

## **CITY OF MILPITAS – OPEN SPACE APPLICATION**

All Open Space rentals must be received 30 days prior to date of use (fields: baseball, football, soccer, softball, and tennis courts)

If you have any further questions about your rental or any inquiries about renting an outdoor facility, please call: Recreation and Community Services(408) 586-3210 Monday-Thursday, 8:00 a.m.-6:00 p.m., Friday, 9:00 a.m.-2:00 p.m.

**Date of Use:** \_\_\_\_\_

**Open Space (Circle One):**    Milpitas Community Center grounds/lot    Milpitas Sports Center grounds/lot  
   Barbara Lee Senior Center grounds/lot    Other (please describe) \_\_\_\_\_

Time you wish to begin set-up: \_\_\_\_\_ Time function begins: \_\_\_\_\_ Time function ends: \_\_\_\_\_

Name of Group/Organization/Company facility is being rented for: \_\_\_\_\_

Type of Event (be specific): \_\_\_\_\_

Applicant (person responsible for rental of facility): \_\_\_\_\_

Applicant Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ Preferred Method of Contact: \_\_\_\_\_

Co-applicant: \_\_\_\_\_ Contact Information: \_\_\_\_\_

Credit Card Information:    Visa    MasterCard    Discover    American Express

Name (as appears on credit card): \_\_\_\_\_

Credit Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Will food be served? ☐ Yes ☐ No

Number of people expected **Total** \_\_\_\_\_ (**Youth** \_\_\_\_\_ **Adults** \_\_\_\_\_)

Will there be amplified sound?<sup>2</sup> ☐ Yes ☐ No

Type (circle one)    Band    DJ

Will there be music? ☐ Yes ☐ No

Other: \_\_\_\_\_

Will there be additional equipment used? ☐ Yes ☐ No

If yes, list: \_\_\_\_\_

<sup>2</sup>Please Note: A request for amplified sound must be submitted to the Recreation and Community Services Department, pending City Manager approval.

### **The following will require additional requirements:**

Is event open to the public? ☐ Yes ☐ No

Fundraising event? ☐ Yes ☐ No

Will food or other items be sold and/or charging admission (on the day of event)? ☐ Yes ☐ No

Will alcohol be served? ☐ Yes ☐ No

Will alcohol be sold? (if yes, ABC Liquor License Required) ☐ Yes ☐ No

By saying yes to any of the above, I understand and agree by signing this form to get additional insurance and/or get an ABC alcohol permit at least 30 days in advance of the event. I understand that I will not get authorization to sell alcohol if I do not submit the ABC alcohol permit. I understand that serving alcohol at a park does not require insurance but must be kept at the picnic tables.

I, the applicant, hereby agree to hold the City of Milpitas and any officer and employee thereof free and harmless for any loss, damage, liability, cost or expense that may arise during or be caused in any way by such use of the facilities of the City of Milpitas. I further agree to furnish such liability or other insurance for the protection of the public and the City of Milpitas, and any officer and employee thereof as the City may require. I agree to reimburse the City of Milpitas for any damage to said facilities arising out of the use herein requested and understand and agree that the above listed credit card will be charged up to \$250 for assessed damages.

By signing this form, I understand and agree to abide by the City's cancellation policy and the Facility Use Rules and Regulations approved by the Milpitas City Council on June 21, 2016.

I hereby certify that all statements made in this application are true and I agree and understand that any misstatement or omission of material fact may cause cancellation of my rental date. By signing this form, I further agree to be bound by the commitments and obligations stated herein.

\_\_\_\_\_  
**Signature of Applicant**

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

### **FOR OFFICE USE ONLY**

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

PERMIT # / STAFF INITIALS

Insurance Required: ☐ Yes ☐ No \_\_\_\_\_

Amplified Sound Request Required: ☐ Yes ☐ No \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# IMPORTANT REMINDERS FOR OPEN SPACE PERMIT APPLICANTS

Please Initial:

- \_\_\_\_\_ 1. I understand blanket or on-going permits will not be allowed. Permits normally will not be issued for a period longer than one (1) day. Applications for consecutive-day events will be considered only during minimal use periods. A separate deposit will be required for each rental day. Property or equipment cannot be left on premises between rentals without approval.
- \_\_\_\_\_ 2. I understand open space use shall not be inconsistent with other such use for City purposes or interfere with regular conduct of City programs. City-sponsored programs shall receive first priority over any other group or organization. The City reserves the right, if necessary, to preempt or revoke permit (if previously issued) for the use if for any reason it becomes unavoidably necessary for the City utilize said space at the same time. If and when such action is necessary, the City will give applicants as much advance notice as possible.
- \_\_\_\_\_ 3. I understand open space applications are accepted six (6) months to the date prior to the proposed use for Priorities II-IV and 90 days for Priority V.
- \_\_\_\_\_ 4. **Cancellation Policy:** Space cancellation must be done in writing on forms provided by Recreation Services. Cancellation forms will be accepted in person only. Mail or phone cancellations will not be accepted. Photo identification is required for cancellations. Please note: All open space application cancellations will forfeit the application fee.
  - Full refund of deposit will be granted, provided a cancellation is made within 91 days or more of the rental date.
  - If cancellation is made with more than 46-89 days prior to rental date, 50% of deposit will be forfeited.
  - If cancellation is made with 45 days or less prior to rental date, 100% of deposit will be forfeited.
- \_\_\_\_\_ 5. I understand I am responsible for obtaining pre-approval and permission from the Recreation and Community Services staff prior to altering the open space in any manner.
- \_\_\_\_\_ 6. I understand I am responsible for the cleanup after my event. Groups must leave the space free of litter, such as paper, food, or drink. Failure to leave the space in the condition it was in prior to the rental will result in applicant being charged accordingly. Should damage to City property occur, the rental applicant is responsible for all direct and indirect costs involving repair, replacement, or clean-up caused due to damage.
- \_\_\_\_\_ 7. I am aware that I am responsible for the condition of the open space and its equipment during my event, as well as the actions of my guests.
- \_\_\_\_\_ 9. I understand that the City of Milpitas has a City Ordinance which prohibits smoking in and within 25 feet of any City facility.
- \_\_\_\_\_ 10. I understand the City of Milpitas reserves the right to revoke or cancel any permitted use if my event is deemed to be dangerous, hazardous, or not in the best interest of the City of Milpitas.
- \_\_\_\_\_ 11. I understand that barbecuing or use of propane stoves is not allowed without proper permitting.
- \_\_\_\_\_ 12. I understand that I am only allowed to use the requested area and for the purposes as specified in the open space reservation application.
- \_\_\_\_\_ 13. I understand I am responsible for the removal and disposal of: all decorations, signs, and all other supplies. I must remove all trash and place in the trash receptacles. I am aware that the City of Milpitas is not responsible for any lost, forgotten, or stolen items.
- \_\_\_\_\_ 14. I understand that any broken glass must be disposed of properly.
- \_\_\_\_\_ 15. I understand that children must be supervised at all times.
- \_\_\_\_\_ 16. I understand that the application fee is non-refundable.
- \_\_\_\_\_ 17. I understand that vehicles are not allowed on the grass or decomposed granite, even for unloading supplies.
- \_\_\_\_\_ 18. I understand alcoholic beverages are forbidden.
- \_\_\_\_\_ 19. I understand that I need to keep my copy of the permit at the event as proof of open space reservation.
- \_\_\_\_\_ 20. I understand a written request for noise-amplifying permit must be submitted to and approved by the City Manager or his authorized agent Per City Code V-9-4.05.

Applicant's Signature\_\_\_\_\_

Date\_\_\_\_\_

Staff Use:

Permit # \_\_\_\_\_

Staff Initials: \_\_\_\_\_