

Private Outdoor Fee-Based Activity (POFA) Annual Review

Overview

The Department is pleased with the results of the first year's implementation of the POFA policy which went into effect on January 31, 2014. A total of 14 POFA permits were issued resulting in revenue of \$3,000.

Ranger Compliance Report

Overall, compliance was good. There were no significant issues with groups with permits.

For suspected POFA groups (those without permit), Rangers initiated contact with 10 groups (see below) that all resulted in warnings. No citations were issued. Half of the contacts originated from calls for service (i.e. parks employees) and the other half were officer initiated. Ranger contacts were initiated when the activity appeared obvious over time (i.e., instructor, equipment, advertisement, repetitive nature). The Ranger built a case by observing the activity for a while and then contacted the group once the activity was at or near the end. The ranger then stood by until the group left. Not surprisingly, all of the groups contacted professed an ignorance of the park use rules (or were perhaps testing the system) and inquired about the process for obtaining a POFA permit. All ten of the groups were compliant once informed/warned of the rules and process. Two of the warnings issued were written and the rest verbal. Although, the season has slowed, we continue to monitor groups at Washington Park (yoga and meditation) and around the City. We also checked the internet for other illegal groups but this source of information did not result in any useful information.

Our conclusion is that there was a combination of factors that resulted in compliance. The process of DPR engagement (and front page advertising in the print media) helped get the word out for 2014. Self policing by the permittees likely played a role along with our field efforts to contact and warn. The reality is that many of these groups likely ended up moving to other less visible parks or outside of the City. It will be important to continue to inform and monitor/enforce these rules in the field for 2015.

It would however be helpful to consider adding sites such as lakes in the urban area and sites in DMP.

Ranger contacts in 2014 for POFA groups (by site)

Washington Park: 6

Cheesman: 1

Thomas Park: 1

Commons: 1

City: 1

Policy changes to consider

- Add a provision that covers activities run by a 501(c)(3) non-profit organization where there is either no charge for the activity or a donation is requested but not required. There will not be a permit fee but a processing fee of \$25.00 will be required. All other provisions of the POFA policy will apply to these activities.

Recommended parks to add to POFA park list

- George Wallace Park
- Argo Park
- Westwood
- Forrest Parkway (between 17th and Montview)
- Lincoln Park
- Cheesman

Outstanding Issues

- Clarifying permitting policies for groups that meet on a regular basis in one location that don't charge (i.e. LiveWell)
- Evaluating whether lakes should be added as POFA sites (Sloan's Lake, Berkeley Lake, Ferrill, Smith, Rocky Mountain). The Department has received several requests from companies offering lessons and/or rental of canoes, kayaks, paddle boards, etc.)
- Evaluating whether POFA permits should be required for commercial groups accessing the Platt River through parks to run their commercial business.
- Evaluating whether the POFA policy applies to commercial Segways groups that use parks
- Determining how to handle Commons Park since it has more unpermitted POFA activity than anywhere else in the Northwest district but has deed restrictions prohibiting permitted activity.