

# JPIA RECREATION AND SPECIAL EVENT POLICY

## Introduction

This Policy was adopted by the JPIA's Executive Committee on May 4, 1998 and applies when others use a member's facilities or when the member itself is engaging in recreational activities or special events. The Policy is based on the premise that the public use of a member's facilities for recreation and special events may be an integral part of a member's operations. Furthermore, such use of a member's facilities is needed by public policy considerations. The goal of this Policy is to give JPIA members flexibility in managing and facilitating recreation and special events while keeping losses from these activities to a minimum. This can be accomplished through effective risk management.

The JPIA considers that recreational activities and special events add more risks than other exposures presented by a member's operations or activities. As such, the individual members are given considerable discretion on what type of activities/events to allow and on the level of risk management needed for low-risk events/activities, but concurrence by JPIA staff and/or Executive Committee approval may be required for higher risk events/activities as detailed in this policy.

The JPIA is available as a resource to help educate members on effective risk management of recreational activities/special events.

## Policy

The extent of appropriate risk management and the reporting of recreational activities/events to the JPIA will depend on the risk level presented. The Recreational Activity/Special Events Hazard Classification System and Risk Matrix are provided as a guideline to make these determinations. Any changes in the classes will be reviewed by the Risk Management Committee.

**Members can engage in Class I & II activities/events without prior approval of the JPIA.** The members undertaking these activities are expected to implement good risk management practices. This includes effective contractual risk transfer when recreational activities or special events are held by outsiders. The Recreation/Special Event Matrix should be used as a guide to determine the level of risk management needed.

**Class III activities/events are to be reviewed with JPIA staff (and possibly the JPIA's excess liability carrier) in advance.** These may require special risk management efforts; for activities/events being held by an outside entity, risk transfer provisions may be needed. **Class III activities/events require the concurrence of the JPIA for liability coverage to be afforded.** Without approval from the JPIA, any and all losses stemming from the event will not be covered. Once concurrence is granted for a specific activity/event, the member may hold it in the future

without going through the process again, unless significant changes in activities are anticipated or claims activity suggests a reassessment. JPIA Risk Management staff may assist members staff to practice good safety and to actively seek to reduce risk. Member staff will implement best practices and inform JPIA of any activities or concerns that may lead to losses.

The Executive Committee has approved the following Condition of Coverage for specific Class III activities in the Memorandum of Liability Coverage. The Condition describes the type of Class III activities/events that will not be covered.

**Coverage for the following types of events/activities will not be granted by the JPIA unless approved by the Executive Committee:**

Swimming Pools  
Water Parks  
Water Playgrounds – not including splash pads  
Water Slides

Agreements reached between the member and the JPIA staff for coverage of activities/events will be reported to the Executive Committee as a matter of information and documented for future reference.

**This Policy applies to all new and existing activities.** All existing member recreation and special event activities should be evaluated by the members following the Policy. Any changes recommended by the JPIA will apply to existing agreements, including insurance requirements.

### **Facility Rental**

Members who offer facilities to rent should establish guidelines to manage the safe use of a water agency's facilities while maintaining minimal liability impact on the Agency.

Members should make sure that their liability concerns are addressed by requiring safety inspections of facilities, by requiring good housekeeping and maintenance of facilities, and by requiring appropriate risk transfer elements such as indemnification and insurance requirements as recommended in the JPIA Model Facilities Use Agreement.

### **Development of a Facility Use Approval and Authorization Process**

Members should develop an approval and use process that includes appropriate risk transfer elements, such as:

1. The acceptability and availability of the facility for the proposed use.
2. Considerations associated with the type of user (i.e., commercial, community group, or public entity, etc.) and the proper indemnification and insurance requirements for that type of user and facility use,
3. The acceptability of the proposed use, and
4. The costs and cost allocations (i.e., who pays for each itemized cost - the user or the Agency's) associated with the proposed use.

### **Use of a Standard Facility Use Agreement**

Members should develop and utilize standard facility use agreements.

- Application for agreement for the use of facilities.
- Rental authorization process.

## Recreation/Special Event Classification System

**Class I** - These represent low-severity liability exposures and/or activities normal to a water member's operation; these represent low-risk activities or are activities inherent to water members. There is no or little participant physical activity with no anticipated exposure to spectators, and no alcohol use is anticipated. Attendance is in the 0-250 range. Based on the type of event, an Agency needs to ensure one or more of the following: facility rental process, participant waiver form, or assumption of risk public posting.

Art Festivals/Shows

Auctions

Ballets

Banquets

Bazaars

Beauty Pageant

Bingo Games

Body Building Contests

Charity Benefits, Auctions & Sales

Cinemas

Community Health Fairs

Community Recycling Days

Conventions in Buildings

Craft Shows

Dog Parks

Drill Team Exhibitions

Easter Egg Hunts

Educational Exhibitions

Election Polling Place

Exhibitions (In & Out)

Expositions

Fund Raisers run by Member:

(Bake Sales, Car Washes)

Graduation/Promotion Ceremonies

Harvest Festivals

Job Fairs

Lectures & Seminars

Luncheons

Meetings (Small Groups

Indoors/Outdoors)

Nature Study Hikes

(Bird Watching, Plant Studies)

Parks (including athletic fields/court; not including water parks, nor skate parks.)

Picnics

Plays

Religious Assemblies

Rummage Sales

School Bands

Seminars

Social Gatherings

Teleconferences

Tours

Trade Shows in Buildings

Water Awareness Carnivals

**Class II**- These represent medium-severity liability exposures; these are considered to be moderate hazards. There may be physical activity by participants; there is minimal to moderate spectator exposure; no alcohol use is anticipated. Attendance is in the 251-1,500 range. Based on the type of event, an Agency needs to ensure one or more of the following: facility rental process, participant waiver form, or assumption of risk public posting.

Aerobics & Jazzercise Classes  
Arcades  
Circus (0-1,500 people)  
Concerts (other than rock, rap, heavy metal)  
Dances & Parties  
Disc Golf  
Field Sports—In & Out (e.g., baseball, softball, soccer, football, lacrosse, rugby, track & field)  
Film Production  
Fishing Events (onshore)  
Food and Beverage Concessions  
Gymnastics Competitions  
Kite Flying  
Musical Performance  
Organized Sporting Events NOC\* (In or Out)  
Overnight Camping  
Pageants  
Parades (0 – 1,500 people)  
Parking of Vehicles

Political Rallies (0-1,500 people)  
Proms  
Recreational Events NOC\*  
Reunions  
Runs/Walks (5K, 10K, Marathons)  
Scouting Jamboree  
Shows (e.g., antique, auto, boat, consumer, craft, dance, fashion, flower, garden, gun & knife, home/housing, ice skating, livestock, night clubs, RV, vacation)  
Soap Box Derbies  
Street Fairs  
Swap Meets  
Tennis, Handball & Racquetball Courts  
Theatrical Stage Performance  
Watercraft (non-motorized), no rentals  
Weddings & Receptions

\*NOC - Not otherwise classified.

**Class III** - These represent high-severity liability exposures and are considered to be the highest risk. There are potentially significant spectator exposures, crowds greater than 1,500 in congested areas, and in some cases, the potential for crowds to get out of control. These are generally activities that are unusual to a water member's operation. Based on the type of event, an Agency needs to ensure one or more of the following: facility rental process, participant waiver form, or assumption of risk public posting.

Some Class III events/activities may require an onsite Risk Assessment and are subject to approval by the JPIA's Chief Executive Officer and Director of Pooling or General Counsel.

Airborne Devices (except Kite Flying)	Off-Road Vehicles
Aircraft Operations	Obstacle Course/Runs/Races
Airsoft	Paint Ball
Amusement Rides/Parks	Parades (1,500+ people)
Animal Riding/Acts or Exhibits/Training	Parasailing
Archery	Pistol & Rifle Shoots
Backhoe Rodeo	Playgrounds
Bicycle/Mountain Races/Jumping ( <i>Terrain is moderate, complex, rough, off-road</i> )	Political Rallies (1,500+ people)
Block Parties/Street Closures	Rentals - Boating, etc.
Boxing	River Rafting
Bounce Houses	Rock Climbing
Circus (1,500 + people)	Rocketry
Civil War Reenactments	Rodeos and Roping Events
Concerts	Rollerblading
Crowds (1,500+ people)	Skateboarding
Dog Trials & Retrieval (retrieving birds)	Skateparks
Fireworks Display	Speed Boat Racing
Fishing Events (offshore)	Spelunking
Golf Courses	Surfing
Hang Gliding	Swimming (other than Swimming Pools, Water Parks, Water Playgrounds, Water Slides)
Hawking (birds of prey or smaller birds)	Tractor and Tractor/Truck Pulls
Horse Shows (including jumping)	Trails
Horseback Riding - Trails	Trampolines
Hot Air Balloon Rides and Shows	Tree Climbing Contests
Hunting	Tree Rope Swinging
Inflatable Amusement Devices	Water Skiing
Jet Skiing	Water Sports NOC*
Karate Meets	Watercraft (Motorized)
Livestock Shows	Windsurfing
Mechanical Bull Riding	Winter Sporting Events
Motorized Sporting Events	Zip Lines
Mud Races	

\*NOC - Not otherwise classified.

## Recreation/Special Event Matrix

Event Parameter	Class I & II	Class III
No Fee	A	C
Fee	A, B	C
Crowds	B	C
Alcohol (use anticipated)	C	C
Firearms	N/A	C
Watercraft	B	C
Aircraft	N/A	C
Water Sports	B	C

### Level of Risk Transfer

**NOTE:** Refer to the JPIA's Risk Transfer Tools for the appropriate Model Facilities Use Agreement.

- A - Utilize the JPIA Model Facilities Use Agreement – minimum of \$2 million General Liability limits.
- B - Utilize the JPIA Model Clauses: Facilities Use Agreement – Minimum \$5 million General Liability limit.
- C - Consult with JPIA staff. These activities/events may require concurrence with JPIA staff, an onsite risk assessment, and/or approval of the Executive Committee.

This matrix is a guide that agencies can use to decide on the extent to which risk management (including risk transfer) is needed for special events and recreational activities for Class I and Class II categories. Agencies can consult with the JPIA for assistance in determining the level of risk management needed for these categories.

### **One Day Special Event Program**

If a special event holder cannot meet the JPIA recommended insurance requirements, the JPIA makes available a One-day Special Event Program provided by JPIA Brokers with an additional premium.

Members should also consider procuring a Special Event Policy for Agency-hosted events/activities both on and offsite (such as annual picnics, retirement celebrations, holiday parties, etc.).

For more information, contact JPIA Member Services.