



# South Bend Venues Parks & Arts Administration, Policies and Procedures Manual



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*Draft for Review*

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Draft for Review

**Administration, Policies & Procedures Manual  
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## Introduction:

The City of South Bend's South Bend Venues Parks & Arts Department states as its Mission, "*Venues Parks & Arts inspires a more livable South Bend for all, connecting us to emotionally engaging experiences and to one another.*" South Bend Venues Parks & Arts makes certain that this ideal is compatible with the city's overall planning effort as found in the city's comprehensive *City Plan* and other community planning efforts.

Our venues aren't only buildings, our parks aren't only open spaces, and our programs aren't only for time that is "left over." When utilized, these components of our city are capable of offering quality experiences relating to one's own needs, values and capabilities. This where we play, where we relax, where we experience, where we make today happen.

With eyes towards progress, our efforts are aimed toward social equity, ecological improvement, safety advancement, neighborhood and economic development, and health and wellness. Our department is committed to these five pillars reaching every neighborhood and spanning every demographic. We use intentional strategies to create meaningful change.

Aaron Perri, Executive Director from the 2017, VPA Annual Report

## **Section A – Descriptions**

### **A.1 Park Law**

*Draft for Review*

## A.1 Park Law

### **Municipal Code:**

Although this is not the complete collection of the City of South Bend's Municipal Code, these are the ordinances that are most often referenced for the South Bend Venues Parks & Art's operations. The complete body of the Municipal Code is maintained by the City Clerk's office, and for reference it can be accessed through the internet at: <http://www.municode.com/resources/gateway.asp?pid=13974&sid=14>

## **CHAPTER 2 ADMINISTRATION**

### **ARTICLE 4. EXECUTIVE DEPARTMENTS\***

\*Editor's note: Section 3 of Ord. No. 7108-82 repealed former Art. 4 and enacted, in lieu thereof, a new Art. 4 as herein set forth. The repealed article consisted of §§ 2-20--2-23 and 2-25--2-27, which contained general provisions relative to executive agencies and derived from: § 3 of Ord. No. 5390-72; §§ 1--4 of Ord. No. 5592-73; § 1 of Ord. No. 5794-75; § 1 of Ord. No. 5932-75; § 1 of Ord. No. 6193-77; and § 1 of Ord. No. 6722-79.

#### **Sec. 2-13. Departments established.**

- (A) The following executive departments are established to perform administrative functions required to fulfill the needs of the City's citizens:
- (1) Administration and Finance Department;
  - (2) Law Department;
  - (3) Public Works Department;
  - (4) Police Department;
  - (5) Fire Department;
  - (6) Venues, Parks & Arts Department;
  - (7) Community Investment Department;
  - (8) Code Enforcement Department;
  - (9) Building Department.
  - (10) Innovation and Technology Department
- (B) In addition to functions statutorily provided, the administrative functions of the departments of the City shall be as follows:
- (1) Administrative and Finance Department:
    - (a) Administrative matters;
    - (b) Fiscal matters;
    - (c) Purchasing;
    - (d) Personnel;
    - (e) License issuance;
    - (f) City parking garages and parking lots;
    - (g) Human Rights Commission.

- (2) Law Department:
  - (a) Collection of overdue accounts receivable;
  - (b) Self insurance.
- (3) Public Works Department:
  - (a) Engineering;
  - (b) Management of streets, including municipal services, parking, traffic control, and street lighting;
  - (c) Sanitation;
  - (d) Sewers;
  - (e) Waste water treatment;
  - (f) Waterworks;
  - (g) Vehicle maintenance.
- (4) Police Department.
- (5) Fire Department.
- (6) Public Parks Department:
  - (a) Parks: to include Zoos, Greenhouses, Playgrounds, Cemeteries, Recreation programs and centers.
  - (b) Century Center;
  - (c) Morris Performing Arts Center and Palais Royale;
  - (d) City parking garages;
  - (e) Cemeteries;
  - (f) City streetscape and décor.
- (7) Community and Investment Department:
  - (a) Redevelopment;
  - (b) Community development;
  - (c) Housing programs;
  - (d) Economic development;
  - (e) Planning;
  - (f) Neighborhood development;
  - (g) License issuance;
  - (f) Historic Preservation Commission
- (8) Code Enforcement Department:
  - (a) Substandard buildings;
  - (b) License inspection and enforcement;
  - (c) Environmental code enforcement;
  - (d) Weights and measures;
- (9) Building Department:
  - (a) Building inspections and permits;
  - (b) Enforcement of building codes;
  - (c) Zoning inspection and enforcement;
  - (d) Board of Zoning Appeals administrative support;
  - (e) Building trade licensing/registration testing and enforcement.
- (10) Innovation and Technology Department
  - (a) Technology
  - (b) Business analytics
  - (c) 311 Customer Service Center



- (C) A department head may establish, abolish or consolidate offices, divisions and bureaus within his department to permit the proper and efficient operation of that department, subject to availability of appropriated funds within the department and the approval of the Mayor.
- (D) A department head may supervise and coordinate the boards, commissions, authorities, departments, offices, divisions and bureaus within his department except where prohibited by State law.
- (E) No department head may delegate his duty to administer and supervise his department, to issue rules or regulations as prescribed by law, or to have the ultimate responsibility for the proper performance of the duties and functions vested in his department.
- (F) Each department shall exercise such powers and perform such duties and functions as are prescribed by law and as are directed by the Mayor.

(Ord. No. 7108-82, § 3; Ord. No. 8246-92, § 1; Ord. No. 8393-93, § 1)

## **ARTICLE 5. BOARDS AND COMMISSIONS\***

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\*Editor's note: Section 4 of Ord. No. 7108-82 repealed former Art. 5 and enacted, in lieu thereof, a new Art. 5 as herein set forth. Former Art. 5, which pertained to commissions, boards, departments and authorities, consisted of §§ 2-50--2-56 and 2-58--2-61 and derived from: § 3 of Ord. No. 5390-72; §§ 1--4 of Ord. No. 5645-74; §§ 1--5 of Ord. No. 5689-74; §§ 1--3 of Ord. No. 5888-75; § 1 of Ord. No. 6365-78; § 1 of Ord. No. 6629-79; and § 1 of Ord. No. 6815-80.

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### **Sec. 2-58. Requirements of all boards, commissions and other entities.**

- (a) All boards, commissions, committees, and other entities having a person appointed by the Mayor or the Common Council as a part of their membership which is charged with governmental responsibility and which was created by operation of State or local law must comply with the following requirements:
  - (1) File with the Offices of the City Clerk and the Mayor written confirmation of the name of the entity; names of its current members and by who each member was appointed; term of appoint of each member; names of the current officers; mailing address; telephone number; facsimile number; email address; official website if any; and the dates, time and location of all regular meetings.
  - (2) File with the Offices of the City Clerk and the Mayor a copy of its meeting agenda at least forty-eight (48) hours prior to a scheduled meeting consistent with its posting of the same for Indiana Open Door Law compliance.
  - (3) File with the Offices of the City Clerk and the Mayor a copy of the meeting minutes at least ten (10) business days following the

meeting held. All boards, commissions, committees and other entities filing minutes may file interim minutes, however once such minutes are approved each such entity must file an accurate set of minutes marked "Official" with the Offices of the City Clerk and the Mayor in a timely manner.

- (b) Any changes to a board, commission, committee or other entity governed by this section shall be reported to the Office of the City Clerk within five (5) business days of the change taking effect.
- (c) The Offices of the City Clerk and the Mayor shall keep on file all such agendas and meeting minutes received pursuant to this section for public inspection, but in no event shall such documents be maintained for a period longer than eighteen (18) months. Copies filed with the Offices of the City Clerk and the Mayor are filed for informational purposes only and shall not be considered official copies which are required to be maintained by each such entity pursuant to the Indiana Open Door Law.\*

\*State law references: Open Door Law, IC 5-14-1.5-1 et seq.

- (d) Compliance with this section shall be undertaken by the standing committee having overall jurisdiction over such entity.  
(Ord. No. 8462-94, § 4; Ord. No. 9211-01, § III)

## **ARTICLE 7. BUDGETARY AND SALARY PROCEDURES**

### **Sec. 2-86. Legislative findings.**

- (a) The South Bend Common Council hereby finds that there is a need to develop improved budgetary procedures which would clearly identify requested appropriations.
- (b) The Council therefore declares that the following budgetary procedures shall govern the preparation of all budgets annually prepared for Common Council review.

(Ord. No. 6912-81, § 1)

### **Sec. 2-87. Proposed budget information.**

- (a) It shall be the duty of the City Controller to prepare a budget estimate for the ensuing budget year in accordance with applicable state law, and provisions of this article.
- (b) The City Controller shall file twelve (12) copies of the proposed budget with the Chairperson of the Personnel and Finance Committee of the Common Council at the time the budget ordinance is filed.
- (c) The following information shall be included within the budget book:
  - (1) Departmental budgets detailing departmental justifications for budget line item requests. Each budget justification will include a detailed description of the request, any requested personnel changes, (position upgrades, position additions, deletions, etc.),

and reasons for any major increases or decreases from the prior year.

- (2) Departmental budgets detailing requests by line item within the four (4) standard budgetary object or expense classifications.
  - (3) Departmental budgets summarized by the four (4) standard budgetary object or expense classifications:
    - a. Personnel services. Includes direct labor costs of city employees and related employee benefits.
    - b. Supplies. Includes fuels, stationery, general institutional articles, etc. purchased and used by the City.
    - c. Other services and charges. Includes professional services, communication, insurance, utility service, rentals, and debt service.
    - d. Capital outlays. Includes land, buildings, improvements, machinery and equipment.
  - (4) Each Departmental budget will include a summary of the following information by line item:
    - a. Current YTD Expenditures,
    - b. Last year's actual expenditure,
    - c. Two (2) year's ago actual expenditures,
    - d. Departmental budget request and percent change,
    - e. Final amount approved by Council and percent change.
  - (d) In addition to the budget book, the city controller shall provide five (5) copies of the current staffing table to the Chairperson of the Personnel and Finance Committee. The staffing table shall list all budgeted positions and an indication of whether or not the position is filled or vacant.
  - (e) The City Controller shall also provide five (5) copies of the June 30 Chart of Accounts listing all expenditures for the current fiscal year.
- (Ord. No. 6912-81, § 1; Ord. No. 7042-82, § 1; Ord. No. 8212-91, § 1)

**Sec. 2-89. Statutory budget procedures.\***

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\*Editor's note: Section 3 of Ord. No. 8212-91, adopted Sept. 9, 1991, renumbered former § 2-90 as 2-89 and added a new § 2-90.

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The Common Council and City Administration shall follow all other statutory requirements regarding budget preparation as set forth by the Indiana Code, as amended, and regulations of the State Board of Accounts.  
(Ord. No. 6912-81, § 1)

**Sec. 2-90. Final budget approval; report of City Controller.\***

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\*Editor's note: Section 3 of Ord. No. 8212-91, adopted Sept. 9, 1991, renumbered former § 2-90 as 2-89 and added a new § 2-90.

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- (a) The Common Council shall approve all departmental budgets by standard budgetary object or expense classification.
  - (b) The City Controller shall submit quarterly budget updates to the Common Council and Mayor, within thirty (30) days of the close of each calendar quarter, detailing all revenues received and expenditures made by, and the financial status of, each department.
- (Ord. No. 8212-91, § 3)

**Sec. 2-91.** Ordinance required for new positions; notification of reclassification.

- (a) No position shall be created for any employee, whether full- or part-time, after the budget has been passed by the Common Council, unless an ordinance is passed by the Common Council approving such new position(s) and its funding source(s). The Mayor shall be responsible for filing such an ordinance for Council consideration. If said position is created after the passage of the budget, and if an ordinance as required by law has not been presented for Council consideration, the Mayor shall be considered in violation of this section.
  - (b) The Mayor shall give written notice to all members of the Common Council and its attorney of all employee reclassifications. Reclassification, for purposes of this section, shall mean any position whose duties, and/or title, and/or salary or wages have been affected due to reorganization, updating job descriptions, consolidation or expansion of positions. Said notification shall be given on a monthly basis and should identify the funding change and funding source. If notice is not received as provided by this section, the Mayor shall be considered in violation of it.
  - (c) Alleged violations of this section may be investigated by the Common Council pursuant to IC 36-4-6-21.
- (Ord. No. 6912-81, § 1; Ord. No. 7042-82, § 1)

**Sec. 2-92.** Salary ordinance procedures.

- (a) Any ordinances fixing the maximum salaries and wages of appointed officers and employees of the City shall be governed by the following rules and regulations:
  - (1) Each position shall be listed under the specific cost-center it is listed under in the budget work sheets detailed by account.
  - (2) Each position shall list its present salary or wage, and its proposed salary or wage.
  - (3) All multi-funded positions shall include, by numerical footnote reference, the amount and source of additional funding.
- (b) There shall be no positions included in the salary ordinance that were not included in the budget ordinance or as passed by ordinance of the Common Council during the preceding year.
- (c) There shall be no "General Classification" sections within any ordinance fixing the maximum salaries and wages of appointed officers and employees of the City.

- (d) Cost-center titles and position titles shall correspond with those listed in the budget work sheets detailed by account.
  - (e) All positions funded by federal revenue sharing shall include the amount of such funding for each position.
- (Ord. No. 7042-82, § 1)

**Secs. 2-93--2-115.** Reserved.

#### **ARTICLE 11. PUBLIC PARKS\***

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\*State law references: Section 6 of Ord. No. 7108-82 repealed former Art. 11 and enacted, in lieu thereof, a new Art. 11 as herein set forth. Former Art. 11, "Parks and Recreation," consisted of § 2-137 which derived from § 2-1 of the 1962 Code.

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**Sec. 2-137.** Adoption of applicable statute.

The Public Parks Department shall operate under provisions of IC 36-10-4, pursuant to IC 36-10-4-1(a).  
(Ord. No. 7108-82, § 6)

#### **ARTICLE 14. SPECIAL FUNDS\***

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\*Editor's note: Section 9 of Ord. No. 7108-82 repealed former Art. 14 and enacted, in lieu thereof a new Art. 14 as herein set forth. Former Art. 14, which consisted of §§ 2-154--2-158 pertaining to sinking funds, derived from §§ 13-4--13-8 of the 1962 Code.

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**Sec. 2-155.** City development fund.

- (a) A city development fund is created to be used to pay expenses incurred in promoting the betterment of the City including, but not necessarily limited to, the following:
  - (1) Membership dues in local, regional, state and national associations of a civic, educational or governmental nature which have as their purpose the betterment and improvement of municipal operations.
  - (2) Direct expenses for travel, meals and lodging in conjunction with City business or meetings of organizations to which the City belongs.
  - (3) Expenses incurred in the promotion of economic or industrial development for the City including, but not limited to, meeting room rental, meals, decorations, travel, awards, memorabilia.
  - (4) Expenses incurred in interviewing job applicants.
  - (5) Expenses incurred in developing relations with other units of government.

- (6) Other expenses of a civic or governmental nature deemed to be in the best interest of the City.
  - (b) Each year the City budget shall include separate sub-accounts within the City development fund for the Mayor, the Common Council, the Economic Development Department and other City entities or departments, as deemed appropriate by the Common Council, appropriating the amounts to be expended under each sub-account pursuant to subsection (a) of this section.
  - (c) Each year the City budget may also include monies for promotional activities for the office of the Mayor, the Common Council, the Economic Development Department and other City entities as deemed appropriate by the Common Council.
- (Ord. No. 7108-82, § 9; Ord. No. 7768, § 1)

**Sec. 2-156. Cumulative capital improvement fund.**

A cumulative capital improvement fund is continued for purposes permitted under IC 36-9-16. It shall be funded and operated in accordance with statutory requirements.

(Ord. No. 7108-82, § 9)

**Sec. 2-160. General improvement fund.**

A general improvement fund is continued for purposes permitted under IC 36-9-17. It shall be funded and operated in accordance with statutory requirements.

(Ord. No. 7108-82, § 9)

**Sec. 2-166. Special events fund.**

A special events fund is established to be used to receive monies and to pay expenses related to the operation of special events sponsored or organized by the City, including but not limited to the Ethnic Festival, the Winter Celebration, and the World's Largest Garage Sale. Monies remaining in the fund at the end of the fiscal year shall not revert to the general fund. Any monies remaining in the Ethnic Festival Fund shall be transferred into this fund and remain available for the purposes so dedicated.

(Ord. No. 7108-82, § 9)

**Sec. 2-167. Cumulative capital development fund.**

- (a) A cumulative capital development fund is established, to be used for any purposes permitted under IC 36-9-16, for capital improvements; for any purposes permitted under IC 36-9-16.5, for public ways and sidewalks; for any purposes permitted under IC 36-9-26, for sewers; for any purposes permitted under IC 36-9-17, for general improvement; for any purposes permitted under IC 36-8-14, for firefighting building and equipment and police radios; for any purposes permitted under IC 36-10-4-36, for parks; and for any

purposes permitted under IC 36-9-16-2 for public buildings and rights-of-way.

- (b) Notwithstanding uses permitted under subsection (a) above, funds accumulated in the cumulative capital development fund may be spent for purposes other than those purposes stated in subsection (a), provided that the purpose of the expenditure is to protect the public health, welfare or safety in an emergency situation which demands immediate action. Funds may be spent under the authority of this subsection only after the Mayor issues a declaration that the public health, welfare or safety is in immediate danger that requires the expenditure of money in the fund and files notice of such emergency declaration with the Board of Public Works.  
(Ord. No. 7486-85, § 1)

**Sec. 2-169.** East Race Waterway promotional and development fund.

- (a) The East Race Waterway promotional and development fund is established by a separate dedicated fund to be used to receive monies, by way of donation. All sums of monies so collected and deposited in said separate dedicated fund shall be used solely for the purpose of promotion and developing the East Race Waterway. Monies remaining in the fund at the end of the fiscal year shall not revert to the general fund.
- (b) Any and all interest earned on the monies deposited in said dedicated fund shall remain in the fund.

(Ord. No. 7886-88, § 1)

**Sec. 2-170.2.** Potawatomi Zoo nonreverting capital improvement fund.

- (a) The Potawatomi Zoo nonreverting capital improvement fund is established pursuant to IC 36-10-4-16.
- (b) The increment increase of all admission fees charged to attend the Potawatomi Zoo established by the Board of Park Commissioners on November 23, 1992, shall be deposited into this special fund.
- (c) Funds may only be expended for capital improvements directly related to the Potawatomi Zoo upon passage of a proper appropriation ordinance by the Common Council.
- (d) Any and all interest earned on the monies deposited in this special fund shall remain a part of the Potawatomi Zoo nonreverting capital improvement fund.

(Ord. No. 8329-92, § 1, 12-14-92)

**Sec. 2-170.3.** Municipal Golf Courses nonreverting capital improvement fund.

- (a) The Municipal Golf Courses nonreverting capital improvement fund is established pursuant to IC 36-10-4-16.

- (b) The increment increase of all green fees for the use of Erskine, Studebaker and Elbel golf courses established by the Board of Park Commissioners on November 23, 1992, shall be deposited into this special fund.
  - (c) Funds may only be expended for capital improvements directly related to the City's Municipal Golf Courses upon passage of a proper appropriation ordinance by the Common Council.
  - (d) Any and all interest earned on the monies deposited in this special fund shall remain a part of the Municipal Golf Courses nonreverting capital improvement fund.
- (Ord. No. 8329-92, § 1, 12-14-92)

**Sec. 2-170.4.** Park and Picnic Facilities nonreverting capital improvement fund.

- (a) The Park and Picnic Facilities nonreverting capital improvement fund is established pursuant to IC 36-10-4-16.
  - (b) The increment increase of all charges for oven rentals, and the permit fees charged for the use of alcoholic beverages at various park facilities established by the Board of Park Commissioners on November 23, 1992, shall be deposited into this special fund.
  - (c) Funds may only be expended for capital improvements directly related to the Park and Picnic Facilities maintained by the City upon passage of a proper appropriation ordinance by the Common Council.
  - (d) Any and all interest earned on the monies deposited in this special fund shall remain a part of the Park and Picnic Facilities nonreverting capital improvement fund.
- (Ord. No. 8329-92, § 1, 12-14-92)

**Sec. 2-170.5.** Howard Park Ice Rink nonreverting capital improvement fund.

- (a) The Howard Park Ice Rink nonreverting capital improvement fund is established pursuant to IC 36-10-4-16.
  - (b) The increment increase of all charges for use of the Howard Park Ice Rink shall be deposited into this special fund.
  - (c) Funds may only be expended for capital improvements directly related to the Howard Park Ice Rink upon passage of a proper appropriation ordinance by the Common Council.
  - (d) Any and all interest earned on the monies deposited on this special fund shall remain a part of the Howard Park Ice Rink nonreverting capital improvement fund.
- (Ord. No. 8450-93, § 1)

**Sec. 2-170.6.** Recreation Department nonreverting fund.

- (a) The Recreation Department nonreverting fund is established pursuant to IC 36-10-4-16.
- (b) All charges for participation in designated and self-supporting Recreation Department activities and programs and/or use of



Recreation Department facilities shall be deposited into this special fund.

- (c) Funds may only be expended for capital improvements or activities directly related to Recreation Department activities, programs and facilities upon passage of a proper appropriation ordinance by the Common Council; provided, however, that subject to the deposit into the Recreation Department nonreverting fund of the sufficient revenues to support the same, the Park Department may, throughout each fiscal year, make such budget adjustments as may be necessary to operate the indicated programs and facilities.
- (d) Any and all interest earned on the monies deposited in this special fund shall remain a part of the Recreation Department nonreverting fund.

(Ord. No. 8750-97, § 1)

## **CHAPTER 12 ALARM SYSTEMS\***

\*Editor's note: Ordinance No. 7645-86, enacted May 27, 1986, purported to amend the Code by adding thereto a new Ch. 12, Alarm Systems, consisting of Article 1, False alarm fees, §§ 12-1 through 12-6. For classification purposes, the substantive provisions of the ordinances are codified herein as Ch. 12 Alarm Systems, §§ 12-1 through 12-6, without Article 1 at the discretion of the editor.

Cross references: False fire alarms, § 13-60 et seq.

Sec. 12-1. Definitions.

Sec. 12-2. Response to alarm; determination of validity.

Sec. 12-2.1. Alarm agent duties.

Sec. 12-2.2. Alarm user duties.

Sec. 12-3. False alarm fines.

Sec. 12-3.5. False alarm user fees.

Sec. 12-4. Automatic telephone dialing systems prohibited.

Sec. 12-5. Alarm silencer required.

Sec. 12-6. Penalties.

### **Sec. 12-1. Definitions.\***

\*Cross references: Definition of false fire alarm or call, § 13-61.

The following terms, when used in this chapter, shall have the following meanings:

- (a) Alarm agent means any person or entity, whether an individual, partnership or corporation, who conducts a business of monitoring alarm systems and whose actions would involve contacting the South Bend Police Department or South Bend Fire Department for a response.

- (b) Alarm system means any mechanism, equipment or device which is designed or used for the detection of an unauthorized entry into a building, structure, facility or enclosed area or for alerting others to the commission of an unlawful act or a fire within a building, structure facility or enclosed area, or both, and which emits a sound or transmits a signal or message when activated.
  - (c) Alarm user means any natural person, firm, association, partnership, limited partnership, sole proprietorship or corporation, which is in control of any building, structure, or facility wherein an alarm system is installed, operated or maintained.
  - (d) False alarm means the activation of an alarm system eliciting a response by the police or fire department which is not in response to actual or threatened danger to persons or damage to property. "False alarm" also means the activation of an alarm system through mechanical failure, malfunction, improper installation, or maintenance, or negligence of the alarm user or his employees or agents; but it does not include alarm activation caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by an alarm user or alarm agent.
  - (e) Keyholder means a natural person authorized by the alarm user to have and use a key to access the property where the alarm system is installed and possessing the ability to silence or deactivate the activated alarm system.
  - (f) Officer means a member of the South Bend Police Department or the South Bend Fire Department.
- (Ord. No. 7645-86, § 1; Ord. No. 9423-03, § IV; Ord. No. 9482-04, § I)

**Sec. 12-2. Response to alarm; determination of validity.**

- (a) Whenever an alarm system is activated in the City of South Bend which results in an emergency response to the premises by the Police or Fire Department, the officer on the scene of the activated alarm system shall inspect the area protected by the system and shall attempt to determine whether the emergency response was required or was a false alarm. It shall constitute a false alarm if the officer cannot inspect the area protected by the alarm system because of a fence or other obstruction, and the keyholder fails to arrive at the premises within fifteen (15) minutes of the officer's arrival.
- (b) If the officer at the scene of the activated alarm system determines the alarm to be false, the officer shall make a report of the false alarm, notice of which shall be sent to the alarm user at the address of the premises, or at the known address of the alarm user, if different from the premises address. If a false alarm requires the arrival of officers from both Police and Fire Departments, the officers shall make reports of the false alarm to both respective departments. The officer shall remain at the location of the alarm for a maximum of fifteen (15)

minutes or until a keyholder or agent arrives at the premises or contacts the Department, except as provided in subsection (d) below. If, after fifteen (15) minutes or after the key holder has notified the officer of a time which he/she would arrive at the scene but has failed to arrive during the time specified, and the officer at the scene has determined that no emergency exists, based on a visual review of the premises, and has concluded that the alarm appears to be a false alarm, the officer may leave the scene in order to respond to other public safety matters.

- (c) The Police Chief or Fire Chief, or his designee, shall have the right to inspect the premises to which a response has been made and may cause such inspection to be made at any reasonable time after the occurrence of a false alarm.
- (d) No provision in this chapter shall interfere with an officer's ability to respond to an emergency or crime.
- (e) The Police and Fire Departments shall maintain records of all false alarms to which each department responds, and shall send notice of the first false alarms to the user, so as to provide notice of the potential imposition of a fine or a service fee as provided in this chapter. The responding department is to note the name and telephone number of the alarm agent on the false alarm notice.

(Ord. No. 7645-86, § 1; Ord. No. 9423, § V; Ord. No. 9482-04, § II)

**Sec. 12-2.1. Alarm agent duties.**

- (a) Alarm agents shall maintain current records for each alarm user who employs the alarm agent's services. These records shall include the name, address and telephone number of the location where the alarm system is installed, and the names, addresses and telephone numbers of the primary and secondary keyholders, as well as any additional keyholders, of that alarm user. If a building has multiple alarm systems or sensors, the alarm agent shall maintain a copy of a blueprint, floor plan, or similar documents providing the zone locations of each system or sensor. Such records shall be provided to the South Bend Police Department or the South Bend Fire Department upon request.
- (b) Alarm agents shall monitor twenty-four (24) hours per day every day all of their installed alarm systems.
- (c) Alarm agents shall respond to alarm activations by immediately contacting the appropriate department, police or fire, and ensuring that a keyholder arrives at the premises where the alarm is activated within fifteen (15) minutes. If the alarm agent cannot contact a keyholder, the alarm agent shall take reasonable action to insure that an agent of the alarm user arrives at the premises with fifteen (15) minutes and shall notify the police or fire department of the time at which an agent can arrive.
- (d) If the keyholder can substantiate a non-emergency reason for the alarm, the alarm agent shall terminate the activated alarm. The alarm agent is

to contact the responding department to advise of termination of the alarm condition. If the responding department has not yet arrived at the premises, the dispatching authority will accept the cancellation and not issue a false alarm notice to the alarm user.

- (e) Upon contacting the Police or Fire Department, alarm agents shall provide the Department with specific information concerning the type and location of the alarm, including, if applicable:
    - (1) The type of alarm activated;
    - (2) Whether the premises is a residence or a business;
    - (3) The street address;
    - (4) Floor number;
    - (5) The unit number or name;
    - (6) The room number or name;
    - (7) If a business, any possible name changes or vacancy; and
    - (8) Any other information reasonably needed to quickly locate the emergency.
  - (f) Alarm agents shall terminate the activated alarm with fifteen (15) minutes of contacting the Police or Fire Department, unless additional time is required by police or fire personnel.
  - (g) Alarm agents shall maintain valid alarm agent licenses according to this section and chapter 4.
- (Ord. No. 9423-03, § VI)

**Sec. 12-2.2. Alarm user duties.**

- (a) Alarm users shall maintain their alarm sites and systems in such a manner as to minimize or avoid the occurrence of false alarms.
- (b) Alarm users shall make every reasonable effort to have a responder at the alarm system's location within fifteen (15) minutes when requested by a law enforcement agency in order to deactivate the alarm system and provide access to the alarm site.
- (c) Alarm users shall not activate an alarm system for any reason other than the occurrence of an event that the alarm system was intended to report.
- (d) Alarm users shall have a licensed alarm agent inspect the alarm system after two (2) false alarms in a one-year period. The appropriate police or fire department administrator may waive the required inspection if it is determined that a false alarm could not have been related to a defect or malfunction in the alarm system. After four (4) false alarms within a one-year period, the alarm user must have a licensed alarm agent modify the alarm system to be more resistant to false alarms or provide additional user training as appropriate.
- (e) Alarm users shall maintain at all alarm sites a set of written operating instructions for their alarm systems.
- (f) Alarm agents shall maintain valid alarm agent licenses according to this section and chapter 4.

- (g) Alarm users shall have current signage on their premises to indicate which alarm agent is responsible to respond to an activated alarm so that the responding department can note the name and telephone number of the alarm agent on the false alarm notice.

(Ord. No. 9423-03, § VII)

**Sec. 12-3. False alarm fines.\***

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\*Cross references: Penalty for turning in or reporting false fire alarm, § 13-62.

- (a) Whenever an alarm user issues, causes to be issued, or permits the issuance of a false alarm, this section shall apply unless the alarm user is a political subdivision as defined by IC 36-1-2-13.
- (b) After an alarm user causes or allows the issuance of any combination of three (3) false police or fire alarms, it shall be unlawful for the alarm user to cause or allow the issuance of a false alarm. Each false alarm subsequent to the third false alarm shall constitute a separate offense.
- (c) The Police and Fire Departments shall maintain appropriate records of all false alarms to which each department responds. After a department responds to three (3) false alarms at a location on or after January 1 and before December 31 of any calendar year the department which responded to the scene of an unlawful false alarm shall impose on and collect from the alarm user a fine for that unlawful false alarm.
- (d) False alarm fines shall be in the amount of one hundred dollars (\$100.00) for the fourth false alarm and two hundred dollars (\$200.00) for the fifth and each false alarm thereafter.
- (e) All fines collected as a result of a false alarm call to the Police Department shall be deposited in the Law Enforcement Continuing Education Fund, Fund 220, and all fines collected as a result of a false alarm call to the Fire Department shall be deposited in the Emergency Medical Services Capital Improvement Fund, Fund 288.

(Ord. No. 7645-86, § 1; Ord. No. 9423-03, § VIII)

**Sec. 12-3.5. False alarm user fees.**

- (a) Whenever an alarm user that is a political subdivision as defined by IC 36-1-2-13 causes or allows the issuance of a false alarm, this section shall apply.
- (b) After three (3) false alarms at a location, the department which responded to the scene of a false alarm shall charge the alarm user a user fee for reasonable compensation for the cost of the department's response. The amount of the user fee shall be determined in the manner prescribed in subsection (c).
- (c) The Board of Public Safety shall calculate the average total cost of each department's personnel, equipment, and overhead for each response, and shall determine the amount of the user fee, which cannot

exceed the average cost. The Board of Public Safety shall redetermine the user fee on an annual basis.

- (d) The user fees collected under this section shall be deposited in the same manner as fines collected under section 12-3.
- (Ord. No. 9423-03, § IX)

**Sec. 12-4. Automatic telephone dialing systems prohibited.**

- (a) It shall be unlawful for any person to sell, offer for sale, install, maintain, lease, operate, or assist in the operation of an automatic telephone dialing alarm system over any telephone lines exclusively used by the public to request emergency service directly from the South Bend Police Department or the South Bend Fire Department by automatically dialing either department.
- (b) The South Bend Police Chief or the South Bend Fire Chief, or their designees, upon receiving knowledge of an automatic telephone dialing system installed or operated in violation of this section, shall issue a written order to the owner, operator or lessee directing him or her to disconnect and cease operation of the system within seventy-two (72) hours of receipt of the order.
- (c) Any automatic telephone dialing system installed prior to the effective date of this section shall be removed within thirty (30) days of the effective date of this section.

(Ord. No. 7645-86, § 1; Ord. No. 9482-04, § III)

**Sec. 12-5. Alarm silencer required.\***

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\*Cross references: Loud and raucous noises prohibited, § 13-57; noise control, § 13-79 et seq.

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No local alarm system and no [other] alarm system shall be installed on any premises in the City which does not have an operable automatic resetting device to silence the alarm audible sounder within thirty (30) minutes after activation and to prevent the alarm sounding again as a result of the same event that caused the original activation.

(Ord. No. 7645-86, § 1)

**Sec. 12-6. Penalties.**

- (a) Any alarm agent who fails to comply with any of the provisions of this chapter shall be fined one hundred dollars (\$100.00) for the first violation, payable to the Ordinance Violations Bureau, and two hundred dollars (\$200.00) for each violation thereafter. Each day that a violation is permitted to exist shall constitute a separate offense.
- (b) Any alarm system installed, operated, or maintained in violation of this chapter is hereby declared to be a nuisance and may be abated in the same manner as nuisances are now or may hereafter be abated under existing law.

- (c) The remedies provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law, including remedies provided in chapter 4 of this Code.  
(Ord. No. 7645-86, § 1; Ord. No. 9423-03, § X)

## **Chapter 19 TREES AND VEGETATION\***

\*State law references: Tree planting, IC 8-23-24-1 et seq.; planting seedlings, IC 14-23-9-1 et seq.; shade trees and lawns in certain cities, IC 36-10-4-11.

Cross references: Mutilating, removing, cutting, etc., trees and shrubs in parks prohibited, § 4-45.

### **Sec. 19-1. Definitions.**

As used in this article:

- (1) *Board* means the Board of Park Commissioners of the City.
- (2) *Maintaining* means the trimming, use, care, cutting, pruning, spraying and preservation of trees, shrubs, vines, hedges and plants.
- (3) *Street center* means all the untraveled portion of any street, boulevard, avenue, parkway, thoroughfare, alley or other public highway lying between the curblines of such street, boulevard, avenue, parkway, thoroughfare, alley or other public highway.
- (4) *Tree and lawn area* means the land lying between the property line and the curbline on each side of a public street, boulevard, avenue, parkway, thoroughfare, alley or other public highway located within the City, except such portion as may be covered by sidewalks or used as a walkway.
- (5) *Trees and shrubs* mean trees, shrubs, vines, hedges and plants.  
(Code 1962, § 38-1)

### **Sec. 19-2. Applicability of article limited.**

The provisions of this article, except as otherwise provided, shall not apply to the sodding, seeding and maintenance of lawns or the maintaining, planting and removal of trees and shrubs within the boundary or property lines of the lots abutting upon the public streets.

(Code 1962, § 38-2)

### **Sec. 19-3. Posting or affixing materials to trees prohibited; exceptions.**

- (a) No person shall in any manner affix any poster or advertising material of any kind to any tree or shrub in the tree and lawn area or within the limits of the public streets.
- (b) This section shall not prohibit the posting of local, state or federal government notices or orders of any court or any legal notices required or authorized by law.

(Code 1962, § 38-3)

### **Sec. 19-4. Anchoring objects to trees or shrubs prohibited.**

No person shall fasten any wire, rope, chain or cable to any tree or shrub in the tree and lawn area or within the limits of the public streets for the purpose of anchoring any other structure or object in, on or adjacent to a tree and lawn area or public or state highway within the City.

(Code 1962, § 38-4)

**Sec. 19-5.** Placement of guards during excavation or construction.

In the event of any excavation or construction the owner or contractor shall place or cause to be placed around all trees and shrubs in the tree and lawn areas or within the limits of any public street guards of a size and type approved by the Superintendent of Parks, as will effectively prevent injury to the trees or shrubs.

(Code 1962, § 38-5)

**Sec. 19-6.** Stones, cement, building debris adjacent to trees.

- (a) No person shall place or keep any stone, cement or other substance around any tree in a tree and lawn area or within the limits of any public street which in any manner impedes the free entrance of water or air to the roots of such tree or stunts the free growth of such tree.
- (b) All building materials or debris shall be kept at least three (3) feet from all trees and shrubs.

(Code 1962, § 38-5)

**Sec. 19-7.** Electrical wires in contact with trees.

Any person owning, installing or maintaining any wires charged with electrical current shall, whenever practicable, securely fasten the wires so that they will not come in contact with any tree in any tree and lawn area or upon, along or within the limits of any public highway, park or other public grounds within the City.

(Code 1962, § 38-6)

**Sec. 19-8.** Permit required for use of chemicals in vicinity of trees; fee.

- (a) No person shall use or permit to be used any chemical for the control of insects or diseases or for any other reason upon, or in the vicinity of, any tree or shrub that is growing or planted upon, along or within the limits of the public streets or the tree and lawn areas of the City without first obtaining written permission from the Superintendent of Parks or his designee.

- (b) No fee or charge shall be made by the Board for the permit.

(Code 1962, § 38-7)



## **DIVISION 2. PLANTING, TRIMMING AND REMOVAL**

### **Sec. 19-9. Jurisdiction of Board of Park Commissioners.\***

\*State law references: Powers of Board of Park Commissioners in certain cities, IC 36-10-4-9.

The Board of Park Commissioners shall have the exclusive jurisdiction and authority to do the following:

- (1) order, control and regulate the sodding, seeding and maintenance of lawns and the maintaining, planting and removal of trees and shrubs upon, along or within the limits of the public streets, tree and lawn areas, parks and other public places of the City;
- (2) order, control and regulate the removal of dead and diseased trees or portions thereof, which constitute a menace to public safety and health wherever located within the City;
- (3) adopt and enforce rules, regulations and specifications relative to paragraph (1) of this section; and
- (4) regulate and prescribe the terms and conditions upon which permits for the maintaining, planting and removal of trees and shrubs shall be issued.

(Code 1962, § 38-12)

### **Sec. 19-10. Interference with Board employees.**

No person shall in any manner obstruct or interfere with the agents or employees of the Board of Park Commissioners while engaged in carrying out the provisions of this article or the orders issued by the Board.

(Code 1962, § 38-22)

### **Sec. 19-11. Unlawful to remove, destroy, spray, etc., City trees and shrubs without Board permission.**

No person shall remove, transfer, destroy, spray or do surgery work upon any tree or shrub located in any area over which the Board of Park Commissioners has jurisdiction, without permission from the Board or its designee.

(Code 1962, § 38-23)

### **Sec. 19-12. Approval and permit required prior to planting any tree or shrub; fee.**

- (a) No tree or shrub shall be planted upon or along any public street or in a tree or lawn area of the City until the tree or shrub and the place where it is to be planted has been approved and a permit granted by the Superintendent of Parks or his designee.
- (b) No fee or charge shall be made for the permit.

(Code 1962, § 38-10)

**Sec. 19-13.** Prohibited species of trees.

No catalpa, soft maple, box elder, cottonwood, poplar, ailanthus, mountain ash, horse chestnut, birch, mulberry, willow, Carolina poplar, basswood, Chinese elm, nut-bearing trees or conifers, or any tree having weeping or pendulous branches, shall be planted in any tree and lawn area or upon, along or within the limits of any public street.

(Code 1962, § 38-8)

**Sec. 19-14.** Prohibited species of shrubs.

No person shall sell or plant within the City the "berberis vulgaris," commonly known as the tall barberry, or the "berberis purpurea," commonly known as the purple barberry.

(Code 1962, § 38-9)

**Sec. 19-15.** Authority of the Board to require maintenance of tree and lawn area by abutting property owners.

The Board of Park Commissioners shall have the right, power and authority to:

- (1) require the owners of parcels of land bordering on any public street of the City to grade, sod, plant and maintain in proper condition the tree and lawn area and the street centers in front of the parcels of land; and
- (2) require such owners to plant and maintain shade or ornamental trees in such areas.

(Code 1962, § 38-14)

**Sec. 19-16.** Adoption of resolution showing necessity; procedure.

Upon the adoption of a resolution showing the public necessity of the planting and maintaining of trees and sod, as set forth in section 19-15, and the making and placing on file of an estimate of the cost thereof, the Board of Park Commissioners may order such planting and maintenance, subject to the following procedure:

- (1) Upon the adoption of the resolution, the Board shall give notice and hold hearings, with the right of remonstrance and appeal in the same manner provided for by the law of the State in case of street and sidewalk improvements by the boards of public works of first-class cities.
- (2) If the Board shall confirm such resolution after the hearings required, the owners of such parcels of land shall be granted a period of sixty (60) days after such confirmation to perform the required work at their own expense. In the event of an appeal, the sixty-day period shall commence to run as of the date the confirmed resolution is sustained upon appeal.

(Code 1962, § 38-15)

**Sec. 19-17.** Tree and lawn area regulations.

- (a) Use. No tree or lawn area within the City shall be used for any purpose or in any manner other than the purposes and manner provided in this article.
  - (b) Grade. The surface of tree and lawn areas shall be as nearly level as practicable. Its grade shall be the top lines of the sidewalk and curb.
  - (c) Standards for planting trees and shrubs. No tree or shrub shall be planted in a tree and lawn area having a width of less than five (5) feet. No hedge or shrubbery planted in the tree and lawn areas shall be permitted to grow more than three (3) feet in height. All trees planted in such areas shall be of healthy stock, not less than two (2) inches in caliper, and the lowest limbs of such trees shall not be less than ten (10) feet above the curb and sidewalk. No tree shall be planted less than thirty-five (35) feet from another tree. No tree or shrub in such areas of street intersections shall be planted less than fifteen (15) feet from the intersection of the curbs. No person shall plant trees within six (6) feet of a fire hydrant or in such manner as to obstruct the view of any streetlight, traffic sign, signal device or street intersection.
- (Code 1962, §§ 38-17--38-19)

**Sec. 19-18.** Trimming trees overhanging streets; notice; manner.

- (a) All trees and shrubs which overhang a street within the City, whether located on tree and lawn areas or on the abutting lots, shall be trimmed either by the Board of Park Commissioners or by the owners of the abutting lots upon the order of the Board.
  - (b) The trimming shall be done within the period specified in the notice given by the Board to the owners, as provided in section 19-21; provided, however, such period shall not be less than ten (10) days.
  - (c) Overhanging trees shall be trimmed so that there is a clear space of ten (10) feet above the surface of the curb and in such a manner as not to obstruct the view of any streetlight, traffic sign, signal device or street intersection.
- (Code 1962, § 38-11)

**Sec. 19-19.** Removal of hazardous trees by property owner; order, notice; emergency removal.

- (a) Every owner of real estate within the City shall remove or trim any tree or shrub or any part thereof located on such real estate or in the tree and lawn area in front of such real estate which may be dead, diseased, unsightly, in a condition which is injurious or detrimental to the public health and safety or the growth of adjacent trees or which may project over the public street on which such real estate abuts in such manner as to obstruct the free passage of pedestrians and vehicular traffic on such public streets.
- (b) The Board of Park Commissioners shall have the power and the authority to order and require such owner to remove any such tree or shrub by first causing notice to be served on such owner in the manner

provided in section 19-21 not less than ten (10) days prior to the time designated in such notice for the removal or trimming of such tree or shrub.

- (c) In case of an immediate necessity for any such removal or trimming by reason of storm or other emergency, such removal or trimming may be done by the Board of Park Commissioners or its Superintendent of Parks, and no notice whatever need be given thereof.

(Code 1962, § 38-13)

**Sec. 19-20.** Work performed by City upon noncompliance with order; assessment of costs; lien; foreclosure.

- (a) In the event abutting owners fail to comply with orders of the Board within the period granted, the Board may perform such work with its own forces and employees. The actual cost of such work, which shall not exceed the above-mentioned estimate, shall be assessed against the abutting lots of such owners. The Board shall notify such owners of the cost and assessment of such work.
- (b) The cost and assessment shall constitute a lien on the abutting lots and shall be payable, without notice, at the Office of the City Treasurer at the next regular taxpaying time after notice has been given of such costs and assessments. If such amount is not paid when due, it shall be enforceable by foreclosure in the same manner as the assessments made for street and sidewalk improvements in cities of the first class. The amount of such costs and assessments shall become a part of the funds of the Board when collected.

(Code 1962, § 38-16)

**Sec. 19-21.** Service of notice; commencement of specified time period.

- (a) All notices provided for in this article, except notices provided for in section 19-16 for hearing on resolutions, shall be served upon any real estate owner who is a resident of the City by reading such notice to him or leaving a correct copy thereof at such owner's last known place of residence. If such owner is not a resident of the City, then notice may be served by sending a correct copy thereof by registered mail, addressed to such owner at his last known mailing address for personal delivery on such owner, with a return receipt. If the residence or address of such owner is unknown or cannot be ascertained, then notice may be served by publishing such notice once each week for two (2) consecutive weeks in a daily newspaper of general circulation printed and published in the English language in the City.
- (b) The period specified in the notice shall be deemed to commence with the day following the date of the service of such notice, as shown by return of service which shall be made on such notice or

by such registered mail return receipt or with the day following the seventh day after the last publication.

(Code 1962, § 38-20)

**Sec. 19-22.** Recovery of costs for work performed by City.

- (a) If any owner of real estate fails to comply with the orders issued either by the Board or the Superintendent of Parks under the provisions of this article, within the period of time specified in such orders, except such resolutions, orders and notices as may be issued under section 19-16, the work required by such orders may be done by the Board with its own employees.
- (b) The Board shall keep an accurate account of the costs and expenses of doing such work. The costs and expenses shall be recovered and collected by a suit in the name of the City or by such other action or procedure as provided by law, including, but not limited to, the filing of a mechanic's lien.

(Code 1962, § 38-21)

**Sec. 19-23.** Penalty.

In addition to the liability for cost as provided in section 19-22, upon default of any owner to comply with any orders issued either by the Board or the Superintendent of Parks pursuant to the provisions of this article, such failure shall constitute a violation of the provisions of this article, and the owner shall be subject to the penalty as provided in section 1-23.

(Code 1962, § 38-24)

**Secs. 19-24, 19-25.** Reserved.

**DIVISION 3. RESERVED\***

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\*Editor's note: Former Div. 3, §§ 19-26--19-31, which pertained to an arborist's license, was repealed by § 9 of Ord. No. 6998-81, enacted Nov. 9, 1981. The repealed provisions derived from §§ 38-26--38-29 of the 1962 Code and § 19 of Ord. No. 6721-79.

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**Secs. 19-26--19-31.** Reserved

**ARTICLE 3. PUBLIC PARKS\***

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\*Editor's note: Section 2 of Ord. No. 6998-81, enacted Nov. 9, 1981, renumbered former Ch. 4, Art. 8, §§ 4-42--4-84 as Art. 3 of Ch. 19, §§ 19-36--19-78.  
Cross references: Adoption of State law relative to public parks, § 2-137.

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**Sec. 19-36. Definitions.**

Unless otherwise expressly stated, whenever used in this article, the following terms shall respectively mean and include each of the meanings set forth:

- (a) Bathing area: "Bathing area" shall mean and include any area maintained for the use of bathers, including, but not limited to, water areas and land under water adjacent to the bathing beaches on Pinhook Park Lane, St. Joseph River, swimming pools, or any other area maintained or used for bathing areas, under the jurisdiction of the Board.
- (b) Bicycle path: "Bicycle path" shall mean and include any path, road or trail maintained for persons riding bicycles.
- (c) Board: The word "Board" shall mean the Board of Park Commissioners of the City of South Bend, Indiana, or the Public Recreation Commission of the City of South Bend, Indiana.
- (d) Bridle path: "Bridle path" shall mean and include any path or road maintained for persons riding on horseback.
- (e) City: The word "City" shall mean the City of South Bend, Indiana.
- (f) Controlled substance: "Controlled substance" shall have the same meaning as set forth in IC 16-6-8-2, as amended from time to time.
- (g) Department of Public Parks or Park Department: "Department of Public Parks" or "Park Department" shall mean and include the Department of Public Parks of the City of South Bend, Indiana, or such department of said City as may now or hereafter be under the jurisdiction of said Board.
- (h) Footpath or trail: "Footpath" or "trail" shall mean and include any path or trail maintained for pedestrians.
- (i) Owner: "Owner" shall mean and include any person owning, operating or having the use and control of a vehicle, animal, thing or other property under a lease or otherwise.
- (j) Park: The term "park," unless specifically limited, shall be deemed to include all parks, parkways, playgrounds, athletic fields, tennis courts, golf courses, swimming pools, beaches, parking areas and other recreation areas, museums, zoological and botanical gardens, places, squares, circles, spurs, open places, boulevards, tree lawn areas, roads, waters and lands under water, and also entrances and approaches thereto, docks and piers, channels and bridges in, leading to or connecting such park or parks or parts thereof, which are under the jurisdiction of the Board and such other rights and appurtenances as the Board shall utilize whether the same be now or hereafter owned or acquired by the City in fee or otherwise, including all land under and space above the ground.
- (k) Park-street: The term "park-street" shall mean and include all street property in the park for the full width thereof.

- (l) Parkway: The word "parkway" as used herein shall include only such area as may lie within or between two (2) public streets.
  - (m) Permit: "Permit" shall mean and include any written authorization issued by or under the authority of the Board for a specified park privilege, activity or event, or permitting the performance of a specified act or acts in any park or park-street.
  - (n) Person: "Person" shall mean and include any natural person, corporation, society, organization of persons, company, association, joint stock association, firm or copartnership.
  - (o) Playground area: "Playground area" shall mean and include any area maintained or designated as a playground area, including all territory under the jurisdiction of the Board.
  - (p) Police officer: "Police officer" shall mean and include any member of the Police Department of the City of South Bend, or police officer assigned to the Board, or appointed by the Board, as a park policeman, or any other City employee sworn in as a peace officer by said City or said Board, pursuant to law.
  - (q) Safety zone: "Safety zone" shall mean and include any space within any park or park-street so designated by the appropriate signs as a safety zone.
  - (r) Unnecessary stopping: "Unnecessary stopping" shall mean bringing a vehicle to a complete stop on a road in a park other than at a parking place, or other than in conformity with traffic regulations or other than because of an emergency.
  - (s) Vehicle: "Vehicle" means and includes any device, conveyance, or combination of conveyances, wheeled or without wheels, propelled, towed or unpropelled, that in, around, or on which a person or thing is or may be carried; any moving support or container for the conveyance of persons, animals, or bulky objects on land or water or in the air.
- (Ord. No. 5544-73, § 1; Ord. No. 8112-90, § I)

**Sec. 19-37. Construction and scope of article.**

- (a) Construction. In the interpretation of this article affecting parks, its provisions shall be construed as follows:
  - (1) Any term in the singular shall include the plural;
  - (2) Any term in the masculine shall include the feminine and neuter;
  - (3) Any requirement or provision of this article relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any minor in the custody of any persons doing any act prohibited by any provision hereof;
  - (4) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Department of Public Parks in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Board;

- (5) Any act otherwise prohibited by this article, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of, and strictly in compliance with, the provisions of a permit and to the extent authorized thereby;
  - (6) This article is in addition to and supplemental to all municipal, state and federal laws and ordinances.
- (b) Territorial scope. This article shall be effective within and upon all areas under the jurisdiction of the Board, and shall regulate the use thereof by all persons.
- (Ord. No. 5544-73, § 1)

**Sec. 19-38. Property, drives, bridges and equipment.**

No person shall injure, deface, displace, remove, fill in, raise, destroy or tamper with any drive, path, walk, bridge or approach thereto; take up, remove or carry away and asphalt, curb, flagstone, rock, stone, gravel, sand, clay or earth; or make any excavation of any kind, name or nature; or cut, injure, mutilate, deface, displace, remove or destroy any wall, fence, shelter, seat, statue, monument or other structure, building, post, railing, bench, seat-platform, stand, tree guard, telephone, pipe or main for conducting gas, water or wires, fuses, fuse box or switch boxes, or any hydrant, sewer, drain, pipe, main, receiving basis, covering, manhole or vent forming a part thereof, or any appurtenance or appendage conforming therewith; or injure, or deface, or destroy, or mutilate, or remove, or carry away, or displace, or tamper with any property or equipment, real or personal, owned by the City or under the jurisdiction, control or supervision of the Board, or appertaining to the creation, control government, use or maintenance of any park or park-street; or injure, deface, displace, remove or destroy any sign, notice, inscription, post or monument, erected or marked for any purpose, or any milestone, danger sign or signal, guide sign or post, or any signaling device, sanctioned, installed or placed by the said Board or by the Police Department of the City of South Bend within any park or upon any park-street for the purpose of directing, restricting or regulating traffic, establishing zones or giving information or directions to the public, or interfere with any lamp, lamppost, gas or electric light apparatus, or light or extinguish the light therein, or attach, string, adjust or suspend any wires or similar object in, on or over any part of any park or park-street.

(Ord. No. 5544-73, § 1)

**Sec. 19-39. Trees, shrubs and grass.**

No person shall, in any park or park-street, destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any growing thing including but not limited to any plant, flower, flower bed, shrub, tree, growth or any branch, stem, fruit or leaf thereof; or bring into or have in his possession in any park or park-street any garden or agricultural implements or tools which could be used for the removal thereof; or pile or maintain any material or debris of any kind against or upon the same; or attach any rope,



cable or other contrivance thereto; or set fire to any timber, tree, shrub, plant, flower, grass or plant growth, or suffer any fire upon other land to extend into park land; or hitch any horse or other animal to, or leave the same standing near enough to injure any tree, shrub, lawn or grassplot; or go upon any lawn, grassplot or planted area, except at such times when permission to do so shall have been given by the Board to the public. No person shall bring into or have in his possession in any park or park-street any tree, shrub or other plant, or any branch, stem, flower or leaf thereof, without permission from the Board.

(Ord. No. 5544-73, § 1)

**Sec. 19-40. Prohibited acts.**

- (a) Littering rubbish, refuse. No person shall take into, carry through, leave in or throw, cast, lay, drop or discharge into or on, or suffer or permit any servant, agent, employee, person or animal in his or her charge to take into, carry through leave in, throw, cast, lay, drop or discharge into or on any park or park-street any rubbish of any sort including but not limited to ashes, dross, cinders, shells, fruit skins, pasteboard, dirt, sand, oil, grease, clay, loam, stone or building rubbish, hay, straw, oats, sawdust, shavings or manufacturing, trade or household waste, vehicles or parts thereof as junk, old iron or other metal or objects made there from, or sick, diseased or dead animals, organic refuse, or other offensive matter, including swill or brine. The leaving, except in receptacles provided for refuse, or the leaving or littering of newspapers or other papers in a park is prohibited. No person shall throw, cast, lay or deposit any bottle or piece of crockery or any glass or glassware or any part thereof, or metallic or other substance with sharp edges or projections in any park.
- (b) Spitting. No person shall, in any park or park-street, spit upon any walk, crossing, safety zone, structure, bridge, platform, stairway or floor of any building.
- (c) Pollution of waters. No person shall throw, cast, lay, drop or discharge into or leave in the waters used for bathing or waters in any park or in any storm sewer or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.
- (d) Discharging certain substances into drains and sewers. No person shall discharge, directly or indirectly, into any opening, or into any gutter leading into any sewer, receiving basin or drain, in or leading into any park or park-street, any gas or vapor, or any substance which may form a deposit tending to choke same, or any volatile liquid which will emit an inflammable vapor, or any steam or hot water above one hundred (100) degrees Fahrenheit.

(Ord. No. 5544-73, § 1)

**Sec. 19-41. Advertising.**

No person, without written permission from the Board, shall distribute or display any flag, banner, sign or other matter for advertising purposes within any park or park-street. No person shall display by means of aircraft, kite, balloon, aerial bomb or any other device, any flag, banner, sign or any other matter for advertising purposes above the surface of any park or park-street. No person shall operate any musical instrument, or drum, or loudspeaker, amplifier or siren, or cause any noise to be made within any park or upon any park-street for advertising purposes or for the purpose of attracting to any exhibition, performance, show or other spectacle.  
(Ord. No. 5544-73, § 1)

**Sec. 19-42. Disorderly conduct.**

- (a) No person shall, in any park or park-street:
- (1) Disobey an order of a police officer or any park employee designated by the Board to give orders, or disobey or disregard the notices, prohibitions, instructions or directions on any sign, including the rules and regulations of golf courses, swimming pools, playground areas, recreation centers, shelter houses, museums or zoological or botanical gardens posted on the grounds or buildings or structures connected with or used for any purpose under the jurisdiction, control, operation or supervision of said Board.
  - (2) Use threatening, insulting or abusive language.
  - (3) Do, engage in, or aid or abet any obscene or indecent act.
  - (4) Throw, cast or propel stones or other missiles.
  - (5) Solicit alms, subscriptions or contributions for any purpose.
  - (6) Molest or annoy any persons.
  - (7) Interfere with, encumber, obstruct or render dangerous any part of a park or park-street.
  - (8) Climb or lie upon any wall, fence, shelter, seat or other structure.
  - (9) Do any act tending to or amounting to a breach of the peace.
  - (10) Use any sound amplification device audible more than twenty (20) feet from the device without specific written permission from the Board.
  - (11) Enter or leave any park except at established entrance ways or exits, at established times; use, or gain admittance to, or attempt to use, or gain admittance to, any facilities or event in any park for the use of which, or admittance to which, a charge is made, without paying the charge of price fixed by the Board or its duly authorized agent or officer.
  - (12) Engage in, instigate or encourage a contention or fight.
  - (13) Do, aid, abet or assist in doing any act injurious to any person, animal or property within any park or park-street.
  - (14) Dress or undress behind shrubs or other structures, or in any place not designated by the Board for such purposes.

- (15) Act as a crier, or advertiser, through the media of voice, public address system, amplifier, loudspeaker or other mechanical device, in parks, park-streets or beaches.
  - (16) Appear in or upon any park or park-street while intoxicated or under the influence of intoxicating liquor.
  - (17) Use mineral or metal detectors except by permit from the Board of Park Commissioners.
- (b) No person shall engage in conduct or activities dangerous to himself or others, or use the facilities and structures of the park for purposes other than those for which they were intended. Such prohibited activities include, but are not limited to: hang gliding, rappelling from towers, and any other use of trees, towers, or other structures for technical climbing activities.
- (Ord. No. 5544-73, § 1; Ord. No. 5642-74, § 1; Ord. No. 8112-90, § II)

**Sec. 19-43. Gambling.**

No person shall play games of chance, sell fortunes or futures, participate in the conduct of a lottery or use any slot machine, gaming table or instrument, or bring into any park or have in his possession while there any implements or devices commonly used, or intended to be used, for gambling purposes.

(Ord. No. 5544-73, § 1)

**Sec. 19-44. Explosives, firearms, weapons and missiles.\***

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\*Cross references: Discharging firearms prohibited; exception, § 13-58; fireworks prohibited; exception for licensees, § 13-59.

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- (a) No person shall bring into or have in his possession in any park or park-street any firearm, gun, pistol, switchblade, hunting knife, dagger, metal knuckles, chain, slingshot, bow and arrow, firecrackers, torpedoes, fireworks or other missile-propelling or explosive devices, blowgun, any dangerous lethal instrument, harmful solid, liquid, aqueous, effervescent, gaseous substance or other dangerous weapon or substance while on or within a City park or park-street, except by specific permission of the Board.
- (b) Shooting or propulsion of any missile, pellet, shot, arrow, dart or other thing by means of any firearm, compressed air or gas propulsion device, bow, slingshot or propelling device of any kind, nature or description, into, upon, across, through or against, any lands, the air above same or the waters or the lands below same, or any ways, walks, buildings, structures, swimming pools, or the interior of any structures, shelters, buildings or facilities, owned or under the control, operation, supervision or management of said Board, is prohibited, unless done under a permit granted by said Board or within a regularly conducted event authorized by, or conducted by, said Board or the Superintendent

of Parks and/or Recreation of the Department of Public Parks of the  
City of South Bend, Indiana.  
(Ord. No. 5544-73, § 1; Ord. No. 8112-90, § III)

**Sec. 19-45. Aviation.**

No person, without permission of the Board, shall voluntarily bring, land or cause to descend or alight within or upon any park, any airplane, flying machine, balloon, parachute or other apparatus for aviation. Voluntarily, in this connection, shall mean anything other than a forced landing. Any landing other than one caused by mechanical or structural failure of the aircraft or any of its parts shall be deemed to have been made voluntarily, and this shall include landings by error or oversight, negligence or failure to comply with any Civil Aeronautics Authority regulations or rulings.  
(Ord. No. 5544-73, § 1)

**Sec. 19-46. Camping.**

- (a) No person shall establish or maintain any camp or other temporary lodging place, including a tent, vehicle, boat, or other artificial shelter, within the park, without a permit from the Board or its duly authorized officer and payment of a fee which, if any, may be set by the Board. Such permit must be conspicuously posted at the campsite.
  - (b) All campers and/or visitors shall abide by the camping rules authorized and restrictions set forth by the Board as required conditions of the area use.
- (Ord. No. 5544-73, § 1; Ord. No. 8112-90, § IV)

**Sec. 19-47. Park entrance fees; permits.**

- (a) Entrance, vehicle registration, rental and activity fees for the City parks shall be as established by the Board, and shall be levied at those times and for those activities and events as designated by the Board.
- (b) All persons who take part in any specialized activities for which there is a fee, rental or admission and all persons using any park facilities or engaging in any activity in any City park or park-street must abide by the posted regulations adopted by the Board governing those activities and/or facilities. No person shall be allowed within the confines of those specialized activities or facilities without having first paid the fee, rental or admission charge.
- (c) A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof. Any violation of any law, ordinance, or rule or regulation of the Board or any other City department by the holder of any permit of any term or condition thereof shall constitute grounds for revocation by the Board or its authorized representative, whose action therein shall be final.
- (d) In the case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the Board, be forfeited to and be

retained by the City; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the City of South Bend for all damages and loss suffered by it in excess of money forfeited and retained; but neither such forfeiture and retention by the City of the whole or any part of such moneys nor the recovery or collection of such damages, or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any law, ordinance or rule or regulation of the Board or of any other City department.

(Ord. No. 5544-73, § 1; Ord. No. 8112-90, § V)

**Sec. 19-48.** Meetings, exhibitions, parades, racing, etc.

- (a) No person shall erect any structure, stand or platform, or exhibit any dramatic performance, or the performance in whole or in part of any interlude, tragedy, comedy, opera, ballet, play, farce, minstrelsy, dancing, rock festival, musical concert, entertainment, motion picture, public fair, circus, juggling, ropewalking or any other acrobatics, or show of any kind or nature, or parade, drill or maneuver of any kind, or run or race any horse or other animal, being in or on or [attached] to a vehicle, or race with another vehicle or horse whether such race is founded on any stake, bet or otherwise, or hold any athletic contest, in any park or upon any park-street except by permit.
- (b) The Board shall issue such permit, upon application, when it is consistent with the proper use and protection of the park property as set forth below; and refuse same when inconsistent with the proper use and protection of the park property.
- (c) No person shall erect any structure, stand or platform, hold any meeting, perform any ceremony, make a speech, address or oration, or exhibit or distribute any sign, placard, notice, declaration or appeal of any kind or description, in any park or upon any park-street except by permit of said Board.
- (d) Upon application such permit shall be issued unless:
  - (1) The use for which the permit is sought is of a commercial nature; or
  - (2) The location selected is not suitable because it is inconsistent with one of the specialized park use areas such as skating rinks, ball diamonds, camping areas, athletic fields, landscaped areas, or limited use areas, swimming pools or recreational areas, or will unreasonably cause safety, crowd congestion, noise, or traffic flow problems; or
  - (3) The date and time requested has previously been allocated by permit, or would obstruct and interfere substantially with park use and enjoyment by the public; provided, however, that no permit shall be issued for any unlawful purpose.

- (e) Whenever a permit is denied because of a reason set forth in subsections (d)(2) or (3) of this Section, alternative suitable locations or dates shall be offered to the applicant.

(Ord. No. 5544-73, § 1; Ord. No. 8999-99, § I)

**Sec. 19-49. Picnics and outings.**

All persons conducting organized picnics or outings shall obtain permits for the use of said park facilities in the parks designated for such purposes.

(Ord. No. 5544-73, § 1)

**Sec. 19-50. Peddling, sales, photographs, etc.; concession contracts.**

No person shall in any park or park-street or to any person in any park, exhibit, sell or offer for sale, hire, lease or let out any object or merchandise, or any thing whatsoever, whether corporeal or incorporeal, tickets for entertainments or other affairs of any description included, except under a permit, or for advertising or commercial purposes take moving pictures or photographs within the limits of any park, or buy or sell or publish the negatives thereof or the prints therefrom or exhibit such negative or prints in public, or use pictures or photographs of any park, park-street or park structure, perform any personal service for hire in any park or park-street except under a permit, or otherwise than in accordance with the terms of such permit. Possession of objects or merchandise in quantities, packages or containers customarily associated with peddling shall be deemed to be prima facie evidence of exhibiting or offering for sale. Nothing contained herein shall forbid or prevent said Board in its discretion, granting concession contracts and privileges to any concessionaire or permittee on such terms and conditions as the Board may determine.

(Ord. No. 5544-73, § 1)

**Sec. 19-51. Protection of animals.**

No person shall within any park molest, kill, wound, trap, hunt, take, chase, shoot or throw missiles at, remove or have in his possession any feral animal, reptile, bird, bird's nest or squirrel's nest, or remove the young of any such animal or the eggs or young of any such reptile or bird, or knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or egg so killed or taken.

(Ord. No. 5544-73, § 1)

**Sec. 19-52. Fires; discarding lighted cigars, etc.**

No person shall kindle, build, maintain or use a fire except in fireplaces provided for the purpose or under special permit. Any fire shall be continuously under the care and direction of a competent person over twenty-one (21) years of age from the time it is kindled until it is extinguished, and no fire shall be built within ten (10) feet of any tree or building, or beneath the branches of any trees or in any underbrush. No

person shall throw away or discard any lighted match, cigar or cigarette in any park or park-street.  
(Ord. No. 5544-73, § 1)

**Sec. 19-53. Boating.**

- (a) No boat or vessel shall be laid up, stored, repaired or placed for any other purpose on park land except by permit.
  - (b) The parking of any boat or trailer is prohibited except in areas designated and marked for that use.
  - (c) All boat launching and landing is prohibited except where posted for that specific activity.
  - (d) No person shall launch or operate a boat on bodies of water under the jurisdiction, operation or supervision of the Board except by permit.
  - (e) No person shall operate a boat propelled by sail or steam, naphtha, gasoline, oil, alcohol, electricity, motor or engine, or row or paddle a rowboat, canoe or raft in or upon any waters under the jurisdiction, operation or supervision of the Board unless able to control or handle the same with safety to himself and other occupants thereof, or otherwise than in a careful and prudent manner and at a rate of speed so as not to molest, annoy, disturb or endanger the life, limb, property or reasonable comfort or safety of another, or occupants of other boats; except the use of motorboats on Pinhook Lake is prohibited.
  - (f) Boating of any kind in a bathing area is prohibited.
- (Ord. No. 5544-73, § 1; Ord. No. 8112-90, § VI)

**Sec. 19-54. Fishing; protection of fish.**

- (a) Fishing is prohibited in any waters under the jurisdiction of the Board, except in those areas and during those times designated as fishing areas by the Board.
  - (b) No person shall have in his possession or take or attempt to take any fish in any such waters, except in such designated areas.
  - (c) All anglers shall possess a current State of Indiana fishing license in accordance with the laws, rules and regulations of the Indiana Department of Natural Resources.
  - (d) No person shall at any time throw missiles at fish or place in any such waters any piscivorous fish, poison or other substance injurious to fish.
  - (e) All fish cleaning and disposal of remains is prohibited except in those facilities designed and designated for such use. The selling, bartering or donating of any fish or any parts thereof is prohibited on City park property.
- (Ord. No. 5544-73, § 1; Ord. No. 8112-90, § VII)

**Sec. 19-55. Bathing.**

- (a) No person shall bathe, wade or swim in any waters under the jurisdiction, control, operation or supervision of the Board except at

such times and in such places as designated by the Board as bathing areas.

- (b) No person shall bathe, wade or swim, or appear in such bathing area unless covered with a bathing suit.
- (c) No person shall dress or undress in any park except in such places as may be designated or maintained for such purpose.
- (d) The use of rafts, innertubes, air inflated plastic and other objects intended to support persons, not approved by the United States Coast Guard or United States Red Cross Water Safety Council, is prohibited.
- (e) No food or beverage containers, wooden or metal objects or other dangerous substances or things are permitted on the beaches adjacent to or in swimming areas, except for approved containers distributed through the designated concessionaire of the Board.

(Ord. No. 5544-73, § 1; Ord. No. 8112-90, § VIII)

**Sec. 19-56.** Subsurface aquatic activities.

No person shall participate in any subsurface aquatic activity requiring the use of masks, artificial breathing apparatus, etc., (as in skin diving and scuba diving), in any water under the jurisdiction, control, operation or supervision of the Board, except by permit.

(Ord. No. 5544-73, § 1)

**Sec. 19-57.** Toy aviation; kite flying; model boating, automobiling or airplane flying.

No person shall, in any park, engage in toy aviation [kite flying,] model boating or model automobiling or model airplane flying, except at places designated or maintained therefor.

(Ord. No. 5544-73, § 1)

**Sec. 19-58.** Games.

No person shall, in any park or park-street, throw, cast, catch, kick or strike any baseball, swing or make use of any golf club, play golf, hit or putt golf balls, tennis balls, footballs, basketballs, croquet balls or other objects, or engage in any sport, game or competition, except in places designated or maintained therefor.

(Ord. No. 5544-73, § 1)

**Sec. 19-59.** Animals at large.\*

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\*Cross references: Impoundment of dogs running at large, biting persons, § 5-16.

- (a) No person owning or being custodian or having control of any animal shall cause or permit such animal to go at large in any park or park-street. A dog or other pet may be brought into a park or park-street provided that such animal is continuously restrained by a leash, not



exceeding six (6) feet in length. No pets, except seeing-eye dogs and hearing-guide dogs, are allowed in, upon or on buildings, golf courses, playgrounds or bathing areas, swimming pools, stands, concert areas, seats, seating areas, sundecks adjacent to swimming pools, areas where food is purveyed, kept or prepared, on the nordic ski trails during the winter sports season, or other areas designated by signs as prohibited areas.

- (b) No person having the care of any dog or other animal shall permit such animal to enter or drink the water of any drinking fountain or swimming pool in any park except at places designated or maintained therefor.
- (c) Any animal found at large may be seized and impounded or disposed of pursuant to the laws and ordinances of the State or City of South Bend concerning the disposal of stray animals on the highways or other public places.

(Ord. No. 5544-73, § 1; Ord. No. 8112-90, § IX)

**Sec. 19-60. Horses.**

No person shall use, ride or drive a horse in any park unless authorized to do so by the Board.

(Ord. No. 5544-73, § 1)

**Sec. 19-61. Alcoholic beverages and controlled substances.**

- (a) It shall be unlawful for any person, while within any City park, to:
  - (1) Consume or possess any alcoholic beverage other than beer or wine;
  - (2) Consume, or possess an open container of, beer or wine at any location other than:
    - Areas designated by the Board as picnic, dining or concession areas, and then only with the written permission of the Board;
    - With respect to beer, only, such areas at Elbel and Erskine golf courses as designated by the Board, and with conspicuous posting of beer regulations at both such golf courses;
  - (3) Sell, barter, trade or exchange an alcoholic beverage; except for those authorized agents and employees of the Board at those concession areas designated by the Board for such purposes;
  - (4) Possess a controlled substance;
  - (5) Be under the influence of alcohol or a controlled substance.
- (b) It shall be unlawful for any person to possess, or to be under the influence of, an alcoholic beverage or controlled substance while operating, or a passenger in, a canoe, boat, watercraft, motor vehicle, or snowmobile.

- (c) Employees and agents of the Board shall, while in the performance of their duties, be authorized and empowered to deny entrance to any City park; or refuse to rent to or to allow the use of any park property by, and physically remove from, any City park any person whom such employee, agent or official believes to be under the influence of alcoholic beverages or controlled substances.
  - (d) These provisions shall be supplemental and subordinate to any and all provisions of the State of Indiana relative to possession, consumption and sale or exchange of alcoholic beverages and controlled substances, and shall not serve to authorize or allow any actions relative thereto which are not otherwise prohibited by the laws of the State of Indiana. In the event of a conflict between these provisions and those laws of the State of Indiana, the latter shall, in all instances and particulars, prevail and control.
- (Ord. No. 5544-73, § 1; Ord. No. 8112-90, § X; Ord. No. 8581-95, § 1)

**Sec. 19-62.** Construction work.

No person or agency shall perform construction work of any kind or work incidental thereto in any park without a permit or under a contract with the Board.

(Ord. No. 5544-73, § 1)

**Sec. 19-63.** Traffic control and speed limitations.

- (a) It shall be unlawful for any person to operate a vehicle in excess of the posted speed limit. In those areas where no speed limit is posted, it shall be unlawful to operate a vehicle in excess of twenty (20) miles per hour.
- (b) When using parks or park-streets, all persons and vehicles shall heed and comply with directions of any police officer and, unless otherwise directed by a police officer, shall further comply with directions on traffic signs along all routes and trails.
- (c) (1) Upon the Board's designation of a space for handicapped parking, a sign shall be installed bearing the words:  
"HANDICAPPED PARKING ONLY DISABLED LICENSE  
OR PERMIT REQUIRED"  
or similar language consistent with the State manual and specifications for uniform system of traffic-control devices, and the official international wheelchair symbol or a reasonable facsimile thereof.
- (2) Any motor vehicle found parking in areas designated for the exclusive use of mobility handicapped persons which does not bear a disabled veteran registration plate or a special registration plate, or display a handicapped parking permit issued by any State or municipality shall be fined fifty dollars (\$50.00). Continuing violations under this section shall constitute a

separate offense and be punishable by a separate penalty for each infraction.

- (d) With respect to areas designated by the Board as parking areas, all persons and vehicles shall comply with all directions and/or regulations posted within such areas, including, but not limited to, those concerning time limitations, use by mobility handicapped persons, etc., and with the directions of any park employee.

(Ord. No. 5544-73, § 1; Ord. No. 8112-90, § XI)

**Sec. 19-64.** Vehicle use restrictions.

- (a) The laws of the State of Indiana regulating equipment on vehicles and vehicle operation shall apply to vehicles within any City park.
- (b) No vehicle shall be operated within any park under the jurisdiction, control or supervision of the Board except on roadways or off-road areas expressly designated by the Board for vehicular traffic.
- (c) Motorcycles, motorbikes, minibikes, snowmobiles or any other mechanically driven vehicles are prohibited in any area under the control of the Board, except those areas that have been designated by the Board for such usage.
- (d) Vehicles constructed for or engaged in the carrying of merchandise and trucks and trailers are prohibited from using any park, except under permit where necessary to make deliveries in such park. Wherever service roads adjoin the main roadway to a park, such vehicles are required to use the service roads set apart for such use. In all cases such vehicles must enter such park from the nearest street intersection or entrance, in the direction of traffic, and leave by the nearest intersecting street or exit in the direction of traffic.
- (e) No vehicle shall enter or leave any park except at established entranceways or exits, and except at established times.
- (f) No vehicle shall be left within park boundaries after the park has closed. Any vehicle so left on park premises may be towed from the park without further notice to the owner or operator. The registered owner shall be responsible for any towing fee incurred.

(Ord. No. 8112-90, § XII)

**Sec. 19-65.** Careful driving.

No person shall, in any park, operate, drive or propel, or cause or permit to be operated, driven or propelled, any vehicle recklessly or negligently or at a speed or in such a manner as to endanger the life, limb, safety, comfort or property of any person or persons.

(Ord. No. 5544-73, § 1)

**Sec. 19-66.** Restricted areas.

- (a) Parking or operating certain vehicles. No person shall, in any park, drive or operate a vehicle within or upon a safety zone, walk or any part of any park designated or customarily used for such purposes. No

person shall ride a bicycle or motor-powered cycle in any park, except in places designated for such riding; but persons may push such machines in single file to and from such places. No person may park any vehicle on the south side of Wall Street where it is extended through Potawatomi Park or on the north side of said Wall Street from the shelter house entrance east to the first alley west of Ironwood Drive; or on the north side of Riverside Drive west from Michigan Street to Lafayette Boulevard through Leeper Park; or on either the east or west side of the north-south drive through Kennedy Park, which is an extension of Bendix Drive or Eclipse Place, from Westmore Street south to the park drive extension of Longley Avenue; or on the north side of the park drive in Kennedy Park which is an extension of Longley Avenue. The boat ramp parking area at Veterans Memorial Park shall have one-way traffic from west to east and no person may park along the south side of the lot and the entire boat ramp parking lot is restricted to automobiles with boat trailers attached.

- (b) Sledding, skiing and skating. No person shall sled ride, ski or ice skate within the park except in areas designated for such purpose.
- (c) Parking vehicles. The parking of vehicles in any park area not designated for parking is prohibited.

(Ord. No. 5544-73, § 1)

**Sec. 19-67. Driving instructions.**

Instruction in operating automobiles or motorcycles is prohibited in parks and park-streets at all times except by permit of the Board. No person who may not lawfully operate a vehicle within the State or City of South Bend shall drive or operate a vehicle within any park or park-street.

(Ord. No. 5544-73, § 1)

**Sec. 19-68. Obstructing traffic.**

No person shall cause or permit any vehicle to obstruct traffic in any park or park-street, or to stop such vehicle except at those places specifically designated or maintained for the purpose of stopping or parking, except in cases of emergency.

(Ord. No. 5544-73, § 1)

**Sec. 19-69. Parking at night.**

No person shall, between 2:00 a.m. and 6:00 a.m., park a vehicle in or along any park or park-street, except at places designated or maintained therefor.

(Ord. No. 5544-73, § 1)

**Sec. 19-70. Towing; projecting articles.**

- (a) No person shall cause or permit a vehicle to be towed by another vehicle in any park, except that in case of breakdown a disabled vehicle may be towed to the nearest exit.

- (b) No person shall operate or drive in any park a vehicle containing any person or object projecting or hanging outside or on the top thereof; except that outdoor sports and recreation equipment such as fishing rods, skis and boats, beach chairs, beach umbrellas, tent poles and sleds may be carried on the rear of such vehicles or on a rack designed for the purpose and attached to the top thereof; provided, that in all cases fastenings shall be secure and substantial, and, provided that such equipment so carried shall in no case project more than twelve (12) inches above the top, or on either side, or to the front of such vehicle, and if same projects to the rear of such vehicle, same shall not obscure the tail or stop lights or directional signals thereon, and a plainly visible red cloth shall be securely fastened to the rear extremity of such projecting objects.  
(Ord. No. 5544-73, § 1)

**Sec. 19-71. Driving off pavement.**

No vehicle shall be operated or driven off the improved or paved roadways of any park. Disabled vehicles may be driven off the roadway so as to prevent obstruction of traffic, but no disabled vehicle shall be permitted to remain in a park for a longer period than two (2) hours.  
(Ord. No. 5544-73, § 1)

**Sec. 19-72. Working on vehicles.**

No person shall, in any park, clean, polish, grease, lubricate or make repairs to any vehicle except those of a minor nature and then only in cases of emergency.  
(Ord. No. 5544-73, § 1)

**Sec. 19-73. Equipment on vehicles.**

No person shall drive or operate a vehicle in any park not equipped as provided by law or which may not lawfully be operated within the State. Use of any cutout, fitting, apparatus or device which allows its exhaust gases to escape therefrom without first passing through a muffler or silencer, or driving a vehicle emitting offensive quantities of smoke, oil, gas or disagreeable odors, or use of any gong, siren or whistle on any vehicle not operated by a public authority, is prohibited.  
(Ord. No. 5544-73, § 1)

**Sec. 19-74. Parkways.**

- (a) Peddlers, vendors, hawkers, etc. No peddler, vendor, hawker or huckster shall stop or remain on any part of the right-of-way or service roads or entrances.
- (b) Turning. U-turns are prohibited except when specifically allowed by an officer or by a traffic direction sign.
- (c) Rate of speed. No person operating, driving or propelling any vehicle shall proceed at a greater than maximum speed indicated by signs; but

in no case shall such maximum speed exceed twenty (20) miles per hour.

(Ord. No. 5544-73, § 1)

**Sec. 19-75. Curfew.**

It shall be unlawful for any person to remain in any park, golf course, playground, picnic [area], swimming area, pavilion, or any property under the jurisdiction of the Board of Park Commissioners, either on foot or in vehicles of any type, later than 11:00 p.m. local time, except by written permit. Any person violating the curfew will be charged with trespassing. (Ord. No. 5544-73, § 1; Ord. No. 6331-78, § 1)

**Sec. 19-76. Penalties.**

Any violation of any of the following sections shall be punishable by a fine of fifty dollars (\$50.00): 19-40, 19-42, 19-43, 19-46, 19-50, 19-52, and 19-61. Any violation of any of the following sections shall be punishable by a fine of twenty-five dollars (\$25.00): 19-45, 19-54, 19-55, 19-59, 19-60, 19-64, 19-68, 19-69, 19-71, and 19-75. Any violation of section 19-41 shall be punishable by a fine of twenty dollars (\$20.00). Any violation of section 19-72 shall be punishable by a fine of ten dollars (\$10.00). Unless otherwise provided in this article, any violation of any provision of this article shall be punishable by a minimum fine of twenty-five dollars (\$25.00) and a maximum fine of twenty-five hundred dollars (\$2,500.00).

(Ord. No. 5544-73, § 1; Ord. No. 6236-77, § 4; Ord. No. 7992-89, § 5; Ord. No. 8112-90, § XIII)

**Sec. 19-77. Repeal of conflicting ordinances.**

All ordinances, or parts thereof, heretofore adopted affecting the parks, park-streets and public places of the City of South Bend, under the jurisdiction of the Board of Park Commissioners, inconsistent with or in conflict with the provisions of this article, insofar as same are inconsistent with or in conflict with this article, are repealed, but insofar as practicable and possible, the provisions hereof shall be deemed supplemental to existing ordinances not in conflict herewith.

(Ord. No. 5544-73, § 1)

**Sec. 19-78. Severability and savings clause.**

Each section, clause and part of this article shall be deemed severable from all others and if any provision of this article is held invalid, such invalidity shall not affect the validity of any other provision, part or portion of this article, but the remaining portions shall remain in full force and effect.

(Ord. No. 5544-73, § 1)

**Sec. 19-79. Park and park program rule enforcement.**

- (a) The Board of Park Commissioners of the City of South Bend is authorized to adopt rules and regulations for the conduct of patrons,

park program participants, spectators, and volunteers in the South Bend Parks and Park programs, to the extent they do not conflict with this article or other ordinances or statutes.

- (b) If the Park Superintendent determines that the safety of patrons and of park employees and volunteers and park property require the removal of an individual from a park(s) and/or park program(s), he/she may do so by following the procedures set forth in IC 35-43-2-2. The ban imposed by the Park Superintendent shall be for a maximum period of up to one (1) year for a first offense and three (3) years for any subsequent offense.
- (c) Any appeal of a ban by the Park Superintendent must be filed in writing with the Board of Park Commissioners within five (5) days after service of the ban.
- (d) The Board of Park Commissioners shall set rules governing the hearing of the appeal.

(Ord. No. 9685-06, § I, 7-24-06)

Draft for Review

## **Section B – Parks**

**B.1 Park History**

**B.2 List of Parks**

*Draft for Review*



## **B.1 Park History**

### **South Bend Venues Parks & Arts Board of Commissioners**

Howard Park was established by ordinance in 1879, creating the City of South Bend's first park in 1879. The first Park Board was created by the Common Council of the City of South Bend in 1891. Under a special charter secured from the State Legislature in 1901, the Park Board was abolished and control to operate the park system was passed to the Board of Public Works.

In 1910, the current South Bend Board of Park Commissioners was established under the Indiana Code and an adoption of Indiana Code 36-10-4 (Parks Department in Certain Cities) by the South Bend Common Council followed shortly afterwards.

In 1929, the State Legislature authorized the South Bend Common Council to adopt an ordinance establishing the South Bend Department of Public Parks, defining its powers and duties, and creating a taxing district for park purposes under the first class cities legislation adopted in 1919 by General Assembly.

The Board of Park Commissioners is composed of four (4) members; not more than two of them whom shall be of the same political party, appointed by the Mayor to four-year terms. The Board has authority for:

1. Operation of the Department of Parks, i.e. user fees, special events, Master Plans, etc.
2. Adopting rules and regulations.
3. Acquiring and selling park land.
4. Adopting capital improvement programs.
5. Approving annual operating expenditures.
6. Selling bonds for capital improvement.

### **Past Park Commissioners & Terms in Office**

- |                         |               |
|-------------------------|---------------|
| 1. Richard Elbel        | 1910-1937     |
| 2. F.O Winkler          | 1910-Deceased |
| 3. Simon Greenbaum      | 1910-1913     |
| 4. George M. Studebaker | 1910-1911     |
| 5. Dr. Edwin J. Lent    | 1910-1918     |
| 6. Horace L. Greene     | 1911-1915     |
| 7. Irwin Jackson        | 1913-1920     |
| 8. W.W. Ridenour        | 1912-1923     |
| 9. Carl D. Britton      | 1918-1920     |
| 10. George Olatner      | 1920-1927     |
| 11. Otis S. Romine      | 1920-1930     |
| 12. Ward L. Mack        | 1923-1929     |
| 13. George H. Wheelock  | 1927-1938     |

14. David Fishgrund	1929-1943
15. Wilson E. Freeman	1930-1934
16. John B. Sniadecki	1930-1939
17. William A. Freeman	1937-1941
18. Dr. James L. Wilson	1939-1947
19. Larry J. Bojevicz	1939-1945
20. Carl Gintz	1941-1948
21. Hugh L. Woolverton	1943-1949
22. Frank B. Klimek	1946-1949
23. Russell W. Koehler	1947-1948
24. Dr. James M. Wilson	1948-1949
25. George T. Koch	1949-1952
26. Maurice Tucker	1949-1951
27. Dr. Lorenze A. Rausch	1949-1954
28. Ben H. Drollinger	1949-1953
29. Alex J. Dlugosz	1951-1953
30. Charles A. VanDe Veire	1952-1967
31. Paul D. Gilbert	1953-1959
32. Stanley F. Kromkowski	1954-1957
33. Edwin S. Ehlers	1955-1967
34. Richard S. Kromkowski	1957-1969
35. Herbert R. Solbrig	1960-1963
36. James E. Beaudway	1964-1975
37. Richard J. Fell	1967-1977
38. Thomas F. Broden	1970-1977
39. Reginald R. Howard	1973-1976
40. James P. Considine	1976-1979
42. Gwen Stiver	1979-1997
43. Melvin L. Holmes	1980-1993
44. John L. Horvath	1981-1987 Deceased
45. Phillip C. Long	1988-1994
46. Fred S. Kahn	1988-1994
47. Jerome Perkins	1993-1997
48. Dr. Tom Kelly	1994-2011
49. Robert Henry	1994-2012 Deceased
50. Bob Goodrich	1997-2014
51. Garrett Mullins	1997-2015
53. Bruce Bondurant	2012-2015
52. Amy Hill	2011 - 2016
53. Mark O'Neil	2015 – present
54. Jim Farrell	2015 – present
55. Aimee Buccelato	2015 – present
56. Ms. Consuella Hopkins	2016 – present

The current Board of Park Commissioners is made up of the following members with the expiration dates of their term.

Aimee Buccellato  
304 S. Twyckenham  
South Bend, IN 46614  
Ph- 201-344-4112  
[Aimee@BuccellatoDesign.com](mailto:Aimee@BuccellatoDesign.com)  
Appointed: March 16, 2015  
Term Expires: February 31, 2019

Mark Neal - President  
112 W. Jefferson Blvd, Suite 300  
South Bend, IN 46601  
Ph – 574-213-5563  
[mneal@bradleyco.com](mailto:mneal@bradleyco.com)  
Appointed: March 4, 2015  
Term Expires: February 31, 2019

Consuella Hopkins – Vice President  
2217 Lincolnway West  
South Bend, IN 46628  
Ph – 574-287-1040  
[Taxpro1040@att.net](mailto:Taxpro1040@att.net)  
Appointed: October 16, 2016  
Term Expires: October 31, 2020

Dan Farrell  
110 Peashway St  
South Bend, IN 46617  
Ph- 574-532-4118  
[danfarrell0202@gmail.com](mailto:danfarrell0202@gmail.com)  
Appointed: October 19, 2015  
Term Expires: October 31, 2019

## **SOUTH BEND PARKS**

### **Chronological History of South Bend Venues Parks & Arts**

- 1879 Ordinance passed to establish Howard Park as South Bend's first park.
- 1891 City Council creates first Board of Park Commissioners.
- 1901 South Bend Board of Park Commissioners abolished by special legislature, put under of Board of Public Works.
- 1902 Leeper Park is established as South Bend's second park.
- 1905 Potawatomi Park is established.
- 1910 Legislature changes establishing authority of parks to Board of Park Commissioners. Current Park Board established.
- 1910 Herman Byer, appointed as first Park Superintendent.
- 1912 George Kessler develops boulevard system to connect city parks.
- 1912 A.E. Perly appointed Park Superintendent.
- 1916 Rum Village Park was acquired for \$45,000.00.
- 1918 South Bend Board of Park Commissioners acquired Pinhook property from County Commissioners.
- 1920 Potawatomi Park used as a zoo.
- 1920 Studebaker golf course opens as South Bend's first municipal golf course.
- 1922 South Bend's first pool, the Harry Engman Natatorium opened in July.
- 1924 Ordinance passes to build South Bend's first and only Greenhouse.
- 1925 The Albert Erskine golf course opens.
- 1937 Richard Elbel retired after serving 28 years on the South Bend Board of Park Commissioners.
- 1938 Paul Hayes appointed Park Superintendent.
- 1939 Howard Park administrative building is completed as part to the W.P.A. program.
- 1941 Pierre Navarre Park opens at the location of the present day O'Brien Park.
- 1944 Lysly McNabb appointed Park Superintendent.
- 1950 Kelly Park established.
- 1951 Veterans Memorial Park established.
- 1954 Keller Park established.
- 1954 Bendix baseball park completed, it is now called Kennedy Park.
- 1954 Sorin park established.
- 1954 First comprehensive park master plan developed.
- 1955 South Bend Community School Corp. and the Park Department Recreation Commission.
- 1955 Paul Boehm named first Recreation Director.
- 1956 Potawatomi Pool built for \$153,000.00 and Bendix Pool built for \$190,000.00 and opened in June.
- 1956 Potawatomi Band Shell built for \$23,000.00 and Studebaker Proshop for \$42,000.00.
- 1957 Rum Village shelter house completed.
- 1957 Storyland Zoo opens at Rum Village. The children train begins operation in Rum Village park.

## **Chronological History of South Bend Parks & Recreation Department**

- 1958 City's first recreation center opens, donated by Federal Housing Authority.
- 1959 Park Department signs a 99 year lease with Izaak Walton to establish park.
- 1959 Beck's Lake and subsequently LaSalle Park was purchased by the Park Department.
- 1959 Pierre Navarre cabin renovated at Leeper
- 1959 Navarre Park is named O'Brien Park, Lombardy Park is now named Navarre Park.
- 1960 Howard Park Maintenance Building is completed.
- 1960 Park Department signs lease with S.B.C.S.C. to build Studebaker on existing park.
- 1960 Voorde Park established, park fully developed in 1963.
- 1961 LaSalle Park established.
- 1961 Dutch Elm disease ruins thousands of city trees.
- 1961 Elbel Park purchased for \$35,000.00, later to become Elbel Golf Course.
- 1963 Park Department sells \$800,000.00 in bonds to develop Pinhook, Elbel and Voorde Parks.
- 1963 Park employees join union.
- 1963 Ella Morris donates funds for the Morris Conservatory. The Conservatory opens in 1964
- 1963 George Wheelock Park donated to Park Department. Wheelock Park leased to Izaak Walton.
- 1964 Pinhook beach opens.
- 1965 Elbel Golf Course opens at the cost of \$550,000.00.
- 1966 National Guard Armory leased to the Park Department, later named the Newman Center.
- 1966 Riverside Manor Park established.
- 1967 Ralph Newman retires after 19 years as Superintendent.
- 1967 Charles Van Deive named Park Superintendent.
- 1967 J.D. Oliver Park established.
- 1967 Muessel Ellison Trust Foundation donated funds for Tropical Garden Facility.
- 1968 Lasalle Recreation Center Opens.
- 1968 Leeper Park Tennis clubhouse is completed.
- 1968 Park Department begins the development of South Bend's first "mini parks."
- 1969 Teamster local #364 recognized as the bargaining agent for hourly employees.
- 1969 Fremont Park established.
- 1970 New county park system is being developed.
- 1971 Friends of the Zoo organized, later became the Potawatomi Zoological Society.
- 1971 Jim Seitz appointed as Park Superintendent.
- 1972 Bendix Recreation Center opened.
- 1972 Bendix Park and Pool changed to Kennedy Park and Pool.
- 1972 Boland Park established.
- 1973 For the first time, Park rules are now ordinances passed by the City Council.
- 1973 Paul Boehm retires after 18 years as Recreation Director. He is succeeded by Bob Goodrich.
- 1973 Martin Luther King Recreation Center opens.

## **Chronological History of South Bend Parks & Recreation Department**

- 1973 First Ethnic Festival.
- 1974 Rum Village Nature Center opens.
- 1974 Arizona Desert House opens at the Conservatory.
- 1975 Bi-Centennial Park completed.
- 1975 Island Park completed.
- 1976 Pier Park completed.
- 1976 Boehm Park established in honor of Paul Boehm.
- 1976 Dean Johnson Park established.
- 1976 Belleville's "Sheridan Field" is completed with lighting, dugouts and fencing.
- 1978 The 56 year old Engman Natatorium closes permanently.
- 1978 Park Department takes over "Ice Box" ice rink and develops partnerships with other agencies.
- 1979 First Major Zoo renovation in 52 years at Potawatomi Zoo. Cost is \$1.5 million.
- 1981 Storyland Zoo closes after 24 years of operations.
- 1981 Park Department hosts first annual Winter Fest
- 1982 Five Year master plan completed.
- 1982 Arthur Fredrickson donated money for establishment of a park.
- 1982 First Zool Tide at Potawatomi Zoo.
- 1984 East Race Waterway opens at the cost of \$4.5 million.
- 1984 Fredrickson Park is established.
- 1985 Seitz Park is established.
- 1985 Coveleski Stadium bond and funding process begins for the \$5.7 million project.
- 1987 Coveleski Stadium completed at the cost of \$8 million.
- 1987 Fish ladder on East Race completed.
- 1987 Five year master plan completed.
- 1988 South Bend White Sox begin to play at Coveleski.
- 1988 Jim Seitz retires as Park Superintendent after 18 years. Karl Stevens named his successor.
- 1989 Pinhook Park beach closed permanently after 25 years of operation.
- 1989 St. Joseph County Vietnam Veterans Memorial established in Howard Park.
- 1991 Bob Goodrich retires
- 1992 Kids Kingdom is built at Potawatomi Park.
- 1992 Phil St. Clair is appointed Park Superintendent.
- 1993 Non reverting funds are established for the first time to create dollars for capitol improvements.
- 1993 Study completed on possible merger of City-County parks, and establishments of park districts.
- 1994 Leeper Park duck pond is renovated.
- 1994 Blackthorn Golf Course is opened. It is South Bend's fourth municipal golf course.
- 1994 The "Moving Wall" came to Howard Park to honor Vietnam Veterans.
- 1994 Park Department restructured to include budgeted divisions within Park Department.

## **Chronological History of South Bend Parks & Recreation Department**

- 1994 City's first disc golf course opens at Rum Village.
- 1995 City's first mountain bike trail and course opens at Rum Village.
- 1995 S.B.C.S.C. and Recreation Commission dissolves 40 year partnership with Park Department.
- 1995 Recreation Division is entirely funded by the City Park budget.
- 1995 Park Department receives \$900,000 grant to extend riverwalk.
- 1995 Park Department established "in house" Concessions Division.
- 1996 Irrigation system installed Studebaker and Elbel golf courses at the cost of \$750,000.00.
- 1996 Dean Johnson and Studebaker Parks are permanently closed due to construction of schools.
- 1996 Boehm Park baseball facility is completed.
- 1996 Kaukema's Courtyard playground is completed at Rum Village park.
- 1996 Gwen Stiver retires from South Bend Board of Park Commissioners after 17 years of service.
- 1997 Karl Stevens Memorial Nursery established at Elbel.
- 1997 Park Department takes over city's special events operation.
- 1997 Riverwalk completed at a cost of \$1.2 million.
- 1997 The new \$1.6 million Belleville Softball Complex opened in June.
- 1997 Leeper Park is designated a historic landmark by the Historic Preservation Commission.
- 1998 Five Year Parks & Recreation Master Plan completed.
- 1998 \$500,000 Buddy Bonds Community Center constructed at LaSalle Center.
- 1998 Recreation Programs TRU Soldiers, B.L.A.S.T., River City Basketball & "Kid's World" were established.
- 1998 Park & Recreation Department hosted the 25th annual Ethnic Festival.
- 1998 Park & Recreation Department and City of South Bend designated "Tree City USA" by the National Arbor Day Foundation.
- 1999 Belleville Softball Complex hosts its first amateur Softball Association National Championship tournament.
- 1999 Karl Stevens Tree Nursery dedicated and opened April 6th.
- 1999 Potawatomi Zoo opens new alligator exhibit.
- 2000 O'Brien Administration and Recreation Center opened to the public.
- 2000 Kennedy Family Water Playground facility opened to the public.
- 2000 Belleville Softball Complex hosts the 2000 Women's Olympic Softball team on July 18th.
- 2000 Potawatomi Zoo opens new zebra exhibit and greenhouse.
- 2000 Potawatomi Zoo obtains American Zoo and Aquarium Association National Accreditation.
- 2000 Erskine Golf Course celebrates its 75th anniversary.
- 2000 Parks and Recreation Department creates a new marketing division.
- 2001 Potawatomi Zoo opens new veterinary hospital.

## **Chronological History of South Bend Parks & Recreation Department**

- 2001 O'Brien Center awarded "Best New Park Facility" by Indiana Parks and Recreation Association.
- 2001 Parks and Recreation Department creates first "Kid's Triathlon" with 438 entries.
- 2002 O'Brien Skate Park opens in July.
- 2002 Belleville hosts an unprecedented two A.S.A. National Championship Tourneys.
- 2002 Indiana Parks and Recreation Association awarded City Parks Department with Best Recreation Program for B.L.A.S.T., and best new facility for the O'Brien Skate Park.
- 2002 Parks and Recreation Department implements "Hearts 'n Parks" program.
- 2003 Parks and Recreation Department website recognized by the National Recreation and Parks Association as "Best of all Class III Cities in the United States.
- 2003 South East Neighborhood Park opens, replacing former Johnson Park.
- 2003 IPRA awards Park and Recreation Department "Best New Park Development" for Southeast Park.
- 2004 Parks renovate the 32 year old Martin Luther King Recreation Center
- 2004 Great Lakes Region/NRPA Partnership Award for relationship between Potawatomi Zoo and the Potawatomi Zoological Society.
- 2004 IPRA Essential Services award to Hearts N Parks program
- 2005 New O'Brien 7,500 sq. ft. Fitness Center opened at the O'Brien Center.
- 2005 The South Bend Parks and Recreation and the South Bend Rotary partnership create the Friendship Station Playground.
- 2005 IPRA Outstanding Facility Award for the Martin Luther King Jr. Center renovation
- 2005 "Friendship Station" is dedicated and officially opens to the public in Belleville Park
- 2005 Potawatomi Zoological Society provides the C.B. Hunting passenger train as a permanent zoo structure.
- 200 The 80 year old Potawatomi Park Pavilion was completely rehabilitated to serve as South Bend's largest outdoor rental facility.
- 2005 IPRA Essential Services Award to the South Bend Parks and Recreation Department for Promoting health & fitness through Parks & Recreation
- 2006 South Bend Swim Club implemented.
- 2006 New Maintenance Facility located at 1020 High St. is opened. The old maintenance facility built in 1960 and located at Howard Park is demolished.
- 2006 Department of Natural Resources recognizes South Bend as Tree City USA for the 10th consecutive year.
- 2006 Renovation of Pinhook Pavilion Hall completed.
- 2006 New lion exhibit is completed at Potawatomi Zoo.
- 2006 South Bend Parks & Recreation Dept. receives Award of Excellence from the National Institute of Health and the Department of Health & Human Services for the WeCan! Program, and is named one of the first "We Can!" cities in the U.S.



- 2007 Completion of the 1.75 mile river walk along Riverside Drive.
- 2007 South Bend Botanical Society is formed to create a partnership with the South Bend Parks and Recreation Department.
- 2007 South Bend Parks & Recreation Dept. receives accreditation from CAPRA 2007.
- 2007 IPRA Outstanding Service Award for Dedicated Service to I.P.R.A.
- 2007 Renovation of Leeper Park Tennis Courts completed and Grand Re-Opening.
- 2008 Potawatomi Park Universally Accessible Playground is built and opens to the public.
- 2008 Women's Olympic Softball Team returns to Belleville for an unprecedented 3rd time.
- 2008 Community Gardening group, in partnership, begins to use park property at Potawatomi Park for growing of local food. Beginning of Community Gardening.
- 2008 South Bend Parks and Recreation install their 5th water splash pad in the city parks. Locations include LaSalle Park, Coquillard Park, King Park, O'Brien Park, and Southeast Community Park.
- 2008 Belleville Softball Complex host 10th and 11th A.S.A. National Championship Softball Tournament and receives its 10th and 11th James Farrell Award for Excellence as one of the best organized softball tournaments in the U.S.
- 2008 IPRA Awards for:  
Essential Service for Health & Fitness: Outdoor Awareness: Wildwood Studio Nature  
Outstanding Park Development: Potawatomi Park Universally Accessible Playground  
Outstanding Service Work: Susan O'Connor
- 2008 Presented by the City of South Bend – Excellence in Distinguished Public Service Award – Phil St. Clair
- 2009 Creation of the Memorandum of Understanding with the newly formed South Bend Botanical Society allowing the Botanical Society to operate and maintain the Potawatomi Conservatories for the use of the community.
- 2009 Completion of the Five-year Master Plan Update (2009-2013)
- 2009 Completion of the Association of Zoo and Aquariums Accreditation for the Potawatomi Zoo Howard Park Ice Rink celebrates fifty years of continuous service.
- 2009 IPRA - 2009 Distinguished Lifetime Member Award, Susan O'Connor, South Bend Parks and Recreation Department
- 2010 Opening of the Otter Exhibit at Potawatomi Zoo
- 2010 Formation of the South Bend Parks Foundation
- 2010 Online registration added to the Department's services
- 2010 IPRA – Park Professional of the Year award – Phil St. Clair, Director of the South Bend Parks and Recreation Department
- 2011 The South Bend Parks and Recreation begins a three-year study, creating new strategies and integrating community resources to address obesity in children ages 10-14 as a Beta Site with the Healthy Communities Research Group.
- 2011 Opening of the City Wellness program.

2011 Inaugural Blues and Ribs Fest at Howard Park in support of the Miracle Park concept.

2011 Renovation (Phase 1) to Coveleski Stadium begins

2011 New synthetic turf and field drainage installed at Coveleski stadium

2011 IPRA – The Indiana Outstanding Parks and Recreation Agency of Year – South Bend Parks and Recreation Department

2011 South Bend Common Council – Resolution 4111-11, Honoring Phil St. Clair for dedicated service as the longest serving Park Superintendent in the cities’ history.

2012 Substantial renovation of the Potawatomi Conservatories. The South Bend Botanical Society manages daily programming, educational opportunities and awareness campaigns.

2012 Friendship Station at Belleville Park replaced

2012 First ADA designed splash pad installed at Potawatomi Park in partnership with the St. Joseph Community Foundation and a local private investor.

2012 CAPRA five-year reaccreditation process completed.

2012 Digitizing of cemetery records begun with the Historic Preservation Society and Notre Dame.

2012 Creation of the Active Youth Initiative (AYI) to further the impact of the Healthy Communities Research Group’s work with South Bend.

2012 Renovation (Phase 2) to Coveleski Stadium begins.

2013 Entered into a Public/Private Partnership with the Zoological Society to manage the operations at Potawatomi Zoo.

2013 The Graffiti Abatement Program created and operated by the Parks and Recreation Department, receiving reports and resolving over six hundred sites in 2013.

2013 Creation of a Deputy Director position for the Parks and Recreation Department.

2013 Central mowing handles code citations, city-owned lots and Community Investment properties

2013 Coveleski Stadium playing field renamed as Four Winds Field.

2014 First Country Fest

2014 Completion of the Five-year Master Plan Update (2014-2018)

2014 The City of South Bend’s Wellness Program receives a 3-Star Achieve WELL Award from the Wellness Council of Indiana

2014 IPRA – Innovation Award – City Voice Partnership – Senior Fit.

2015 5 million dollar Park Bond secured for park updates and improvements

2015 The City of South Bend celebrates its sesquicentennial with SB150.

2015 Five-Year Master Plan for the City Cemetery is completed.

2016 Aaron Perri named Executive Director at Phil St. Clair’s retirement.

2016 IPRA – Creative Event Award – SB 150

2016 Newman Center transferred from the system and undergoes private renovation.

2017 South Bend Parks and Recreation restructured as South Bend Venues Parks & Arts

2017 The Ice Rink and Howard Park and the Howard Park Recreation Center demolished for the Howard Park improvement.

2017 The Charles Black, Sr. Recreation Center closed for renovation.

2017 The Lodge building at Howard Park re-occupied.

2017 Two additional bonds secured, 5-million and 12-million dollars.

2017 *My SB Parks & Trails* system-wide improvement and development plan launched.

2017 IPRA – Creative Event Award – Best.Week.Ever.

Inclusion Program of Excellence – VPA Equity Analysis

Draft for Review

## B.2 LIST OF PARKS

### Park Type and Park Acres

The Venues Parks & Arts System is made up of parks categorized into the “community,” “neighborhood,” and “block” park types. There are a variety of “special” park types in the system.

These distinctions, along with their related acreages as noted below.

Park Facility	Acres	District	Park Type	Totals
Bicentennial Park/Gwen Stiver	.38	1	Block	
Brownfield Park	2.7	1	Block	
Freemont Park	2.00	1	Block	
Kelly, Micheal Park	1.1	4	Block	
LaSalle Landing Park (Memorial)	1.56	1	Block	
Lincoln Plaza Playground	1.10	1	Block	
McKinley Playground	1.10	4	Block	
Morris Green Park	.70	4	Block	
Nakomis Park	1.94	4	Block	
Park “A” (Portage)	.4	1	Block	
Parkovash	1.65	4	Block	
Pier	.50	2	Block	
Ravina	.40	3	Block	
Seitz Park	.30	4	Block	
Shetterly Park	2.66	4	Block	
Sorin Playground	.55	4	Block	
Westhaven	5.68	2	Block	24.72
Phillip St. Clair Park	43.65	6	Community	
Boehm Park	30.00	4	Community	
Boland Park	21.03	1	Community	
Kennedy Park	38.56	2	Community	
LaSalle Park (Charles Black)	39.80	2	Community	
Leeper Park	25.72	1	Community	
Northside Blvd Walkway	32.50	3	Community	
Pinhook Park	42.69	1	Community	
Potawatomi Park and Zoo	62.18	3	Community	
Rum Village Park (and annex)	160	6	Community	
Wheelock Park	72	1	Community	568.13
Coquillard Park (& school)	12.84	4	Neighborhood	
Fredrickson Park	14.24	4	Neighborhood	
Howard Park	11.49	4	Neighborhood	
Keller Park	16.91	1	Neighborhood	
Marshall Park	9.00	5	Neighborhood	
Martin Luther King Park	6.00	2	Neighborhood	
Muessel Park	17.26	2	Neighborhood	
O’Brien Park	17.02	5	Neighborhood	

Park Facility	Acres	District	Park Type	Totals
Ponader	10.38	Outside	Neighborhood	
Pulaski Park	6.32	2	Neighborhood	
River Bank Plaza	5.50	2	Neighborhood	
Riverside Manor	5.48	1	Neighborhood	
Riverside Park	2.58	1	Neighborhood	
South East Neighborhood Park	9.50	3	Neighborhood	
Tarkington Park	10.96	4	Neighborhood	
Veteran's Memorial Park	16.11	3	Neighborhood	
Governor Joe Kernan Park	4.00	4	Neighborhood	
Voorde Park	14.00	1	Neighborhood	
Walker Field Park	8.33	6	Neighborhood	
Woodlawn Park	16.56	1	Neighborhood	227.88
East Bank Trail	1.10	4	Special	
East Race Waterway	5.10	4	Special	
Elbel Park and Golf Course	313.25	Outside	Community/Special	
Erskine Golf Course	120.00	5	Special	
Fish Ladder & Hydro	.16	4	Special	
Stanley Coveleski Stadium	6.00	2	Special	
Studebaker Golf Course and Park	23.94	3	Special	469.55
				<b>1,296.28</b>

## **Park Types:**

### **Block Park**

Block parks are small sites containing limited amenities such as playgrounds. They generally serve only the immediate vicinity

### **Neighborhood Parks**

Neighborhood parks serve local informal/unorganized recreational needs. They are primarily walk-to facilities serving a community within a 0.5 mile walkable network. Although they may offer substantial amenities, they are focused on the needs of nearby neighborhood.

### **Community Parks**

Community parks often support organized programming with staff. They typically contain facilities such as recreation centers, swimming pools or programmed athletic complexes. These are major sites that draw a significant portion of users from outside the South Bend city limits. Community parks frequently generate revenue.

### **Special Parks**

Special Parks are often unique features in the system or a component of the trail network. They are frequently special purpose and do not meet the broader definition of a public access public park or they have an otherwise limited focus of use.

## **Section C – Organization**

- C.1 VPA Administration**
- C.2 VPA Fiscal Operations**
- C.3 VPA Facilities & Grounds**
- C.4 VPA Recreation Division**
- C.5 VPA Experience Division**
- C.6 VPA Venues Operations**

## C. VENUES PARKS & ARTS ORGANIZATION

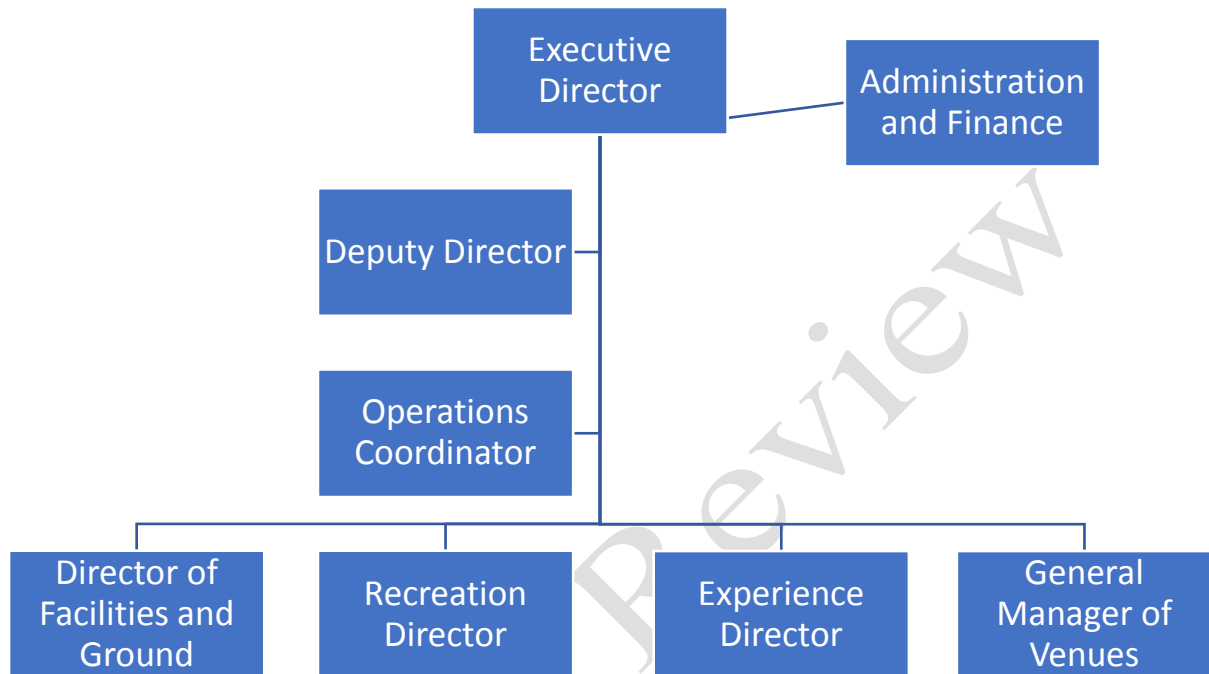
### Who Is Responsible?

The following table helps in defining the roles of the Executive Director and the Park's Board. South Bend Venues Parks & Arts Department, however, does not follow this chart fully, as there may be variations of the degrees of responsibility given to the Park Board & Executive Director for special projects or other agreed upon alterations.

TASK	PARK BOARD	PARK ADMINISTRATOR
Long-term Goals (more than 1 yr.)	Approves	Recommends and provides input
Short-term Goals (less than 1 yr.)	Monitors	Establishes and carries out
Day to day operations	No role	Makes all management decisions
Budget	Approves	Develops and recommends
Capital purchases	Approves	Prepares Requests
Decisions on building/renovations, leasing, expansion	Makes decisions, assumes responsibility	Recommends (could also sign contracts if given authority)
Supply Purchases	Established policy and budget for supplies	Purchases according to board policy and maintains an adequate audit trail
Major repairs	Approves	Obtains estimates and prepares recommendation
Minor repairs	Policy should include amount that can be spent without Board approval	Authorizes repairs up to prearranged amount
Emergency repairs	Works with administrator	Notifies Board chairperson and acts with concurrence from chair
Cleaning and maintenance	No role (oversight only)	Sets up schedule
Fees	Adopts fee schedule and guiding fee policies	Develops fee schedule
Billing, credit and collections	Adopts policy	Proposes policy and implements
Hiring of Staff	No role	Approves all hiring
Staff development and assignment	No role	Established
Firing of Staff	No role	Makes final termination decisions
Staff grievances	No role	The grievances stop at the administrator
Personnel policies	Adopts	Recommends and administers
Staff salaries	Allocates line item for salaries in budget	Approves salaries with recommendations from supervisory staff
Staff Evaluations	Evaluates only administrator	Evaluates other staff

From: Park Board and Administrator Newsletter, Aspen Publishers, 1991

## C.1 VPA ADMINISTRATION

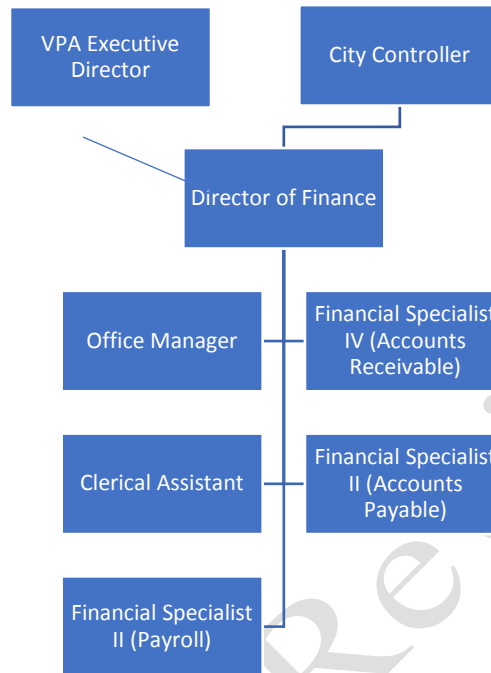


The Executive Director serves as the administrative head of the Venues Parks & Arts Department. The position oversees all directors of the VPA divisions (Facilities & Grounds, Recreation, Venue Operations and Experience).

- The Deputy Director reports to the Executive Director. The Deputy Director is responsible for the monitoring and analysis of the Department's business functions to ensure excellence and sustainability. The position has direct oversight of all divisions and administrative units.
- The Operations Coordinator provides administrative support to the Executive Director and serves as the liaison between the Executive Director and city personnel and the community.



## C.2 VPA FISCAL OPERATIONS

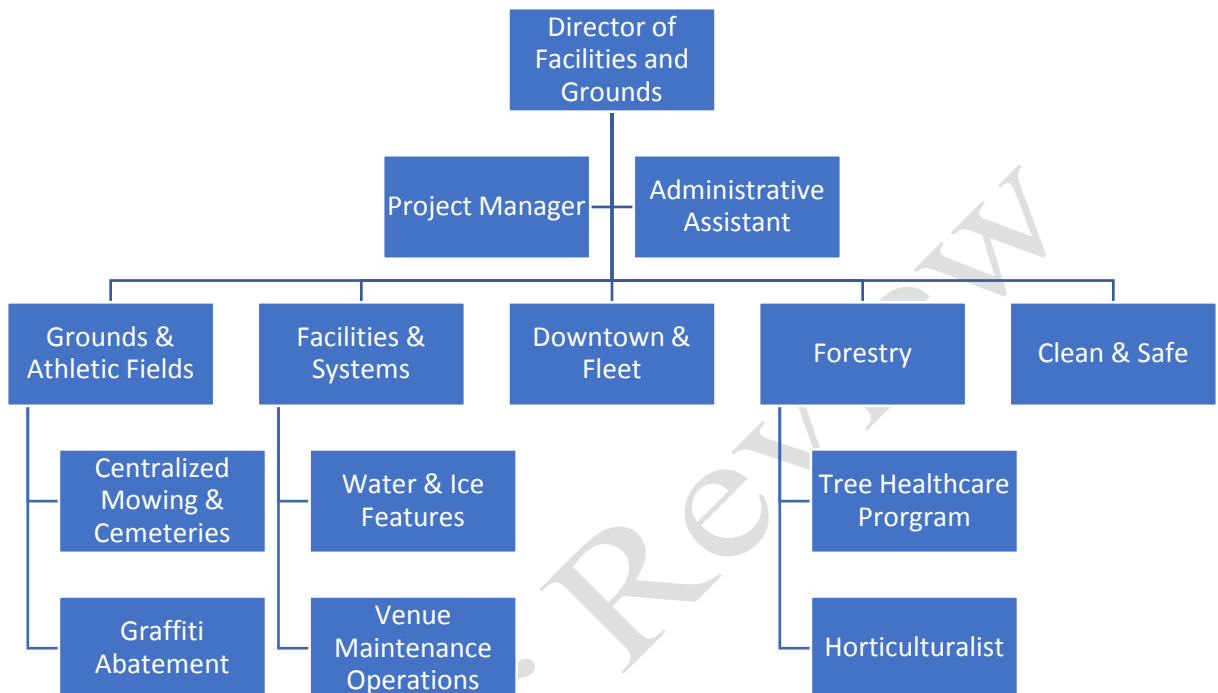


The Administrative and Finance Division of the South Bend Venues, Parks and Arts Department reports directly to the main city controller's office, although is assigned to duties directly related to the Department of Venues, Parks and Arts. The Director of Finance heads the administrative and finance team and works under the Executive Director of Venues, Parks and Arts.

The Financial Director oversees the budget for the department, supervises the accounts receivables, accounts payables, and also supervises the front office staff (Secretary, receptionist, and payroll clerk).

- \* Fiscal Services – budget matters, collection and deposit of cash receipts paid to the department, and payment of invoices for services.
- \* Administrative support – oversees the “front office” staff; receptionist, secretary, and payroll clerk.

## C.3 VPA FACILITIES AND GROUNDS



The Facilities and Grounds Division oversees the development and maintenance of the city's venues, parks and facilities. This includes downtown venues, aquatics facilities, plantlife and forestry, recreation centers and sports facilities.

Project Manager oversees the timelines and progress of projects outside the regular work flow of the areas under facilities and grounds.

Administrative Assistant assists coordination of staff with the Director of Facilities and Grounds; serves as dispatcher for jobs.

Forestry provides maintenance and care for all city trees and is the city's first responders for storm damage clean up.

- Tree crew/support staff - maintains trees for the City of South Bend located in the tree lawn areas of the city.
- Horticulturalist designs, advises, implements and maintains all city landscaping.

Facilities and Systems oversees the skilled trades portion of the Facilities and Grounds Division; start-up/operation/close of Ice Rink; start-up/operation/close of aquatic facilities.

- Ice & Water Features - maintains the Howard Park Ice Feature, and the variety of aquatics facilities in its inventory of facilities: Potawatomi Pool; Kennedy Water Playground; and the Splashpads.
- Venues Maintenance Operations – oversees the maintenance of the city’s venues including Morris Performing Arts Center and Century Center.

#### Grounds and Athletic Fields -

- Centralized Mowing – maintain mowed areas in all parks, assist code enforcement with mowing citations, mow assigned street islands.
- Cemeteries - responsible for the proper maintenance of the cemeteries for the City of South Bend. Grounds crews are responsible for the mowing and general care of these properties.
- Graffiti Abatement – monitors and removes vandalism throughout the entire city in coordination with the South Bend Police Department.

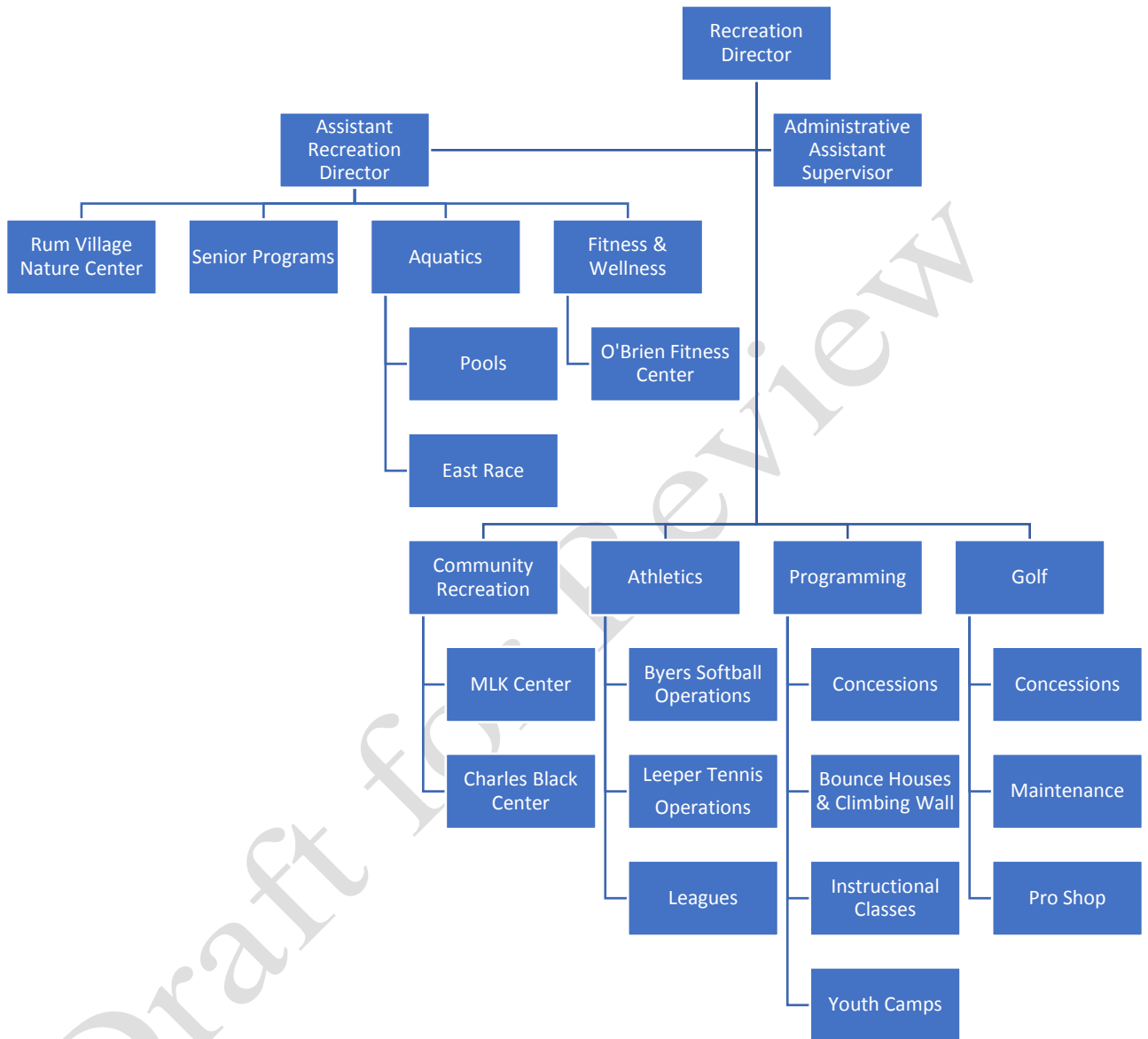
#### Clean & Safe

- Stockroom - keeping the stockroom well organized, purchase merchandise and distribution to all outlying areas.
- Monitors safety and risk compliance
- Oversees cleaning personnel
- Develops and implements safety plans for facilities
- Monitors and updates on-site safety equipment

#### Fleet & Downtown

- Fleet - Regular scheduled maintenance, so employees will have access to safe, well-maintained equipment and vehicles
- East Race/Plaza/Four Winds – maintains and monitors East Race, East Race Trail, Downtown Plaza, and Four Winds Field.

## C.4 VPA RECREATION DIVISION



Recreation Director leads the Recreation Division within the Department of Venues Parks & Arts. Provides vision and management of programs, events and services offered in community centers, golf courses, playgrounds, parks, athletic fields, schools, pools, fitness center, nature center, and other facilities. This position reports directly to the Executive Director of Venues Parks & Arts.

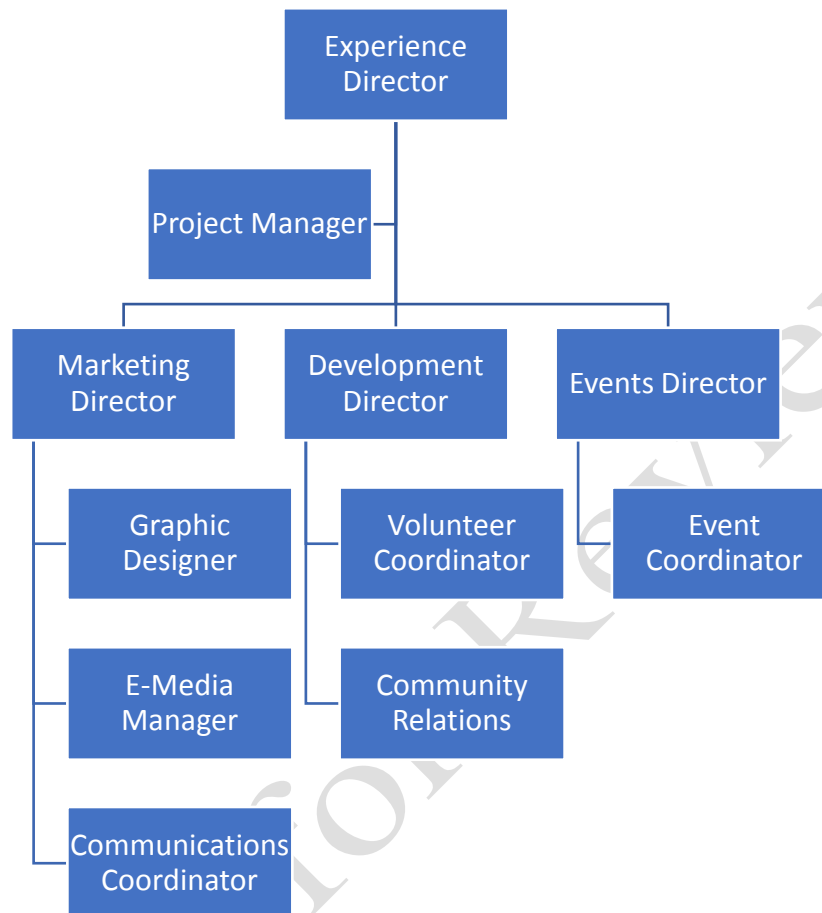
- Administrative Assistant Supervisor – provides administrative support to the Recreation Director and serves as the liaison between the Recreation Director and Recreation personnel.

- Recreation Centers – Martin Luther King Center & Charles Black Center are neighborhood focused facilities providing programming, educational opportunities and public meeting space.
- Athletics – staff provides programming for all ages in softball operations, tennis operations, and sports leagues.
- Programming – staff offers recreational programs including bounce house and climbing wall rentals, instructional classes for youth, seasonal camps and concessions at public programs and facilities.
- Golf – VPA operates three golf courses from March – November. Golf staff are responsible for the following operations at each location.
  - League and Open Play Golf
  - Golf Instruction & Lessons
  - Maintenance
  - Concessions

Assistant Recreation Director – provides support to the Recreation Director

- Rum Village Nature Center – shares naturalist expertise with the community through programming and camps
- Senior Programs – provides programs, activities and trips to active older adults
- Custodial Operations of O’Brien Administrative Building
- Aquatics – includes operation of Potawatomi Pool, Kennedy Water Playground, East Race Waterway and instructional opportunities including lifeguard training/certification, aqua aerobics, and learn-to-swim classes.
- Wellness & Fitness Programs – manages daily operations of the O’Brien Fitness Center, group fitness classes, employee wellness benefits, CPR trainings

## C.5 VPA EXPERIENCE DIVISION



The Experience Division uses integrated marketing, communications, fundraising, and event programming to enhance the awareness of VPA resources and services. The division houses the marketing, development and events arms of the department.

Experience Division Director – leads the Experience Division within the Department of Venues Parks & Arts. Provides vision and management of marketing, events and development teams. This position reports directly to the Executive Director of Venues Parks & Arts.

Project Manager- acts as the liaison between VPA divisions and Experience staff members to help coordinate project needs and workloads. Provides support to the Experience Director.

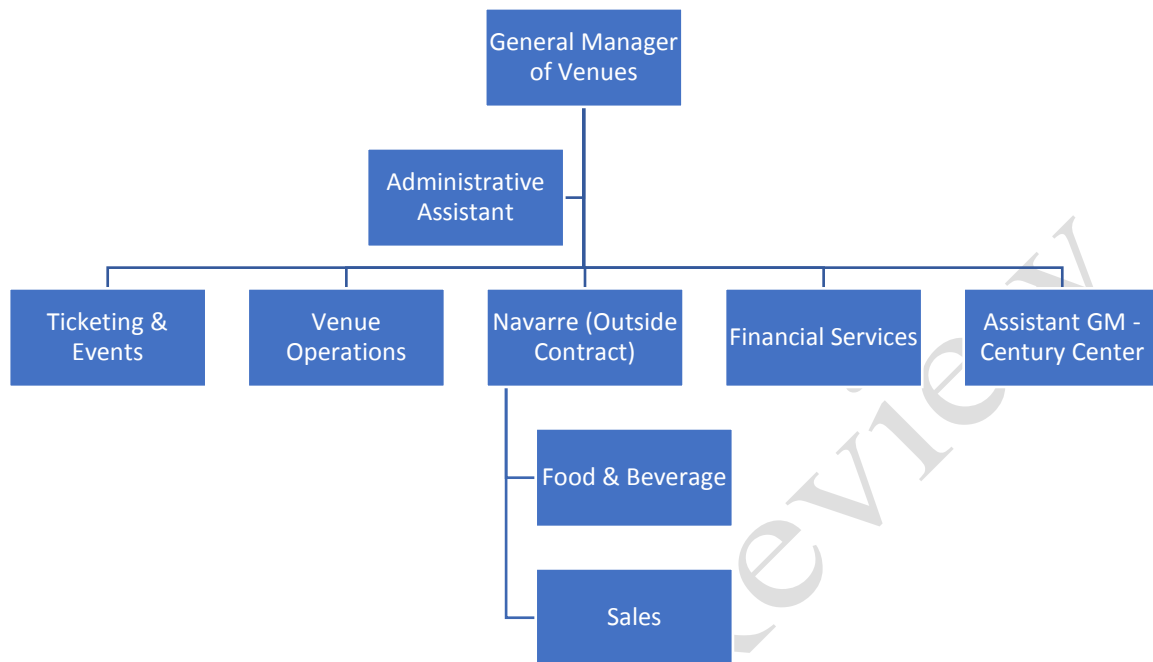
Marketing Team– strategizes and implements ways to promote VPA programming, resources and events.

Development Team - responsible for fundraising, data gathering, organizing volunteers and maintaining community relations and standards.

Events Team - Performs all duties necessary to host major events throughout the year. Creates and implements family and community events with many free to the public.

Draft for Review

## C.6 VPA VENUES OPERATIONS



General Manager of Venues - oversees the operations of the Morris Performing Arts Center, Century Center, and Palais Royale. This position reports directly to the Executive Director of Venues Parks & Arts.

- Administrative Assistant - provides administrative support to the General Manager of Venues

Financial Services Director - oversees the finances for all venues.

Ticketing & Events - responsible for finding appropriate shows for each venue throughout the year, provides booking services for venues, and ticketing and box office services to events by selling tickets pre-show and staffing during shows.

Assistant GM: Century Center – on-site Century Center management

Venue Operations – oversees venue maintenance, housekeeping, event setup and security.

Navarre Hospitality – an outside contractor providing food services

- Sales – working out contracts with clients and other tasks related to the sales of the city's venues.
- Food & Beverage – oversees the catering for private events and planning food and beverage services for public events.



## **Section D – Policies and Procedures**

<b>D.1</b>	<b>General Policies</b>	<b>1000</b>
<b>D.2</b>	<b>Administration Policies</b>	<b>2000</b>
<b>D.3</b>	<b>Marketing Policies</b>	<b>3000</b>
<b>D.4</b>	<b>Personnel Policies</b>	<b>4000</b>
<b>D.5</b>	<b>Public Safety/ Risk Prevention</b>	<b>5000</b>
<b>D.6</b>	<b>Financial Policies</b>	<b>6000</b>
<b>D.7</b>	<b>Program Policies</b>	<b>7000</b>
<b>D.8</b>	<b>Park Facilities Policies</b>	<b>8000</b>
<b>D.9</b>	<b>Volunteer Policies</b>	<b>9000</b>

## Manual Review/Revisions Checklist

South Bend Venues Parks & Arts' Administration, Policies and Procedures Manual should be reviewed annually. The following checklist has been developed to record when and what revisions are made to each specific section of the manual and when the annual audit of the entire section last took place.

### General Policies (1000) Updates

<b>Policy # Revised</b>	<b>Date Policy Revised</b>	<b>Description of Change or Update to the policy</b>
1010	2/15/06	Created – How to Use this Manual
1020	4/14/07	Created – Park Law
1070	6/14/06	Created – Quality Assurance
1030	6/12/07	Rolled into 1070
1040	6/12/07	Rolled into 1070
1050	6/12/07	Rolled into 1070
1060	6/12/07	Rolled into 1070
Annual Review	11/08	
Annual Review	1/10	
1040	3/12	Recreated as Nutrition Policy
Annual Review	2/11	
Annual Review	9/12	
1070	9/12	Rewording
Annual Review	1/14	
Annual Review	5/16	
	6/17	All policies rebranded as VPA
Annual Review	4/18	

# General Policies- 1010

## Accreditation Standard #: 1.4.2

<b>Subject: How to Use This Manual</b>		<b>General Policies</b>
<b>Creation Date:</b> February 15, 2006	<b>Last Approved Revision:</b> 04/20/2018	<b>Authority:</b> Informational

The Administrative Policy and Procedures Manual is a compilation of the policies by which South Bend Venues Parks & Arts and Board operate. To maintain its usefulness, it must be updated and revised at regular intervals, concurrent with Board approval. The most current approved policies are to be located on the [VPA Data Share Hub](#), and are to be accessible from all staff workstations.

The manual is divided into 9 sections plus appendixes:

<u>Category #</u>	<u>Category</u>
1000	General Policies
<b>2000</b>	<b>Administration</b>
3000	Marketing
4000	Personnel Policies
5000	Public Safety and Risk Prevention
6000	Finance
7000	Program Policies
8000	Parks & Facilities
9000	Volunteers

The category number indicates the beginning number of all policies within that category. Each policy is numbered in increments of ten. The category title and number are located at the top of each policy. When subsequent policies are added they are assigned the next available number.

Each policy also has a section that contains the NRPA accreditation standard. If a policy fulfills a standard, the standard number is indicated in the right corner of the policy.

All policies are formatted in the same fashion, and may include any or all of the following sections:

- A. Purpose
- B. History
- C. Policy
- D. Procedure & Responsibility
- E. Definitions

The **Purpose** section will describe the reason or necessity for the policy's existence, the **History** section will provide any pertinent background information if appropriate, the

## General Policies- 1010

### Accreditation Standard #: 1.4.2

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**Policy** section will describe the guiding beliefs or statements of commitment for South Bend Venues Parks & Arts regarding the issue, the **Procedure and Responsibility** section will define *who* will do *what* to be in accordance with the stated policy, and finally the **Definitions** section will be used to define any terms used within the policy for purposes of clarity.

A checklist has been developed to record when and what revisions are made to a specific section of the manual and when the annual audit of the entire section last took place. Each section will contain one form that is used for all of the policies in that section. A sample follows:

### Section 1000 Updates

Policy # Revised	Date Policy Revised	Description of Change or Update to the policy

The policy manual is to be systematically reviewed **as needed annually and at least in its entirety** every five years by the Executive Director and the Division Heads of the department. The policy manual shall be made available to all personnel.

### Policy Manual Distribution List

A copy of the Policy Manual should be found in each of the following locations, or in the office of each of the following members of VPA Department staff as well as being available to all staff online.

#### STAFF

VPA Executive Director  
VPA Fiscal Officer  
VPA, Experience Director  
Office Manager, O'Brien Administrative Office  
VPA, Administrative Assistant

#### FACILITY

O'Brien Administration Offices  
South Bend Parks Maintenance Facility

## General Policies - 1040

Accreditation Standard #:

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<b>Subject: Nutrition Policy</b>		<b>General</b>
<b>Creation Date:</b> 3/22/12	<b>Last Approved Revision:</b>	<b>Authority: Department</b>

### Nutrition Policy for the Venues Parks & Arts Department

We, at the South Bend Venues Parks & Arts, will serve at our meetings and programs the healthiest food choices we can as part of our Health and Wellness commitment to the community.

## General Policies - 1070

### Accreditation Standard #: 3.3.4.4

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<b>Subject: Quality Assurance</b>		<b>General Policies</b>
<b>Creation Date:</b> 11/14/06	<b>Last Approved Revision:</b> 4/20/2018	<b>Authority: Department</b>

- F. **Purpose** – To create uniform standards and procedures to monitor and evaluate the quality of the Department’s facilities, natural resource areas, programs and services from the user’s perspective. This process runs in conjunction with the public survey and public evaluation policies described under policies 3420 – Surveys, and 3700 – Customer Service.
- G. **Policy & Responsibility**  
**B-1 Criteria in Regard to Facility Maintenance.**  
Park Entrances:  
*Park signs*  
Signage should be visible from major access areas to the facility. They should be free from obstruction from shrubbery and trees. Paint or stain surfaces should be acceptable quality and free from chipping or flaking. Wood structures should be checked for rotting or weathering. Signs should be checked daily for vandalism.
- Landscaping*  
Entrance areas to facilities should be maintained to standards. These include trimming of trees and shrubbery, weeding of flower beds, cuffing and trimming of grass areas.
- Gate/Access Control*  
Gates and access areas should be locked and unlocked at appropriate times established for each facility. Locks should be checked for wear and rust to insure proper locking. Gates should be checked for tension, rust, or damage. Posts should be checked for rust or rotting. Hinges of gates should be lubricated quarterly.
- Roadways and Parking Lots*  
Roadways should be checked for potholes and cracks (if asphalt). Areas need to be checked daily for litter and broken glass. Grass growing in asphalt areas should be removed. Areas that accumulate dirt and debris should be cleaned as necessary and recommendations should be made in regard to the cause of accumulation. Painted surfaces need to be checked for quality and areas that are not visible need to be repainted. Accessible parking

## General Policies - 1070

### Accreditation Standard #: 3.3.4.4

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areas need to be visible with proper signage and free from obstruction.

#### *Litter*

Area should be cleaned daily of all litter. Trash should be picked up along roadways adjacent to the entrance as well.

#### Buildings and Centers:

Standards in regard to this category include the exterior and interior of all buildings operated by the Department. These include all centers, pool bathhouses, concession stands, restrooms, storage buildings and offices.

#### *General Appearance*

The overall appearance of the facility should be eye pleasing to all visitors. General cleanliness of all areas needs to be acceptable. These include windows and window seals, floor surfaces, walls, counter tops, and other areas.

#### *Paint Condition/Graffiti*

All paint surfaces should be clean and free from chipping and peeling. Walls should be free from graffiti, tape and other marks. Record of last painting should be maintained on file, with color of paint documented for touch-up purposes.

#### *Signs*

All exit and emergency signs should be in proper working condition. Bulbs should be replaced when noticed or reported to the facility supervisor. Directional and information signs should be in good condition and easy to spot and follow.

#### *Restrooms*

To a considerable extent cleanliness of restrooms reflects the level of care provided for any public facility therefore special attention must be given to this phase of maintenance. Restrooms are to be thoroughly cleaned daily, shortly after the beginning of the work day, with repeated cleaning during the day as traffic may dictate. Lavatories, bowls and urinals need to be thoroughly cleaned with an approved detergent. Floors are to be mopped and disinfected daily. Markings on walls and partitions should be removed when discovered. Dispensers should be filled often enough to avoid depletion of supply. Trash should be disposed of when necessary to insure receptacles do not overflow. Restrooms should be inspected periodically to insure standards are met.

#### *Furnishings*

## General Policies - 1070

### Accreditation Standard #: 3.3.4.4

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Furnishings include tables, chairs, desks, kitchen equipment game tables, etc. associated with the facility. Special notice should be given to the condition of these furnishings. Damaged furnishings should be repaired or replaced. All items should be clean and in good working order. Fabric upholstery should be cleaned with an approved shampoo annually.

#### *Litter*

Interior and exterior areas of each facility should be checked throughout the day for litter, especially broken glass or other items which may propose a safety or health concern. Trash receptacles should be emptied as necessary to alleviate spillage onto floor surfaces. Liners should be placed in receptacles when possible. Receptacles should be as clean as possible and disinfected periodically.

#### Grounds Maintenance

##### *Mowing*

All grass areas shall be mowed according to the schedule for each facility. Areas should be cleared of litter, rocks, glass. Trimming and surface cleanup should also be checked after mowing has occurred.

##### *Litter*

Area should be cleaned daily of all litter. Each facility should be checked throughout the day for liner, especially broken glass or other items which may propose a safety or health concern. Trash receptacles should be emptied as necessary to alleviated spillage. Liners should be placed in receptacles when possible. Receptacles should be as clean as possible and disinfected periodically.

##### *Weed Control*

Areas where weed control is necessary should be documented by using a work order to Facilities and Grounds. Only certified personnel may spray weed control chemicals.

##### *Curbs and borders*

All curbs and boarders should be free of grass and weeds. Areas should be checked for damage from vehicles and pedestrian traffic and reported via the work order system. Curb cuts for the disabled should be free of obstructions and easily accessible to the physically impaired.

##### *Mulch*

Areas that are mulched should be checked periodically for replacement. Check for weeds and bare places.

##### *Shrubs/Hedges/Tree Condition*



## General Policies - 1070

### Accreditation Standard #: 3.3.4.4

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Periodic inspection of shrubs, hedges, and trees is necessary to determine damage, disease or dying items. Trimming may be needed in areas based upon the landscape plan for the area. All trimming shall be done by qualified personnel only. Overhanging limbs on sidewalks and roadways should be trimmed as well. Areas should be check for litter as well.

#### *Walkways*

Walkways need to be inspected for cracks, holes or uneven surf aces. Edges should be even with the ground areas if at all possible for a smooth transition from walkway to other areas. Overhanging limbs and shrubs should be trimmed to not interfere with traffic.

#### Athletic Areas

##### *Condition of Infield*

Infield areas need to be inspected for proper drainage, rocks or stones, grass areas, and holes or worn areas. The pitcher's rubber, base anchors and bases should be checked for proper installation and wear.

##### *Turf Condition/Outfield*

Grass in athletic fields should be mowed regularly as needed. Facility supervisors should document when mowing occurred to verify mowing is occurring based upon the schedule. Areas of wear should be noted. Trim around fence areas should be checked. Foul lime areas and warning tracks should be checked as well.

##### *Dugouts/Fencing/Goals*

Dugout areas should be inspected for damaged blocks, graffiti, bench damage and gate alignment All fences need to be checked for sharp or jagged edges, loose areas at top or bottom, damaged posts or rails, rust, and holes in fabric. All gates need to be checked for alignment.

##### *Bleachers*

Bleachers need to be inspected for splinters or rotten wood, missing bolts and nuts, and broken boards. Bleacher pads need to be inspected for damage.

##### *Litter/Trash Cans*

Area should be cleaned daily of all litter. Athletic areas should be checked throughout the day for litter, especially broken glass or other items which may propose a safety or health concern. Trash receptacles should be emptied as necessary to alleviated spillage. Liners should be placed in receptacles when possible. Receptacles should be as clean as possible and disinfected periodically.

## General Policies - 1070

### Accreditation Standard #: 3.3.4.4

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#### Park Features

##### *Picnic Shelter/Tables*

Picnic shelters should be checked for splinters, rotting, graffiti, and litter daily. Tables should be inspected for damaged boards, splinters, rotting and graffiti as well. Concrete areas should be swept daily and scrubbed with a detergent periodically. Tables should also be scrubbed with a detergent periodically also. Grills should be inspected for damage and cleaned by removing burned material or food products. Lifter should be disposed of based upon the above requirements.

##### *Benches*

Benches should be checked for loose, rotten or damaged boards. Inspection for loose or missing nuts and bolts should occur as well.

##### *Playgrounds*

A daily inspection should be performed in regard to all playgrounds. In addition, playgrounds should be checked at least once a week using the Maintenance Checklist Form to document inspection. Attention should be given to all items equally in regard to the check list, especially areas that may pose a safety concern to participants. Work orders should be prepared immediately when concerns are evident. Emergencies should be phoned to Facilities and Grounds.

##### *Tennis courts*

Tennis courts should be inspected for worn or damaged nets, stolen or damaged center straps, leaning net posts, cracks in surface, damaged fencing and gates, grass growing along edge of courts, proper signage and proper functioning lights if available. Courts should be free of debris and litter. Inspect courts for evidence of use by bikes, skateboards or roller blades.

##### *Swimming Pools*

Swimming pools, while in operation, should be inspected daily by the pool staff. In the off season, weekly inspections should be made in regard to vandalism and other damage.

##### *Concession Stands/Storage Rooms/Press Box*

Requirements for these areas would be the same as any other building. Special attention should be given in regard to vandalism and break-ins.

##### *Water Fountains*

Outdoor water fountains should be checked for damage and workability. Heads should be cleaned using a disinfectant at least once a weekly. Check for leaks and proper drainage.

##### *Lighting*

# General Policies - 1070

## Accreditation Standard #: 3.3.4.4

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All outdoor lighting should be checked periodically to insure that fixtures are working. Aiming of fixtures should be checked to insure that areas that are a concern are being covered.

### **B-2 Criteria for Recreation Program Operations**

#### Program Diversity/Development

##### *Staff Directed Activities*

In all programs the staff should be observed indulging in activities as a demonstrator, leader, participant, etc. In Child Care programs activities will encompass the 3 main developmental areas; psychomotor, cognitive and affective on a daily basis. In this setting, programming schedules should allow children to select independent activities as a part of the basic program. Staff members should be observed supervising these events at all times.

##### *Non-directed Activities*

In all programs where the staff is not directing the activity and it is instead self-directed, it should be clear to the participants where they may go for assistance, and there should be staff available for this purpose.

##### *Program Diversity*

Recreation Centers (all age groups), preschool (ages 3-5) or seasonal camp/park programs are to develop a diverse and comprehensive activity schedule that offers balance between the following program areas with attention given to both passive and aggressive activities:

Education	Instruction	Athletics
Games	Leisure	Special Events
Clubs	Fitness	Nature

The degree of compliance will be measured by the balance a site provides the participants based on this criteria.

##### *Age Diversity*

This criteria is in direct relation to the above Program Diversity section and is determined by the frequency of programs designed for a particular age group. Again “balance” of programming by age group is expected. Observable activities should be indicated on the schedules that are suitable to the chronological age of a specific group of children. All programs, during development, should have a well-defined target user including an age profile.

##### *Geographic and Cultural Diversity*

## General Policies - 1070

### Accreditation Standard #: 3.3.4.4

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Where ever possible, programs should be targeted to areas or portions of our community that might currently be less well served. A balance of programs across the community should include accessibility to all regions and take into consideration different needs and desires of different portions of our service area.

#### **B-3 Staff**

##### *In-Service Training Records*

Documentation of courses, hours, and instructors providing training be listed and filed on site for review and reference.

##### *Orientation Documentation*

All staff members must review job and City policy regulations. A copy of the orientation check list should be on file at the employee's work site.

##### *Manuals*

Employees will have access to the following:

- Personnel Policies
- Safety Policies
- Yearly Budget
- Master Plan
- Parks Administration, Policies and Procedures Manual
- Facility Manual for their location

##### *Performance Appraisal*

A copy of each active staff member's performance should be kept on file with their supervisor. Evaluations are to be completed by the Executive Director by the evaluation date. Evaluation should include appraisal of customer service skills and incorporate comments from surveys and public feedback where possible.

##### *Staff Meeting*

Staff meetings should be held as necessary to communicate important information and to provide staff training.



## Manual Review/Revisions Checklist

The South Bend Venues Parks & Art Department's Administration, Policies and Procedures Manual should be reviewed annually. The following checklist has been developed to record when and what revisions are made to a specific section of the manual and when the annual audit of the entire section last took place.

### Marketing (3000) Updates

<b>Policy # Revised</b>	<b>Date Policy Revised</b>	<b>Description of New or Revised Policy</b>
3000	02/03/05	Created- <b>History and Responsibility of the Marketing Division</b>
3110	02/10/05	Created - <b>Marketing and Promotions – Logo Policy &amp; Wearing Apparel</b>
3120	02/10/05	Created- <b>Marketing and Promotions – Advertising</b>
3130	2/10/05	Created - <b>Marketing and Promotions – Printed Pieces</b>
3140	2/10/05	Created - <b>Marketing and Promotions – Activity Guide</b>
3150	2/10/05	Created - <b>Marketing and Promotions – Web Site</b>
3160	2/10/05	Created - <b>Marketing and Promotions – Promotional Items</b>
3210	2/10/05	Created - <b>Media Relations – Media Communications</b>
3220	2/10/05	Created - <b>Media Relations – Media Interviews</b>
3230	02/10/05	Created - <b>Media Relations – Weather Related Closings/Cancellations</b>
3240	2/10/05	Created - <b>Media Relations – Public Information</b>
3310	02/10/05	Created - <b>Funding – Grants</b>
3320	02/10/05	Created - <b>Funding – Sponsorships</b>
3330	02/10/05	Created - <b>Funding – Fundraising</b>
3400	04/12/05	Created - <b>Market Research – General Statement</b>
3420	03/12/05	Created - <b>Market Research – Program Surveys and Evaluations</b>
3500	04/12/05	Created - <b>Community Relations</b>
3710	07/12/05	<i>Created - Customer Service : Reception/Greeting Area</i>
3150	08/10/05	Update to web contract policy



# Marketing Policies - 3110

Accreditation Standard #:

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<b>Subject: Marketing and Promotions – Logo Policy &amp; Wearing Apparel</b>		<b>Marketing Policies</b>
<b>Creation Date:02/10/05</b>	<b>Last Approved Revision: 03/04/2016</b>	<b>Authority: Department</b>

**A. Purpose**

To ensure consistency and branding in all products produced for and by the department.

**C. Policy & Responsibility**

The South Bend VPA logo must be prominently displayed on all printed material, internet/social media, video assets and merchandise created for and by the Department including but not limited to: brochures, flyers, posters, print ads, promotional items, etc. In addition, all wearing apparel produced for any South Bend VPA employees must have the South Bend Parks VPA logo prominently displayed.



# Marketing Policies - 3120

Accreditation Standard #:

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<b>Subject: Marketing and Development – Advertising</b>		<b>Marketing Policies</b>
<b>Creation Date:02/10/05</b>	<b>Last Approved Revision: 6/29/16</b>	<b>Authority:</b>

## A Purpose

To maximize effectiveness, ensure quality, consistency and branding in advertising across all media and to adhere to any and all agreements made with program/event/facility sponsors and donors regarding advertising and other promotional efforts.

## C. Policy & Responsibility

The Marketing Division is responsible for Department wide advertising and promotions.

Staff is encouraged to seek and utilize advertisement opportunities with the following guidelines:

- C-1 All advertisement copy (print ads, television and radio commercials, billboards, etc.) must be approved through the Director of Marketing prior to submission.
- C-2 All print advertisement shall contain the South Bend VPA name and logo.
- C-3 The Marketing Division will retain copies of all ads produced for the Department.
- C-4 The Marketing Division will review/request pricing for local advertising opportunities and assist staff in getting the best rates and return for their advertising investment.
- C-5 The Marketing Division, through its quarterly meetings, will create an Annual Marketing Plan that will target and promote individual programs and events based upon need and budget.

## Marketing Policies - 3120

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- C-6 The Annual Marketing Plan will always be available for staff to examine.

#### D. Procedure

- D-1 Submit all print advertisement (newspaper, billboard) and electronic advertisement (radio, tv) to the Director of Marketing at least one week prior to deadline date for review and approval.
- D-2 Director of Marketing will make changes/corrections/suggestions or approval of all submissions in writing within 48 hours of submission.
- D-3 If the Director of Marketing is unavailable a member of the Marketing staff may provide review and approval.

# Marketing Policies - 3150

Accreditation Standard #:

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<b>Subject: Marketing &amp; Development – Web Site</b>		<b>Marketing Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision: 6/29/16</b>	<b>Authority: Department</b>

## H. Purpose

To ensure consistency, professionalism and branding on the website maintained by the South Bend VPA at [www.sbvpa.org](http://www.sbvpa.org).

## I. Policy & Responsibility

- B-1 The Director of Marketing is responsible for communication to the public in regard to information to be posted to the website.
- B-2 All modifications, including additions, changes or corrections requested or submitted for the website should be reviewed by the VPA Marketing Division.
- B-3 It is the responsibility of all staff to periodically check the information posted on the web pages regarding their individual operations to ensure its accuracy.
- B-4 Any editorial copy to be included on the web site will be reviewed by the Executive Director.
- B-5 Web calendars may have different responsibilities assigned than normal website oversight.
- B-6 Occasionally South Bend VPA will maintain additional websites or special domain names for additional projects. These additional websites may have different procedures for maintenance and update, but the Marketing Director should have access to them and should be informed of creation, purpose and major updates.

# Marketing Policies – 3160

Accreditation Standard #:

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<b>Subject: Marketing &amp; Development – Promotional Items</b>		<b>Marketing Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision:</b> 6/29/16	<b>Authority:</b> Department

## A. Purpose

To ensure quality, consistency, professionalism and branding on all promotional materials, including but not limited to: shirts, jackets, caps, bags, pens, mugs, give-aways, etc. created for and by the Department.

## B. Policy & Responsibility

- B-1 All promotional pieces must have the South Bend VPA logo prominently displayed.
- B-2 Certain limited retail items, with the Executive Director's approval, might be exempt from the logo requirement.
- B-3 Staff is to inform the Experience Director of the purchase of promotional items. Occasionally, by consolidating such purchases, the department can save funds.

# Marketing Policies – 3210

Accreditation Standard #:

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<b>Subject: Media Relations – Media Communications</b>		<b>Marketing Policies</b>
<b>Creation Date: 02/10/05</b>	<b>Last Approved Revision: 6/29/16</b>	<b>Authority: Department</b>

## A. Purpose

To prevent duplication and ensure consistency, professionalism and branding in regards to public service announcements (PSA), news releases, press conferences, media alerts, photo opportunities, etc. with broadcast and print and social media.

## B. Policy & Responsibility

- B-1 All news releases, press conferences, media alerts, PSA, photo opportunities and all other requests for media attention shall be coordinated through the Experience Director of VPA. Final approval of all releases is subject to the Executive Director's discretion.
- B-2 All media communications shall be disseminated to media outlets. Special interest groups may request individual releases, but will not be placed on the media distribution list.
- B-3 The Experience Division will track all media communications and interactions.

## C. Procedure

- C-1 The Experience Division will maintain a media distribution calendar for all programs and activities. Media communications will be initiated based on this calendar. Any additional items for

## Marketing Policies – 3210

### Accreditation Standard #:

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media distribution will be submitted to the Marketing Director to be added to the upcoming schedules.

- C-2 Staff will have the opportunity to proof all media communications that pertain to their respective programs/events/facilities prior to distribution.
- C-3 Staff will receive a copy of all submissions to the media that are relevant to their operations.
- C-4 With regard to press conferences, the Experience Division will determine if a news conference is appropriate or applicable for a particular event and, if so, will work with the appropriate staff to plan it.
- C-4 Social media will be coordinated through the Marketing Division and will be used for outreach, education of the benefits of VPA operations and promotion.

### D. Definitions

- D-1 **Public Service Announcement** – A public service announcement is an advertisement that appears in space and time donated by the media for the public good. A formal definition is as follows:

An announcement for which no charge is made and which promotes programs, activities or services of federal, state or local governments or the programs, activities or services of non-profit organizations and other announcements regarded as serving community interest, excluding time signals, routine weather announcements and promotional announcements.

Broadcasters (radio and tv) are required by the FCC to commit a certain percentage of air time to public service announcements. Newspapers and magazines, however, are not required to provide space for public service announcements and usually regard them as filler. Because time and space allocated for PSAs is donated, a sponsoring agency does not have any control over when, where, how often, or even whether its message will appear.

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- D-2      **News Releases** – A news release may be used to issue a statement, take a stand on a news development or issue, provide background or to supplement late breaking news. News releases are also used to announce upcoming events and to invite press to cover them and can be a very effective means of gaining needed publicity. News releases should reach the media with enough lead time to make announcements at least two weeks in advance of an event or a registration deadline.
- D-3      **Media Alert** – Media Alerts are used to notify the media of upcoming events that reporters, photographers or film crews may wish to be present for. Media alerts are sent in lieu of a news release or in addition to a news release. If sent out in addition to a news release, they are generally sent out much closer to the event date.
- D-4      **Photo Opportunities** – Photo Opportunities (Photo Op) are an opportunity for a photographer or film crew to capture photographs or film for use as is or in conjunction with a related story.
- D-5      **Press Conference** – A press conference is a meeting used to announce a major news event. The media are invited and are supplied with written materials and photographs. In addition, letters to the editor and editorials are sometimes prepared and sent to newspaper publishers.

# Marketing Policies – 3220

Accreditation Standard #:

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<b>Subject: Media Relations – Media Interviews</b>		<b>Marketing Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision: 6/29/16</b>	<b>Authority:</b>

## A. Purpose

To provide direction for the Department employees regarding media requests for interviews.

## B. Policy & Responsibility

- B-1 The Experience Division is the primary contact point for all media interaction.
- B-2 The Executive Director will initiate media appearances and interviews where applicable and appropriate.
- B-3 Department personnel who are approached by a reporter or media representative for information are encouraged to take advantage of the opportunity and shall respond as follows:
- B-3.1 Basic Program/Facility Information: Supply the information, inform your immediate supervisor, then contact the Experience Director to let him/her know about the interview
- B-3.2 Major Department Issues: such as master plans, funding sources, policies or controversial issues – defer to the Executive Director, unless staff has been otherwise instructed by the Executive Director.
- B-4 The Experience Division will track all media appearances and interviews. The Experience Director must be informed of all such occurrences.
- B-5 The Experience Division will have a Media Crisis Management plan in place and departmentally available.



## Marketing Policies – 3220

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#### C. Procedure

- C-1 Determine what information the reporter needs
- C-2 Provide the requested information if it is considered routine (see B-3.1).
- C-3 If the request is more complicated, or you feel uncomfortable with the topic, you may respond with “I’m sorry, but I’m not the best person to talk to about that issue. Let me put you in touch with my Supervisor/Executive Director.” The person who works closest to the issue or issues under discussion will, in most instances, be the person interviewed.
- C-4 Inform your immediate supervisor of the interview, and then contact the Experience Director.

# Marketing Policies – 3230

Accreditation Standard #:

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<b>Subject: Media Relations – Weather Related Closings/Cancellations</b>		<b>Marketing Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision:</b> 6/29/16	<b>Authority:</b>

## A. Purpose

To establish policy guidelines for closings/cancellations and for the necessary outreach efforts due to weather related emergencies of South Bend Venue Parks & Arts facilities, programs and events.

## B. Policy & Responsibility

- B-1 If South Bend Community School Corporation closes for weather issues, all youth instructional classes will be closed. All classes that use School property (youth or adult) are also automatically cancelled.
- B-2 Building or facility failures or safety concerns can cause cancellations. Inability to plow, heating/cooling breakdowns or hazardous environmental conditions are examples.
- B-3 A travel ban issued for unsafe driving conditions by local government or emergency management agencies will cancel Department programs.
- B-4 The direct supervisor of a program or event may issue a cancellation due to predicted or actual unsafe weather conditions, instructor illness or other uncorrectable operation concerns.
- B-5 The Director of Golf and/or Course Superintendent is responsible for decisions concerning temporary or all day closing of the Courses. In making such decisions, due consideration will be given to the welfare of the general public and potential damage to the golf course.

## C. Procedure

- C-1 When an event or program is determined to be cancelled, it is the supervisor's responsibility to notify all the participants, any
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## Marketing Policies – 3230

### Accreditation Standard #:

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vendors, partners, or contacted agents to immediately inform them of the decision.

- C-2 When it is determined to cancel a program, the supervisor will use the Cancellation Call list to make the initial contacts.
- C-3 When a program or event is cancelled, it is the responsibility of Experience Division to alert media outlets by using the Cancellation Outreach List.
- C-4 After hours or on holidays and week-ends, there will be a designated contact person by the Experience Division to handle the media outreach.
- C-5 When cancelling a substantial community event, the supervisor might required to use the Event Cancellation List. This decision will come from the Executive Director, the Deputy Director, or the Immediate Supervisor.
- C-6 All Golf Course closures must be immediately reported to the office of the Executive Director.

### D. Definitions

- D-1 Cancellation Call List – The Executive Director, the Deputy Director, the Recreation Director, the O’Brien Center and O’Brien Fitness Center desks, the Director of Maintenance, 311, Mayor’s Office. These call lists need to be continually updated and distributed.
- D-2 Cancellation Outreach List – Standard media (T.V., radio contacts), Social Media (Twitter, Facebook, etc), and depending on the size and impact of the event, the What’s Up mailing. These call lists need to be continually updated and distributed.
- D-3 The Event Cancellation List – Everything from the Cancellation List, plus all park staff, the complete Rec Trac email list, and the City Department Heads. These call lists need to be continually updated and distributed

# Marketing Policies – 3240

Accreditation Standard #: 3.3.1

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<b>Subject: Media Relations – Public Information</b>		<b>Marketing Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision:</b> 6/29/14	<b>Authority:</b> Department

## A. Purpose

A definitive statement regarding the dissemination of public information

## B. Policy & Responsibility

### B-1 STATEMENT OF POLICY:

South Bend Venues Parks & Arts is committed to informing the community and the local media of major events and activities involving the department. All public information distributed is to be as clear and open as possible in keeping with the spirit and letter of the Indiana Open Door Law and the Access to Public Records Act.

B-2 The Experience Division of VPA is responsible for distributing timely and accurate information to the appropriate media

B-3 All State, local and other applicable rules and regulations will be adhered to. Ex. Indiana's Open Door Law and the Access to Public Records Act.

B-4 In case of emergency situations, or crisis events, the procedures of the Crisis Communication Plan (Policy 5030) will be used.

B-5 Not only should program/event information be distributed, but also the benefits derived from Venue Parks & Art's activities should be communicated to the community.

B-6 The Experience Division of VPA is responsible for assisting the media in covering news stories by responding to questions as accurately, honestly, and openly as possible or directing media inquiries to other department staff members as designated by the Executive Director.

## Development Policies - 3310

Accreditation Standard #:

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<b>Subject: Funding – Grants</b>		<b>Development Policies</b>
<b>Creation Date: 02/10/05</b>	<b>Last Approved Revision: 6/29/16</b>	<b>Authority: Experience Division</b>

### A. Purpose

- A-1 To establish guidelines for grant planning, application, implementation, reimbursements and reporting.
- A-2 To ensure appropriate financial management of grant funds.

### B. Policy & Responsibility

The Experience Division is primarily responsible for overseeing and facilitating the grant writing process.

- B-1 The Development Team will jointly search for new grants for both the Department as a whole, as well as for individual programs/facilities/events.
- B-2 Department staff is strongly encouraged to research grants for the areas that they directly oversee.
- B-3 All requests for grant funding to support any Department program/facility/event must be submitted to the Director of Development.
- B-4 All grant requests will be reviewed and evaluated by the Director of Development, the Director of the Experience Division, and any other interested party.
- B-5 The Development Team will retain a copy of all grants written for and by the Department.

# Development Policies - 3310

## Accreditation Standard #:

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### C. Procedure

- C-1 Grants are evaluated based on feasibility, program need and alternative funding sources.
- C-1.1 Time table – sufficient time to complete the application; grant timeline coincides with program/event timeline.
  - C-1.2 The Department’s ability to meet the grant’s specific requirements.
  - C-1.3 The Development Team’s established grant schedule.
- C-2 After evaluation, the primary responsibility for the writing of the grant will be determined by the Development Team, i.e.: the interested party will write the grant, the Development Team will write the grant, an approved outside party will write the grant, or a combination of the above.
- C-3 A timetable for completion of the writing process will be assigned by the Development Team.
- C-4 All grants will be proofread individually by all parties of the Development Team. Any revisions will be approved by all parties of the Development Team. All parties of the Development Team will approve the final copy prior to submission.
- C-5 When a grant has been secured, it is the responsibility of the staff member overseeing the program/facility/event to meet all the grant requirements i.e.: completing paperwork, submitting required forms, receipts, evaluations, etc., gathering data, required purchases or procurements, etc.

# Development Policies - 3330

Accreditation Standard #:

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<b>Subject: Funding – Sponsorships</b>		<b>Development Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision:</b> 7/29/16	<b>Authority: Experience Division</b>

## A. Purpose

To provide department employees with appropriate procedures and policy regarding sponsorships.

## B. Policy & Responsibility

The Experience Division is primarily responsible for monitoring and overseeing all sponsorships sought for by Venues Parks & Arts (VPA) and acts as a clearing house for all sponsorships. This is to insure consistency in proposals, avoid approaching the same potential sponsor too frequently and/or by multiple staff and to track total sponsorship contributions, and to promote, develop, and maintain relationships with our sponsors.

B-1 The Development Team will actively search for sponsorships for the Department as needed and for its own existing programs/events.

B-2 Staff are encouraged to seek sponsorships for the areas that they directly oversee with prior approval of the Director of Development.

B-3 The Development Team is available to assist in seeking and securing sponsorships.

B-4 All sponsorship requests must be submitted to the Director of Development.

B-5 All sponsorship requests will be reviewed and evaluated by the Development Team in conjunction with the appropriate Division Head.

B-6 A monthly summary of sponsorships is generated by the Director of Development and is available for review.

## Development Policies - 3330

### Accreditation Standard #:

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- B-7 A listing of all secured sponsorships will be maintained and made available by the Director of Development.
- B-8 Any media sponsorships (newspaper, radio, television) will be negotiated and managed in conjunction with the Marketing Team, unless prior approval has been given.

### C. Procedure

- C-1 All sponsorship requests by staff members must be submitted to the Director of Development.
  - C-1.1 All requests will be reviewed and evaluated by the Director of Development and the Director of the Experience Division.
- C-2 After evaluation, the Director of Development will respond to the requesting staff member and the appropriate Division Head.
  - C-2.1 If the Director of Development decides to pursue the request, a sponsorship strategy will be formed and a copy of this will be forwarded to the requesting staff member and the appropriate Division Head.
- C-3 All staff seeking sponsorship independent of the Development Team for their program or event must first consult with the Director of Development to decide a course of action including timeline, potential sponsors and possible sponsor benefits.
- C-4 In order to maintain an active listing of all Department sponsorships, a written notification of all sponsorships secured by staff must be made to the Director of Development.
- C-5 When a sponsorship has been secured, it is the responsibility of the staff member securing the sponsorship to meet all levels of recognition as outlined in the sponsorship agreement.



# Development Policies - 3330

Accreditation Standard #:

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<b>Subject: Funding – Fundraising</b>		<b>Development Policies</b>
<b>Creation Date:</b> 02/10/05	<b>Last Approved Revision:</b> 6/29/14	<b>Authority: Experience Division</b>

## A. Purpose

To provide department employees with appropriate procedures and policy regarding fundraising.

## B. Policy & Responsibility

- B-1 The Development Team will be responsible for the development, planning and implementation of fundraising initiatives throughout the year. The fundraising initiatives will generate funds to be used to defray the expenses of Venues Parks & Arts and will benefit a program/event/facility to be determined by the Experience Division and the Executive Director.
- B-2 Department staff are encouraged to pursue fundraising opportunities while keeping the Director of Development aware of and up-to-date of fundraising activities.
- B-3 The Director of Development will maintain a list of all fundraising initiatives conducted by the Department.
- B-4 The Marketing Division is available to assist in most aspects of fundraising activities.

## C. Procedure

- C-1 In an effort to maintain a current listing of fundraising activities, any staff member pursuing fundraising activities should communicate details of the activities to the Director of Development.
  - C-1.1 Pre-event report should include the following information: event details (type, date, time, location); program/facility to benefit from fundraiser; any outside organizations partnering on event.
  - C-1.2 Post-event report should include the following information: attendance; amount raised; evaluation results.

# Development Policies - 3400

Accreditation Standard #:

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<b>Subject: Market Research – General Statement</b>		<b>Marketing Policies</b>
<b>Creation Date:04/12/05</b>	<b>Last Approved Revision: 6/29/16</b>	<b>Authority:</b>

## A. Purpose

An agency should have the ability to perform market research to determine community needs and demands and be able to supply analyses for evaluating its current services as well as for planning its future offerings to address those needs. Developing user-profiles, identifying potential target markets, conducting market tests of new programs or concepts, and focus meetings with other business or community groups are all components of this type of research. Marketing research is identifying a need, examining ways to satisfy it, and passing this information along to the appropriate parts of the operation.

## B. Policy & Responsibility

- B-1 There should either be a competent, trained person on staff, or the department should utilize a fully-qualified consultant for marketing research efforts.
- B-2 It is generally the responsibility of the Executive Director of Venues Parks & Arts to determine when specific marketing research project needs to be completed for any particular park operation, but it is the responsibility of the Marketing Division in conjunction with City's Business Analysis team to see that some type of ongoing evaluation of overall operations is continuously underway.
- B-3 Both special and standard market research analysis should be included in the periodic reports from the Experience Division to the Executive Director and the Park Board.

## C. Procedure

- C-1 Provide a summary of data collected by both hard copy and web-collected surveys and evaluations.

# Marketing Policies - 3420

Accreditation Standard #:

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<b>Subject: Market Research – Program Surveys and Evaluations</b>		<b>Marketing Policies</b>
<b>Creation Date:03/10/05</b>	<b>Last Approved Revision: 6/10/16</b>	<b>Authority:</b>

## A. Purpose

Evaluating Department programs and services is vital to determining the level of customer satisfaction. Evaluations also provide valuable feedback for making changes or improvements to programs or services. In order to ensure that information collected is relevant, reliable and valid, the following policy has been instituted.

## B. Policy & Responsibility

- B-1 All surveys, evaluations and other marketing research tools shall be reviewed by the Experience Division before being administered.
- B-2 The Director of Marketing shall be contacted before planning any market research project.
- B-3 Ongoing program evaluations shall be reviewed/ revised on an annual basis.

## C. Procedure

- C-1 The Experience Division will draft an evaluation form with the Business Analyst and distribute to appropriate staff for their review.
- C-2 Upon completion of the final evaluation form by the above group, it is the responsibility of the program staff to distribute the evaluation forms and return completed forms to the Business Analyst.
- C-3 The Business Analyst will then compile all information and distribute a report with recommendations for the appropriate staff so changes can be made to future programs.
- C-4 The program supervisor then prepares a list of recommended program changes based on the evaluation report and gives it to the appropriate supervisory staff.

# Marketing Policies - 3500

Accreditation Standard #:

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<b>Subject: Community Relations</b>		<b>Marketing Policies</b>
<b>Creation Date:</b> 04/12/05	<b>Last Approved Revision:</b> 6/29/16	<b>Authority:</b>

## A. Purpose

South Bend Venues Parks & Arts has a strong commitment to establishing strong ties with the community and responding to its needs. Community relations are the means to address concerns arising between the parks department and all of the segments of its service population. VPA should not only interact and utilize the many organizations that already exist in its jurisdiction, it should be active in fostering new groups where there is a need, and none already exist.

By establishing these links with the community, the agency can learn of needs, issues and opportunities before they become more difficult to manage. By working to increase the communities understanding of the activities and roles of Venues Parks & Art, public confidence can be increased, and obstacles to future new ventures can be more easily overcome.

## B. Policy & Responsibility

- B-1 A community relations plan should be formulated and maintained by the Experience Division and periodically reviewed for possible updating.
- B-2 There should be a person on staff (Experience) who acts as the primary point of interaction for community relations functions. This person should have direct access to the Executive Director.
- B-3 The functions of public information officer and of community relations coordinator for the department must be carefully coordinated to act as a point of control for the dissemination of information to the community and media.

## C. Procedure

- C-1 Member(s) of the Experience & Development teams will meet in a variety of organized forums to interact with individuals and groups from the community.

# Marketing Policies - 3700

Accreditation Standard #:

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<b>Subject: Customer Service - Statement</b>		<b>Marketing Policies</b>
<b>Creation Date:</b>	<b>Last Approved Revision: 6/29/16</b>	<b>Authority: Department</b>

## A. Purpose

To provide clarification and confirmation through policy of the importance and priority all department employees will exercise in relationship to our customers and customer service in general.

## B. Policy & Responsibility

- B-1 Staff, volunteers and interns will provide excellent customer service to all customers, external and internal as part of the shared responsibility we all have for positive marketing of the South Bend Venues Parks & Arts. All employees and the various agents of the Department shall be courteous, informative, helpful and pleasant. Constructive methods will be used for conflict management and mandatory training will be offered as needed.
- B-2 Customer Service Training will be offered on an annual basis for all employees including seasonal staff and volunteers. Experience Division staff will be responsible for scheduling and offering training.

## Manual Review/Revisions Checklist

The South Bend Venue Parks & Arts' Administration, Policies and Procedures Manual should be reviewed annually. The following checklist has been developed to record when and what revisions are made to a specific section of the manual and when the annual audit of the entire section last took place.

### Personnel Policies (4000) Updates

Policy # Revised	Date Policy Revised	Description of New or Revised Policy
4010	02/10/05	Created – <b>Dress Code</b>
4010	05/25/05	Revised - <b>Dress Code</b>
4010	06/15/06	Revised – <b>Dress Code</b>
Annual Review	11/28/06	
4020	4/22/07	Created – <b>Code of Conduct</b>
Annual Review	11/28/06	
4030	12/10/11	Created – <b>Background Checks</b>
Annual Review	11/28/06	
Annual Review	11/08	
Annual Review	1/10	
Annual Review	2/11	
Annual Review	9/12	
Annual Review	1/14	
Annual Review	5/16	
4010	3/17	Retired – for possible review
Annual Review	6/17	All policies rebranded as VPA

## Personnel Policies - 4020

### Accreditation Standard #: 4.1.1

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<b>Subject: Code of Conduct (ethics)</b>		<b>Personnel Policies</b>
<b>Creation Date:</b> 4/22/07	<b>Last Approved Revision:</b> 03/10/15	<b>Authority: Department</b>

#### A. Purpose –

To establish a standard of behavior for the department’s staff for ethical conduct and responsible actions.

#### B. Code of Ethics:

Staff shall not abuse participants including:

Physical abuse – strike, sank, shake, slap;  
Verbal abuse – humiliate degrade, threaten;  
Sexual abuse – inappropriate touch or verbal exchange  
Mental abuse – shaming, cruelty  
Neglect – withholding food, water, basic care, etc.

Any type of abuse will not be tolerated and will be cause for immediate dismissal.

1. Employees must use positive techniques of guidance, including redirection, positive reinforcement and encouragement rather than competition, comparison and criticism.
2. Employees respond to participants with respect and consideration and treat all participants equally regardless of sex, race, religion and culture.
3. Employees will refrain from intimate displays of affection towards other in the presence of visitors and participants.
4. Staff must appear clean, neat and appropriately attired.
5. All employees shall remain drug free while acting within the scope of their employment. The unlawful manufacture, distribution, or use of a controlled substance on City Premises or while conducting City business is prohibited.
6. Profanity, inappropriate jokes, sharing intimate details of one’s personal life, and any kind of harassment in the presence of staff and participants is prohibited.
7. Staff will portray a positive role model for youth by maintaining values of respect, responsibility, caring and honesty.
8. The South Bend Venues Parks & Arts has a responsibility to add its leadership to that provided by the employee(s) at a public place where our youth are mixed with others.

## Personnel Policies - 4030

### Accreditation Standard #: 4.1.1

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<b>Subject: Background Checks</b>		<b>Personnel Policies</b>
<b>Creation Date:</b> 12/10/2011	<b>Last Approved Revision:</b> 03/10/15	<b>Authority: Department</b>

#### **POLICY RE: Criminal History Checks**

The process of Background Checks are handled by the City of South Bend's Human Resources Department for South Bend Venues Parks & Arts. VPA receives the list of approved candidates who have been vetted and do not directly interact with the background check process nor receive summary reports.

VPA staff may not offer a position to a prospective employee or volunteer prior to receiving criminal history check information. The candidate should receive this information in writing both at the time they apply for the job via the job application and announcement, and at the time employment has been extended.

Under Indiana Codes 5-2-5-1 and 5-2-5-5 *et seq.*, local government employers can obtain limited criminal histories on prospective employees (regular full time, regular part time, seasonal and temporary) and volunteers. A limited criminal history includes information related to arrest, indictment, information, or formal charge against the prospective employee, and must include the disposition of the action. However, if criminal justice action (arrest, etc..) took place within the previous year, it will be reported regardless of whether there has been any disposition.

Information obtained concerning a prospective employee's or volunteer's conviction for one (1) of the following offenses can be used as grounds to not employ or contract with the individual. These offenses may include, but are not limited to the following:

1. Murder (IC 34-42-1-1)
2. Causing suicide (IC 35-42-1-2)
3. Assisting suicide (IC 42-1-2-5)
4. Voluntary manslaughter (IC 35-42-1-3)
5. Reckless homicide (IC 35-42-1-5)
6. Battery (IC 35-42-2-1) unless ten (10) years have elapsed from the date the individuals was discharged from the probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (IC 35-42-2-1-5)
8. Kidnapping (IC 35-42-3-2)
9. Criminal confinement (IC 35-42-3-3)
10. A sex offense under IC 35-42-4
11. Carjacking (IC 35-42-5-2)



## Personnel Policies - 4030

### Accreditation Standard #: 4.1.1

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12. Arson (IC 35-43-1-1) unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
13. Incest (IC 35-46-1-3)
14. Neglect of a dependent (IC 35-46-1-4(a)(1) and IC 35-46-1-4(a)(2)) unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
15. Child selling (IC 35-46-1-4(b))
16. Contributing to the delinquency of a minor (IC 35-46-1-8) unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under IC 35-47 unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under IC 35-48-4 unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3 unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5 unless ten (10) years have elapsed from the date the individual was discharged from the probation, imprisonment, or parole, whichever is later.
21. An offense which is substantially equivalent to any of the offenses listed in this subsection in which the judgement of conviction was entered under the law of any other jurisdiction.

[An individual employed by the South Bend Venues Parks & Arts shall notify the Department if during the course of the individual's employment or volunteer service, the individual is convicted in Indiana or another jurisdiction of any offense listed above.]

#### Process for Implementation - Prospective Employees/Volunteers – City of South Bend Human Resources

1. Notify applicant of criminal history check requirement via job/volunteer application, posting, and verbally notify applicant during interview process.
2. Upon selection of employee/volunteer, implement criminal history check process as follows:
  - a. Review job classification (
  - b. Implement appropriate type of criminal history check based on classification.

#### Types of Criminal History Checks

## Personnel Policies - 4030

### Accreditation Standard #: 4.1.1

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1. **Limited Criminal History Checks:** This shall be processed to the South Bend Police, and St. Joseph County Sheriff's Departments and takes approximately 3-5 working days. These are free of charge.
  2. **Extensive Criminal History Checks:** This process takes approximately 10-14 working days and costs incurred will be at the current rate.
- c. Allow appropriate amount of time for completion of process.
  - d. Complete all appropriate forms (see attachments B, C, D)
  - e. Notarize if appropriate.

[Notarization is available by at least one staff member in each Parks & Recreation facility, or the Mayor's office.]

Note: The South Bend Police Department Records Division and Indiana State Police do not require any waiver or signature by the subject of the background check. There is an exception for checks on juveniles, though there must be parental consent before the check can be made.

## Manual Review/Revisions Checklist

The South Bend Parks and Recreation Department's Administration, Policies and Procedures Manual should be reviewed annually. The following checklist has been developed to record when and what revisions are made to a specific section of the manual and when the annual audit of the entire section last took place.

### Public Safety and Risk Prevention (5000) Updates

Policy # Revised	Date Policy Revised	Description of New or Revised Policy
5040	05/22/07	Created - <b>Risk Management</b>
5050	05/22/07	Created – <b>Building Security</b>
5070	05/22/07	Created - <b>Handling Evidentiary Items</b>
5080	5/22/07	Created – <b>Disruptive Behavior</b>
5050	07/03/07	Expanded and renamed policy
Annual Review	11/28/06	
Annual Review	11/08	
Annual Review	1/10	
Annual Review	2/11	
Annual Review	9/12	
Annual Review	1/14	
Annual Review	5/16	
Annual Review	6/17	All policies rebranded as VPA
5040	2/18	Rework by Safety Committee

# Risk Management - 5040

Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6

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<b>Subject: 5040 Risk Management</b>		<b>Public Safety and Risk Prevention Policies</b>
<b>Creation Date:</b> 05/22/07	<b>Last Approved Revision:</b> 2/16/2016	<b>Authority:</b> Departmental

**POLICY RE: Risk Management Plan**

## STATEMENT OF RISK MANAGEMENT POLICY

The City of South Bend Department of Venues, Parks, and Arts (VPA) seeks to provide the safest environment for all park visitors and the safest work conditions for its employees and volunteers; to protect VPA and the City against adverse financial consequences of accidental losses; to identify and prioritize risk exposure areas and to identify remedies and alternatives to lessen these exposures; to develop and implement loss prevention plans to reduce accidents which may cause injury to the public or to employees; to reduce the frequency and severity of all property losses, and to process all accident and loss notices filed by and/or against VPA or the City.

## PURPOSE

The purpose of this plan is to identify and define the safety and risk responsibilities of VPA personnel, and to be an outline for specific emergency, risk, and general safety management procedures. This plan and associated procedures are implemented to protect all VPA personnel during routine and nonroutine activities by empowering them to identify, respond, and control hazards, both existing and unforeseen, and manage all associated risks swiftly and effectively.

## PHILOSOPHY

The responsibility for risk management, safety, and loss prevention is an essential component of the success of Venues, Parks, and Arts.

VPA is committed to the safety of all guests, employees, and volunteers. When managing risk and potential losses, The City of South Bend and VPA have found no substitute for well-trained, capable employees and volunteers, sound safety practices, and diligence in the safe operation of all programs.

When all employees and volunteers within VPA are aware that risk management, safety, and loss prevention is valued by the staff, desired attitudes will result in the performance of duties which allow VPA to avoid or control risk within its areas of responsibility.

Finally, it is exceptionally important that the professional staff of Venues, Parks, and Arts become personally involved in risk management, or the goal of reducing risk exposure cannot be achieved.

## Risk Management - 5040

Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6

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E.	Insurance.	Pg. 7-8
F.	Annual Review.	Pg. 8

## Risk Management - 5040

**Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6**

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### **A. GOALS and OBJECTIVES**

1. Provide guests with a quality experience in a safe environment, and protect all persons from undue risk and injury.
  - a. Identify hazards and assess risks.
  - b. Respond properly and implement effective controls.
  - c. Manage existing controls and ensure effectiveness is maintained.
3. Use ordinary and sensible care to keep facilities and parks reasonably safe and secure.
4. Provide proper communication to affected persons of any identified hazards, risks, emergencies, and implemented controls.
5. Provide an expedient response by trained personnel to all incidents that may occur.
6. Provide equipment which is safe and well maintained for use by any intended persons.
7. Provide specific rules, procedures, plans, and policies which are relevant to individual programs, events, parks, facilities, and divisions.
8. Follow any rules, procedures, plans, and policies implemented by the City of South Bend.

### **B. VPA SAFETY PROGRAM & CONSIDERATIONS.**

The VPA safety program in its entirety shall provide staff with specific information to best meet IOSHA and other federal, state, and local regulations, and such shall be posted or distributed for participant or employee review. Rules, procedures, plans, and policies may be individually posted or part of an accessible operations manual. The safety program shall be used as a guideline for related training of all employees and volunteers. The safety program shall include the following:

- a. Hazard and Risk Management plan and procedures.
- b. Emergency Management plan and procedures.
- c. General Security plan and procedures.
- d. Personnel training requirements.
- e. Regulated facility requirements.

A formal review of operational safety considerations, standards, and legal requirements shall be included in the planning stages of designing and operating new parks and facilities, renovating, repairing, or modifying existing parks and facilities, and implementing or modifying personnel assignments. Operational safety considerations are as follows:

- a. Maintaining an inventory of facilities and parks used for all VPA programs.
- b. Conducting safety inspections of the conditions of all parks and facilities before opening/reopening.
- c. Designating staff to be responsible for the safety of each event, park, facility, and/or division during their times of operation/occupancy.
- d. Establishing staffing plans for all facilities involving routine and informal activities.

## Risk Management - 5040

**Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6**

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- e. Developing controls for all activities where persons could be harmed or interfere with the activity, based on expected and maximum occupancy levels specific to each event, park, and facility.

### **C. RESPONSIBILITIES and TRAINING.**

The goal of the Department's risk and emergency management and safety training is to develop and instill safety awareness in its employees. This awareness will enable them to recognize hazards they may be subjected to in daily operations and to take adequate and required precautions. This training cannot be effective unless it is a continuous program. Educating employees and management through policies, procedures, and training is an essential part of VPA's Risk Management Plan and safety program.

Indiana Occupational Safety and Health Administration (IOSHA) 29CFR 1910 and 1926 were referenced to provide the guidelines for avoiding hazards and reducing the risk of hazardous situations; those guidelines are used in developing the VPA safety and training programs. Specific responsibilities for VPA staff, based on all applicable titles and regardless of their division, are as follows:

1. The *VPA Executive Director* has the ultimate responsibility to implement this Risk Management Plan for the Department of Venues, Parks, and Arts. Furthermore, the decision to close a facility or park due to an emergency event is the responsibility of the VPA Executive Director or their designee, if appointed.
2. *Deputy Directors, Divisional Directors, Center Directors, Superintendents, and Supervisors* have full authority and responsibility to take necessary and reasonable steps to maintain the safest possible environment within their area(s) and division(s). It is important that a constant effort be directed toward preventing incidents, accidents, and emergencies, and reducing liabilities in each of those respective areas by properly responding when they occur. As a result, the individuals in each of these positions shall:
  - a. Maintain a constant accounting of all personnel or guests under their supervision during operating hours.
  - b. Develop written employee work rules regarding hazardous tasks to minimize the possibility of injury and property damage.
  - c. Enforce the safety program, department policies, and any applicable rules, and guidelines and take impartial disciplinary action against those participants or employees who willfully disregard them.
  - d. Set an example to those employees under their supervision, and give safety equal emphasis and weight with such factors as the generation of revenues, participant development, and quality customer service.
  - e. Actively identify and report safety hazards within assigned facilities, programs or services, and promptly review all accident prevention recommendations.
  - f. Establish plans and issue directives to implement all necessary safety measures.
  - h. Conduct or assign training for each of their respective staff groups; Ensure that all employees are fully trained, and when necessary, retrained for the task they are assigned to complete.
  - i. Include risk and emergency management and safety training as part of the orientation requirements for each employee and volunteer position under their supervision. The individuals in each of these positions shall make certain that risk and safety management and

## Risk Management - 5040

**Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6**

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- safety training is integrated into all staff training programs and is developed as a continuing effort in daily operations.
- j. Maintain an up-to-date written record of training documenting the nature of the training, individual(s) conducting it, and those in attendance.
  - k. Center Directors and Facility Safety Coordinators shall be responsible for the decision to cease or cancel any normal operations or events at their facility or area in the event of an emergency.
3. *Program, Event, Volunteer, and Safety Coordinators* are key to the successful implementation of this Risk Management Plan. The individuals in each of these positions have the responsibility for the safe actions of employees and the safe operation and condition of equipment within their program and work areas. They have the full authority to enforce the provisions of this Risk Management plan and shall:
- a. Take responsibility for safe and healthful work conditions for participants and employees.
  - b. Be accountable for preventable injuries, accidents, and liabilities caused by employees.
  - c. Make certain that all safety precautions are observed, including the use of proper safeguards for all activities.
  - d. Ensure employees and participants are instructed and understand the use and necessity of personal protective equipment on specific potentially hazardous tasks or activities.
  - e. Recommend the correction of deficiencies found in equipment, facilities, work procedures, rules and knowledge that adversely affect safety efforts.
  - f. Blockade areas considered to be hazardous to employees or participants, because of weather conditions, faulty facilities or equipment failures.
  - g. Assess emergencies, hazards, and risks when reported or identified, and coordinate and activate the appropriate response procedure and oversee until completion.
  - h. Implement training for each of their respective staff groups: Ensure that all employees are fully trained, and when necessary, retrained for the job they are assigned to do.
  - i. Liaise directly with outside governmental agencies and emergency personnel throughout the duration of any emergency response procedure.
  - j. Conduct and actively participate in monthly meetings Safety Coordinators to establish best practices and implement safety and risk plans and procedures.
4. *Employees* are required to exercise discretion in the course of their work to prevent injuries to themselves, to their fellow workers, and to the participants within programs. Employees shall:
- a. Report all unsafe conditions and incidents and complete necessary documentation.
  - b. Keep work areas clean and orderly.
  - c. Ensure parks, facilities, and equipment are safe to complete their tasks.
  - d. Attend training when assigned and maintain necessary certifications.
  - e. Know and understand the hazards and risks to which they may be exposed and proper procedures to eliminate the hazards or minimize the risks.
  - f. Learn and follow all rules, procedures, plans, and policies that are in place.
  - g. Take an active interest and role in the practice and advancement of the safety program.
5. *Volunteers* are utilized for a wide variety of events and programs. Volunteers are required to exercise discretion in the course of their responsibilities to prevent injury to themselves, other volunteers or employees, and to the participants in the programs. Volunteers should:



## Risk Management - 5040

**Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6**

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- a. Report all unsafe conditions to supervisory staff immediately while making sure that facilities are safe in which to conduct programs.
  - b. Learn and observe the safety rules, procedures, and policies.
  - c. Document all accidents and report them to supervisory staff.
  - d. Use personal protective equipment when required.
  - e. Dress safely and sensibly.
  - f. Take an active interest and part in the safety program.
  - g. Never operate a city-owned vehicle.
  - h. Read and sign a volunteer waiver statement before volunteering.
6. *The VPA Safety Manager* is responsible for the supervision and effectiveness of the VPA Risk Management Plan and Safety Program. The VPA Safety Manager shall:
- a. Develop, conduct, and maintain comprehensive on-site facility/equipment audits.
  - b. Develop rules, procedures, plans, and policies concerning the safety and security of the Department.
  - c. Review all accidents, incident reports, and other safety-related issues and concerns as requested by personnel or the Executive Director, initiate investigation, and implement appropriate corrective and preventive actions.
  - d. Maintain a record of all documentation gathered regarding loss prevention and safety concerns.
  - e. Monitor all Department training operations and assist the staff in obtaining any required training that is beyond the capabilities of VPA to conduct.
  - f. Develop a training matrix to meet the requirements of employees and volunteers.
  - g. Ensure staff are instructed and fully understand their safety program responsibilities and are effectively performing their duties through regular follow-up.
  - h. Ensure that required safety and personal protective equipment for the Department is provided and sufficient.
  - i. Enforce the safety program and take disciplinary action by being impartial against those participants or employees who willfully disregard rules, procedures, plans, or policies.
  - j. Develop a risk management annual report, which includes safety statistics, corrective actions taken, a summary of staff training, a summary of recommendations, etc.
  - k. Regularly review the safety program and associated documents and update when necessary.
  - l. Serve as liaison with City Legal Counsel when necessary.
  - m. Serve as liaison with City Safety & Risk Management when necessary.
7. *The VPA Safety Committee* shall assist the VPA Safety Manager in all safety aspects pertaining to the VPA Risk Management Plan and VPA Safety Program. See *VPA Safety Committee Charter* for additional information.
8. *The City of South Bend's Director of Safety and Risk Management* is responsible to provide proper guidance and assistance in the implementation of this Risk Management Plan. The Director of Safety and Risk Management shall:
- a. Assist in the annual review of the purpose, policies, and procedures of this plan.
  - b. Inform VPA of new standards, cases or procedures involving risk management.
  - c. Assist to provide training required by any regulating agency, the City of South Bend, and the Department for staff or volunteers.

## Risk Management - 5040

**Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6**

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### **D. WAIVERS.**

A waiver is essentially a contract between two parties in which one agrees to forego pursuit of any legal claim in exchange for some benefit conferred by the other party. Indiana law allows the use of waivers and will uphold them when the parties' intent is expressed on the signed document. Thus, VPA is within its rights to use waivers, and may reasonably rely upon their enforceability.

1. The Department provides two primary waiver forms to be used for all appropriate programs:
  - a. Volunteer waiver statement.
  - b. Participant waiver statement.
2. Volunteers for an activity must complete a waiver for that activity. A person who frequently volunteers throughout the year for several different activities may use one form, making sure activity names are listed separately on the form.
3. Although it is always more desirable to have each participant sign a waiver for each event, program staff may use one waiver form allowing multiple signatures for events or programs that will have a large influx of participants over a short period. When this format of a "mass waiver" is incorporated into a program, it is imperative that the complete waiver language is at the top of each signature page.
4. Children under the age of 18 years cannot sign waivers for themselves. Waivers for this aged participant must be signed by their parents before the activity or event.
5. Action Steps Required by VPA Policy:
  - a. Waivers must be planned into the registration or advertisement of the activity or event, and not be an afterthought.
  - b. All participants are required to complete waivers before their participation in any program deemed high-risk, or with readily identifiable participants.
  - c. As the degree of risk decreases, the participant pool becomes less distinct, and the majority of participants are under the age of 18, VPA may redirect its efforts from obtaining waivers by making careful screens of employees and volunteers, and that all procedures implemented are appropriate.
  - d. Ensure that waiver forms are readily accessible in the event of an accident or injury by retaining them on file for four (4) years.

### **E. INSURANCE.**

1. Participants.
  - a. VPA does not hold insurance for its program participants. All participants are strongly urged to obtain their own insurance coverage before participating in any program or activity sponsored by the Department. Neither the City of South Bend nor VPA can assume legal, financial obligation for its participants, as participation in any program sponsored by the Department is voluntary. Any accidents incurred in transit to an event, spectating or

## Risk Management - 5040

**Accreditation Standard #: 4.2.5; 7.6.1; 7.6.3; 7.7; 7.8; 8.1; 8.2.3; 8.3.1; 8.4.2; 9.1; 9.2; 9.3; 9.4; 9.5; 9.6**

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participating during an event, or returning to the place of residence after an event is the individual's responsibility.

- b. In a situation where a patron's personal property is damaged, lost, or stolen, employees should engage in the following steps:
  - Contact City Police and request that a report is made.
  - Alert your immediate supervisor within 24 hours of the occurrence.
  - If the patron wishes to make a claim, direct them to contact the South Bend City Legal Department.
  - Never make statements that could be construed as an admission of liability or promise to pay.

### 2. Volunteers.

- a. All volunteers are strongly urged to obtain their own insurance coverage before participating or volunteering in any program or activity sponsored by VPA.

### 3. Employees.

- a. Employees injured in the course of their work duties with the City of South Bend are eligible to receive workmen's compensation.
- b. An employee using his or her personal vehicle in the performance of a job-related duty that is involved in a vehicular accident does not receive insurance coverage by the City of South Bend. When using personal vehicles for VPA duties, the employee shall obtain their own vehicle insurance coverage. The employee shall provide proof of coverage to the VPA Safety Manager in the event of a vehicular accident.
- c. The responsibility for repair of the employee's vehicle is borne by the employee or employee's own insurance carrier.

## F. ANNUAL REVIEW

This Risk Management Plan shall be reviewed on an annual basis by the City of South Bend Director of Safety and Risk Management and the VPA Safety Manager. The review shall include the modification of work practice controls, the process of inspections, and risk reduction procedures for any new programs which are implemented.

Date of Last Revision: February 28, 2018

# Park Security - 5050

Accreditation Standard #: 8.1, 8.2, 8.3, 8.5

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<b>Subject: Park Security</b>		<b>Public Safety and Risk Prevention</b>
<b>Creation Date:</b> 05/22/07	<b>Last Approved Revision:</b> 02/07/2016	<b>Authority: Department</b>

## **POLICY RE: Park/Facility Security Policies**

### **POINT OF AUTHORITY**

The responsibility and legal authority for the enforcement of park rules, city ordinances, Indiana state law and statutes shall be assumed by local law enforcement agencies.

The Executive Director, or his designated representative, shall serve as liaison to the City of South Bend Police Department and shall maintain consistent communications with the Chief of Police, Deputy Chief, Captain of the Uniform Division, and other staff as requested or designated by the Chief of Police.

### **SCOPE OF AUTHORITY**

Pursuant to the authority and duties delegated to the South Bend Police Department by Indiana Code 36-8-3-6, the City of South Bend relies on the officers of that agency for enforcement of laws and ordinances on municipal property, including city parks and facilities.

The South Bend Venues Parks & Arts may utilize Park Ambassadors to patrol its parks and facilities. A Park Ambassador's duties include monitoring activity at the parks, providing information and assistance to park patrons, reporting maintenance problems to the Director of Facility & Grounds, and reporting suspected illegal activity to the City of South Bend's Police Department.

Park Ambassadors may, if appropriate, ask unruly or trespassing patrons to cease problematic behavior or leave a park site or facility. However, these Ambassadors do not have the authority to take any further action in regard to such patrons other than to report the situation to the South Bend Police Department.

Ambassadors are not enforcement agents. They may not act in any manner (except as stated above) to enforce laws or ordinances. Ambassadors employed by South Bend Venues Parks & Arts are expressly prohibited from performing functions within the scope of authority normally assumed by the City of South Bend Police Department or other local law enforcement agencies (Indiana State Police, St. Joseph County Sheriff, Federal Bureau of Investigation, or Indiana Department of Natural Resources Conservation Officers).

## Park Security - 5050

### Accreditation Standard #: 8.1, 8.2, 8.3, 8.5

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Any exceptions to these policies must be made on a case-by-case basis with approval from the Executive Director of VPA, and the Chief of Police, and must be in accordance with all applicable laws and ordinances.

### **EMERGENCY/INCIDENT CHAIN OF COMMAND**

Crisis, catastrophic, emergency conditions, or other related incidents occurring on department owned properties, or properties directly or indirectly affected by such incidents shall be immediately reported the **Crisis Team Head** – the Executive Director of VPA. In his/her absence, the Deputy Director shall be notified. All department personnel shall strictly adhere to the established policies and direction of law enforcement and emergency personnel assigned to the incident, and shall provide assistance, personnel, and equipment as requested, as spelled out in the Department's **Crisis Communication Plan**, included in the appendix.

#### *Call Out List Priority – Incident/Vandalism*

1. Employee's Supervisor
2. Division Director
3. On-call Foreman
4. Administrative Staff

#### *Call Out List Priority – Major Accident*

1. 911
2. Division Director or Administrative Staff
3. Employee's Supervisor

#### *Call Out List Priority – Emergency/Inclement Weather*

1. Employee's Supervisor
2. Division Director
3. Administrative Staff

### **TRAFFIC AND CROWD CONTROL**

The Police department shall be given written advance notice of the event and shall be consulted on issues related to public safety and special event management.

Special events or programs operated or sponsored by the department requiring the closure of streets or alleys within the City of South Bend shall require advance administrative approval of the Department of Public Works, and final approval from the Board of Public Works. Approved road closures shall require advance written notice to the following:

## Park Security - 5050

Accreditation Standard #: 8.1, 8.2, 8.3, 8.5

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City of South Bend  
Department of Public Works  
Traffic and Lighting  
Street Department  
Utility Department  
Risk Management Department  
Office of the Mayor  
Police Department

Private organizations and non-profits groups who receive permit approval to conduct a special event at a park property or facility shall bear all costs associated with crowd and traffic control. Such events shall be approved only after prior consultation with the South Bend Police Department to assess what security measures may be warranted to ensure a safe event.

### **SECURITY TRAINING PROGRAM**

The current policy of the department regarding personnel is all hiring and training for these VPA positions will be done with under the guidelines of the South Bend Human Resource Department which include general safety and security training as part of all staff orientation.

### **IN-SERVICE TRAINING PROGRAM – EMPLOYEES**

In-service training or other department training shall be provided at a frequency to be determined by the Division Director (not less than seasonally), and shall include instruction on building security and alarm systems, evacuation plans and procedures, and communication with seasonal security personnel.

### **IN-SERVICE TRAINING PROGRAM – VOLUNTEERS**

The use of volunteers for assistance with programs and special events operated by the department is encouraged. All volunteers shall complete the required *South Bend Venues Parks & Arts* Volunteer Waiver Statement before participation, and receive on site in-service training pertinent to their tasks before beginning work.

### **GENERAL SECURITY**

Park and facility security shall be provided on a limited year-round basis with an increase during the warmer seasons, typically beginning in April and terminating in October.

## Park Security - 5050

### Accreditation Standard #: 8.1, 8.2, 8.3, 8.5

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During his period, Park Ambassadors may be assigned to provide additional support. As conditions warrant (special events, holidays, etc.) additional security coverage may be contracted and assigned based on need.

It shall not be the responsibility of the department to provide additional security personnel for events that may occur on park properties or facilities, but that are not sponsored or conducted by South Bend Venues Parks & Arts.

The department shall maintain a secure lock and key system to ensure the protection of all facilities and park sites. Keys shall be issued to authorized personnel only, and will be documented with a signed key inventory form. The individual site managers shall direct the maintenance and operation of facility alarm systems. Priority call out lists and access code information shall be distributed to authorized personnel only.

### **DISRUPTIVE BEHAVIORS**

The department has established policies and procedures regarding disruptive and aggressive behaviors as detailed in the Facility Manual and by policy 5080.

### **EVIDENTIARY ITEMS**

Department staff and security personnel shall receive training from the South Bend Police Department on an as-needed basis. Training will be provided in an effort to ensure staff does not intentionally or unknowingly, compromise a crime scene at a park site or facility, or the integrity of evidentiary materials at the crime scene.

### **REPORTING PROCEDURES**

Security personnel shall utilize the Daily Activity Report, Incident Report, and Report of Accident for documentation. These reports shall be completed in accurate and complete detail and submitted to the Superintendent of Operations at the conclusion of the shift.

### **BUILDING SECURITY**

All facilities will have a Facility manual that outlines specific security guidelines for their operations. Additionally, the Department's Safety inspections and risk audits provided through the City of South Bend's Safety and Risk Department shall address security issues and document required actions, and action taken.



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<b>Subject: Handling Evidentiary Items</b>		<b>Public Safety and Risk Prevention</b>
<b>Creation Date:</b> 5/22/07	<b>Last Approved Revision:</b> 2/11/16	<b>Authority:</b> Departmental

**POLICY RE:            Crime Scenes – Protecting the Area**

The following should assist in the understanding of what physical evidence is, and how it is used in a criminal investigation. With this knowledge it should be much easier to identify and protect a crime scene.

What is a crime scene?

1. Any place where a crime has occurred or where any type of physical evidence is left or deposited.
2. Almost anything can be evidence.

What can physical evidence do for a criminal investigation?

1. Identification
  - a. First step is to identify the evidence.
  - b. Drugs, arson accelerando, bloodstains are examples of evidence that have to be identified.
2. Individualization
  - a. Demonstration that a particular sample is unique, even among members of the same class; example, shoe print that has a cut in the heel.
  - b. Can also show that evidence came from a common source; example, broken chrome off of a suspect vehicle.
  - c. Personal identification; example, fingerprints, DNA and bite marks.
3. Reconstruction
  - a. Putting the pieces together to gain an understanding of past events from the physical evidence; example, automobile accident.

What can physical evidence reveal?

1. Information on Corpus Delicti (body of the crime).
  - a. Tool marks, broken doors or windows, ransacked rooms and missing valuables are evidence that are needed to prove burglary.
  - b. A weapon, blood, torn clothing are all evidence that can be used in an assault case.



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2. Information on the Modus Operandi (method of operation).
    - a. Many criminals have a particular method of committing a crime.
    - a. Items that are taken may be the same.
    - b. Items left at the scene.
  3. Linking a suspect with a victim.
    - a. This type of evidence is very important.
    - b. Especially true in violent crimes.
    - c. Blood, hairs, clothing fibers and cosmetics may be transferred from the suspect to the victim.
    - d. Items found with the suspect may link the suspect to the crime scene - such as a knife with the victim's blood on the knife.
    - e. Victim's and suspect's clothing need to be protected for trace evidence.
  4. Linking a person to a crime scene.
    - a. This is evidence left at the crime scene by the suspect.
    - b. Examples are fingerprints, glove prints, blood, semen, cartridge cases, tool marks, foot prints, tire tracks.
  5. Disproving or supporting a witness' testimony.
    - a. Under stress a witness may not see things as they actually happened.
    - b. Can help in proving if the victim is lying.
  6. Identification of a suspect.
    - a. Main goal of physical evidence.
    - b. Fingerprints, DNA, bite marks.
  7. Providing investigative leads.
    - a. Such as in a hit-and-run case, paint chips will show you the color of a car.

### **Crime Scenes that Parks & Recreation May Encounter**

Because of the makeup of the park and recreation program, park employees may encounter or discover almost any kind of crime. The following will cover the most common crimes.

1. Burglary
  - a. Finger prints, tools either brought by suspect or used by the suspect, items left by the suspect, items moved by the suspect, footprints.
2. Assaults
  - a. Was a weapon used & where is the weapon?
  - b. Protect clothing of victim, if the clothing is removed.
  - c. Is there a scene? Blood spatter?
  - d. Did suspect leave anything?

3. Robbery
  - a. Did suspect touch anything?
  - b. Did suspect leave anything?
  - c. Area of retreat by suspect.
  
4. Rape
  - a. Do not let victim take a shower or change clothing.
  - b. Clothing, if removed, should be protected and not moved if possible.
  - c. Did suspect leave any items?
  - d. If possible, victim should not drink anything.
  
5. Arson
  - a. Gas cans, matches, items left by suspect.
  - b. Do not walk around in burnt area if possible.
  
6. Murder/Suicides
  - a. Call for medics if there is any chance victim is still alive.
  - b. Do not move victim if at all possible.
  - c. Do not move any type of weapon, if possible.
  - d. On a hanging suicide, if possible, do not cut the ligature.
  - e. If you have to cut the ligature, cut in the long section, not near knot.
  - f. Look for any suicide notes lying in the area.
  - g. Keep people as far away as possible.
  - h. Cover footprints/fingerprints, with a trash can.

**Witnesses**

1. Try to keep all witnesses at the scene, until the police officer arrives.
2. On the more serious crimes get the witnesses away from the crowd.
3. Keep witnesses separated if possible.
4. If a witness has to leave before police officers arrive, get their name – check identification.
5. If a parks and recreation employee should witness a crime:
  - Stay calm.
  - Immediately write down description of suspect or vehicles.

<b>Subject: Handling Disruptive Behavior</b>		<b>Public Safety and Risk Prevention</b>
<b>Creation Date:</b> 5/22/07	<b>Last Approved Revision:</b> 2/11/16	<b>Authority:</b> Departmental

**POLICY RE:            Behavior Guidelines**

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Facilities and programs under the authority of the Board of Park Commissions of the South Bend Venues Parks & Arts are intended for the recreational use and enjoyment of residents of the City of South Bend and its guests. Selected programs and services are available for individuals, groups and others which may be more specialized in nature. This policy is intended to regulate participant's conduct through consistency and to protect the rights of those participating in our programs and services.

South Bend Venues Parks & Arts abides by a zero-tolerance atmosphere with respect to unwelcome and/or offensive behavior in facilities, programs and services. This includes vulgar language and verbal abuse to our staff and participants. Conduct in these categories may result in ejection without addition warning.

Due to the unique nature of individual areas within the South Bend Venues Parks & Arts, each facility, program, park, and service area may establish its own rules and regulations, which shall augment this policy, and shall become the policy of said area. A copy of the regulations for an individual area or program shall be available upon request and usually included in the Facility Manual for the place of that program or within the program guidebook.

## **Rules of Conduct**

1. Any behavior which is disruptive or which hinders use of South Bend Venues Parks & Arts programs or services is prohibited. This includes but is not limited to verbal or physical harassment or assault, profanity, persons under the influence of a mind-altering substance, or fighting.
2. Animals, except those used to aid persons with disabilities, are not permitted in or on South Bend Venues Parks & Arts' property.
3. The violation of federal, state, or local laws and ordinances will not be permitted by South Bend Venues Parks & Arts or on its property.
4. Tobacco, alcohol, illegal drugs and all weapons, with or without a permit, are prohibited on South Bend Venues Parks & Arts property.
5. The sale of products or services is not permitted on South Bend Venues Parks & Arts property without prior approval of the department.
6. Taking surveys, asking people to sign petitions, taking video or audio footage, distributing leaflets, and other similar activities must be approved in advance by the department.
7. Parents are responsible for the behavior and actions of their children while they are in department facilities and participating in department programs and services. Children age seven and under must be accompanied by a parent or other responsible caregiver age eighteen or older at all times while on department property, unless the child is participating in a department program or service that is supervised by department employees.
8. Harassment of any person on the basis of race, sex, color, ancestry, national origin, religion, or sexual orientation is strictly forbidden. This includes unwelcome sexual advances or requests for sexual favors, and unwelcome and/ or offensive sexual comments.

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9. The use of roller skates, roller blades, bicycles, and other wheeled vehicles or toys is not allowed inside department facilities except as expressly permitted by the Department.
  10. Sleds, skis, toy vehicles, or any piece of equipment must be approved by an appropriate staff member. Dangerous or unsafe equipment is prohibited.
  11. Speed limits must be adhered to while on South Bend Venues Parks & Arts property.
  12. Designated parking is available at most South Bend Venues Parks & Arts sites. Parking in areas or spaces not designated as parking is strictly prohibited.
  13. Unnecessary noise from vehicles, radios, equipment, or from another device or a person which disrupts any participant's ability to appropriately participate in a South Bend Venues Parks & Arts activity or facility is prohibited.
  14. It shall be considered trespass if anyone is found after hours on South Bend Venues Parks & Arts' properties that have established closing times. This rule extends to parking lots, playgrounds, surrounding walls, and fences, etc.
  15. No one shall interfere or hinder any officer, agent, employee, or volunteer of the South Bend Venues Parks & Arts while engaging in duties of his or her office or employment.
  16. Participants shall not engage in any sport, game, activity, etc. on South Bend Venues Parks & Arts property in a rough or reckless manner as to endanger, injure or damage any person or property.
  17. No one shall climb upon trees, plants, fences, walls, or other structures or property at South Bend Venues Parks & Arts properties except such recreational equipment as may be installed by the department and/or intended for use by the public.

### ***Disruptive Behavior***

South Bend Venues Parks & Arts expects its staff to exercise good judgement and use sensitivity when intervening with participants whose behavior is interfering with other patrons use or enjoyment of department facilities, programs, and services. In some cases, participants are simply unaware that their behavior is disruptive and a few words from a staff member are sufficient. Whenever these methods are ineffective, the following procedures may be followed in order to protect participants, department staff, and property.

1. The first contact with a participant should be a request to cease a specific behavior. If the participant does not cease the behavior, the staff member will repeat the request and give a verbal warning that if the behavior does not cease or is repeated, the participant will be evicted from the property for the remainder of the day. If the patron continues or resumes the disruptive behavior, the staff member will tell the participant to leave the property for the remainder of the day. Whenever possible, two staff members should be present when a participant is told to leave the property. **Note:** Structured programs and services, i.e. Day camps, may have separate and distinct disruptive behavior policies defined and in place.
2. Under extreme circumstances, disruptive participants may be suspended from South Bend Venues Parks & Arts' property, programs, and or services according to the Sanctioning Guidelines set forth below. Repeated or particularly severe behavior problems that seem to warrant harsher penalties

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should be referred to the appropriate supervisory staff member. If the participant is a child, the parent will be informed of this action in writing and the parent will be required to contact the appropriate supervisory staff member before the child can be readmitted.

3. If a patron behaves in a violent or threatening manner, staff members should call the police immediately.

## **Sanctioning Guidelines**

### **Major Violations**

Assault, battery, intimidation, fighting, or other violence, theft, harassment, criminal damage to property, extreme disorderly conduct, and repetitive or consistent negative behaviors may be considered a major violation. In addition, other offenses that violate the basic safe and civil atmosphere expected at Parks facilities, programs or services may be considered to be major violations.

### **Minor Violations**

Disruptive behavior, use of profane language, minor infractions of house rules, and other similar behaviors may be considered minor violations.

The following guidelines shall be used to determine sanctions for minor violations:

Minor aged participants (17 yrs & under):	0 days to 1 month suspension
Adult aged participants (18 yrs & over):	1 day to 3 months suspension

In determining the appropriate sanction for a major or minor violation, the department shall consider the age of the participant, the age(s) of the victim(s), the extent of damage to any property, and any other circumstances relating to the violation. If the department deems it appropriate, it may consider additional or alternative sanctions in special circumstances.

### **Conduct Response Policy**

The following procedures shall be used in addressing violations of parks policies:

1. At the time that South Bend Venues Parks & Arts staff becomes aware of the violation, staff shall address the violation with the offending participant.
2. Staff shall make an initial, on-site response to the participant, and shall complete incident reports.
3. When appropriate, the department may augment the staff on-site response according to the Sanctioning Guidelines set out above. The participant shall be notified of department sanctions delivery of the suspension form.
4. If the participant does not agree with the on-site response or any additional department response, the participant may submit a written appeal to the department Executive Director within 10 days of the

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date of notification.

5. The Executive Director shall submit the appeal to the Board of Parks Commissioners for review; however, the board may delegate the appeal to an advisory council if the board determines that the circumstances of the incident make the delegation appropriate.
6. Review of an appeal shall take place as an agenda item at a public meeting of the board or relevant advisory council. Upon review of an appeal, the board (or advisory council) shall take statements from the participant, South Bend Parks VPA staff, witnesses, and other interested persons. The board (or advisory council) may uphold, repeal, or modify the sanction imposed by the department. The board may, at its election, choose to review any matter heard on appeal by an advisory council.

### **Parental Responsibility Statement**

Parents are responsible for the behavior and actions of their children while they are in South Bend VPA facilities and participating in department programs and services. Children age 7 and under must be accompanied by a parent or other responsible caregiver age 18 or older at all times while on South Bend VPA property unless the program or service is supervised by a department employee.

### **Dropped-Off Children**

Parents should be aware that staff supervision at any South Bend VPA facility or any pool may be limited. No child under the age of seven shall be admitted to these facilities without adult attendance.



# Fee Structures - 6020

## Accreditation Standard #: 5.1.1

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<b>Subject: Fee Structures</b>		<b>Financial Policies</b>
<b>Creation Date:</b> 5/22/07	<b>Last Approved Revision:</b> 4/20/18	<b>Authority:</b> Departmental

### **POLICY RE: Fee Structures for Departmental Programs**

#### **Purpose of Fees**

Fees and charges for recreation services are charged for four primary reasons. First, the need to provide services without increasing taxes is self-evident and generally supported City-wide. Second, the charging of fees promotes equity in that those who benefit from a recreation service pay for the service. Third, the charging of fees increases accountability in government units creating entrepreneurial incentives and ensuring only needed services are offered. Fourth and finally, the charging of fees generally provides for a positive attitude on the part of users due to enhanced respect and esteem for the usefulness of the service.

#### **Park Law**

Indiana Code, 36-10-3 (General Park Law) addresses the issues of fees for Parks and Recreation Departments:

***IC 36-10-3-22***

***Fees for particular activities; special funds; deposits; withdrawals***

*Sec. 22. (a) Park and recreation facilities and programs shall be made available to the public free of charge as far as possible. However, if it is necessary in order to provide a particular activity, the board may charge a reasonable fee.*

and

***IC 36-1-3-8(a)***

***Powers specifically withheld***

*(6) The power to impose a service charge or user fee greater than that reasonably related to reasonable and just rates and charges for services.*

In determining a “reasonable fee”, or “reasonable and just rates and charges,” the cost of operations, current market rate of similar services (both with the parks and recreation field and in the private sector), and customer demand can all be evaluated.

#### **Objective of Policy**

In establishing the department services pricing policy the Parks Board recognizes the need to continue producing revenue from recreation services and facilities to meet the goals established by the board in the strategic comprehensive plan. Since services and activities are of differing value to those participating, the fee charged should reflect this objective and philosophy. The individual should be charged a fee relative to the benefits received



## Fee Structures - 6020

### Accreditation Standard #: 5.1.1

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and based on the value to the community, as well as be consistent with our cost recovery model and goals.

#### **Fee/Pricing Definitions**

For the purpose of establishing a method to determine fees and establishing prices for recreation services, definitions of the components of the price-setting formula are required.

**Direct Expense** - Those expenses which can be attributed directly to the provision of a specific recreation program or facility including, but not limited to, the cost of part-time labor, services, utilities, transportation of participants, training, rentals, operational (postage, flier copying, etc.) and other supplies. Direct expenses include specific promotional expenses for the program, maintenance and repair as a result of activity, staffing, equipment and other costs associated with offering the activity.

**Indirect Expense** - Those expenses identified as part of the cost attributed to the provision of, or in support of a group of services which vary with the number of participants. Costs include primarily full time labor (with benefits) for supervision, observation, and conducting activities, registration and receipt processing, and other costs such as general administrative and support labor positions. Examples of these expenses include marketing and general department-wide promotion, information dissemination, and other expenses of this type.

**Overhead Expenses** - Those expenses necessary in the provision of services which do not vary with the number of participants and are of such a nature that the amount cannot be determined readily for each service, facility or group of services including, but not limited to, office utilities, administration (management) costs, office operations, insurance, etc. These cost expenses include such items as payroll/personnel administrative, facility and/or park maintenance.

#### **Cost Recovery/Subsidization Rate in General Fund**

The Parks Board shall annually review the City's recreation offerings and determine which of the following general cost recovery rate categories each group of programs falls under. The Parks Board shall make this determination after consultation with, and recommendation by the VPA staff.

##### **Level 1 (Zero to 50% cost recovery)**

Those programs, activities and events that are classified as Level 1 would expect to recover very little, if any, funding from registration or participation. As a result, they are fully subsidized by event/program budgets. These programs and events offer a significant benefit to the community. Examples of Level 1 programs, activities and events include park maintenance, community centers, open space and trails.

## Fee Structures - 6020

### Accreditation Standard #: 5.1.1

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#### **Level 2 (50 to 80% cost recovery)**

High demand services, activities and programs where fees are charged for individualized and specialized activities. These services largely benefit individuals and may have limited enrollment in order to provide a high-quality experience. A sense of accomplishment and recognition are provided. A heavy factor for determining cost will be market forces and comparative fees of competition for similar or identical services. Examples of Level 2 services, activities and programs include adult sport leagues, art classes, trips and excursions, Kids World, etc.

#### **Level 3 (80 to 110%+ cost recovery)**

Those programs, activities and events that are classified as Level 3 would expect to recover all direct and indirect expenses from registration or participation. In some instances, these programs, activities and events are also expected to be profitable. While these programs and events still offer a significant benefit to the community, they may be more commercial-facing and likely have great competition for similar services or experiences within the community. Examples of Level Three programs, activities and events include our golf operation, O'Brien Fitness Center, Camp Awareness and certain special events.

#### **Fee Establishment**

With adoption of the department's annual budget, each activity shall be defined into a cost recovery rate category. Department staff will determine the actual cost for the activity/service, apply the appropriate cost recovery rate for the activity and calculate a fee to be charged under the guidance of the appropriate division head, deputy director and executive director for the Board of Park Commissioners' approval.

Fees associated with programs, activities and events will be set after evaluation of comparable rates within the community as well as an understanding of market conditions.

#### **Cost Recovery: Non-Reverting Fund**

The non-reverting fund shall be maintained in order to offer services in a flexible manner. In using the non-reverting fund, City staff shall ensure user fees include the direct costs of service during start-up and low enrollment periods to include the cost of labor with benefits, supplies, supervision and service costs which are incurred as a result of the activity or service offered.

#### **Non-Resident Fees**

The South Bend resident makes a significant contribution to the financing and operation of the South Bend Venues Parks & Arts Department as City property tax is paid whether or not the individual participates or uses facilities of the department. The need to apportion an equal amount of fee to non-residents so they may contribute toward the overall financing of the Venues Parks and Arts Department is necessary.

## Fee Structures - 6020

### Accreditation Standard #: 5.1.1

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Non-resident fees are the traditional vehicle used to create equity between those individuals using Venues Parks and Arts Department activities who do not pay property tax and City residents. As a result, the Board of Parks Commissioners may approve a fee model where non-residents are charged a higher pay for participation or use. The Venue Parks & Arts staff shall denote any proposed non-resident fees in their annual presentation to the Board of Parks Commissioners.

#### **Fee Assistance, Discounted Rates and Incentives**

Fee assistance, rate reduction or special incentives may be used by the Department as part of equity or special outreach initiatives to better serve underserved populations.

The Venues Parks & Arts Department desires to assist those families or individuals who may not be able to afford the participation fee in order to allow all residents the opportunity to enjoy department programs, activities and facilities. Many programs are permitted to draw from a scholarship fund or offer reduced rates under guidelines for this purpose.

Annually, a fee structure that may include, but be not limited to, assistance programs, discounted pricing, reduced rates and group incentives shall be presented to the Board of Parks Commissioners for approval by the Venues Parks & Arts staff.

# Acceptance of Gifts - 6030

Accreditation Standard #: 5.1.2

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<b>Subject: Acceptance of Gifts</b>		<b>Financial Policies</b>
<b>Creation Date:</b> 5/22/07	<b>Last Approved Revision:</b> 03/16	<b>Authority:</b> Departmental

**POLICY RE: Acceptance of Gifts and Donations**

South Bend Venues Parks & Arts will periodically receive major gifts in the form of property, stock, bonds, material, and equipment. The following procedures have been developed to encourage donations but also to ensure that the gift is in the best interest of the City.

**Procedures:**

- Donations must be approved by the VPA Executive Director and the Board of Park Commissioners prior to accepting the gift.
- All gifts and donations will be accepted and acknowledged publicly at a meeting of the Board of Park Commissioners.
- Appraisals of gifts for tax reasons will be the responsibility of the donor.
- The Executive Director of VPA (or the Board of Park Commissioners at their desire) will have a letter of acknowledgement prepared for the donor including the contribution and the valued amount.
- All cash donations must be deposited with twenty-four hours of receipt.





## Co-Sponsored Programs - 8040

### Accreditation Standard #: 1.5.1

<b>Subject: Co-Sponsored Programs</b>		<b>Parks and Facilities</b>
<b>Creation Date:</b> 4/04/07	<b>Last Approved Revision:</b> 6/28/14	<b>Authority:</b> Departmental

#### **POLICY RE: Guidelines for Co- Sponsored Programs**

Situations will occur when the South Bend Venues Parks & Arts will become a co-sponsor of programs that were not originated entirely within the department. The following are guidelines for entering into these ventures.

1. Program must be open to all residents of the South Bend community. The only exceptions would be for specific program requirements, i.e. such as programs elementary age children.
2. A written agreement will be negotiated by department program coordinator and co-sponsor representative.
3. Any funds collected and/or spent in the co-sponsored program must be channeled through the South Bend Venues Parks & Arts fiscal accounts or clearly delineated in a written agreement.
4. Sponsored groups which receive funds, equipment, supplies, or paid leadership from the South Bend Venues Parks & Arts must also observe the following:
  - No supplies or purchases shall be charged to the South Bend Venues Parks & Arts unless approved by a Division Director.
  - All permanent equipment becomes the property of the South Bend Venues Parks & Arts unless an exception is specifically included in the written agreement.
5. Any agreements, policies, bylaws or operating rules of the co-sponsored program shall be reviewed by department administrative staff and City attorneys and shall include the specific powers, functions and tenure of the committee or the boards of such program.
6. A department representative will serve on advisory boards or committees of the co-sponsored program if it is more than a one-time event.

## Co-Sponsored Programs - 8040

### Accreditation Standard #: 1.5.1

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7. South Bend Venues Parks & Arts and the co-sponsor's logo and/or name must be included on all publications, flyers, news releases, banners, advertising materials, posters, buttons, etc. The Experience Director should approve the promotional materials prior to printing and distribution.
8. South Bend Venues Parks & Arts must be able to review and approve other sponsors that are obtained. (For example: The department may choose not to be affiliated with a co-sponsor such as an alcohol, tobacco, or gambling business.)
9. Donations, monetary or other, must be completed before any publicity and promotion is initiated. A signed agreement may suffice to begin promotional efforts.
10. As a co-sponsor, South Bend Venues Parks & Arts shall have the right to display brochures, flyers and other information at the event site provided those items comply with the other requirements provided for under a written agreement.





## Background Checks - Volunteers - 9010

Accreditation Standard #: 4.1.3.4

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<b>Subject: Background Checks - Volunteers</b>		<b>Volunteer Policies</b>
<b>Creation Date:</b> 15/06/11	<b>Last Approved Revision:</b> 6/28/14	<b>Authority:</b> Departmental

### **Policy RE: Background Checks – Volunteers**

The policy for background checks for volunteers will follow the guidelines of the South Bend Human Resources Department for regular employees (**Policy 4020 – Background Checks**)

Volunteer jobs will be categorized by job descriptions, usually as an intern position for categorization, and will be subject to normal policies.