

# City of Encinitas

## Commercial Use of Public Recreational Property

Dear Commercial Operator:

Section 6.14 of the Encinitas Municipal Code regulates commercial use or professional instruction on public recreational property. All Commercial Operators using public recreational property must obtain an annual permit, issued through the City's Parks, Recreation and Cultural Arts Department. Commercial Operators include but are not limited to: boot camps, fitness classes, day camps, yoga classes, nature camps or other similar activities.

The purpose of the permit application process is to provide City staff an opportunity to review the Commercial Operator's proposed plan for its impacts to the general public's regular use and enjoyment of the facility as well as maintenance and operations. The proposed activities potential impacts to parking, other scheduled City programs and/or events, other scheduled field use, size of group, time of day, day of week, number of days and location; will also be evaluated on a case by case basis.

In addition to the application, Commercial Operators must submit a copy of the following: current Encinitas business registration, a \$1 million certificate of liability insurance listing the City as additionally insured and a participant waiver that indemnifies and holds harmless the City of Encinitas.

Should you plan on operating a business on City recreational property for the upcoming year, please complete the enclosed application and submit the items listed above, along with your permit application fee to the City of Encinitas, Parks, Recreation and Cultural Arts Department. Application submittal does not guarantee that you will be awarded a permit. Please contact Encinitas Parks, Recreation and Cultural Arts at (760) 633-2740 or [PRCA@encinitasca.gov](mailto:PRCA@encinitasca.gov), should you have any questions or need additional information, regarding this program.

Category	Description	Annual Resource Fee	Hourly Fee
Resident	Individuals or Organizations located in 92024 or 92007	\$263	\$5
Non-Resident	Individuals or Organizations located outside 92024 or 92007	\$315	\$11

\***Non-refundable** debit/credit card transaction fees will be passed to the applicant. Payments may be made by check or cash to avoid credit card transaction fees. A **non-refundable** \$2.70 processing fee will be applied to each permit and additional processing fees will be assessed for applications that have modifications.

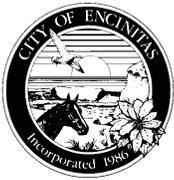
The City has the right to refuse or cancel an application or permit at any time based on the reasons including, but not limited to, the following:

1. Unsatisfactory prior use.
2. Hazardous and/or unsafe conditions exist.
3. Non-payment of fees/deposit before due date.
4. Facility not available
5. Insurance or indemnification requirements not met.
6. User violates conditions of use as defined on permit.
7. City requires use of the facility.

If the City, due to unforeseen circumstances, makes a cancellation because the facility is unusable or unsafe, a full refund of the hourly fee shall be made for the dates affected. If the City staff refuses an application or permit, City staff will provide the applicant an opportunity to respond in writing.

Changes, deletions, or additions to use permit require fourteen (14) calendar days advanced notice prior to use date and must be in writing or such requests may not be able to be accommodated. Each permit is allowed up to two (2) changes to the permit after the application is submitted for no additional fee. A charge of \$10.00 will be assessed for each additional change to the permit exceeding the initial two (2) changes

A notice of cancellation and request for refund must be received in writing and submitted to the Commercial Use permit administrator at least 20 calendar days before date(s) of use. A refund for the hourly fee(s) will be provided minus a \$20 cancellation fee.



**CITY OF ENCINITAS  
COMMERCIAL USE OF  
PUBLIC RECREATIONAL PROPERTY  
PERMIT APPLICATION**

OFFICE USE ONLY  
DATE REC'D \_\_\_\_\_  
REC'D BY: \_\_\_\_\_  
NO. \_\_\_\_\_

**APPLICANTS NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_

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**COMMERCIAL USE PERMITS ARE AVAILABLE DURING FACILITY  
OPERATING HOURS AT NON-PEAK USE TIMES.  
CITY MAINTAINS FIRST RIGHT OF USAGE AND MAY ALTER TERMS AND/OR CONDITIONS  
OF THE PERMIT AT ANY TIME.**

**SITE LOCATION:** \_\_\_\_\_

**USE TYPE** \_\_\_\_\_ **CLASS SIZE** \_\_\_\_\_  
(TO INCLUDE COACHES/PARTICIPANTS)

**DAY(S) & TIMES** \_\_\_\_\_

**ACTIVITY DESCRIPTION (INCLUDE EQUIPMENT):** \_\_\_\_\_

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\_\_\_\_\_

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**THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:**

1. Current Encinitas Business Registration
2. Certificate of Insurance and Additional Insured Endorsement Page listing the City of Encinitas as Additional Insured (General Liability Insurance - \$1 million, Each Occurrence - \$1 million)
3. Participant Waiver to include Applicant and City
4. Application Fee

THE APPLICANT DECLARES THAT HE/SHE IS A DESIGNATED REPRESENTATIVE OF THE ORGANIZATION AND HAS THE AUTHORIZATION TO APPLY FOR THIS PERMIT ON BEHALF OF THE ORGANIZATION. THE APPLICANT UNDERSTANDS THAT SUBMISSION OF THIS APPLICATION AUTHORIZES THE CITY TO CONDUCT A POLICE BACKGROUND INVESTIGATION OF THE APPLICANT AND INDIVIDUALS INVOLVED IN THE EVENT. THE UNDERSIGNED DECLARES UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PRESENTED ABOVE, INCLUDING ATTACHMENTS, IS TRUE AND CORRECT. **SUBMITTAL OF APPLICATION DOES NOT CONSTITUTE OR GUARANTEE APPROVAL.**

APPLICANT AGREES THESE ARE PUBLIC FACILITIES AND A SPECIAL PERMIT DOES NOT GUARANTEE THE EXCLUSIVE USE OF A PARTICULAR AREA OR CONDITION OF THE FACILITY. PERMIT ONLY AUTHORIZES A LEGAL GATHERING AT THE FACILITY.

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

PLEASE CHECK THIS BOX IF YOU ARE INTERESTED IN INCLUDING YOUR CLASS AS A CITY RECREATIONAL PROGRAM.