



OPEN SPACE PORTRAIT PHOTOGRAPHY PERMIT INFORMATION

4444 East Avenue
Livermore, CA 94550
(925) 960-2400

The Livermore Area Recreation and Park District requires that commercial photographers have a permit when taking photographs in District facilities or parklands. A photographer will be considered commercial when one or more of the following apply:

- a) The photographer is known to take any video, film, photography or other capture of image, whether moving or still, taken with the objective of sale, profit or barter, including but not limited to documentaries, commercials, television series, television movie, motion picture, advertising, public service announcements, editorial, stock, portfolio, calendar, greeting card, fine art and portraiture. The commercial definition will apply to any photographer known to operate a photographic or film business.
- b) A photographer utilizes any equipment beyond a camera and tripod, whether selling for profit or not. This equipment includes, but is not limited to non-camera mounted external lighting (strobe or flash), light reflectors (disc, panel or other), breeze shields, soft boxes and umbrellas.
- c) A photographer is conducting more than 1 (one) photographic portrait session in a 90 (ninety) day period in District Open Space, regardless of whether or not that photographer operates a business or is taking photographs for friends or family.

The following information applies to portrait photography in District Open Space parks. Photography in other District facilities and parklands or filming are addressed separately.

Before you can be issued a permit you will need to deliver to the District an insurance certificate issued by your insurance carrier or broker. The insurance certificate should designate the District as Certificate Holder and the District must be endorsed as Additional Insured. Such insurance shall be endorsed to provide that with respect to coverage on behalf of the District such coverage shall be primary insurance and other insurance available to the District under any other policies shall be excess over the insurance required hereby. You must have comprehensive general liability insurance applicable to all operations (including contractual liability insuring the indemnity of this agreement), providing bodily injury liability limits of at least \$1,000,000 per person and \$1,000,000 for each occurrence and a property damage liability limit of at least \$1,000,000 for each occurrence.

Use the following address/information to submit insurance:

Livermore Area Recreation and Park District
4444 East Avenue
Livermore, CA 94550
ATTN: Rangers
Fax to: (925) 960-2414 or email: psimi@larpd.org
Phone: (925) 960-2400

You will be contacted once your insurance information is received. It is your responsibility to keep your insurance up to date. If your insurance lapses you will be unable to obtain a permit.

If you are unable to provide the above insurance you may submit a **Liability Waiver** instead. The waiver will state that you, the photographer, assume any and all liability for any injury, death or damages for yourself, your clients and any third party affected by your activity while exercising a District Open Space portrait photography permit. Waivers will be valid until December 31st of the year submitted. Waivers may be submitted by mail, in person or electronically.

Permits are issued to **INDIVIDUAL** photographers only. A business may not obtain a single permit for use by multiple photographers. Each photographer must have their own individual permit.

There are a limited number of permits available per day. Permits are valid for the entire day during Open Space normal operational hours of 7:00 am to Sunset (or other hours as posted). Permit dates are available on a first come first served basis. We recommend that requests for permits are made 5 or more days in advance of desired session dates. Requests made less than 5 days in advance may not be processed in time. Permit request processing occurs Monday through Friday only (excluding holidays). The District cannot guarantee that a permit will be issued for all requests. The District may block out dates for photography permits at its discretion.

Permit fees are as follows:

\$50 per day price includes two parking passes

Each permit will come with two (2) single day use parking passes, valid for the day the permit is issued only. The parking passes will need to be printed out and placed on a vehicle's dashboard. Passes must be easily seen with the date and permit number clearly visible. Passes are interchangeable between vehicles.

A photography permit from LARPD does not constitute a license to do business in Alameda County and/or the City of Livermore. Contact Alameda County and/or the City of Livermore for information on requirements and how to obtain a business license.

All District rules and regulations apply. **You are responsible for knowing District rules and regulations.**

Occasionally the District closes a facility due to Hazardous Conditions including but not limited to construction, flooding, or extreme fire hazard. On extremely hot days or after a major storm event you can call (925) 960-2400 to check the operational status of an Open Space facility. If the District needs to close an Open Space parkland or facility due to Hazardous Conditions on a day a permit is held the permit amount, or a portion thereof depending on closure circumstances, will be either refunded or credited to the permittee's District account for use at a future date. The amount to be refunded will be determined solely by the District. You may not enter a closed facility to exercise your permit.

If inclement weather impacts permit use the District may, at its discretion, issue a full or partial refund or credit upon request.

When you purchase your permit BE SURE TO READ THE **PERMIT CONDITIONS**. The receipt that you receive will serve as your permit in the field. The Conditions govern that permit. We also strongly recommend reading the [Safety Information](#).

If you have further questions or want clarification of information above please contact the LARPD Open Space Unit at (925) 960-2400.

PERMIT CONDITIONS

OPEN SPACE PORTRAIT PHOTOGRAPHY

THE FOLLOWING CONDITIONS APPLY TO ALL OPEN SPACE PORTRAIT PHOTOGRAPHY PERMITS

- The permit is not transferable between photographers (even those working in the same studio) and is revocable at any time at the will of the District.
- Failure to comply with Permit Conditions may lead to the immediate revocation of the permit and/or a citation being issued.
- **PERMITTEE MUST HAVE THE PERMIT IN POSSESSION WHEN IN DISTRICT PARKS/FACILITIES AND MUST PRESENT IT UPON REQUEST.**
- No props are permitted. For clarification of what constitutes a prop call (925) 960-2400.
- Vehicles must stay in designated parking areas. No driving into the park for any reason.
- A photography permit does not grant the permit holder any kind of exclusive use of any part of any District Open Space at any time.
- Photography may not interfere with, nor impact in any way, normal Park operations including but not limited to maintenance activities and Ranger programs.
- You/your group may not at any time interfere with any normal public use of the parks.
- You/your group may not, at any time, block any trail, roadway, driveway or parking lot.
- **PHOTOGRAPHY ON BRIDGES IS STRICTLY PROHIBITED AT ANY TIME.**
- At no time may you/your group go farther than 20 feet off of any trail or path.
- Do not go beyond any fencing. This includes going around the end of the fence or through/over a downed portion of fence into an area bordered by the fence. Implied fence lines will be enforced. For clarification please call (925) 960-2400.
- Utmost care must be exercised to see that no natural, historic, or cultural features are damaged or altered.
- Permittee shall not make any alterations on/to the park.
- Do not move picnic tables or other park furniture or any natural features such as rocks or logs.
- **DO NOT** alter or remove vegetation including but not limited to grasses, flowers, shrubs and trees.
- The District may, at its discretion, impose additional conditions on a case by case basis.
- You are responsible for any damage you or your group cause while exercising your permit. If the District finds that you or your group is responsible for damage, including but not limited to, broken fencing, damaged vegetation, illegal trail creation or deposition of litter such as confetti or fake snow you will be charged any costs associated with the repair/replacement/clean-up of the item(s)/lands involved.

OPEN SPACE PORTRAIT PHOTOGRAPHY SAFETY INFORMATION

For your safety and the safety of your clients please observe the following:

- When you and your clients leave your vehicles, lock them and make sure to take all valuables with you. If any valuables are left in the vehicle make sure they are out of sight.
- Open Space parks are home to many different types of animals, some of which can be harmful to people. Be observant of the areas around you. Bees are known to swarm and yellow jacket nests occasionally pop up in heavy use areas. Mountain lions, bobcats, coyotes, foxes, snakes and many other wild animals inhabit our parks. If you encounter any wildlife that concerns you please call the Rangers at (925) 960-2400 immediately.
- To protect everyone in your group make sure that you and your clients can always see where hands, feet and rear-ends are placed. Wildlife can be hard to spot, particularly our snakes and spiders. If you accidentally put your hands on, step on or sit on a park animal it may bite you in self-defense.
- Poison oak is found in our Open Space parks. Please make sure you know what this plant looks like so that you can keep your clients from having an unfortunate encounter.
- **TREE CLIMBING IS PROHIBITED.** Many of our trees naturally grow hollow. Many times branches that look thick and strong are not. To stay safe and reduce damage please do not allow your clients to climb the trees or sit on low branches.
- The rail fencing used in the park is not designed to bear weight. It is a straight grain wood and splits easily. To avoid potential injury and property damage please do not allow your clients to sit or stand on any fence or railing – it may break.
- If you have any questions or other safety concerns please call the Ranger Office at (925) 960-2400



LIABILITY WAIVER

4444 East Avenue
Livermore, CA 94550
(925) 960-2400

OPEN SPACE PORTRAIT PHOTOGRAPHY

Photographer Name _____ Business Name _____

Address _____
Street City State Zip Code

Primary Phone _____ Secondary Phone _____

Email _____ Website _____

THIS IS NOT A PERMIT

In consideration for being permitted to conduct portrait photography session(s) in Livermore Area Recreation and Park District (LARPD or District) Open Space, I hereby take full responsibility for the actions and activities of myself, my employees and assistants, and my clients and their guests and I waive, release and discharge any and all claims for damage for personal injury, death or property damage which may occur while exercising a permit issued for the above activity for myself, my employees and assistants, and my clients and their guests.

This release is intended to discharge in advance LARPD (its officers, employees and agents) from any and all liability arising out of or connected in any way with the exercise of an Open Space photography permit issued by the District. Use of Open Space Parkland involves an element of risk and danger of accidents and knowing those risks I hereby assume those risks for myself and all others that are involved in my exercising a permit issued for the above activity.

It is further agreed that this waiver, release and assumption of risk is to be binding on my heirs and assigns.

I agree to indemnify and to hold the District free and harmless from any loss, liability, damage, cost or expense that may occur as the result of death or any injury or property damage or any damage to wildlife that I, or my clients, or others involved in my exercising a permit issued for the above activity, may sustain or cause while exercising any District Open Space portrait photography permit.

As the holder of an Open Space portrait photography permit, you and you alone, are liable for any and all actions, damages, injury or loss that may occur to you or your clients or others while exercising your permit.

I HAVE CAREFULLY READ THIS AGREEMENT, WAIVER AND RELEASE AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN LARPD AND ME AND I SIGN IT OF MY OWN FREE WILL.

This liability waiver shall remain in effect until December 31st of the year the waiver is submitted.

Photographer Signature _____ Date _____

Directions for submittal on the back.

This waiver may be submitted in the following methods:

- By mail by sending it to: LARPD
 ATTN: Rangers
 4444 East Avenue
 Livermore, CA 94550
- In person by dropping it off at the LARPD Ranger Office. Please call (925) 960-2400 for directions and to set an appointment.
- LARPD will accept an electronic signature. To submit electronically fax the signed waiver to (925) 960-2414 or email a scan of the document to psimi@larpd.org