

**RESOLUTION OF
THE BOARD OF DIRECTORS OF
HORIZON METROPLITAN DISTRICT NO. 1
REGARDING DISTRICT-OWNED PARK RULES**

WHEREAS, the Horizon Metropolitan District No. 1 (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the District’s Board of Directors (the “Board”) has authority to adopt, amend, and enforce rules and regulations not in conflict with the constitution and laws of the State of Colorado for carrying on the business, objects, and affairs of the Board and of the District; and

WHEREAS, pursuant to Colorado law and the District’s Service Plan, the District has the power to provide for parks and recreational facilities and programs and is empowered to regulate the use of and access to property it owns pursuant to § 32-1-1001(1)(f), C.R.S.; and

WHEREAS, the District owns, operates and maintains parks for the use and benefit of its residents, taxpayers, and the public (the “Park”); and

WHEREAS, to preserve and protect District property, prevent and assure accountability for damage, and provide for the safety of visitors, the District desires to establish rules for public use of the Park.

NOW, THEREFORE, the Board of Directors of Horizon Metropolitan District No. 1 resolves as follows:

1. Rules for Public Use of the Park. The Board hereby establishes and adopts rules and regulations regarding the public use of the Park as set forth in Exhibit A attached hereto and incorporated herein by this reference (the “District-Owned Park Use Rules”).
2. Special-Use Permits. Permits are required for events involving protests, marches and/or any other form of speech activity. The Application for Special Use Permit attached hereto as Exhibit B must be submitted and processed in advance of any event for which a permit is required. Permits shall cost Thirty Dollars (\$30.00) for a half-day reservation and Fifty Dollars (\$50.00) for a full-day reservation.
3. Event Permits. Permits are required to reserve space within a District-Owned Park. The Application for Event Permit, for events not involving protests, marches and/or any other form of speech activity, attached hereto as Exhibit C must be submitted and processed in advance of any event for which a permit is required. Permits shall cost Thirty Dollars (\$30.00) for a half-day reservation and Fifty Dollars (\$50.00) for a full-day reservation.
4. District Representative. The Board delegates the District manager as District representative for purposes of distributing the District-Owned Park Use Rules and Application for Special Use Permit, and for receiving and processing the Application for Special Use Permit. The District representative shall inform the Board of permit applications submitted and processed, and if any application is denied, the reasons for denial.

5. Enforcement. The District will advise the City of Aurora Police Department of the District-Owned Park Use Rules. The District shall take steps to enforce the rules as appropriate.

6. Modification. The District may change, modify, or amend these District-Owned Park Use Rules at any time.

7. Prior Rules Superseded. The District-Owned Park Use Rules shall supersede any previous rules regarding Park use.

ADOPTED AND APPROVED THIS 7th DAY OF SEPTEMBER, 2022.

HORIZON METROPOLITAN DISTRICT NO. 1


DocuSigned by:

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By: David Crowder, President

EXHIBIT A

Park Use Rules

District-Owned Park Use Rules

1. **Unauthorized motor vehicles.** Unless otherwise approved by the District, no motorized vehicles are allowed on sidewalks, bike paths, or turf areas.
2. **Disruption of District business.** Disruption of any District business, event, or other sponsored activity is prohibited.
3. **Trash and dumping of trash/refuse.** All litter, trash, and debris must be properly disposed of. Dumping of refuse generated offsite is prohibited. Any trash or debris that cannot be placed inside a trash receptacle must be removed from the property by the user(s).
4. **Damage to District property.** Defacing, damaging, removing, destroying, or vandalizing District property (buildings, fixtures, grounds, signs or other structures) is prohibited.
5. **Weapons and firearms.** Possession, display, brandishing, or use of any illegal or deadly weapon or firearm is prohibited. Weapons are defined as including, but not limited to, any lawn dart, slingshot, razor, dirk, dagger, or any knife with a blade over 3 ½ inches, nunchaku or throwing stars. Firearms are defined as including, but not limited to, any crossbow, bow and arrow, slingshot, blowgun, BB gun or pellet gun, whether powered with gunpowder, compressed air, or gas cartridges. It shall not be prohibited to carry a concealed handgun if, at the time of carrying the concealed handgun, the carrier possesses a valid permit.
6. **Fireworks, fires or open flames, model rockets.** Discharge or use of firearms, projectiles, or fireworks is prohibited. Open flames, personal grills, and candles are prohibited, subject to permitting. The safe use of grills that are installed within District-Owned Parks is exempt from this provision.
7. **Glass.** Glass is not permitted.
8. **Alcoholic beverages.** Consumption or possession of alcoholic beverages is prohibited, unless in conjunction with an event for which a proper permit for alcohol consumption has been issued.
9. **Disposables.** Balloons, birdseed, rice, and confetti are prohibited.
10. **Possession of illegal drugs or paraphernalia; public consumption of marijuana products.** The possession of any illegal drug, substance or drug paraphernalia is prohibited. The public consumption of any marijuana product is prohibited.
11. **Pets.** Pets must be leashed and under human control at all times. Pet waste must be picked up and disposed of immediately.
12. **Amplification and noise.** Amplified sound is prohibited, subject to permitting.

Exhibit B
Special Use Permit

**Horizon Metropolitan District No. 1
Application for Special Use Permit
District-Owned Parks**

Horizon Metropolitan District No. 1 (the “District”) allows events and peaceful assembly at the Park. To preserve and protect District property, prevent and assure accountability for damage, and provide for the safety of visitors, the District manages organized activities through a permit system. Permits control aspects of the planned activity such as date, time, location, and number of participants. The content of what permit-holders have to say is NOT regulated.

Permits are required for events and demonstrations such as rallies, picketing, speechmaking, marching, or similar activities that primarily involve communication or expression of views or grievances (an “Event”).

Please supply the information requested below and attach additional sheets, if necessary. Please allow at least **five (5) days** for processing.

Applicant (Representative) Name:		Entity/ Organization Name:	
Address:		Address:	
City/State/Zip Code:		City/State/Zip Code:	
Telephone:		Telephone:	
Cell:		Cell:	
Email:		Email:	
Please describe proposed Event (attach diagram / site plan):			
Date of Event:			
Event start:		Event end:	
Tear-down will be completed:			
Number of attendees (please provide an estimate):			
Please describe clean-up and removal of trash, animal waste, and recyclables during and after the Event:			
Please describe any additional permits you have or will obtain for the Event:			
Do you require use of the stage?		Y	N
Will the Event require road closures?		Y	N

TERMS AND CONDITIONS

1. The Event must not conflict with any scheduled District function or program. Events are permitted on a first come, first served basis. Permits are not transferrable.
 2. Submission of this application does not constitute approval or permission. You will be notified of the disposition of the application and the necessary steps to secure your permit. (Note: you may be required to provide proof of liability insurance, in addition to other requirements.)
 3. The Event organizer acknowledges and agrees that additional permits may be required to conduct the Event and that the Event organizer is solely responsible for compliance with any and all applicable statutes, ordinances, rules, and regulations.
 4. A copy of the permit issued by the District (and any other permits required by other jurisdictions, including, without limitation, the City of Aurora) must be on-site at all times during the Event.
 5. The area used by the permittee will be left in the same condition as it was found, and all litter will be removed or placed in trash receptacles. Any District property damaged by the permittee or resulting from the Event shall be replaced or repaired at the permittee's cost. A refundable damage deposit of Five Hundred Dollars (\$500.00) is required for Events and shall accompany the permit application. The damage deposit will be returned following completion of the Event if the property is cleaned and restored to the condition it was in prior to the Event. If the property used is not properly cleaned or restored, the damage deposit or portion thereof shall be applied to the costs of clean-up, and the permit holder will be billed the actual costs of clean-up. Any unused portion of the damage deposit will be returned to the permit holder.
 6. Trash removal service is required for all Events if more than twenty-five (25) people are expected to be in attendance.
 7. Temporary structures, including tents and pavilions, are permitted but may not remain overnight.
 8. No items may be permanently attached to District property (e.g., fences, trees, or trash receptacles).
 9. Electrical power will not be furnished unless pre-approved.
 10. Good order and proper decorum shall be maintained at all times by persons conducting and participating in the event. Persons will leave District property at the designated conclusion time. The Permittee is responsible for security and orderly behavior at the Event.
 11. The District reserves the right to immediately revoke the permit should it become necessary in the interest of public safety, health, and general welfare.
 12. The District may require security services for Events, including, but not limited to, Events creating significant risk of injury to person or property to ensure public safety.
 13. The District may require general liability insurance to ensure public safety if the Event poses a substantial risk of damage or injury based on the anticipated number of attendees, the nature of the Event and activities involved, and the physical characteristics of the Event site. If general liability insurance is required, Horizon Metropolitan District No. 1 shall be named as an additional insured. Coverage must be maintained for the duration of the Event, including through set-up and tear-down.
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WAIVER, RELEASE AND INDEMNIFICATION

For an activity or event for which a permit is issued, proposed to be held, or actually held in a District-owned park ("Covered Activity"), the applicant/permittee shall defend, indemnify, and hold harmless Horizon Metropolitan District No. 1, its officers, employees, agents and assigns, individually and collectively (the "Indemnitees"), against any losses, damages, liabilities, claims, suits, actions, causes of action, costs and expenses of any kind whatsoever that may be suffered, incurred, or sustained by Indemnitees or for which Indemnitees may become liable resulting from, arising out of, or relating to the Covered Activity. The permit holder hereby releases, waives, discharges and covenants not to sue the Indemnitees for any claim, demand, action, cause of action, or damages the permit holder has or may have arising out of or related to the permitted use of the District park by the permit holder.

Applicant Name (Print): _____

Applicant Signature: _____

Date: _____

Completed application must be accompanied by the damage deposit in the form of a cashier's check or money order in the amount indicated below, made payable to Horizon Metropolitan District No. 1.

- Half-day permits: \$30.00
- Full-day permits: \$50.00

Submit your completed application to: josh.miller@claconnect.com. If your request is approved, a permit will be sent to the person designated on the application.

The permit must be signed and returned prior to the Event.

FOR OFFICIAL USE ONLY:

[insurance, noise, alcohol, fencing, security, coordination with City, etc.]

Exhibit C
Event Permit

**Horizon Metropolitan District No. 1
Application for Event Permit
District-Owned Parks**

Horizon Metropolitan District No. 1 (the “District”) allows events at the Park. To preserve and protect District property, prevent and assure accountability for damage, and provide for the safety of visitors, the District manages organized activities through a permit system. Permits control aspects of the planned activity such as date, time, location, and number of participants.

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Address:	Address:
City/State/Zip Code:	City/State/Zip Code:
Telephone:	Telephone:
Cell:	Cell:
Email:	Email:
Please describe proposed Event (attach diagram / site plan):	
Date of Event:	
Event start:	Event end:
Tear-down will be completed:	
Number of attendees (please provide an estimate):	
Please describe clean-up and removal of trash, animal waste, and recyclables during and after the Event:	
Please describe any additional permits you have or will obtain for the Event:	
Do you require use of the stage?	Y N
Will the Event require road closures?	Y N

TERMS AND CONDITIONS

14. The Event must not conflict with any scheduled District function or program. Events are permitted on a first come, first served basis. Permits are not transferrable.
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 24. The District reserves the right to immediately revoke the permit should it become necessary in the interest of public safety, health, and general welfare.
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Applicant Signature: _____

Date: _____

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