

## Insights

# Navigating Legal Pathways to Establish Your Dream Pickleball Facility

Article

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If you play pickleball, America's fastest growing sport, you've probably encountered a problem: the sport's runaway popularity has led to a shortage of pickleball facilities. If you are a true picklehead, maybe you've even considered becoming part of the solution by opening your own pickleball facility. The journey from conception to realization (pickling, if you will) involves several legal steps, and it's crucial to have skilled legal professionals by your side to help guide you through the process.

This article spotlights nine crucial domains where the expertise of seasoned legal professionals comes into play during the establishment of your pickleball concept.

### 1. Facilitating the Purchase of Land or Drafting/Reviewing the Lease

The foundation of any pickleball concept lies in securing the right location. Whether you're planning to acquire a property or lease one, there are a number of critical factors that need to be evaluated. An experienced attorney can ensure that all the necessary legal considerations are met and that your interests are protected in negotiations, drafting, and reviewing land purchase agreements or lease contracts.

### 2. Entitlements Due Diligence

Conducting thorough due diligence is essential to help avoid unforeseen legal and financial challenges down the road. By investigating the site's history, environmental conditions, and zoning regulations you can identify any potential restrictions that might affect your concept's operation.

### 3. Obtaining Entitlements (Rezoning)

In some cases, the existing zoning of the property may not align with your intended use for a pickleball concept. Experienced legal professionals can assist you through the rezoning process, working closely with local authorities to ensure the property is appropriately rezoned for your vision.

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## 4. Drafting Organization Documents to Create the Company

Whether you choose to establish a corporation, limited liability company (LLC), or another legal entity, it's important to have the necessary organizational documents legally drafted. These documents outline the structure, governance, ownership, and operating procedures of your company, providing a solid foundation for your pickleball venture.

## 5. Preparing Investor Documents

If you're planning to seek outside investment for your pickleball concept investor agreements, private placement memoranda (PPMs), and other relevant documents will need to be legally drafted. The goal is to help you attract investors while ensuring legal compliance and protecting your interests.

## 6. Preparing and Reviewing Construction Contracts

Developing a pickleball concept might involve some concept of construction, remodeling, or customization of spaces. To help minimize potential risks for your business, an attorney can assist in drafting and negotiating construction contracts that clearly define project scope, timelines, payment terms, and dispute resolution mechanisms.

## 7. Navigating Regulatory Compliance

From health and safety regulations to accessibility requirements, a recreational facility must adhere to a range of local, state, and federal regulations. An attorney can help you navigate the complex regulatory landscape, ensuring that your concept operates in full compliance with the law.

## 8. Addressing Intellectual Property Concerns

If you're planning to brand your pickleball concept, develop instructional materials, or create unique programs, it's important to work with an attorney to protect your intellectual property through trademark registrations, copyright applications, and trade secret agreements.

## 9. Drafting Liability Waivers and Risk Management

Though some may disagree, pickleball is a vigorous sport. A well-experienced legal team can draft comprehensive liability waivers and advise you on risk management strategies to minimize potential legal liabilities associated with injuries or accidents related to your facility.

Introducing a pickleball concept is an exciting endeavor that requires careful legal planning and execution. The legal professionals (and pickleballers) at Lowndes are dedicated to assisting you through every "dink" and step of the process.