

# City of West Des Moines

## Open Water Swimming Permit—2019



A permit is required to swim outside the roped beach area or to operate an open water swimming support watercraft at Blue Heron Lake in Raccoon River Park.

### Applicant Information (Please Print):

|         |  |                                  |
|---------|--|----------------------------------|
|         |  |                                  |
| Name    | Phone Number   | Birthdate                        |
|         |  |                                  |
| Address | City/State   | Zip                              |
|         |  |                                  |
| Email   | <input type="checkbox"/> Support Watercraft Operator | <input type="checkbox"/> Swimmer |

### Release of Liability

I hereby acknowledge that I voluntarily have applied to participate in open water swimming at Blue Heron Lake in Raccoon River Park owned and operated by the City of West Des Moines Parks and Recreation Department. I understand that the act of open water swimming necessarily involves risks of injury to me. I understand that the aforementioned risks are entirely my responsibility and I expressly assume all of these risks. It is my understanding that no agent or employee of the City of West Des Moines will supervise the open water swimming activities occurring at Blue Heron Lake at any time.

By signing this release of liability and using Blue Heron Lake for open water swimming, I hereby fully and forever release and discharge the City of West Des Moines, the Parks and Recreation Department, and their volunteers, employees and agents from any claims, demands, damages, rights of action or causes of action present or future, whether the same be known or unknown, anticipated or unanticipated, resulting from or arising out of my use or intended use of Blue Heron Lake for open water swimming.

I therefore, expressly assume all risks associated with using Blue Heron Lake for open water swimming in an unsupervised manner. I fully and forever release and discharge the City of West Des Moines, the Parks and Recreation Department, and their employees and, due to my own actions or omissions or those attributable to others persons or entities, and intend to be legally bound by this release. I hereby assume sole responsibility for and agree to indemnify and save harmless the City of West Des Moines, the Parks and Recreation Department, their employees, agents and volunteers for any damage because of bodily injury, death or damage or loss to property, including legal and expert witness fees, caused by my own actions or omissions. I have carefully read this release of liability and understand and fully agree with its contents. I also have received a copy of the Open Water Swimming rules, and I agree by my signature below to fully comply with these rules. \*By signing I verify all of the above information is accurate, that I have received and read of copy of the Open Water Swimming rules and agree to abide by them at all times, and that I have carefully read the Release of Liability and fully agree with its contents.

**Signature\*** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Apply in Person:**  
 Parks and Recreation Office  
 4200 Mills Civic Parkway, Suite 1B  
 West Des Moines, IA 50265  
 Phone: 515-222-3444  
 Monday-Friday 8:00am - 5:00pm

**Apply by Mail or Fax:**  
 City of West Des Moines  
 Parks and Recreation  
 P.O. Box 65320  
 West Des Moines, IA 50265  
 Fax: 515-222-3459

# Open Water Swimming - Rules



1. Open water swimming is allowed by permit for training/fitness purposes only. Permits will not be issued for casual recreational swimming.
2. Open water swimming is only allowed from dawn to dusk during park hours.
3. A maximum of six (6) swimmers is allowed in a group.
4. Each group or individual must be accompanied by a watercraft support boat, canoe or kayak unless lap swimming within 20 feet of the buoy rope that designates the beach swimming area. **Support watercraft required when swimming before or after annual installation of beach buoy rope; approximately Labor Day to Memorial Day).**
5. The operator of the support watercraft must be 18 years or older.
6. The support watercraft must have one Coast Guard-approved Type III Personal Flotation Device (PFD) for the operator of the watercraft and one Type III PFD for EACH swimmer in the group they are accompanying.
7. Each swimmer must wear a fluorescent orange or yellow swim cap whether or not accompanied by a support watercraft.
8. A cell phone must be carried by the operator of the watercraft while accompanying the group of swimmers.
9. An identification buoy must be carried on the support watercraft to be used to identify the location of any downed swimmer.
10. Each swimmer and support watercraft operator must sign a release of liability form prior to participating in open water swimming.
11. Each swimmer must obtain an annual permit from the City of West Des Moines Parks & Recreation Department prior to participating in open water swimming. The permit must be available to present upon request of City staff or park security personnel.
12. The permit may be revoked if any rules are violated and can be terminated by the City without notice for any reason.

