

CITY OF CHOWCHILLA INFLATABLE APPARATUS USE AGREEMENT



The City of Chowchilla strives to provide safe parks and recreational opportunities for all residents and visitors. The City is charged with ensuring that park patrons and user groups comply with reasonable standards that promote safety and the reasonable enjoyment of the City parks and public facilities. The following agreement and requirements applies to all individuals and groups that want to have a bounce house or similar inflatable apparatus in a City park or facility.

IMPORTANT

DO NOT RENT OR USE AN INFLATABLE APPARATUS (BOUNCE HOUSE) FOR YOUR ACTIVITY OR EVENT IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS IN THIS AGREEMENT

The use of an inflatable apparatus (bounce house) in a City park or public facility requires the user to agree to the following terms and conditions:

- User must submit a completed **Park Pavilion Reservation** form and pay any required fees for the use of any public park or facility. This fee applies whether or not you intend to use the pavilion for your event;
- User must check the item on the **Park Pavilion Reservation** form that an **INFLATABLE** will be part of the reservation;
- The inflatable apparatus (bounce house) must be rented only from an approved **INFLATABLE RENTAL COMPANY** on the City's **PREFERRED VENDOR LIST** that has a current, non-delinquent, City of Chowchilla Business License and meets the City of Chowchilla Insurance Liability Coverage requirements. **Companies NOT on the PREFERRED VENDOR LIST are not allowed to setup an inflatable apparatus (bounce house) on any City park or public facility;**
- A privately owned, non-commercial inflatable apparatus (bounce house) is prohibited;
- An inflatable apparatus (bounce house) that is, or has, a water feature (e.g. water slide) is prohibited;
- An inflatable apparatus (bounce house) must be rented from a company that is on the City of Chowchilla **PREFERRED VENDOR LIST** that requires the company to have a current City of Chowchilla Business License and meet the City of Chowchilla Insurance Liability Coverage requirements and provide a Certificate of Liability Insurance valid for one year and naming the City of Chowchilla as additional insured. The minimum coverage limits must evidence current and valid commercial, general and automobile liability insurance of not less than **One Million Dollars (\$1,000,000.00) Combined Single Limit**, from a company authorized to transact the business of insurance in the State of California. The insurance company must have no less than an A:VII RATING, or a lower rating at the approval and discretion of the City. The inflatable apparatus (bounce house) rental company must provide an appropriate additional insured endorsement to the insurance policy, or policies, that contains this exact language: *"The City of Chowchilla, and its officers, employees, agents, and volunteers are additional insured under policy number _____."*;
- User must provide to the City prior to the event date, a valid bill of rental, payment receipt, or other statement of rental and payment, from the inflatable apparatus (bounce house) rental business to authenticate the rental is on the City of Chowchilla **PREFERRED VENDOR LIST**.
- The inflatable apparatus (bounce house) must be set up and removed only by trained and qualified representatives of the inflatable apparatus (bounce house) company in compliance with manufacturer's specifications;
- The inflatable apparatus (bounce house) is **NOT ALLOWED** to remain in-place overnight;
- The inflatable apparatus (bounce house) must be free standing and weighted to prevent extreme movement or become upset due to high wind. **Stakes are prohibited** in City parks and public facilities. The inflatable apparatus (bounce house) must not be tied or tethered to trees, tables, or other park amenities or structures;
- The City of Chowchilla prefers that any inflatable apparatus (bounce house) be operated using electricity that is available at the Park Picnic Pavilions that can be used for an additional fee (see the **Park Pavilion Reservation** form for details). Due to fire safety and noise concerns it is NOT recommended that gas-powered generators be used to provide power to the inflatable apparatus (bounce house). If a gas-powered generator is used it must be a "quiet-style" generator (and so noted on the generator itself) and not generate noise in excess of City standards. The generator shall be placed a safe distance from the inflatable apparatus (bounce house) and all electrical cords properly insulated, grounded, and oriented and marked to prevent tripping hazards. **Electrical cords running across a public street or from a private residence are prohibited;**

- The inflatable apparatus (bounce house) must not be placed **farther than ninety (90) feet and not less than twenty (20) feet from the electrical power source** authorized for the event as stated in the **Park Pavilion Reservation** form. It is suggested that the user select the location several days before the event to insure the inflatable apparatus (bounce house) can fit within the constraints of the authorized location;
- **NO VEHICLE IS ALLOWED** in any City park or public facility, on the turf, or on walkways for loading or unloading the inflatable apparatus (bounce house). The inflatable apparatus (bounce house) must be transported to the use-location by hand cart or similar means;
- The inflatable apparatus (bounce house) users must provide adequate and appropriate adult supervision so that the use is in compliance with the manufacturer's recommendations and reflects a safe level of operation. Inflatable apparatus (bounce house) users must comply with the manufacturer's operating procedures;
- Use of any City park and public facility constitutes the User's and the Participants' agreement to abide by all rules, policies, and conditions of the City of Chowchilla and to be subject to all disclaimers stated in this **Inflatable Apparatus Use Agreement** and in the **Park Pavilion Reservation** form;
- User must abide by all laws, state and federal, and all applicable ordinances in the Chowchilla Municipal Code, including the Park Rules under Chapter 12.24 of said Code while using any City park or public facility;
- Users, providers, and participants of the inflatable apparatus (bounce house) are jointly and severally responsible for all damage caused by their use of the inflatable apparatus (bounce house) in any City park or public facility. Damage to City property, turf, irrigation components, etc., may result in additional liability to the User and result in additional fees or fines to be paid to the City of Chowchilla;
- User and inflatable apparatus (bounce house) rental company agree to jointly and severally indemnify, protect, defend, save and hold harmless the City, its officers, employees, agents, and volunteers from and against any and all liability, claims, suits, and causes of action for death or injury to persons, or damage to property, resulting from intentional or negligent acts, errors, or omissions of user and/or the inflatable apparatus (bounce house) rental company arising out of the setup, use, or operation of the inflatable apparatus (bounce house), or from any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct, negligent acts, or omissions of user and/or the inflatable apparatus (bounce house) rental company which occurs related to the setup, use, or operation of the inflatable apparatus (bounce house);
- **THE CITY IS NOT RESPONSIBLE OR LIABLE FOR ANY DAMAGE TO THE INFLATABLE APPARATUS (BOUNCE HOUSE) OR INJURY TO USERS OF THE INFLATABLE APPARATUS (BOUNCE HOUSE).**

IMPORTANT

DO NOT RENT OR USE AN INFLATABLE APPARATUS (BOUNCE HOUSE) FOR YOUR ACTIVITY OR EVENT IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS IN THIS AGREEMENT

I agree to the terms set forth above for the use of an inflatable apparatus (bounce house) in any City of Chowchilla park and public facility. I represent that I am authorized to bind the users and participants to the above enumerated conditions of use of the inflatable apparatus (bounce house).

USER

User Name (print)

User Address (print)

User Signature

Submittal Date

INFLATABLE APPARATUS (BOUNCE HOUSE) RENTAL COMPANY

Company Name (print)

Company Telephone Number

CITY OF CHOWCHILLA AUTHORIZATION AND APPROVAL OF USE

City Representative Signature

Approval Date