PALM BEACH COUNTY PARKS AND RECREATION DEPARTMENT

PHIL FOSTER PARK DIVE INSTRUCTION PERMIT APPLICATION

John Prince Park Administration
2700 6th Avenue South, Lake Worth, FL 33461
kbrooks1@pbc.gov Phone: (561) 966-6623

APPLICANT INFORMATION	
Name:	
Business or Individual? Business ◯ Individual ◯	
Business Name:	
Street Address:	
City/State/Zip:	
Contact Phone #:	**Alternate Phone #:**
Email Address:	
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:

1. 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).

2. 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.

3. 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.

4. 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, a sub-division of the State of Florida, it's Officers, agents, & employees area additional insured, Primary and Non-Contributory per written contract as respects to any Additional Insured (by contract). Site owners: Phil Foster Park".

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5. 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).
6. 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 Phil Foster Park for the purposes of supervised night scuba programs seven (7) days a week from sunset to 10:00 p.m. Divers must be out of the water and leaving the park by 10:00 p.m. Applicant must contact the Parks and Recreation Department at 966-6623 or email Kirk at KBrooks1@pbc.gov least two (2) days prior to date of requested night use for approval**. If Applicant is authorized to conduct supervised daytime 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.

Fees (Before October 1, 2025)**

Individual Permit	$150 plus 7% tax ($160.50)
Business Permit	$350 plus 7% tax ($374.50)

Permit is valid for one calendar year from June 30, 2025 to June 30, 2026.

Dive Instruction Permit fees are not refundable and are not pro-rated. Fees subject to change

****NEW CREDIT CARD PROCESSING FEE STARTING OCTOBER 1, 2025****

Payment

A link to pay the permit fee online will be provided once we process your application. If you prefer to pay by check, please mail the check with your application to Kirk Brooks at the address listed below. Note: starting October 1, 2025, there will be a 3% credit card processing fee applied to all credit card payments processed after September 30.

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

Email completed application to kbrooks1@pbc.gov, or mail to:

Palm Beach County Parks and Recreation
Attn: Kirk Brooks
2700 6th Avenue South, Lake Worth, FL 33461

THE FOLLOWING SECTION IS FOR PARK OFFICE USE ONLY:

Permit Valid Dates:	**Permit Number:**
Processed by:	

STATEMENT OF EXEMPTION FROM WORKER'S COMPENSATION REQUIREMENT

TO: Palm Beach County Board of County Commissioners
Parks & Recreation Department
Parks Financial and Support Services
John Prince Park
2700 Sixth Avenue South
Lake Worth, FL 33461

This will affirm that:

1. We are not engaged in the "construction industry" as defined in FL Chapter 440 and do not employ more than three persons (including Corporate Officers, if any).

2. We do not carry Florida Workers Compensation insurance.

3. Any persons that we may engage to work will have legal status as independent contractors, and not employees.

4. All such independent contractors have been advised that they are not covered for Workers Compensation insurance, and would be responsible for carrying their own such coverage if they desire.

5. If we should fall under Florida Statute 440 regarding Workers Compensation insurance, we shall immediately obtain such coverage and provide evidence of it to you.

Accordingly, we hereby submit the attached letter in lieu of Palm Beach County's requirement for carrying Workers Compensation insurance.

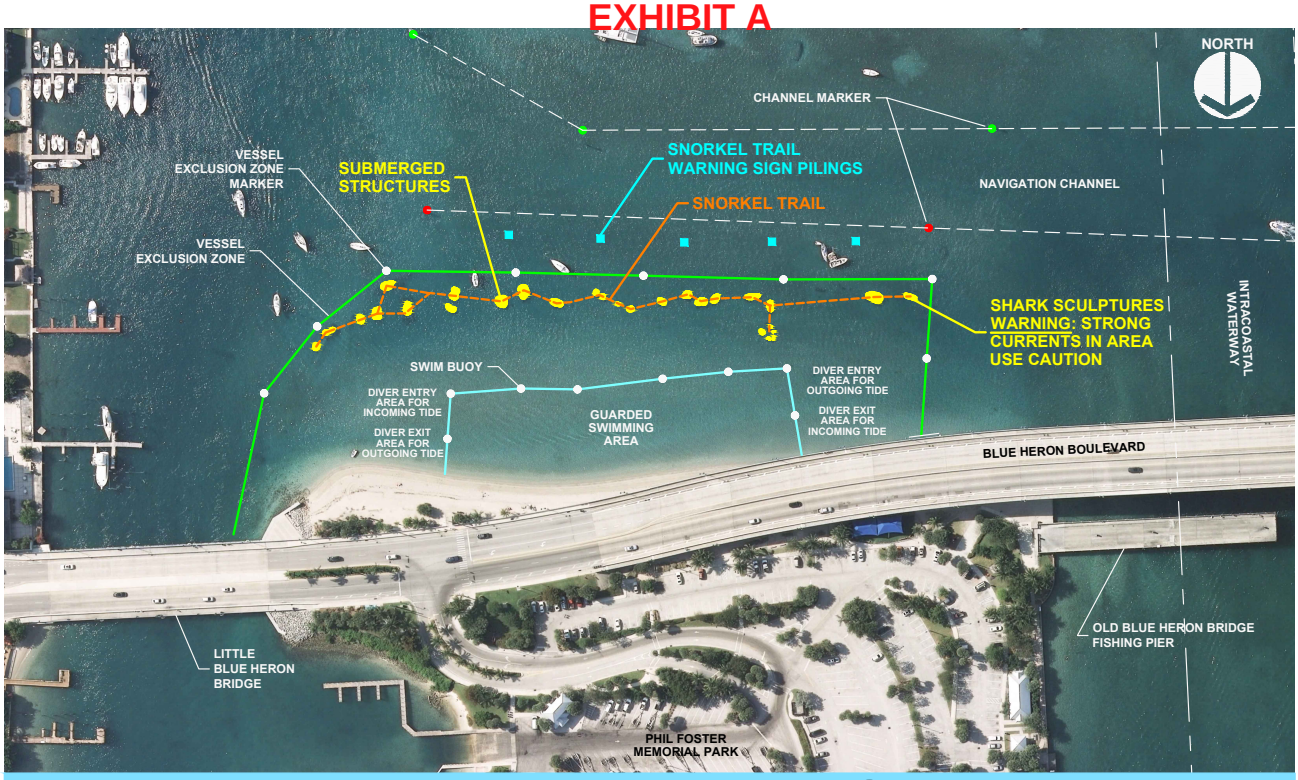
_____
Print Name

_____ _____
Signature/Title Date

_____
Company Name (if applicable)

_____
Company Street Address, City/State/Zip Code

EXHIBIT A



Phil Foster Memorial Park Snorkel Trail

You don't have to venture far to discover fabulous snorkeling in Palm Beach County.
Please review these tips/rules for a safe snorkeling adventure:

SNORKEL SAFELY

and have a great time

PALM BEACH COUNTY PARKS & RECREATION

Do Your Homework

- Learn about fish, coral reefs and the Lake Worth Lagoon ecosystem. Knowing what you're looking at will make your snorkeling more enjoyable.

Ask Questions

- If unfamiliar with the area, ask a lifeguard or a local patron about the diving conditions.

Be Aware of Tides

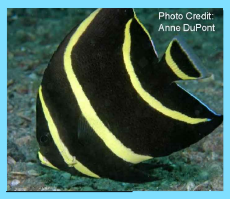
- The best time to snorkel is within 2 hours before and up to the slack tide. You will need a diver's flag which can be purchased at any dive shop. The flag is red with a white stripe from the upper left corner to the lower right corner. Attach the flag to a float.

Sunscreen Safety

- Put sunscreen on at least ½ hour before entering the water so it soaks into your skin instead of being washed away by the water and adhering to sea life

Choose a Buddy

- Always snorkel with a buddy! It is more fun to share awesome experiences and if something unpredictable happens, you have somebody to help you.



Know Your Limitations

- Know your personal swimming limitations and snorkeling abilities and remain alert to them.

Stay in Control

- Be in control of your fins at all times in order to avoid kicking the coral or kicking up sand and sediment. Underwater, a frog kick is preferable to a flutter kick for this purpose.

Enjoy the Snorkel Trail and help us preserve this beautiful marine environment.

Thank You!

Observe

- Observe animals exhibiting their natural behaviors rather than stimulating them to entertain yourself.

Do Not Touch

- Take photos, but don't touch anything and you are strongly discouraged from taking marine life. Photos are a great way to capture the underwater world without leaving your mark and doing harm to the environment.

Spear Guns Are Not Permitted

Do Not Feed Fish

Do Not Step

- Do not step on coral or any hard bottom surfaces.
- Always make sure that if you step down, you are stepping on sand.
- Be aware of the sand as well. Lots of little creatures use the sandy bottom as their home.

Control Your Buoyancy

- If SCUBA diving, practice proper weight and buoyancy control to avoid disturbing the bottom.

Learn more about the Lake Worth Lagoon at www.LWLI.com

Palm Beach County Board of County Commissioners

Parks and Recreation Department
www.pbcparks.com

Department of Environmental Resources Management
www.pbcgov.com/erm