

CITY OF JOHNS CREEK
COMMERCIAL USE PERMIT POLICY
RULES, TERMS & CONDITIONS

In order to allow commercial activities within City of Johns Creek parks in accordance with the Johns Creek Code of Ordinances Section 38-126, the City has established a Commercial Use Permit. Operators/Providers that wish to conduct business operations in a Johns Creek Park, outside of a contracted program with the Recreation & Parks Department, shall apply quarterly to the Recreation & Parks Department for a Commercial Use Permit and agree to the rules, terms and conditions below.

1. Insurance/Hold Harmless: Permits are not active until proof of insurance, has been submitted. Each Commercial Operator shall, as a condition of the issuance of such permit, be required to indemnify and hold the City harmless from and against all damages, claims, actions, judgments or costs, including reasonable attorney’s fees incurred in the defending against such claims or in enforcing the provisions of this paragraph, arising out of or during any active permit.

2. Fees and Charges: All Commercial Operators are required to pay a commercial use fee to obtain a permit and any applicable rental fees prior to conducting any activities within City parks. If a Commercial Operator activity will include five or more participants (inclusive of any instructor or group leader), the Commercial Operator will be required to rent space from the City for such activity at rental rates and on terms established by the City. Additionally, in the event the City determines a proposed use by a Commercial Operator which involves less than five participants (inclusive of any instructor or group leader) will prevent or interfere with the use of any portion of a City park by other park visitors, the Commercial Operator will be required to rent such area from the City, at rental rates and on terms established by the City.

The Permittee is required to obtain a new permit and pay a new balance if their participant amount surpasses the permitted threshold during a current quarterly period

Commercial Use Fee Structure:

Anticipated Attendance (all sessions combined - per quarter)	Permit Fee
1-25	\$50
26-50	\$100
51-100	\$150
+100	\$250

3. Prohibited Activities:

- Amplified music is not allowed unless approved by the Director or their designee.
- Activities will not restrict or impede access to other public park areas.
- Activities will not pose a safety risk to persons or property.
- Activities will not create an undue burden on park property.
- Activities will be conducted during posted park hours unless approved by the Director or their designee.
- The Permittee shall comply with all applicable provision of this Policy, and all local, state, and

federal laws and regulations.

- Permittee will not sell merchandise or concessions on City property unless approved by the Director or their designee.
- Advertising: The Permittee shall not display any signs, banners, logo material or other advertisements for the purpose of soliciting business on City Park property without prior approval. The Permittee shall not distribute any brochures, flyers, or other promotional literature to anyone other than the participants included within the terms of the permit.

4. Exclusivity: The Permittee shall have no exclusive rights or privileges to use City Park property, including but not limited to, parking spaces/lots, staging areas, trail areas, structures, buildings, picnic shelters, campsites, fields or water areas unless the Permittee has completed a facility rental for any necessary amenities, and the uses have been specified and agreed to in advance.

5. Termination: This Permit shall terminate at the end of the permit period for which it is issued, or at any time by written notice from the City to the Permittee in the event the Permittee violates any of the provisions hereof. In the event of termination for violation of the Permit, the Permittee shall forfeit any Commercial Use Permit fees, rental fees, and may be denied issuance of future Permits at the discretion of the City. Granting and/or denial of this Permit shall be at the sole discretion of the City.

6. Availability: City sponsored or conducted events, programs, and activities shall have priority over all other requests for use of City park properties. Activities conducted by Commercial Operators may not conflict with current or planned recreational programming or events offered by the City.

7. Proof of Permit: The Permittee must be present during property use and in possession of the permit (hard copy or electronic).

Permittees shall agree to all of the above rules, terms and conditions upon submittal of an application for a Commercial Use Permit.