

## **Livermore Area Recreation & Park District Sycamore Grove Open Space Park**

### **AGREEMENT AND RELEASE OF LIABILITY**

The undersigned or, if signing for an organization, that organization, certifies that the above information is accurate and correct, and that the undersigned has read and understood the Sycamore Grove Photography Rules and Regulations as set forth by Livermore Area Recreation and Park District pertaining to the use of LARPD facilities.

It is further agreed that the applicant shall indemnify, defend, and hold harmless Livermore Area Recreation and Park District, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time out of or in any way related to the Applicant's use or occupancy of a facility or property controlled by the Livermore Area Recreation and Park District, unless solely caused by the gross negligence or willful misconduct of Livermore Area Recreation and Park District, its officers, employees, or agents.

Force Majeure: Notwithstanding anything to the contrary contained in this agreement, Livermore Area Recreation and Park District (LARPD) shall be excused from its obligations under this agreement to the extent and whenever it shall be prevented from the performance of such obligations by any Force Majeure Event. For purposes of this agreement, a "Force Majeure Event" includes but is not limited to fires, floods, earthquakes, pandemic, epidemic, civil disturbances, acts of terrorism, regulation of public authority, and other causes beyond their control. The undersigned waives any right of recovery against LARPD and the undersigned shall not charge results of "acts of God" to LARPD, its officers, employees, or agents.

### **SYCAMORE GROVE PHOTOGRAPHY RULES AND REGULATIONS**

I certify that I, the applicant reserving with Livermore Area Recreation and Park District, am at least 18 years of age. I am responsible for adhering to all the Sycamore Grove Photography Rules and Regulations. Failure to comply with the

District's Sycamore Grove Photography Rules and Regulations will result in my permit being forfeited and cancelled, a refund will not be issued by the District, and I may incur additional citation fines. The Sycamore Grove Photography Rules and Regulations are attached to this agreement for my review and understanding.

The following requirements include, but are not limited to, the following:

1. Applications will be processed on a first-come, first-served basis during the business hours of Monday-Thursday from 8:00am to 6:00pm, and Friday from 8:00am-5:00pm. We require a minimum of 48 business hours for processing; applications submitted on a Friday may not be approved. The \$50 fee is due at the time of submitting your application; if the fee is not received

with the application, and/or there is a household balance on your account, new applications will not be approved, and a permit will not be issued.

2. Permits are valid for the entire day during Sycamore Grove Park operation hours of 7:00am to sunset (or other hours as posted). Applicants will be required to **always have their permit with them** during the use of their permit.

3. Each applicant will receive two (2) Sycamore Grove Parking passes valid for the day of their photography permit. These parking passes are not transferable to any other day or use. The applicant will be required to print out the parking passes and place on the vehicle's dashboard; the date and permit number must be visible.

4. The applicant will be held responsible for their group's conduct at all times. The applicant and/or their group are not permitted to sit, stand, or swing on park fences or railings, and climbing of any trees is prohibited.

5. The District is not responsible for any lost or stolen items; please lock your vehicles and do not leave any items within the park unattended.

6. Vehicles are required to stay within designated parking areas; no driving into the park for any reason.

7. A Sycamore Grove Photography Permit does not grant authority to conduct business with the City of Livermore. Applicants will be required to obtain a business license through the City of Livermore if needed.

8. Sycamore Gove Park may be closed at any time, with or without notice. District staff will make every effort to contact the applicant ahead of time of any park closures that may affect your permit date. If a closure occurs on behalf of the District, the Applicant will be offered an alternate date, and/or receive a full refund.

9. Photography props that are not naturally found within the park are not permitted. Applicants may **NOT** use a tripod, non-camera mounted external lighting (strobe or flash), light reflectors, breeze shields, soft boxes, and umbrellas.

10. The photography permit does not grant the applicant any kind of exclusive use of Sycamore Grove Park; photographers are not permitted to interfere with or impact normal park operations and programs, and/or public use.

11. The applicant and/or their group are not permitted to block any trail, walkway, roadway, driveway, or parking lot. Applicant and their group are not permitted to go more than 20 feet off of any path or trail.

12. Photography on Sycamore Grove Park bridges is not permitted.

13. The applicant and/or their group is not permitted to make any alterations to the park, including but not limited to, moving any picnic or park furniture, rocks, logs, vegetation, flowers, grasses, shrubs, trees, etc.

14. Sycamore Grove Park is the home to many wildlife animals, some of which can be harmful to people including bees, yellow jackets, mountain lions, bobcats, coyotes, foxes, and snakes. Be observant of the areas around you as wildlife may be hard to spot.

15. The applicant will be held responsible for any damages that occur during their designated park use. Additional fees will be billed to the applicant for the cost associated with the damage to repair, replace, or cleanup, and a hold will be put on the applicant's household account until all damage fees are paid in full.

I understand that failure to comply with this application may lead to the forfeit of my application fee and cancellation of my permit. I have read and understand the Sycamore Grove Photography Rules and Regulations set forth by the Livermore Area Recreation and Park District.