

RESOLUTION NO. 3577

A RESOLUTION ESTABLISHING FEES FOR FILMING/PHOTOGRAPHY AT THE ARBORETUM AND BOTANICAL GARDENS AND THE DEANNA ROSE CHILDREN'S FARMSTEAD AND AUTHORIZING RULES AND PROCEDURES FOR FILMING/PHOTOGRAPHY; RESCINDING RESOLUTION NO. 3563.

WHEREAS, the City of Overland Park, Kansas, owns and operates the Arboretum and Children's Farmstead for public recreation purposes; and

WHEREAS, the City of Overland Park, Kansas, establishes and administers rules, regulations and fees for use of said facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

- A. Commercial Photographers wishing to use settings at the Arboretum or Farmstead for commercial filming or photography shall be required to obtain a permit and schedule the filming or photography in advance. Permit fees for a one-time hourly permit shall be \$25.00 per hour or an annual permit for \$400.00. Permits for filming/photography may be obtained by contacting the Leisure Services Division. Filming/photography without a required permit is prohibited. All permits shall be subject to the rules and regulations of the facilities. These permit and fee requirements shall not apply to filming/photography activities conducted or sponsored by the City or the Arts and Recreation Foundation of Overland Park.
- B. The Director of Parks and Recreation is authorized to adopt Rules and Regulations to govern the location, manner and conduct of all photography or filming of any kind within the Arboretum and Farmstead, and to implement the commercial photography and filming permit and fee requirements established by the Resolution.

RESOLUTION NO. 3563 is hereby rescinded.

THIS Resolution shall take effect and be in force from and after the _____ day of _____, 2007.

ADOPTED by the Governing Body this _____ day of _____, 2007.

Carl Gerlach, Mayor

ATTEST:

Marian Cook
City Clerk

APPROVED AS TO FORM:

J. Bart Budetti
Sr. Assistant City Attorney

Photography/Filming Permit Holders Rules and Regulations

Obtaining Your Permit:

1. Permits and reservations can be made online at www.opkansas.org. Please follow the links to the Parks & Recreation E-services section.
2. Permit Definitions:
 - a. Hourly permit: allows photography/filming, by reservation, for all portrait photography, commercial photography and all filming, at \$25 per hour, one hour minimum, in increments of one hour. Hourly permits can be obtained on-line or by calling Leisure Services at (913) 895-6390.
 - b. Annual permit: allows photography/filming, by reservation, for all portrait photography, commercial photography and filming, at the rate of \$400 per year. This permit allows unlimited sessions, by reservation and availability only, as outlined below. Annual permits must be purchased by calling (913)-895-6390. After the permit is purchased, reservations can be made on-line, as outlined above. The permits are valid for one year from date of purchase.
3. Photography permits and reservations may be obtained no earlier than 30 days prior to the date of the reservation. No more than 4 hours may be reserved by one permit holder per day. There will be **no more than four reservations** issued per hour and there are some days and times when no permits will be issued.
4. Reservations times begin at the top of the hour and in one-hour increments.
5. Reservations are unavailable on the following:
 - a. Holidays
 - b. All day Saturdays
 - c. Sundays from noon to closing.
 - d. Wednesdays from 8 a.m. to noon.
 - e. Additional times may be blocked at the discretion of the Director of Parks.
6. The last reservations of the day will be **issued no later than 2 hours prior to closing**. From October 1 through April 9, the last reservation will begin at 3:00 p.m. and from April 10 through September 30, the last reservation will begin at 5:00 p.m.

At the Overland Park Arboretum & Botanical Garden:

1. **All permit holders must check in at the EEVC upon arrival *and* departure of their session.** After presenting a valid permit and matching photo I.D., they will be given a tag that must be worn in full view at all times. The tag must be surrendered at the time of departure. If permit time is exceeded, you will be charged for additional time.
2. **Be on time.** Your session will not be extended without additional fee and you will have to exit the Arboretum at closing time regardless of your arrival time and your permit span of time.

3. **Meet other members of your party in the EEVC lounge.** Please do not block access to the sidewalk while waiting for your party.
4. There are **specific photography locations** where equipment can be set up and parties posed. Please utilize these locations only and be conscientious of other permit holders. Do not invade a space currently occupied by a garden visitor – please utilize another location, if that location is occupied. Do not ask a patron to leave, move, hurry up, etc. The photography locations will be indicated on a map of the Arboretum & Botanical Gardens.
5. **Reservations for specific gardens supersede the photography permit/reservation.** For example, if a wedding party has the Marder Pergola reserved, photography permit holders cannot invade that space during the wedding reservation. Photographers hired for location reservations do not need a separate permit to photograph their event.
6. **Personal belongings.** Do not leave props, clothing or personal belongings unattended, especially in the restrooms or in the EEVC. All personal belongings must stay with the permit holder or in their vehicle. The Arboretum is not liable for damage to personal belongings while on site.
7. **Changing clothes in the gardens and on trails is prohibited.**
8. **Damage.** Any damage to any flowers, trees, shrubs, containers, sculpture, structures, walkways, etc. will be charged to the permit holder.
9. **Inclement Weather:** If it is raining or there is inclement weather, as determined by the Arboretum Staff and you are unable to proceed with your photography, please contact Leisure Services at 895-6390. They will rewrite your permit to another available reservation.
10. **Dogs or other pets, are not allowed in the Gardens.** Gardens are any area with concrete sidewalk access. Dogs are only allowed on the asphalt trail and mulch trails.
11. **Any** violations of the rules outlined within may result in the photographer being denied future permits for a period of one year.
12. ***Do not pose subjects off the prescribed pathways or patios. Violation of this rule may result in immediate ejection from the Overland Park Arboretum & Botanical Gardens and loss of permit privileges for a period of one year.***
13. Of course photography parties may visit the Overland Park Arboretum & Botanical Gardens prior to or after their reservation. However, no photography equipment may accompany them.
14. Be sure to check out upon completion of your session. You will be charged for any time exceeding your reservation.
15. An excessive number of cancellations or no shows could result in release of standing reservations and/or restrictions being placed on scheduling future reservations.

OVERLAND PARK ARBORETUM & BOTANICAL GARDENS

Photography Locations

1. Xeriscape Patio
2. Monet North or South patio – they cannot both be used simultaneously by photography permit holders. If one is occupied by a permit holder, do not use the other.
3. Legacy Grape Bower – in the Grape Bower – not on the landscaped area or around the bench across the sidewalk
4. Ailie's Glade Rock – go directly to the rock, do not go past the rock or into the streamway or on the sculpture
5. Amphitheater
6. Legacy Secret Garden
7. Marder Pergola – only block access to that sidewalk – do not have any persons or equipment on the parallel sidewalk.
8. East Bridge Rocks – do not block access to the trails and bridge.
9. West Bridge Shelter – do not block access to the trails and bridge.