

Ken-Caryl Ranch Open Space Group Events

1. Purpose:

To provide every user of Ken-Caryl Ranch Open Space (KCROS) an enjoyable experience and to define the process to allow group events on open space managed by the Ken-Caryl Ranch Master Association (MA) as set forth by MA Staff, the Open Space Committee (OSC) and the MA Board of Directors (MA Board). This may include property owned by the Ken-Caryl Ranch Metropolitan District (MD) which is open to the general public. This policy also provides the MA Staff a means to monitor the number of users of open space which include the trail system; and the various types of user groups who may be sharing these resources at the same time. Contact MA Staff if there are questions about this policy.

2. Policy:

Any group event by Ken-Caryl Ranch (KCR) members and/or non-members impacting or having the potential to impact open space property and/or interfere with other open space users must complete and submit a Group Event application form to the MA Staff and may be required to possess a valid permit. Group events shall conform in nature with the intended uses of KCROS.

3. Definitions:

- a) Group Event: Any uses of private or public open space by a gathering of fifteen (15) individuals or more or above the member to non-member ratios of equestrian/biker of one to five (1:5) and hikers/runners one to ten (1:10).
- b) Any fundraising events or events advertised/promoted as open to the public, even if the public consists of all KCR members.
- c) MA/MD sponsored programs/events: Classes and special events sponsored by either the MA or the MD will follow the approval procedure outlines in section 8.
- d) Concession – The operation and maintenance of a commercial business for monetary profit, other gain, or consideration on KCROS.
- e) Member: Each MA dues paying membership will constitute one (1) member when considering how many non-members are to be allowed per event and will remain in accordance with the terms of paragraph 2 above.

4. Permit Fee: Will be determined by the MA Staff according to the following.

- a) No fee- Group events not subject to fees consist of community events (as approved) not intended or operated for profit, nor is there any significant or unusual impact as determined by the MA Staff on open space resources, personnel, equipment or materials; nor does it

require any special planning or scheduling for proper management and does not involve sales, service or commercial use of any kind on KCROS. A separate damage deposit may still be required.

b) Fee - A minimum fee of \$25 may be required for all events where intended or operated for profit, or MA Staff is required to administer, schedule or supervise the event or the event has the potential for a significant impact on open space resources. If the event involves sales of items or services (i.e. food concession), or individuals are required to pay a participation fee or monetary donation with the intent of making a profit (may include fundraisers) the applicant may also be charged up to 5% of gross revenues or a flat fee as determined in its sole discretion by the MA Staff.

c) Damage deposit- A damage deposit may be required for any permitted activities in an amount determined in its sole discretion by the MA Staff.

5. Insurance requirements: Determining whether insurance is required will be considered by the MA board and is based on the amount of risk to the MA, MD and KCR members. Evaluation criteria (in priority) include the type of event, the number of people and the site. Group event permits requiring insurance will not be issued until proof of insurance is received by MA staff. Some events may not require insurance but the responsible party may be required to sign a hold harmless/indemnification agreement as one of the permit conditions. For some events each participant may be required to sign both a hold harmless/indemnification agreement and provide insurance. Waiver of insurance requirements will be considered by the MA Board only.

6. Approval/Registration Process: To be determined in its sole discretion by MA Staff.

a) Application: All requests for group events must be submitted on an official form as provided by MA staff.

b) The member to non-member ratio rule does not apply to KCROS owned by the MD which is open to the public, i.e., South Hogback, Parcel A). MA staff may, at its sole discretion, deny any application submitted with no planned member participation. Any event may be disallowed if, in the reasonable discretion of KCRMA staff, it is unlawful, offensive to KCRMA members as a whole, or potentially-detrimental to the health, safety or welfare of the participants or KCRMA members as a whole. Re-occurring events or multiple events held on any given day or week may be disallowed if it is determined that the overall effect would unreasonably impact other open space visitors and neighboring properties. Any events or activities held at the Ranch House or Dakota Lodge are not included in this policy.

c) Minimum criteria: Must be met, as determined in its sole discretion by the MA Staff, OSC or MA Board.

(i) Events must not be in violation of KCROS and Parks Rules and Regulations, or unreasonably interfere with normal KCR member use, or have potential to cause

significant harm to KCROS, or have the potential to be offensive to KCR members as a whole.

(ii) Commercial uses inconsistent with the intended uses of KCROS will not be allowed.

(iii) Sanitation must be adequate or supplemented by the applicant in conformance with established waste management standards.

(iv) Adjacent jurisdictional approvals: Activities starting, finishing or otherwise using another jurisdiction's property shall provide approval from that jurisdiction in writing to MA staff prior to issuance of a permit. These approvals consist of anything outside of MA Board authority. Example: using school property.

(v) Safety plan: certain activities such as, but not limited to, competitive foot races must submit a safety plan as part of the permitting process.

(vi) Notification: to KCR members may be required in a manner and time as determined by MA Staff but at the expense of the applicant.

(vii) Parking: Adequate parking must be available so as not to create a safety hazard nor impact open space resources. If expected parking requirements exceed the site capacity as determined by MA staff, the applicant may be required to provide parking signs and/or attendants at its expense.

(viii) Benefits/impacts: All applications will be evaluated on the accumulated benefits and impacts to open space resources and KCR members. Benefits may include, but are not limited to, educational and scientific uses (note: the member to non-member ratio rule may be waived if community benefit is significant and resource impact is acceptable).

(ix) Application period: Applications must be submitted a minimum of 60 calendar days in advance of proposed event/event or they may not be considered.

7. Approval authority:

The MA as granted by the Ken-Caryl Ranch Master Declaration, section 6.05; paragraph F which states: "To make, establish and promulgate, and in its discretion to amend or repeal and reenact, such Ken-Caryl Ranch Rules, not in contradiction of this Master Declaration, as it deems proper covering any and all aspects of its functions including the use and occupancy of Association Property."

a. MA staff will review and may approve requests from groups but reserves the right to elevate to the Open Space Committee for a decision.

b. OSC will review and may approve requests from groups rejected by staff or elevated due to special circumstances.

c. MA Board will review and may approve requests from groups of 51 or more and any requests rejected by the OSC. The MA Board will also review and may approve any non-member requests that were rejected by MA staff.

d. Programs/classes regularly offered by the MA or MD will be reviewed and approved by the Open Space Manager. Staff sponsor of the program/class will present an outline of the program/class and review with the Open Space Manager prior to offering to the community.

e. Special Community Events offered by the MA or MD will be identified on the annual Special Event calendar that is presented to the MA and MD Boards for approval. Following approval from the Boards the staff sponsor will complete the special event application and review with the Open Space Manager prior to offering the community.

8. Policy Evaluation: This policy and its implementation will be reviewed as needed. Events that the MA staff determines fall outside of this policy will be considered on an individual case basis. MA and/or MD events are excluded from this policy.

9. Attachments

a. Application.