

April 18, 2013

Memo to: City Council, City Clerk, and Park and Recreation Commission,

Subject: Commercial exercise and training in city parks

This is to advise you that the board of the North of Montana Association has passed a resolution regarding item 8-A on the agenda for the City Council's meeting on April 23, 2013: **Options for Addressing Use of City Parks and the Beach for Commercial Fitness Instruction, Classes or Camps**

At our meeting on April 4, 2013, a majority of the NOMA board passed a resolution urging the city to:

(1) Ban all organized exercise and training from landmarked Palisades Park and nearby Goose Egg Park (a tiny pocket park in the middle of the roundabout in Palisades Ave. at 7th Street that may be overrun with trainers if they are denied Palisades Park), and

(2) Impose regulations and enforcement mechanisms to limit recreational classes and training for compensation in all other city parks.

Many of our members have expressed concern about commercial trainers using Palisades Park to conduct fitness classes for profit. What was once a venue for casual exercise has ballooned into something much more impactful, involving large numbers of trainers leading large classes. Our small, narrow, and historic Palisades Park was not intended for this kind of commercial usage. (i.e. exercise equipment attached to trees, light posts and picnic tables; large groups impeding pedestrians access to grassy areas; loud trainers starting classes as early as 6:00AM.) Currently, Santa Monica is one of the only cities in the L.A. area which subsidizes private trainers by allowing them to conduct their businesses for free on public land- and without insurance protecting the City.

Below, please find the text of the NOMA resolution.

Sincerely,
Carol Landsberg,
NOMA Secretary

The text of the NOMA resolution, dated 04/04/13

1) We urge the City of Santa Monica to ban all organized exercise

and training in Palisades Park and Goose Egg Park, and also to ban the use of all exercise equipment there.

2) We endorse the recommendations by the city's Recreation and Parks Commission for regulations governing the use of the city's other parks (see list a. through f. below), with the following amendments:

-- We urge the city to develop an enforcement mechanism that can be used to penalize those who would seek to use the city's parks improperly; and

-- We urge the city to limit the time in which city parks can be used for recreational classes and training for compensation, setting 7 a.m. as the earliest time that such training and noise will be permitted.

a. Park amenities may not be used for exercise activity, including; light poles, wooden pergolas, picnic tables, trees, benches, railings, chain link fencing, free standing signs, bike racks, BBQ grills.

b. Adults may not exercise on playground equipment.

c. Required: application form, City business license, police permit, release of liability, proof of insurance naming City as an additional insured, certification in area of expertise.

d. Permit holders may not request other park users or permittees to move to another location

e. Instructor Permit required – cost \$100 per year.

f. Charge of 10% or 15% of gross receipts payable within 15 days of the end of each month or each quarter.