



parks · recreation · cultural services

TERMS AND CONDITIONS OF COMMERCIAL USE PERMITTING IN GARDEN OF THE GODS PARK

THE PURPOSE OF A COMMERCIAL FEE

To provide an avenue for commercial park users to participate in the preservation and maintenance of the Garden of the Gods Park. To better manage commercial use of the park and provide for oversight, resource management and preservation.

COMMERCIAL USE DEFINED

Any organization is considered to be conducting a commercial activity if it provides goods, services, or activities to the public using Garden of the Gods Park. If an individual/organization receives any form of compensation for what they are providing they are considered to be conducting a commercial activity/use.

NON-EXCLUSIVE LIST OF COMMERCIAL USE

Commercial Use may include, but is not limited to: sports camp or clinic, exercise or physical training program, guided class in aerobics, yoga or tai chi chuan, self-defense or martial arts class, dance class, gymnastics training, personal improvement instruction, physical education program, Zumba class, boot camp, circuit training, cross training, snow shoeing and cross-country training, guided trail hikes or rides, guided walks or tours, and art classes. This list is only applicable to a Commercial Use for which the Permittee is compensated in some manner. Inclusion in this list does not guarantee that a Permit will be issued for a specific type of Commercial Use.

*For information related to commercial film, photography, and drone use please visit: <https://coloradosprings.gov/parks/page/special-event-film-permits?mlid=4581> or call (719) 385-5940 for information.

PROVISIONS

The Colorado Springs Parks, Recreation and Cultural Services Department and The Garden of the Gods Visitor & Nature Center reserves the right to prohibit Commercial Use from occurring in the park or a portion of the park and such prohibition(s) can be instituted at any time by The Colorado Springs Parks, Recreation and Cultural Services Department and The Garden of the Gods Visitor & Nature Center.

- The Commercial Use permit provided by the Garden of the Gods Visitor & Nature Center is required to be displayed by permittee during all Commercial Use. The Commercial User must be able to present a valid permit to any Park official upon request.
- All Commercial Use permits:
 - Are non-exclusive.
 - Do not allow the use of any structures, amenities, equipment or features as part of the Commercial Use Permit. This includes, but is not limited to playground equipment, benches, flower beds, pavilions, etc.
 - A separate Commercial Use fee is required for each type of activity. Example: Hiking and Biking are two separate activities and would require payment of two fees.
 - May have restrictions such as the type of Commercial Use allowed at Garden of the Gods Park and limitations and conditions designed to protect the park and assure that other park

patrons have reasonable access to and use of the park. Commercial Use permits are only valid during park operating hours.

- Commercial advertisements in the form of banners on vehicles or passing out advertisement flyers is prohibited within the Garden of the Gods Park.
- Person to person sales is not permitted within the park and sales must be conducted off park premises.
- May be revoked at any time for any reason by a Colorado Springs Parks, Recreation and Cultural Services representative.
- User agrees to obtain at its own cost and expense general liability and automobile (owned, non-owned or hired) insurance with a minimum per occurrence limit of One Million U.S. Dollars (\$1,000,000.00), and workers compensation insurance that meets the state statutory requirements. User will provide written proof of required insurance with the application and will list the City of Colorado Springs, its elected officials, employees and volunteers and the Garden of the Gods Visitor & Nature Center LLC as a Certificate Holder and Additional Insured on the General Liability policy.
- User will indemnify and hold harmless the City of Colorado Springs, its elected officials, employees and volunteers and the Garden of the Gods Visitor & Nature Center and agents and employees from and against any and all claims, damages, losses, expenses, demands, liabilities, causes of action, including without limitation any and all costs and expenses (including reasonable attorney's fees and expenses) imposed upon or asserted against the aforesaid indemnified parties in connection with investigation or defending such claim, demand, liability or cause of action, relating to or arising out of User's use of the Garden of the Gods Park or the subject matter of this Application.
- Commercial Use applicants must be a minimum of 18 years old and provide the following information:
 - Application, signed and dated
 - Certificate of Insurance
 - If applicable Commercial Automobile Liability Insurance

PERMITS AND FEES

- The appropriate permit fees must be paid prior to the issuance of the permit. Any required charges (unless said charges are deferred for payment at a later date) must be fully paid prior to approval and issuance of the Permit.
- Commercial Use permits are issued for single use or annual use:

Permit Fees:

Business Type	Single Use	Annual Use
For Profit (per each type of activity)	\$150	\$500
Non-Profit (per each type of activity)	\$100	\$350

Group Tour Bus Permit Fees:

Business Type	Single Event	Annual Use
For Profit	\$150 (Multiple Bus)	\$500 (11 + Tours)
Non-Profit	\$100 (Multiple Bus)	\$350 (8 + Tours)
Single Bus Group Tour	\$50	N/A

APPLICATION PROCESS

- Applications will be processed on a first-come, first-served basis.
- Complete application packet must be received sixty (60) days prior to any commercial activity.
- There will be no pro-ration of fees for Commercial Use permits. Each Commercial Use Permittee must pay the applicable fees. All Commercial Use permits are valid from the date of issue and expire on December 31st of the same year.
- Permits are not renewable nor does a Permittee have any priority for the Garden of the Gods Park during future seasons.
- Once a Commercial Use permit is issued there will be no refunds.