



**PALM BEACH COUNTY PARKS AND RECREATION DEPARTMENT
DIVE INSTRUCTION PERMIT APPLICATION**

John Prince Park Administration Building
2700 6th Avenue South, Lake Worth, FL 33461
Phone: (561) 966-6623 Fax: (561) 242-7400

APPLICANT INFORMATION

Park Requested:	Phil Foster Park
Applicant Name:	Business or Individual?
Business Name:	
Address:	
City/State/Zip Code:	
Email address:	Phone:
If Business, list names of up to six (6) instructors to be included on Permit:	
1.	4.
2.	5.
3.	6.

As indicated by the signature below, Applicant understands and agrees that permission for use of Park(s) facilities is contingent upon compliance with the following rules, regulations, and conditions:

- The Applicant shall be obligated to strictly enforce all terms and conditions of this Permit, and, in general, good standards and practices for the safe and orderly use of the Park(s). The person signing this Permit is responsible for ensuring enforcement of all requirements, and for the safety and conduct of all participants, employees, agents and subcontractors of the Applicant. The Applicant shall be bound by all Ordinances of Palm Beach County, as are now or may hereafter be adopted, as fully as though the same were inserted in this Permit, and in particular, Palm Beach County Code, Chapter 21, as may be amended, pertaining to Parks and Recreation. Non-compliance may result in denial of future use of the Park(s).
- The Applicant shall indemnify, save harmless and defend the County from and against any and all claims, suits, actions, damages and/or causes of action arising during the Term of this Permit for any personal injury, loss of life, environmental contamination, and/or damage to property sustained in or about the Park(s) by reason, during, or as a result of the use of the Park(s) premises and its appurtenant facilities by the Applicant, its members volunteers, participants, officials, agents, sponsors, employees, subcontractors (hereinafter "Applicant's Affiliates") and from and against any orders, judgments, and/or decrees which may be entered thereon, and from and against all costs, attorney's fees, expenses and liabilities incurred in and about the defense of any such claim at trial or on appeal. In the event County shall be made a party to any litigation commenced against Applicant or Applicant's Affiliates by Applicant or Applicant's Affiliates against any third party, Applicant shall protect and hold County harmless and pay all costs and attorney's fees incurred by County in connection with such litigation, and any appeals thereof. Applicant recognizes the broad nature of this indemnification provision and specifically acknowledges that County would not have granted this Permit without Applicant's agreement to indemnify County and further acknowledges the receipt of good and valuable separate consideration provided by County in support hereof in accordance with the laws of the State of Florida. This provision shall survive expiration or termination of this Permit.
- The Applicant understands that the Park(s) is County owned property. The County may revoke authorization for use of the Park(s), with or without cause, with 15 days notice, at which time this Permit will terminate.
- Applicant and Independent Contractors of Applicant shall procure Comprehensive General Liability insurance in a form acceptable to the County for the activities associated with the use of the requested Park(s). Such insurance coverage shall be in an amount of not less than \$1,000,000 and shall be endorsed to include the County as an additional insured. In addition, the Applicant shall provide Workers Compensation in accordance with F.S. 440, and Professional Liability in the minimum amount of \$1,000,000 for each instructor (unless included in the general liability policy). Each policy shall include a provision requiring written notice to the County in the event of a material change or cancellation of said policy. A certificate of insurance evidencing that such required insurance is in place shall be submitted to the County before Applicant shall be given access to the Park(s), and this required insurance coverage shall be in continuous condition precedent to the continued use of the site by Applicant. The Additional Insured endorsement shall read "Palm Beach County Board of County Commissioners", 2700 Sixth Avenue South, Lake Worth FL 33461.
- Applicant shall comply with all park rules, policies and all applicable Palm Beach County, State and federal rules and regulations related to the permitted use of the Park(s).
- Applicant shall not impede the rights of the public and County Contracted Concessionaire to use the Park(s) listed in this Permit in a reasonable manner.

7. Applicant is responsible for cleanup of all trash, garbage, and waste materials associated with its activity and shall reimburse the County for services required, including removal of trash, park repairs and/or any necessary staff time. Vehicles are not permitted on service roads and must park in designated parking areas.
8. Applicant is authorized to use beach access, as more particularly described in Exhibit A, which is attached to this Permit, at the Park(s) for the purposes of daytime scuba programs seven (7) days a week from sunrise to sunset.
9. Applicant is authorized to request use of beach access, as shown in Exhibit A at Park(s) for the purposes of supervised night scuba programs seven (7) days a week from sunset until 10:00pm. Applicant shall contact the Parks and Recreation Department at 963-6707 least two (2) days prior to date of requested night use for approval. If Applicant is authorized to conduct supervised night scuba programs, the terms and conditions of this Permit shall apply.
10. If Applicant is classified as a business, Applicant is entitled to add up to six (6) instructors to this Permit. If Applicant classified as a business, it shall be issued numbered placards for each instructor identified on this Permit. Placards must be on the instructor at all times. Applicants classified as an individual shall be issued one (1) placard, which must be on the Applicant at all times. A maximum of 12 students per instructor is authorized under this Permit.
11. Park staff will have final determination on any other issues that arise from this Permit.

Applicant classified as a **business** shall pay a **Permit Fee** of **\$350 plus 7% tax (\$374.50)** annually due upon submittal of application.

Applicant classified as an **individual** shall pay a **Permit Fee** of **\$150 plus 7% tax (\$160.50)** annually due upon submittal of application.

Permit is valid for one calendar year from July 1st, 2019 to June 30th, 2020.

Dive Instruction Permit fees are not refundable. Fees subject to change.

The signature below acknowledges the Applicant's understanding of and agreement with the conditions of this Permit, and certifies that the information provided by the Applicant is complete and accurate. Applicant understands that failure to abide by the terms and conditions of this Permit may lead to the cancellation of this Permit, the denial of future permits, and/or other legal action by Palm Beach County.

(Print) Name of Applicant or Authorized Representative Signature of Applicant or Authorized Representative Date

Return application to: Parks and Recreation Department
 Attn: Financial & Support Services.
 2700 6th Avenue South; Lake Worth, FL 33461
 (561) 966-6623 (office) during Office Hours: Monday – Friday 8:00am-5:00pm

THE FOLLOWING SECTION IS FOR PARK OFFICE USE ONLY:

Permit Valid From:	To:
Permit Number:	Processed by: