

# Guidelines for Guiding Permits

## City of Scottsdale McDowell Sonoran Preserve



### Background

Per Chapter 21 of the Scottsdale Revised Code, the purpose of the McDowell Sonoran Preserve (“Preserve”) is to preserve in perpetuity the Sonoran Desert and mountains to maintain scenic views, as a habitat for wildlife and desert plants; to protect archeological and historical resources and sites, while providing appropriate public access for educational purposes; and provide passive outdoor recreational opportunities for residents and visitors.

### Policy

Guiding Permits will only be issued for activities that are compatible with the purpose and the management objectives of the Preserve, per Chapter 21 of the Scottsdale Revised Code.

Guiding includes planned and organized efforts to lead individuals or groups, or otherwise provide services including but not limited to wayfinding, managing itineraries, giving interpretive information, or providing specialized gear, and with any form of compensation required, requested, or accepted.

No guiding is permitted by any person or entity that has not received a guiding permit from the City of Scottsdale. Prospective permittees should not schedule any guiding uses of the Preserve prior to obtaining a fully executed guiding permit.

A guiding permit will be issued only to a qualified applicant and is non-transferable, and its issuance is a courtesy, not an entitlement. Permits will only be issued for passive recreational activities that meet the purpose, management objectives, and rules and regulations of the Preserve, as outlined in Chapter 21 of the Scottsdale Revised Code. Permits will be issued for no longer than one year, and in accordance with the annual permit cycle described below.

Permittees must abide by Chapter 21 of the Scottsdale Revised Code which outlines the rules and regulations specific to the McDowell Sonoran Preserve. It is also the responsibility of the permittee to be aware of and abide by all other applicable federal, state, county or municipal laws, rules or regulations.

Guiding activities must not infringe on the use, access to, or enjoyment of the Preserve by the general public. The City reserves the right at any time to limit the number and size of guided trips permitted in any area of the Preserve, on any trail, or within any Preserve trailhead.

Permittees are responsible for organizing and providing reasonable and appropriate activities for their clients’ abilities, especially considering potential harsh conditions.

All guides that will operate in the Preserve must certify that they have read and understand the background information on the Preserve, including Chapter 21 of the Scottsdale Revised Code, the Preserve Trail Maps, and Leave-No-Trace information.

Evidence of comprehensive general liability coverage is required and must show the City of Scottsdale as the Certificate Holder, and as Additional Insured. Worker’s Compensation coverage may also be required. In addition, a signed hold harmless and indemnity agreement must be on file with the City.

Fees and charges are subject to change, in accordance with the City Council approved rates for fees and charges.

**Annual Permit Cycle**

The following table describes the annual permit cycle for guiding permits:

May 1 – 12:01 AM	Online application period opens for the following season. Applications will not be accepted before this date.
June 1 – 5:00 PM	Applications due. Applications submitted after this date will not be accepted.
June 2* to July 1*	City Preserve staff reviews permit applications.
July 1*	Applicants will be notified of the status of their application. For those that will be granted a permit, an invoice will be attached with instructions for how to pay.
Second week of July	Current outfitters will be credited for unused client user days from previous season or invoiced for additional clients that were in excess of those paid for the prior year.
Third Friday of July – 5:00 PM	Payment due in full. Payment will include a \$150 application fee, the amount for pre-paid use days (\$5.00 per use day), and a \$10 administrative fee. If payment is not received by the due date, the applicant will not be eligible for the current permit cycle, and must wait to reapply until the following annual cycle.
August 1	Permits begin.

\* If this date falls on a Saturday, the deadline will be the preceding Friday. If it falls on a Sunday, it will be the following Monday.

### Fees for Use Days

All prospective permittees are required to pre-pay for the estimated number of use days, before issuance of the annual permit, as described in the “Annual Permit Cycle” section above.

One use day costs \$5.00 and is equal to one paying customer entering the Preserve on one day. Customers may re-enter the Preserve in the same day without being charged an additional use day.

At the end of the annual permit cycle, permittees who exceed the pre-paid amount will be charged for the use-days above the amount they had pre-paid. Permittees whose actual use days are under the number of use-days they had pre-paid can roll unused use-days to the next permit cycle.

### Staff/Personnel Guidelines

The permittee will employ staff or contract workers with the expertise to operate all services authorized under the permit. The following minimum qualifications for guides are recommended:

- At least one guide with a group possess a valid Wilderness First Aid (or higher) and CCC or CPR certification.
- All guides be at least 18 years of age.
- All guides Leaders be trained in basic safety, Preserve rules and regulations, and in the requirements of the guiding permit. Previous outdoor experience, including personal familiarity with the Preserve areas utilized, is required.

### Operating Procedures

Permittees must follow these operating procedures:

- Each group must have at least one guide with the group at all times. The guide will inform the group of all Preserve rules and regulations and has responsibility for the group. If a party is divided into more than one group, each group will have at least one guide. Each leader of a group shall possess a means of communication in the event of an emergency, such as a cell phone.
- Each group must have a first aid kit appropriate to the size of the group and activity.
- Permittees must report all trips to the Preserve, prior to entering the Preserve.
- Guides must provide an orientation to trip participants about basic outdoor etiquette, trail courtesy, Preserve rules and regulations, safety procedures, resource protection information, litter, human waste, personal safety and emergencies. The Trip Leader is responsible for ensuring that the group does not get separated.

- Maximum group size will be determined by specific activity and area, and will be specified on the permit. There should be no less than one guide for every ten people.
- All trash must be packed out of the Preserve area. Leave No Trace ethics and practices are to be used. All food scraps (fruit peels, nut shells, etc.) are considered trash and must be carried out. It is a violation to feed the wildlife.
- All accidents/incidents resulting in personal injury requiring more than first aid treatment, any property damage, or damage to Preserve resources must be reported to the City as soon as reasonable, but in any event no more than 24 hours following the incident.
- Lost or runaway clients must be reported to Preserve or City of Scottsdale authorities as soon as possible.

### **Revocation Procedures**

As outlined in Scottsdale Revised code, Section 21-22(g), the Preserve Director or any City of Scottsdale police officer may revoke a permit for a violation of its terms or any violation of rules, regulations, ordinances or state statutes by the permit holder, or any person using the facility pursuant to the permit. In the event of revocation under this provision, the permit holder shall cease the permitted activities immediately. A permit holder who has a permit revoked pursuant to this subsection shall not be entitled to a refund of any fees paid. A permittee who has been revoked may re-apply for a permit in the next annual permit cycle, with the application being reviewed at the discretion of the City of Scottsdale.

(Required by 2-221[c]) In any event the City retains the right upon 30 days' notice to cancel any permit issued hereunder at the sole discretion of, and for the convenience of, the City.

### **No Business Relationship**

By issuing a commercial use permit the City is not becoming the employer, partner or principal of the permittee, and it is not the intention of the City or the Permittee that any partnership, joint venture, master/servant, principal agent or other similar relationship between the parties come into existence. The City is not undertaking any responsibility for, or relationship with, the employees, customers, officers, agents or members of the Permittee, and the Permittee is solely responsible for the safety and operation of its potential activities.

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