MONTGOMERY COUNTY
SPECIAL USE PERMIT TERMS AND CONDITIONS

General Information

Applications are accepted and processed on a first-come, first-served basis. **Applications must be received a minimum of thirty (30) days in advance of the activity.**

Individuals and/or organizations ("Applicant") must apply for a Special Use Permit or other appropriate ("Permit") to utilize any County-owned/leased property including a park, trail or historic site ("County Site"). County sponsored events take precedence over events scheduled by outside parties.

Applicants are required to submit a completed application, proof of nonprofit status (if applicable), proof of insurance, damage deposit and rental fee (as applicable) and take care of any additional permits or fees required (i.e., health department food vendor licensing) as well as payment for any additional equipment needed (dumpster, portable restrooms, etc.).

Special Permit conditions exist to safely control and properly direct the activities permitted on County Sites.

These activities include but are not limited to: the use of the Montgomery County Courthouse grounds, One Montgomery Plaza area, lots, trails for runs/walks/bike-a-thons; wedding ceremonies/photographs; reserved use of picnic pavilions/areas; organized gatherings; placement of geocache containers. When in doubt, individuals should contact the appropriate County Site to inquire whether a Permit is needed.

All applications for special use of a County Site shall be returned to the County location that is being requested.

Applications are not guaranteed until a Permit is issued. Applicants may not publicize events prior to receiving the approved Permit ("Permittee").

The County reserves the right to refuse any application or revoke any Permit issued for any use determined to conflict with the County purpose or in violation of rules and regulations set forth by the County.

All activities on County Sites are subject to the Rules and Regulations in place at the requested property. Failure to comply with the Rules and Regulations may result in a revocation of an issued Permit and/or refusal to issue future Permits to the Applicant or groups associated with activities resulting from the issuance of any Permit.

The Applicant/Permittee is responsible for making all necessary contacts and arrangements with, and any required payments to, any other local agencies to secure required inspections, permits, licenses, services, etc. (For health inspections, food disbursement permits, fire code regulations, parade permits, electrical codes, set-up, construction or maintenance of equipment, etc.).
The Permit is only for the use of the specific area and time period designated. It does not grant permission for activities for other areas within or outside of the permitted area. Park buildings, facilities and grounds will not be open to the Permittee until the time(s) approved on the permit form. County sites will not take reservations for “rain dates” for special use events.

Issuance of a Permit does NOT guarantee exclusive use of an area (park pavilions and some buildings excepted unless specifically stated). The area for which the Permit is issued will remain open to the public during operating hours. No area of the County Site may be fenced, blocked or otherwise made inaccessible to the general public.

The County shall not be responsible for anything left or stored on facility grounds by the Permittee.

The person named to be in charge of the event on-site on the application must have full authority to make decisions about the event and must always remain on-site during the event. They shall be responsible for all individuals, groups, vendors and contractors involved with the Permit. Permittees are required to keep the Permit available for inspection on-demand during use of the County Site.

Changes to the event must be requested in writing and approval must be given by the County.

Clean-up/Trash/Recycling

The Permittee is responsible for all cleanup of the area both during and after the event. The Permittee is responsible for the removal of all trash, litter and debris from the area assigned for the Permit, including that generated by caterers, vendors, or any other individual or organization involved with the event. The Permittee will arrange to have trash and other materials removed from the County Site periodically during the event to prevent any unsightly accumulation of such materials. All trash and other materials will be removed from the premises by the Permittee immediately after the conclusion of the event.

Discrimination Policy

The Applicant/Permittee will neither allow, nor engage in, any discriminatory practices or policies regarding race, gender, creed, sex, sexual orientation, age, religion, or national origin.

Electrical Services

If an event requires electrical power prior to the start of the event, special arrangements must be made. The Permittee must supply generators, cables and/or extension cords as well as plastic matting to cover them. All electrical connections must comply with local electrical codes and be inspected and approved by County personnel. The County reserves the right to require an inspection by certified electricians (at the Permittee’s expense) if the situation warrants such precautions.

Fees

Permit fees (where applicable) are non-refundable, and permits are non-transferable to future dates or user groups. Cancellations must be reported promptly.
Food/Concessions

Operation of food concession stands requires written notice in advance of the event for approval by the County. An individual or organization may utilize food/beverage vendors and charge appropriate fees for such food/beverage if the use of the vendor is directly related to and is providing a service function to the special permit activities of the day. Any food/beverage vendors must supply the necessary insurance documents, as well as Department of Health certificates. Additional approval and permits may be required from the municipality. Electric power needs are the responsibility of the Permittee.

Fundraising

The use of any County property for the raising of funds for profit is strictly prohibited. Nonprofit organizations and individuals operating a program or function that requires the implementation of a fee or donation must collect such fees/donations prior to the scheduled event. Nonprofit organizations must provide proof of their nonprofit tax status (an IRS letter) attached to the application for Permit.

Hold Harmless Agreement

The Applicant/Permittee agrees to assume all legal liabilities for accidents, injuries or any other type of incident, and shall hold neither the County, nor any of its employees, agents, or representatives liable for any resulting claims/lawsuits. The Permittee agrees to indemnify, defend and hold the County and its employees, officers, agents and representatives harmless from any claim, act or proceeding related to or based upon Permittee entrance, presence, activities and/or use of the property. The Permittee agrees to release, waive and forever discharge the County, its employees, officers, agents and representatives from any and all manner of claims, action or causes of action, suits, or demands whatsoever, in law or in equity, which it may have against the County, its employees, officers, agents and representatives, in and/or on the property, or in any way connected to or arising from its presence on/or at the property.

Insurance

The Permittee shall be required to submit proof of liability insurance in the minimum amounts of $1,000,000 property damage and $1,000,000 bodily injury. The Certificate of Insurance shall name the County of Montgomery as an additional insured. The County reserves the right to require additional coverage amounts depending upon the nature and extent of the activity. The County reserves the right to add parties as additional insured.

Licenses/Permits/Copyrighted Material

The Permittee shall comply with all applicable local, state or federal laws, rules or regulations, including County rules, and obtain all necessary permits and licenses, in exercising the rights granted under the permit including but not limited to, ASCAP, BMI, SESAC and similar performance licenses, required for the use of copyrighted or licensed material in connection with the event or activity, or otherwise required in connection with the use of the facility for the event or activity.
Mitigation of Impact/Property Damage or Alteration

The area(s) used by the Permittee must be left in the same condition as prior to the beginning of the event. Additionally, special care must be taken to prevent damage to County resources, especially during loading and unloading and set-up/take-down activities. Any damage or failure to restore the County Site may be assessed fees or involve the County's refusal to issue future permits to Permittee or associated groups.

County staff may take necessary action to preserve, order and protect County property due to weather conditions. Such action, however, does NOT relieve the Permittee of his/her responsibilities.

The Permittee, including any individual Applicants as well as groups represented by Applicants, agrees to provide full restitution to the County sites that may occur during the permitted activity including, but not limited to, restitution for damage to any property, costs associated with security or clean-up, as well as any restorative work necessary because of Permittee’s activities. A monetary security deposit may be required at the discretion of the County.

The Permittee may not install equipment or make alterations or adjustments to existing equipment or facilities.

Parking

Organizations utilizing park facilities under a special permit will have control of those who may be admitted to the activity, but not of the site as a whole. Site, building, play areas, trail or parking access cannot be restricted during normal operating hours. County employees or representatives shall not be refused admittance for administrative supervisory or custodial purposes.

Public Health/Safety

No smoking will be permitted in any building, near trash receptacles or close to any other location deemed hazardous.

Alcoholic beverages are allowed on the following sites with the submission and approval of an Alcohol Permit Application.

- Lower Perkiomen Valley Park – Main Pavilion
- Central Perkiomen Valley Park – Old Mill House
- Green Lane Park – Stone Pavilion
- Pennypacker Mills – Classroom
- Norristown Farm Park – Salt Wing

Restrooms/Porta Potties

Public restroom facilities are limited or unavailable in some areas. The Permittee may be required to provide portable restroom facilities as a condition of the permit. Location of portable restroom facilities as well as arrival and pick up dates must be discussed with the County Site in advance. Any public restroom access/use may not be restricted as part of the Permit.
Security and Traffic Control

The County reserves the right to require certain supporting services such as but not limited to, security or traffic control for some events. This will be contracted for and paid for directly by the Permittee.

Sound/Amplification Systems

Public address systems and sound amplification equipment are allowed with PRIOR County approval and notation on the Permit where applicable. If approved, audio amplification may not interfere with any visitor activities. Site staff shall have full discretion to determine the appropriate volume for any amplification equipment. **PA systems are not allowed on County Trails.**

Support Staff

The Permittee and all participating parties will immediately comply with any directions and requests made during the event, as well as before and after, by County personnel. Personnel at the site are not assigned to any event. They are not under the direction of anyone associated with the event but rather under the authority of their County supervisor.

The County does not supply personnel for set-up, maintenance or clean-up for events, nor does it supply equipment for permitted event use (i.e., water hose, electric cords, fencing). It is the Permittee’s responsibility to either contract such services or use their own personnel and equipment. Please note contracted service providers must be coordinated with the County and supply proof of liability insurance.

Signage

Only with prior written approval from the County are banners, signs, pennants, posters, etc. allowed. Temporary signs, if permitted, are the full responsibility of the Permittee for installation and removal. No signs may be placed more than 24 hours in advance of the activity. No spray painting on any surface is allowed.

Violation of Terms

Failure to comply with, or violations of the conditions listed above, listed on the Permit, and any other conditions applicable to the Permit, or the violation of any new law or regulations may result in prosecution and may be the basis for revocation of the Permit, refusal to issue future Permits to the Permittee or groups associated with activities resulting from the issuance of any permit.

In addition to other potential remedies referenced in this document, the County reserves the right to pursue any and all other remedies available to it under the law.

The Permittee shall be responsible for the enforcement of all rules and regulations on its guests, invitees and vendors.