

CITY OF FLUSHING  
COUNCIL POLICY STATEMENT

General Subject:	Riverview Park Bandshell	Policy No. 2015-03
Specific Subject:	Guidelines for Scheduling and Use of Riverview Park Bandshell	Date Adopted: October 12, 2015 Effective Date: October 12, 2015

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**PURPOSE:**

To establish standard guidelines for scheduling and rules for use of the Riverview Park Bandshell (also referred to as “Bandshell”) facility and grounds.

**STATEMENT OF STANDARD GUIDELINES:**

The following are standard guidelines for the City of Flushing for scheduling and regulating the use of Flushing’s Riverview Park Bandshell facility and grounds.

1. Subject Facility and Grounds

Bandshell facility and grounds subject to this policy include:

- A. Riverview Park Bandshell structure including adjacent access and audience areas. The adjacent access and audience areas would be approximately 100 feet from the bandshell structure and seating area.
- B. The stage and adjacent areas will be available for use year round during times when conditions will safely accommodate the requested use without damage to the facilities or grounds.
- C. During the winter season (October 1 through April 30<sup>th</sup> of each year), the facilities and grounds will be used in accordance with these guidelines as modified by the City Manager, as required to assure the public’s safety, protect the buildings and grounds from damage, and subject to other needs of the City. The stage and adjacent steps and walks must be free of ice and snow before the facility may be used. Electricity will not be available when weather conditions could create a safety hazard.

2. Administrative Guidelines

- A. The City of Flushing’s Riverview Park Bandshell and grounds are intended to accommodate the needs of citizens on both an individual and group basis.

- B. The Department of Public Works Director is responsible for the overall maintenance and operation of the park's grounds and facilities. Flushing City Hall staff is responsible for scheduling.
- C. All conflicts of scheduling and determination of and acceptability of use requests as described below, will be resolved by the City Manager in consultation with the City Clerk and Public Works Director.
- D. A calendar of use will be maintained by Flushing City Hall staff showing scheduled use, identifying groups/individuals by name and date/time of requested use.
- E. No fees shall be charged for attendance at events held in the Bandshell unless previously approved by City Council.
- F. On-site collections by non-profit organizations shall be restricted to voluntary contributions in the area of the Bandshell.
- G. At no time shall the Bandshell spectator area be blocked off or otherwise restricted from the general public during public performances and/or events.
- H. Vendors, including fund raising efforts of non-profit organizations, will be permitted to operate within the grounds after obtaining permission from the City Council, and filing a proof of insurance listing the City of Flushing as an additional insured from each vendor or a proof of insurance from the event's sponsoring group that lists the City of Flushing as an additional insured and holds the City of Flushing harmless from claims associated with vendors.

3. Scheduling

- A. Parties desiring to schedule use of the Bandshell grounds or facilities shall apply for use at least one month before the day of the desired use of the facility or grounds. A satisfactorily completed reservation application and the appropriate rental fee must be received before a reservation is approved.
- B. Properly submitted reservation applications shall be treated on a first-come, first-serve basis.
- C. No reservation applications will be accepted more than twelve (12) months prior to its respective date.
- D. Individuals or groups using the Bandshell on a continuing basis, may submit only one application for regularly scheduled use, and shall advise Flushing City Hall when they will not be using it within the scheduled time. Failure to advise Flushing City Hall that the Bandshell will not be used as scheduled shall be grounds for loss of use privileges.
- E. Reservations are not transferable and non-refundable.

F. The following items are not available from the City of Flushing for non-City sponsored events and may not be reserved: stage chairs, bleachers or risers; sound or electrical equipment (including cords, adapters, microphone and speakers).

4. Rental Fees

A. Rental Fee for use include the facility and outdoor seating area. Clean up of grounds and refuse disposal is the responsibility of the renter. Fees for use are as follows:

City Resident	Non-City Resident
\$25.00	\$75.00

B. All residents are invited to use this facility. To minimize the amount of tax dollars needed to support the Bandshell, additional fees may be charged to users to recover availability, utility, maintenance costs. Individuals or groups using the Bandshell are responsible for their own ASCAP/BMI fees.

C. Rental Fees amount shall be reviewed annually by the Flushing City Council and adjusted accordingly. The Rental Fee schedule will be in affect July 1<sup>st</sup> of each year.

D. Fees listed above shall not be waived, except that the Flushing Area Concerts in the Park and Movies in the Park Committees' activities shall be exempt from fees, excluding ASCAP/BMI fees and movie rental fees charged by outside sources, and/or other activities approved by the Flushing City Council.

5. Implementation

A. All other parts of these guidelines will become effective upon adoption of these guidelines by the Flushing City Council.

6. Riverview Park Bandshell Rules

A. Application for use of the Bandshell facilities must be made in writing on the proper reservation form obtained at City Hall or on the City of Flushing website. Fee must be paid at the time the facilities are reserved.

B. Hours for reserved activities shall be from 8 a.m. to 10 p.m. daily. Reserved use will be on a daily basis.

C. Groups using facilities must comply with local fire and safety regulations, city ordinances, state laws and building regulations, and the city noise ordinance.

D. No fires are permitted in the Bandshell.

- E. No banners or signage are permitted on the Bandshell. Exceptions to this rule will require the approval of Flushing City Council.
- F. No nailing or tacking into the structure is permitted.
- G. Tables, chairs and other equipment may be set up, but must be removed upon completion of use and before end of reserved date.
- H. Facility equipment may not be removed from the buildings or grounds.
- I. Groups are responsible for cleaning up and leaving facilities and grounds clean and in proper order. The city will inspect the area after each use.
- J. Applicants and sponsoring organizations shall provide sufficient competent supervision. Prevention of injuries to participants and damage to City property are the responsibility of the applicant and event sponsor. Sponsoring groups are responsible for the conduct of their membership and spectators at the respective event. Users of the Bandshell shall be held monetarily liable for breakage to equipment, damage to facilities, insurance deductible payments, clean-up and related costs incurred due to their use. Repairs and replacement of equipment, clean-up and related activities will be made by the City of Flushing. The cost of such activities will be charged to the responsible organization, group, or individuals.
- K. Reserved users of the facilities shall not have access to the facilities prior to or after the reserved date(s) of the event. The total term of reservations should reflect adequate preparation and clean-up time.
- L. The reservation applicant is responsible for properly removing and disposing of all trash, debris and refuse from the Bandshell facility and area (as described in Section 1) during the reserved time period.
- M. Failure to obey these rules and regulations may result in the barring from future use of the Bandshell and other City facilities.
- N. The Bandshell shall not be used for commercial profit-making purposes.
- O. A properly signed application form shall be provided, setting forth the rules and responsibilities of usage for the Bandshell, and giving all necessary information concerning groups or organizations requesting use of the Bandshell and surrounding area. For example, the names, addresses and telephone numbers of organizations as well as those of the signing representative shall be provided. This application shall be signed by a single signing representative for that group or organization and this signature shall constitute tacit acceptance of policies and responsibilities in regard to usage of the Bandshell and adjacent grounds on the part of those using the facilities. In the case of non-incorporated groups, the person signing the application shall be held personally accountable for any damage of infraction of rules.

- P. Any individual or group using City of Flushing facilities agrees to hold the City of Flushing harmless from any liability arising from this usage and will provide written proof of liability coverage to be filed with Flushing City Hall that is no less than \$1 million for each occurrence and \$1 million general aggregate. The proof of liability insurance shall list the City of Flushing as an additional insured. if requested by the City Manager.
  
- Q. The City Manager is authorized to execute any additional reasonable rules to protect the public's safety and property.