use of the park.
11. We encourage all users to be mindful of planted areas and the overall beauty of this Veterans Memorial Park.
12. No tobacco product use is allowed in any City park or open space. City-owned park land is designated and posted TOBACCO-FREE.

B. RENTAL FEES

Rental fees are disclosed on the attached insert and are subject to change. Rehearsal and clean up time must be included with the rental time.

C. RESERVATIONS AND CANCELLATIONS

Reservations are accepted on a space available basis. Any fees for rental or deposit are due and payable when making the reservation.

D. DAMAGE/CLEAN UP DEPOSIT

1. The damage/clean up deposit and any payment is required at the time the reservation is made. Please refer to the attached fee schedule.
2. The deposit will be refunded within two weeks after the event if no problems were incurred. If the bandshell rental policy is not met, a deduction for the estimated labor or damage costs will be made from the original deposit. The remaining balance will be returned to the applicant with a receipt for the costs.
3. If additional damage is incurred to the facility or site beyond the deposit amount, the City will assess the amount of damage incurred and will forward damage costs to the individual, organization, and/or party responsible.

E. RENTAL EQUIPMENT AND DELIVERY/PICKUP

1. All equipment (rental or not) including tables, chairs, linens, and decorations must be delivered and picked up during the rental period. The applicant is responsible for any delivery charges and for informing delivery people of

City policies. The applicant is responsible for set-up and removal of all equipment and supplies brought in for the event.

2. There will be no storage of supplies or equipment related to the event inside the bandshell. The City of Osseo is not responsible for damage or theft of any items.
3. No portable toilets are allowed except with permission from the City Administrator. Seasonal portable public restroom facilities are located in the park.
4. Use of any inflatables or amusement rides is allowed only with permission via a Special Event Permit.

F. FOOD AND BEVERAGES

No food or beverages of any sort are allowed as part of your event. No alcoholic beverages are allowed. No grills can be brought to the park.

G. TENTS/CANOPIES/SIGNS/BANNERS

No staked tents, canopies, etc., are allowed due to electrical and irrigation lines. Only freestanding/weighted tents will be allowed. The City is not responsible for the tent or items under or around the tent. No signs or banners will be allowed without permission from the City Administrator (or designee).

H. MUSIC AND SOUND EQUIPMENT

1. Live and taped music is allowed as long as the City's noise ordinance is strictly adhered to.
2. Electricity is available at the bandshell but at a cost. Please refer to the attached fee schedule. All arrangements for electricity must be approved by and facilitated with the City Public Works Department (763-425-5741). No use of auxiliary power (generator) is allowed except with permission from the City Administrator.
3. No dancing is allowed on the bandshell platform.

I. DECORATING

1. You may use the florist or decorator of your choice.
2. All decorating needs to be included during your rental time.
3. No decorations may be attached to any portion of the bandshell facility or any other park structure. No tape, pins, staples, nails, or gum-like substances may be used on any park structure. Silly string or any similar products are not allowed. Rice, glitter, rose petals, sand, and confetti cannot be thrown or used as table decorations. Soap bubbles are allowed.
4. Candelabras for wedding ceremonies are allowed.
5. All decorations must be removed at the end of your rental time.

J. CLEAN UP

1. The applicant is responsible for removal of everything brought to the site and for cleaning up the site, including garbage and litter.
2. If the facility and grounds are not sufficiently cleaned up, labor costs to do so will be deducted from your damage deposit.

K. PARKING

There is no parking lot available next to the park where the bandshell is located. However, there is a small municipal lot one-half block away. General on-street parking is available in the area.

L. BANDSHELL USE AGREEMENT

The use of the bandshell will be allowed per the sole discretion of the City of Osseo, in consideration of a variety of factors that may affect the usage of the facility or park.

The undersigned agrees that it shall be totally responsible for all loss or damage or claims made by any person or any party that concerns use of the facility during the time the undersigned is using the bandshell. The City shall not be responsible for any loss or damage or claims made by any person or party, it being understood that the sole and complete responsibility

for use of the premises lies with the undersigned in case such claims are made. If claims are made against the City, the undersigned, for himself or herself and on behalf of the organization or group the undersigned represents, agrees to defend the City, its officers, councilmembers, employees, and agents against all claims made. Further, the undersigned, for himself or herself and on behalf of the organization or group the undersigned represents, agrees to indemnify and hold the City, its officers, councilmembers, employees, and agents harmless from and against any and all claims and liabilities, including attorneys' fees, as to any claims for damages or loss which arise or are related to the use of the facility by the undersigned or the organization or group the undersigned represents, whether occurring on the premise or off-premise, including but not limited to accidental falls, discrimination, rights, etc. If the undersigned does not defend, indemnify, and hold the City harmless pursuant to the provisions of this Agreement, then the City may institute an action against the undersigned and all persons using the premises for recovery of all expenses and costs incurred by the City due to the failure to defend, indemnify, and hold the City harmless pursuant to the provisions of this paragraph.

The undersigned further agrees that if the signature of the undersigned is for and on behalf of an organization or group, that the organization or group has expressly authorized the undersigned to make this agreement on behalf of the organization or group and that the organization or group shall be bound by the undersigned's signature. The City may request that the undersigned furnish a certified copy of the resolution of the organization or association authorizing the undersigned to apply for use of the bandshell if, in its discretion, it determines necessary. Alternatively, the City may require all members of the organization or association or all of its officers or directors or members as it shall determine to sign this Agreement or an addendum to this Agreement to further document this request and agreement to use the facility in the manner provided herein. If the organization or association requesting use of the facility is not incorporated, by signing this request and Agreement, the undersigned understands and agrees that all organization members or members of the group are or could be liable for use of the facility and that all members bear responsibility legally if the facility is not used properly and is not used in accordance with the terms of this request and agreement.

THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THE USE OF THE BANDSHELL IS SUBJECT TO THE PAYMENT OF ALL FEES AND DEPOSITS AS REQUIRED BY THE CITY AND THAT THE UNDERSIGNED WILL BE RESPONSIBLE FOR THE PAYMENT OF ALL SUCH FEES AND DEPOSITS AS REQUIRED WHEN DUE.

(Policy updated 4/22/2019)

Osseo Bandshell Fees

<u>Fee</u>	<u>Description</u>
\$250	Damage/clean up deposit
\$100	Electrical fee
\$75	Installation of acoustic panels

Rates for events

RENTAL FEES	
RESIDENTS, OSSEO BUSINESSES*	\$0 for up to 1 hour of bandshell use and non-exclusive park use \$30 for 1 to 4 hours bandshell use and non-exclusive park use
NON-RESIDENTS, NON-OSSEO BUSINESSES*	\$50 per up to 4 hours bandshell use and non-exclusive park use
<i>*Non-profit Organizations: 50% discount from either resident or non-resident rate, based on organization's physical address. Legal proof of non-profit, tax-exempt status required.</i>	
<p>A. RENTAL FEE – The rental fee and all deposits must accompany the signed application. The rental fee and deposits will be returned if the space becomes unavailable and the reservation is cancelled by the City of Osseo. No physical use of the facility shall be allowed under any circumstances unless all necessary fees and deposits have been paid in full.</p>	
<p>B. DAMAGE AND CLEANUP DEPOSIT - In addition to the rental fee, a damage and cleanup deposit of \$250 shall be required. This shall be refunded within three weeks after the event, subject to any deductions. Examples of causes that would result in withholding return of damage deposit include: if any damage to the facility or surroundings is done, if items owned by the facility are broken or lost, if cleaning costs are incurred, if the public safety resources is activated unnecessarily, and/or if the facility is not vacated at the time indicated on the application. If applicant's use of the facility results in any public employee being required to respond to the facility for any cause attributable to applicant's use of the facility, and if the City incurs overtime wage expense for that employee's response, then the cost of such overtime wage expense shall be deducted by the City from the applicant's deposit. The applicant shall be responsible for any and all expenses that exceed the deposit.</p>	
<p>C. SPECIAL FEES - The City Council may set special fees or vary or waive fees for special conditions or circumstances, including where the applicant has performed a commensurate service to the City.</p>	
<p>D. ADMINISTRATION – All decisions, determinations, and interpretations of the policy guidelines and rental rates shall be handled at the discretion of and by the City Administrator or designee.</p>	

CITY OF OSSEO

BANDSHELL USE APPLICATION



INFORMATION PROVIDED TO THE CITY OF OSSEO MAY BE CONSIDERED PUBLIC DATA PURSUANT TO DATA PRACTICES LAW. THE CITY WILL COMPLY WITH ALL APPLICABLE LAWS IF THE INFORMATION IS SUBJECT TO A DATA REQUEST

Applicant/Contact Person: _____

Address: _____

Phone# (Day and Evening) _____

Name of Organization: _____

Mailing Address: _____

Date of Use: _____ Time of Use: From: _____ am/pm to: _____ am/pm

Purpose of Event: _____

Number of Participants: _____

Is entertainment part of your event? Please describe. _____

Will electricity from the City be needed? (Fee required) Yes _____ No _____ Comments: _____

I HAVE READ AND AGREE TO THE CONDITIONS OF THE ATTACHED POLICY/AGREEMENT. I UNDERSTAND THAT THE CITY OF OSSEO MAY CANCEL ANY RESERVED EVENT.

Date: _____

Name of organization, group, or individual

Signature of applicant

This application request received on: Date _____ By _____

Rental & event fees for event received on: Date _____ Amount _____ Check# _____

Damage and clean up deposit received on: Date _____ Amount _____ Check# _____

Approved by Public Works: Date _____ Name _____

Comments: _____

Approved by Police Dept.: Date _____ Name _____

Comments: _____

Verification of no damages: Date _____ Name _____

Deposit returned to applicant on: Date _____ Amount _____ By _____

PLEASE RETURN THIS APPLICATION TO OSSEO CITY HALL, 415 CENTRAL AVENUE, OSSEO, MN 55369

CITY OF OSSEO

BOERBOOM PARK BANDSHELL



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APPLICATION FOR SPECIAL CONSIDERATION FOR (MARK ONE):

 Rental Fee Waiver (Bi-)Weekly Use

Applications for special consideration must be reviewed by the City Council. Fee waivers cover rental fees only; the applicant is still required to provide a rental deposit. The Council meets on the second & fourth Monday of each month; requests must be received by the Wednesday before a meeting to be considered. Submit questions and return your application **WITH A COVER LETTER** to Osseo City Hall, 415 Central Avenue, Osseo, MN 55369 or fax at 763-425-1111 or via email at cityhall@ci.osseo.mn.us.

Name of Applicant:					
Address:					
Name of Contact Person: (if different than applicant)					
Contact Phone: (daytime)		Email address:			
Description of event or purpose for which City facilities will be used:					
COMMUNITY BENEFITS					
How many Osseo residents will benefit from your event? How will they benefit?					
NEED:					
Why is it necessary to hold this event at a City facility?					
<i>If request is for a Fee Waiver:</i> Explain why paying the fee would be a hardship.					
Are you willing to provide commensurate services in lieu of the rental fee? If so, what type?					
I declare under the penalties of perjury that this application for special consideration has been examined by me and to the best of my knowledge and belief is true, correct, and complete.					
Signature:					
Date of application:					
STAFF USE ONLY					
Est. total value of waiver (\$):		City Council Review date:		Approved date:	