

Frequently Asked Questions:

Q. Why is the Parks and Recreation Department (PARC) implementing this process?

A. PARC values fitness and enjoyment of outdoor recreation areas. The department has an established concession program process in place for the permitting of park use for mutually beneficial commercial purposes. The goal is to promote and coordinate successful partnerships with commercial entities and public park users, and to ensure the safety of park patrons.

Q. My work colleague and I get together sometimes to work out in the park or go for a jog, will I have to get a permit?

A. No, the process will be required when fees are collected, or when business is conducted on park property. You may still utilize park space first come first served in a shared manner.

Q. My friends and I meet occasionally to walk and we bring our toddlers in strollers, will we need a permit?

A. No, the process will be required when fees are collected, or when business is conducted on park property. You may still utilize park space first come first served in a shared manner.

Q. What will the permitting process entail?

A. The department has pre-identified over 25 sites for city wide permitting in an effort to create a citywide structure that enables and promotes fitness and health business opportunities system wide.

- Apply for a permit and request an available site, and
- Provide the required liability insurance, and
- Upon approval, pay the required permit fee.

Q. What are the proposed permit fees? *

A. A 6 month \$50 registration fee will be required of each individual service provider, with the monthly fee being determined by the number of clients served per day.

- 0-3 clients per session = No Monthly Use Fee or report required
- >4 clients per session = Monthly Use Fee of (0.45¢/Per Person/ Per Day) This fee will be capped at \$1,500 per trainer each 6 month permit period.

* NOTE: These are proposed fees and have not yet been approved.

Q. I have been using park land to conduct business activities, do I need a permit?

A. Yes.

Examples include: fitness camps, running groups, boot camps, martial arts classes, canoe or kayak lessons, stand-up paddling seminars or demonstrations, yoga classes, and dog training seminars.

Q. I'm organizing a group activity for my club/organization, but am not collecting any money for this activity. I do, however, plan to show up in an area, use it quite exclusively, and perhaps have a radio or amplified sound on site. Do I need a permit?

A. If no money would be collected from the Club/Organization for the activity, there would be no commercial or private gain from this activity. For that reason, a fee would not have to be assessed. So, a permit would still be required, but no fee assessed.

Q. What are some of the Park Rules and permits that I need to be aware of?

A. Examples:

- Glass and Styrofoam are prohibited in all parks.
- Sound Permits are required for all amplified sound
- Park curfew is 10 pm.
- The hike and bike trail system are not a useable site for organized events or activities.
- It is illegal to drive on non-designated or un-paved vehicular areas without a permit, including motorcycles, scooters and devices such as Segways.

Q. What are some examples of potential public safety hazards on dedicated parkland?

A. Examples:

- Blocking of sidewalks, trails and passageways from public use, and blocking ADA access areas.
- Conducting primary business operations from public parkland. Examples: setting up business registration operations.
- Conducting auxiliary business operations from public parkland.
- Examples: selling food, water, and other products to the public.
- Loud and/or un-permitted music in a public park.
- Utilization of unsafe and park damaging equipment on dedicated parkland.
- Conducting or performing such unsafe practices such as:
- Swinging or pushing of large tractor tires over park grounds.
- Use of railings, trees and plumbing fixtures to anchor resistance bands.
- Up righting and relocating public picnic tables for use in activities.
- Dragging commercial ship mooring ropes for long distances for resistance training purposes.
- Utilization of tennis and basketball courts for setting up obstacle courses.

Q. I'm a park user and want to ensure my fitness activities are being conducted by a permitted vendor. How will I know if a vendor has been permitted?

A. All permitted vendors will be issued a permit they must carry on parkland. This also ensures that your park permit fees help offset the cost of park maintenance and upkeep by commercial users.

Q. Who is required to hold a Texas sales and use tax permit?

A. You must obtain a Texas sales and use tax permit if you are engaged in business in Texas and you:

- sell tangible personal property in Texas;
- lease tangible personal property in Texas; or
- sell taxable services in Texas.

Please see [Rule 3.286](#) and [Taxable Services](#) for more information.

The requirement to obtain a Texas sales and use tax permit applies to individuals as well as corporations, firms, partnerships, and all other legal entities.

Q. What is tangible personal property?

A. The statutory definition for "tangible personal property" is "personal property that can be seen, weighed, measured, felt, or touched or that is perceptible to the senses." [See Sec. 151.009.](#)