

Eagle County Open Space Special Event and Program Rule

1. Intent: Eagle County creates this rule to establish an equitable process for Users to request and the County to approve Special Events and Programs on Open Space as defined herein. The rule provides a process for Users to obtain permission to conduct Special Events and Programming on Open Space that will not devalue or diminish the conservation values of Open Space. Open Space desires that these rules enable the public and partnering agencies, non-profits, and municipalities to use Open Space in a manner that protects natural resources, provides educational opportunities, and highlights Eagle County's conserved landscapes.
2. Scope: The rule and processes shall apply to all Special Events and Programs held on Open Space as defined herein. The scope of the rules and processes defined below do not apply to any Commercial Activities as defined herein and as stated in the Commercial Activity Rule. Programs and events that include commercial activities may require a separate Commercial Activity permit or expressed written consent and permission from the Director or his/her designee. Nothing included in these rules are intended to supersede special event provisions as listed in the Eagle County Land Use Code. The Special Event and Programming rule and permitting procedures contained herein may be changed, updated, or modified at any time by Eagle County.
3. Violation: Violations of the Special Event and Program Rule shall be subject to Eagle County Open Space Rules and Regulations 9.2 which states it shall be unlawful to hold any public or private organized activity or event, including but not limited to races, tours, weddings, parties, programs, and/or activities without a special event and program permit or expressed written consent and permission from the Director or his/her designee. The Special Event and Programming Rule is incorporated by reference into the Eagle County Open Space Rules and Regulations sections 19.1, 19.2, and 19.3, and dictates enforcement and fees for violations that may be assessed in accordance with Eagle County Open Space Rules and Regulations section 20.
4. Definitions:
 - 4.1. "Commercial Activities" are defined as activities that provide any service or product including, but not limited to, guiding, training, photography, instructing, outfitting, or any service for which a fee is charged. Programs and Special Events as defined in 4.7 and 4.8 herein do not require a Commercial Activity Permit.
 - 4.2. "Commercial Operator" is a person or entity who facilitates an exchange of money for goods or services rendered on Eagle County Open Space or by access facilitated by Eagle County Open Space properties.
 - 4.3. "Commercial User" is any person on Open Space who paid a fee to a permitted Commercial Operator or staff of a permitted Commercial Operator that uses Open Space in any manner permitted by rules including, but not limited to, bicycling, jogging, walking, equestrian, skiing, rafting, kayaking, hunting, and fishing

- 4.4. "Designee" is an Eagle County Open Space Department staff member designated by the "Director" and/or BoCC.
- 4.5. "Director" is the Director of the Eagle County Open Space Department
- 4.6. "Open Space" means any property or facilities owned, leased or otherwise managed, operated, under permit, trail easement, leased, or designated as Open Space by the Eagle County Board of County Commissioners including, but not limited to, trails, waters, buildings, structures, roads, parking lots, or facilities on such lands by Eagle County, Colorado.
- 4.7. "Program" means an educational program that is curriculum driven and generally supports the mission of Eagle County Open Space. Programs have 25 or fewer participants.
 - 4.7.1. Educational programs that fit the definition of a "program" but exceed 25 participants may be permitted on a case by case basis.
- 4.8. "Special Event" means a community event that requires a larger amount of oversight from Eagle County Open Space staff for which a fee may be charged. Special Events are events that exceed 25 participants.
- 4.9. "User" is any person on Open Space that uses it in any manner permitted by rules including, but not limited to, bicycling, jogging, walking, equestrian, skiing, rafting, kayaking, hunting, and fishing.

5. Special Event and Program Procedure:

The procedure outlined below is intended to inform the written approval and/or permitting process for Special Events and Programs for all Open Space.
- 5.1. Applicants must fill out an online [Special Event and Program request form](#) or contact the Eagle County Open Space Department to facilitate completion of such form (Appendix A).
- 5.2. Eagle County must receive Special Event requests no less than 60 days prior to the proposed Special Event. In its sole discretion, Eagle County staff may accept such requests closer to the event or program date.
- 5.3. Eagle County must receive Programming requests no less than 14 days prior to the proposed Program. In its sole discretion, Eagle County staff may accept such requests closer to the event or program date.
- 5.4. Required documentation for Special Events and Programs may include: organizer contact information, overview of proposal, safety plan, parking plan, other required permits or licenses, and certificate of insurance.
- 5.5. Eagle County staff will conduct an initial review to determine consistency with any property management plan and conservation easement using the proposed Program or Event rubric (Appendix C).
- 5.6. If County staff determines, through the initial review, that the Special Event or Program does not negatively affect conservation values, operating or management plans, or other criteria the County deems necessary, the Special Event or Program or proposal will proceed and the County may charge applicable fees in accordance with the fee schedule.

- 5.7. Eagle County will communicate with the conservation easement holder or other parties as required in property specific management plans to obtain support if necessary. Staff will obtain a formal letter of approval from the conservation easement holder, if necessary.
- 5.8. Staff will direct applicants to other parties to obtain support, if necessary. This may include adjacent landowners, known parties, and other partner organizations. It may be necessary for the applicant to show support from identified interests.
- 5.9. Staff will review comments from other parties if required by property specific management plans.
- 5.10. Staff will provide an approval or denial communicated to the applicant. The approval will be in the form of a permit (Appendix B). Approval may be contingent on notifying emergency services, food/vendor/liquor license requirements, parking plans, and safety elements.
- 5.11. If approved, Staff will add the Special Event or Program to Open Space Programming and Events Calendar.
- 5.12. After the Special Event or Program, the organizer shall provide the participant numbers to staff.
- 5.13. Eagle County completes an evaluation after the Special Event or Program (Appendix D).

6. **Fee Schedule:** In order to recover administrative and management costs, Eagle County has developed a fee schedule for Special Events and Programs. Eagle County reserves the right to modify or alter the fee schedule at any time, in its sole discretion.

Special Events	26-100 participants	101-250 participants	250+ participants
Application Fee	\$100.00	\$150.00	\$200.00

Programs	0-25 annual programs	25+ annual programs
Annual Fee	0\$	\$100.00

- 6.1. Exceptions. Eagle County Open Space reserves the right to waive or modify application fees for specific Special Events and Programs in its sole discretion. Registered 501c(3) organizations, school groups, metro districts, and local government agencies may request a fee waiver by submitting a request in writing to the Open Space department.. Any Special Event or Program where Eagle County is the primary organizer is exempt from fees.
- 6.2. If a registered 501(c)(3) organization operates Special Events or Programs using a “fee for service” model where it collects registration fees or charges a fee for such Special Events or Programs additional permits may be required as documented in the Commercial Activity rule

6.3. Payment for Special Events is due upon issuance of permit. Annual payments for Programs are due prior to hosting and/or scheduling the 25th annual program.

7. Cancellation Policy: Organizers should communicate Special Event and Program cancellations to Open Space staff as soon as possible. Refunds may be given for Special Events that are cancelled at least two weeks prior to the scheduled date.

Appendix A
Program and Special Event Application
Online: <https://forms.gle/C99Kuerqs4pvarXc9>
(Draft)

Contact Person: _____ Email: _____ Phone: _____

Host organization (organizer): _____

Special Event or Program Overview: *(Please briefly describe the program you are interested in hosting at the _____ Open Space . Please include whether your proposal fits the definition of a "Special Event" or "Program").*

Proposed Date: ____/____/____

Proposed Time: _____ to _____
(start and end)

Any specific scheduling considerations?:
(is this a series, do you have back up dates, etc...)

Total number of participants: _____
(include staff)

Is there a cost to attend this program or event? Y/ N
(circle one)

Please briefly describe the safety plan in the event of an emergency during the event/ program:

What is the parking plan for participants?

Please describe any potential impacts to vegetation and wildlife from your proposal, and what will be done to minimize the impacts.

Please describe any potential impacts to adjacent landowners, and what will be done to minimize impacts.

Access to and enjoyment of Open Space property by the general public must be maintained during the approved Special Event or Program. Please comment on the extent to which the proposal would interfere with, compromise, or diminish the ability for others to use the property.

Please comment on the consistency of your proposal with the vision of passive recreation and educational opportunities on Eagle County Open Space.

Cancellation Policy: Special Events or Programs may not be conducted if severe weather renders trails or open space susceptible to significant natural resource damage. Eagle County Open Space reserves the right, in their sole discretion to cancel programs to protect natural resources. In these situations, Open Space will attempt to work with organizers to reschedule or move the event. If a suitable alternative can not be reached, the application fee may be refunded. Organizers who wish to cancel an event or program for any reason are asked to contact Open Space as soon as possible. Cancellation requests that are received within two weeks of the proposed event or program date, will not be eligible for refunds. For cancellation requests that are received two weeks in advance of the scheduled program or event, refunds may be given.

Eagle County Open Space may require participants to sign an Assumption of Risk and Release and/or require event organizers to supply a Certificate of Insurance listing Eagle County as additionally insured.

ECOS staff will do their best to ensure a successful event or program. Please provide complete information to ensure a thorough review process. Special Event and Program applicants will receive a confirmation when the application is submitted. Follow up response from Eagle County Open Space may include a request for more information, suggested modifications to the proposed use, and/ or issuance of permission or denial for reasons that will be explained.

Special Event application fees are as follows and are due when the Special Event permit or letter of authorization is issued.

26-100 participants-\$100.00

101-250 participants- \$150.00

250+ participants- \$200.00

Fees for programming may be assessed for organizations that host more than 25 programs annually.

By submitting this application the contact person and host organization listed above hereby agrees to abide by all posted rules and regulations on site as well as all Eagle County Rules and Regulations. Violations of rules and regulations may result in the denial of future programming or special event requests and/or any costs to be recovered from event organizers for damages during a program or special event as permitted by Eagle County Rules and Regulations.

Organizer/ primary contact

Date

Organization

Appendix B
Permit for Special Event or Program
(draft)

Hi, _____

Eagle County Open Space is pleased to approve the below request for a [Special Event or Program] at the <XXXXXXXXXXXX> on <XXXXXXXX>. Below is an overview of the approved [Special Event or Program]. Please report back to Open Space the number of participants within a week after the [Special Event or Program]. We look forward to seeing your group on Eagle County Open Space!

Special Event/Program Organizer: _____

Date Requested: ____/____/____

Time: _____

Number of participants: _____ -

Special Event/Program overview:

Comments from Eagle County Open Space:

Upon submitting the application for the Special Event or Program, you agreed to abide by all posted and property specific rules and regulations, any staff conditions agreed to for this request, and all Eagle County Open Space Rules and Regulations. Failure to comply with written rules, staff requests, and/or additional county requirements shall be cause for denial for subsequent event or program applications. By receiving this letter of authorization, you affirm your agreement to all Open Space rules and regulations.



Peter Suneson
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Eagle County Open Space
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<http://www.eaglecounty.us/openspace/>

Appendix C
Special Event and Program rubric for approval and denial
(draft)

The following rubric was developed to help Eagle County Open Space evaluate Special Events and Programs on Open Space properties to ensure resource protection, satisfactory public user experiences, and consistency with other Eagle County Open Space purposes and values.

Number	Question	Satisfactory Response?	Notes
1	Contact Information Contact info, type of entity, person authorized for contract (organizer)		
2	Experience and Qualifications Has the group successfully conducted programs on Open Space previously?		
3	Proposed Operation Does the proposed use fit within the conservation values of the Open Space		
4	County and Public Interaction Ability to work with County as a partner and any effects to the general public on open space during the event.		
5	Type of host commercial, non-profit, government, school, etc... are there fees being charged associated with this Special Event or Program?		
6	Resource Protections Has the group thoroughly addressed resource protection, stewardship, and impacts to wildlife?		
7	Logistics Is there a parking plan, will this be advertised to the public, will the event result in additional costs to Eagle County. What is the total # of participants expected		
8	Timeliness Was the proposal received allowing time to contact neighbors, vested interests, etc...		

Appendix D
Special Event and Program Evaluation Form
(draft)

This form is used by Eagle County after the Special Event or Program to document any uses inconsistent with the conservation values or property specific management plan.

Number	Criterion	Satisfactory/ Unsatisfactory	Rationale/Notes
1	Contact Information Contact information provided (organizer)		
2	Experience and Qualifications Has group successfully conducted programs on Open Space previously?		
3	Proposed Operation Did the observed program resemble the proposed program		
4	County and Public Interaction Were there any conflicts with other users or was access or experience diminished		
6	Resource Protections Did the program/ event compromise any resource protections. Were they stewards of Open Space. Were there wildlife impacts?		
7	Logistics Was the advertising consistent with the program and Open Space values?		
8	Timeliness Was the proposal received allowing time to contact neighbors, vested interests, etc...Did the organizer report participant numbers in a timely fashion		