

Town of Pomfret Connecticut Parks and Recreation Department **PARKS, FACILITIES AND FIELDS USE POLICY**

This contract was accepted by the Pomfret Board of Selectmen on July 1st, 2007.

Requests for the use of town parks, facilities and fields should be directed to Town of Pomfret Recreation Department, located at 5 Haven Road, Pomfret Center, CT 06259.

Phone (860)-974-1423. Fax number is 860-974-3950 or e-mail to: Carrie.Wolfe@pomfretct.gov

A current Town of Pomfret Property Usage Contract must be on file for each usage, along with an individual Facility Request Form completed for each use.

The Pomfret Recreation Park is open from sunrise to sunset during the spring, summer and fall seasons.

Section 1: First Priority Users

The scheduled use of Town of Pomfret parks, facilities and fields may be made available without rental charges only to the organizations listed below, if used according to the "Parks, Facilities and Fields Use Policy." Priorities will be granted in the following order (*fees may apply to any team – to be determined by the Town of Pomfret*):

Parks/Facilities/Fields/Utilities on 576 Hampton Rd, Pomfret Center aka: Pomfret Recreation Park

1. Town of Pomfret Parks and Recreation programs
2. Town of Pomfret Adult/Youth Leagues*
3. Pomfret Community School athletics

*Please note that all teams and leagues admissible must belong to an affiliated local, state or national organization that is responsible for the administration of their sport (examples - Little League, NECONN Soccer). **Pomfret residents must constitute at least 51% of each team roster** (does not apply to the opposing team in a game).

Second Priority Users

The scheduled use of parks, facilities and fields & utilities may be made available to the types of organizations listed below. The assignments will be made according to the regulations and rental fees approved by the Pomfret Recreation Director and Board of Selectman. A "Town of Pomfret" Property Usage Contract" must be filled out, submitted and approved prior to usage.

Priority will be granted as listed below: (there may be a fee attached to any of these teams)

- A. Locally organized non-profit civic groups whose membership is composed entirely of Pomfret residents.
- B. Locally organized educational, fraternal, social and religious groups whose majority of membership is composed of Pomfret residents.
- C. Other non-profit organizations and/or individuals that have been approved by the Board of Selectmen, Director of Parks and Recreation or the Director's designee.

Other Usage Limitations

All facilities, fields and utilities shall have limited use restrictions as deemed necessary by the Board of Selectmen, Director of Parks and Recreation, or the Director's designee. The Director has been given the authority by the Board of Selectmen to evaluate the Pomfret Recreation parks and field conditions and usage and also to make final decisions concerning the use by individuals, groups or organizations.

No fires of any kind for cooking or otherwise in the park unless granted by the Board of Selectmen or Recreation Commission for a special event

No alcohol or illegal drugs are allowed on the premises at any time.

FEES CHARGED ARE FOR USE OF THE FIELD ONLY, *(DOES NOT INCLUDE LINING – ORGANIZATIONS MUST PROVIDE THEIR OWN SUPPLIES AND MANPOWER TO LINE ANY FIELD)*

Section 2:**(a) Users of Soccer Field****Restricted or Limited Use of the soccer field**

Please note that at no time will the soccer field be used by an agency, group or team without the expressed written permission of the Director of Parks and Recreation or his/her designee.

Soccer Field will be made available for:

1. Town of Pomfret Parks and Recreation sanctioned events (1st priority)
2. Locally organized non-profit civic groups whose majority of membership is composed of Pomfret residents (at least 51%) including traveling, AAU or competition teams.
3. Locally organized educational, fraternal, social and religious groups whose majority of membership is composed of Pomfret residents (at least 51%)
4. Other uses as discussed by the Director of Parks and Recreation in consultation with the Board of Selectmen and Recreation Commission when needed

- Designated Footwear

Molded plastic or rubber cleats are acceptable

No metal cleats or spikes allowed on soccer field (allowed on baseball field)

No high heeled shoes on the field

-Designated uses:

1. Lacrosse
2. Soccer
3. Other uses as discussed and approved by the Director of Parks and Recreation.

-Other Restrictions:

No food allowed on the field

No pets allowed on the field or leashed to the fencing around the field

No alcohol on the premises

No chewing gum on the field

No open flame tobacco allowed on the field

Only drinking water or sports drinks are allowed on the field

All users of the field must pick up their own debris from drink bottles or snacks and dispose of in rubbish cans in the park or take out of the park and dispose.

Users of soccer field must park their vehicles in the designated parking lot near the soccer field, not on any “common areas” or areas that have “no parking signs”. A utility fee may be assessed if using lights in pavilion or barn.

(b) User of Baseball Field

Restricted or Limited Use of the baseball field

Please note that at no time will the baseball field be used by an agency, group or team without the expressed written permission of the Director of Parks and Recreation or his/her designee.

The Baseball Field will be available only for:

1. Town of Pomfret Parks and Recreation sanctioned events
2. Locally organized non-profit civic groups whose membership is composed (51%) of Pomfret residents including traveling, AAU or competition teams.
3. Locally organized educational, fraternal, social and religious groups whose majority of membership is composed of Pomfret residents
4. Other uses as discussed and approved by the Director of Parks and Recreation in consultation with the Board of Selectmen and Recreation Commission when needed

Designated Footwear

Molded plastic rubber or metal cleats are acceptable.

No high heeled shoes on the field

Limited use of flat soled sneakers

Designated uses:

Baseball – little league ages 13 and up or adult leagues.

. Or other uses as discussed and approved by the Director of Parks and Recreation.

-Other Restrictions:

No food allowed on the field

No pets allowed on field or leashed to the fencing around the field

No alcohol on the premises

No chewing gum left on the field

No open flame tobacco allowed on the field

Only drinking water or sports drinks allowed on the field

All users of the field must pick up their own debris from drink bottles or snacks and dispose of in rubbish cans in the park or take out of the park and dispose.

Users of baseball field must park their vehicles in the area near the baseball field, not on areas that have “no parking signs”.

(c) Pavilion

Please note that at no time will the Pavilion be used by an **agency, group or team**

without the expressed written permission of the Director of Parks and Recreation or his/her designee. (unless taking shelter due to a storm at the park)

Pavilion will be made available only for:

1. Town of Pomfret Parks and Recreation sanctioned events
2. Locally organized non-profit civic groups whose membership is composed entirely of Pomfret residents
3. Locally organized educational, fraternal, social and religious groups whose majority of membership is composed of Pomfret residents
4. Other uses as discussed and approved by the Director of Parks and Recreation in consultation with the Board of Selectmen and Recreation Commission when needed. A utility fee may be assessed if using lights in pavilion or barn

Other Restrictions

No pets in pavilion

No alcohol on premises

No chewing gum left behind

No tobacco products in pavilion

No fires of any kind for cooking or otherwise unless granted by the Board of Selectmen or Recreation Commission for a special event

Only drinking water, sports drinks or other drinks approved by the Recreation Commission or Board of Selectmen for a special event

All users of the pavilion must pick up their own debris from drink bottles or snacks and dispose of in rubbish cans in the park or take out of the park and dispose.

Users of pavilion must park their vehicles in the area near the parking lot near the pavilion, not on areas that have “no parking signs”.

(d). Disc Golf Course 9 - holes

The disc golf course will be open to the public from dawn to dusk free of charge. Groups wishing to use it for a tournament for example, will have to request use of the facility from the Recreation Department, depending on the circumstance, a certificate of insurance may need to be given to the Recreation Department.

All users of the disc golf course must pick up their own debris from drink bottles or snacks and dispose of in rubbish cans in the park or take out of the park and dispose.

Users of disc golf course must park their vehicles in the parking lot, not on grass “common areas” or areas that have “no parking signs”.

-Other Restrictions:

No alcohol on premises

No chewing gum left behind

No open flame tobacco

No food left behind

No fires of any kind for cooking or otherwise Only drinking water or sports drinks or other drinks approved by the Recreation Commission or Board of Selectmen.

All users of the disc golf course must pick up their own debris from drink bottles or snacks and dispose of in rubbish cans in the park or take out of the park and dispose.

Users of disc golf course must park their vehicles in the area near the parking lot, not on any “common areas” or not on areas that have “no parking signs”.

e. Barn

The barn at the present time is not equipped to be used for any group other than the recreation & highway department. If and when this facility is updated, we will form a policy for usage.

Section 3 - Closed or Restricted Areas

a. **Closed area** -- At the discretion of the Director of Parks and Recreation, or the Director's designee, any section or part of any park, facility or field may be declared closed (due to construction, drainage issues or other reasons) to the public at any time and for any interval of time, either temporarily or at regularly scheduled, stated intervals (daily or otherwise).

b. **Guidelines for Cancellation of Activity on Town Athletic Fields** - Due to factors such as inclement weather and poor usage conditions, the Pomfret Recreation Director or the Director's designee reserve the right to deny the use of a town park, facility or field. The Recreation Director will consult with the Board of Selectmen or Recreation Commission, if available. The Parks and Recreation Director, or the Director's designee may deny the use of a park, facility or field and/or require an activity to stop and the participants to vacate the area.

Examples of conditions that may require the alteration or the cancellation of an activity:

1. Standing puddles of water on the field
2. Footing is unsure and slippery
3. Ground is water logged and squishy
4. Grass can be dislodged from the ground easily
5. Lightning
6. Severe weather storms
7. Unsafe facility conditions that would prove to be destructive or detrimental to the site or people using it.

Teams, leagues, individuals and/or organizations that do not precisely follow the policy will be subject to the following disciplinary actions:

Any person who shall violate any of the aforementioned shall, as defined by the state statutes and laws, be subject to the following penalties:

1st Offense

A \$99.00 fine and issuance of a written warning to the President or responsible person of the organization, and all coaches involved, which states the offense and charges the organization to pay for the cost of the repair of any damage. The Director of Parks and Recreation may suspend the team or organization from using the park, facility or field for any certain period of time. The suspension will be affirmed in writing.

2nd Offense

A \$199.00 fine, and issuance of a written warning to the President or responsible person of the organization, and all coaches involved, that states the offense and charges the organization to pay for the cost of the repair of any damage, and subject to prohibition for up to one year, for use of any town field or facility.

Organizations that have been subject to disciplinary action under Section 3 must reapply in writing to use the park, field or facility and must state what remedial actions they have taken that will satisfy the "Park, Field and Facility

Use Policy" stipulations, and must personally appear before the Parks and Recreation Commission.

Section 4: Insurance Requirements

1. All Town of Pomfret affiliated sports clubs and associations, residents, businesses and Non-affiliated clubs and associations, and non-residents must provide the Town of Pomfret with liability insurance a minimum of \$1,000,000, listing the Town as additionally insured. This insurance must be submitted to the Parks and Recreation Department at least one week prior to park, facility or field usage (failure to do so will result in disapproval of request for use of the facility).
2. All groups, teams, game rental businesses (i.e. Positively Pomfret Day) must also provide a Certificate of Insurance with a minimum of \$1,000.00 (accidental medical benefits limit per individual/per accident).
3. If you are not a business, you can request assistance from your insurance provider – or follow the steps on the enclosed “Tenant Liability Insurance Program.” This program will allow you to purchase single Day insurance to cover your event.
4. A current participation roster is also required from all “team users” prior to the actual usage. The roster must include each participant’s name, address (no P.O. boxes), and phone number.

The roster must include the name and phone number of at least one emergency contact person for each person on the roster. The roster must also include the name of the person responsible for the team, listing name, address, phone number; preferably this person be currently CPR and First Aid certified.

Section 5: Right to Decline

The Town of Pomfret in its sole and absolute discretion, reserves the right to decline rental of the parks, facilities or fields or to cancel rental of the parks, facilities or fields.

Section 6: Responsible Adult Designee

Parks, facilities or fields can be reserved only in the name of an adult who represents an approved organization and who agrees, in writing, to be responsible for any damage. All coaches and/or managers must remain with the group/team until the last group/team member leaves the park. The person responsible must have on hand a current CPR/First Aid certified staff member that will be on site at all times if this is a “camp type” of request for the facility.

Section 7: Reservations Mandatory

Organized athletic activities on town and school property are permitted only on a reservation basis.

Section 8: Permit Time Restrictions

Permits for use will be issued by the Pomfret Recreation Department. Programs should be completed by the time of the contract request stated. (Exception: in the case of a game that has run over due to storm delay or extra innings and there is not another team waiting for use of the field or facility)

Section 9: Banned - Alcoholic Beverages and Illegal Drugs

Alcoholic beverages and illegal drug usage are not permitted on town parks, facilities and fields. Offenders will be subject to police action.

Section 10: Abutting Private Properties

Permit/affirmative contract holders and those using town parks, facilities and fields that abut private properties must respect those properties. User action such as trespassing, littering, urinating, and harassing, will not only cause the permit to be revoked but will also subject the offending user to further administrative action, as deemed appropriate by the Director of Parks and Recreation or by the Town of Pomfret Police/Constable authorities.

Any person who shall violate any of the foregoing rules and regulations shall, as defined by Connecticut state statutes and laws, be subject to penalties, exclusion, fine or criminal charges.

Section 11: Forfeiture of Payments

If it is deemed necessary to cancel a permit or request due a violation of either these policies or town ordinances, all user fees paid will be automatically forfeited.

Section 12: Cancellation Authority

The Town of Pomfret in its sole and absolute discretion, reserves the right to cancel permission for any group to use the park, facility or field if the purpose of such use is not considered to be in the best interest of the community or the neighborhood.

Section 13: Permit Holder Priority

A person not having a permit/affirmative contract for the use of parks, facilities or fields must give way at all times to permit holders.

Section 15: Rental Determination

A "Town of Pomfret Property Usage Contract" must be filled out, submitted and approved prior to usage.

(a) First Priority Users - are exempt from paying fees for use of the facility.

(b) Second Priority Users – (fee based) will pay \$25.00 per hour, per field, as well as a \$100 refundable security deposit. All fees must be paid in full prior to facility usage, unless there is a rental agreement for an entire season. You must stay as close as possible to the time that you have requested to use the field. If you are weather delayed, please ask if there is another team scheduled after you. Please do not start a game that will clearly overlap the next teams scheduled use of the field. No refunds will be mailed if your game or activity ended early, (unless due to severe weather – judgment by the PRD will be case by case)

(c) Fees for commercial or for-profit entities - Request must be received in advance in writing to the Parks and Recreation Director. Fees will be negotiated according to the range of use requested. The Pomfret Recreation Director may request the opinion of the Board of Selectmen or Recreation Commission if the request is unusual.

Section 16: Utility Charges

A "Town of Pomfret Property Usage Contract" must be filled out and submitted and approved prior to usage. Utility charges for the pavilion are established as follows:

First Priority Users - are usually exempt from paying fees. (There may be some exceptions)

Second Priority Users - are not exempt from paying fees. The charge is \$20.00 per hour for use of electricity.

Section 17: Additional Supervision

The Town of Pomfret reserves the right to require any lessee or user to provide police/constable protection when deemed necessary. Additional attendants or park personnel will be assigned, if deemed necessary, by the Director of Parks and Recreation or the Director's designee; any resulting expenses or costs will be billed to the lessee or user.

Section 18: Closing Times Restrictions

Under no circumstances will an event be allowed to continue after the designed closing time of the park, facility or field, as set by the contract or town ordinance.

Section 19: Scheduling

The Master Schedule of Activities will be kept at the Parks and Recreation office. Only the Parks and Recreation Department will be allowed to book events. At no time will any Town agent other than the Pomfret Recreation Director or designee have the authority to book or reserve a field or facility for themselves or any other town or group without checking with the Recreation Director first.

20: Appeals Process

Appeals must first be directed to the Parks and Recreation Director. The Parks and Recreation Director may consult with the Board of Selectmen or Recreation Commission to make a decision on an appeal.

Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is reported to be extremely contagious. The state of medical knowledge is evolving, but the virus is believed to spread from person-to-person contact and/or by contact with contaminated surfaces and objects, and even possibly in the air. People reportedly can be infected and show no symptoms and therefore spread the disease. The exact methods of spread and contraction are unknown, and there is no known treatment, cure, or vaccine for COVID-19. Evidence has shown that COVID-19 can cause serious and potentially life threatening illness and even death. The Town of Pomfret Recreation Department cannot prevent you or your child(ren) from becoming exposed to, or contracting COVID-19 while utilizing the Town of Pomfret's Recreation services or premises. It is not possible to prevent against the presence of the disease. Therefore, if you choose to utilize the Town of Pomfret's Recreation services and/or enter onto the Town of Pomfret's Recreation premises you may be exposing yourself to and/or increasing your risk of contracting COVID-19.

ASSUMPTION OF RISK: I have read and understood the above warning concerning COVID-19. I hereby choose to accept the risk of contracting COVID-19 for myself and/or my children in order to utilize the Town of Pomfret's Recreation services and enter the Town of Pomfret's Recreation premises. These services are of such value to me and/or to my children, that I accept the risk of being exposed to, or contracting COVID-19 in order to utilize the Town of Pomfret's Recreation services and premises in person [if applicable: "rather than arranging for an alternative method of enjoying the same services virtually (e.g. videoconference)].

WAIVER OF LAWSUIT/LIABILITY: I hereby forever release and waive my right to bring suit against the Town of Pomfret's Recreation Department and its owners, officers, directors, managers, officials, trustees, agents, employees, or other representatives in connection with exposure, infection, and/or spread of COVID-19 related to utilizing the Town of Pomfret's Recreation services and premises. I understand that this waiver means I give up my right to bring any claims including for personal injuries, death, disease or property losses, or any other loss, including but not limited to claims of negligence and give up any claim I may have to seek damages, whether known or unknown, foreseen or unforeseen.

CHOICE OF LAW: I understand and agree that the law of the State of Connecticut will apply to this contract. **I HAVE CAREFULLY READ AND FULLY UNDERSTAND ALL PROVISIONS OF THIS RELEASE, AND FREELY AND KNOWINGLY ASSUME THE RISK AND WAIVE MY RIGHTS CONCERNING LIABILITY AS DESCRIBED ABOVE:**

Signature:_____ Date:_____ Name (printed):_____

I am the parent or legal guardian of the minor named above. I have the legal right to consent to and, by signing below, I hereby do consent to the terms and conditions of this Release.

Signature:_____ Date:_____ Name (printed):_____

Town of Pomfret Facility Property Usage Contract
Only the three pages of the actual contract need to be returned to
the Recreation Department along with a Certificate of Insurance

Please let it be recognized that this agreement between the Town of Pomfret Parks and
 Recreation Department (PRD) and (Please type or print clearly below)

1st priority users fill out this section, ***2nd priority** users see below

Organization _____

Organization(s) Address: _____

Contact Person, Title _____

What is name and age group of this team (s)? _____

Field or facility you are requesting use of? _____

Date(s) and time(s) of your request. _____

_____ **if this a sporting event team request: please attach a schedule along with the name(s) and phone number(s) of coaches of this/these teams.** _____

Phone # & email address to reach you: _____

1st priority user check here _____ **No Fee Charged** for this Group

See contract for description of "priority users" this must be approved by PRD

Proper Certificate of Insurance received from this group? YES ____ NO ____

1st priority uses must provide along with this contract a complete schedule (including practices and games) with dates (a certificate of insurance will be required if you are not a town program). You must adhere to all contract rules or you may be fined and subject to disqual from use of the field. This request is not an automatic approval. You must either call or get this contract approved in writing from the PRD before you are to use the facility (single request or entire season)

***2nd priority users, please fill out this portion of the form**

Organization _____

Organization(s) Address: _____

Contact Person, Title _____

What is name and age group of this team (fill out if applicable)? _____

Field or facility you are requesting use of? _____

Phone # & email address to reach you: _____

Date(s) and time(s) of your request (you may attach a schedule)

_____ *2nd priority users must include a Certificate of Insurance _____

****Fee per hour:** \$25.00 per hour x number of hours _____ = \$ _____ amount due

Fee per day (if we can accommodate): (*\$ amount will be established when request is made*)

\$ _____ x number of days requested _____ = \$ _____ amount due

Please note: There is a \$100.00 refundable security deposit due and payable with your request for the field or facility (unless waived by the Pomfret Recreation Director). Please include this amount with your payment.

\$100.00-security deposit included: yes, check here _____ or waived _____

if waived, approved by: _____ Pomfret Recreation Director

3. Fee Charge for Utility usage:

\$20.00 per hour x _____ hours = amount due \$ _____

4. Proper Certificate of Insurance received from this group? YES _____ NO _____

5. **Total amount paid \$ _____ check # _____**

Payment covers

1. \$ _____	for _____
2. \$ _____	for _____
3. \$ _____	for _____
4. \$ _____	for _____

User Group Responsibilities:

1. Agree to, and abide by, the Field Use Policy, attached to this contract.

2. Provide on-sight supervision during all practices, games, meets and special events. Activity supervisor will enforce all park rules and take all necessary action to cease inappropriate behaviors that may be displayed by any team member, visitor, or coach. . PRD may require the user group to pay for a site supervisor provided by the Town (fees will be disclosed prior to the rental agreement.)

3. Provide a qualified coach or supervisor (preferably CPR trained) at all scheduled practices, games or meets; _____
who will remain on site until the last group or team member leaves the facility.

4. Contact the Parks and Recreation Director immediately (within 24 hours) in the event of any serious injury, mishap, or inappropriate behavior. Please call 860-974-1423

5. Contact the Parks and Recreation Director with any maintenance issues or aspects of the facility that could be considered harmful to users.

6. *Provide the Town of Pomfret with a current copy of at least \$1,000,000 general liability insurance policy, naming the Town of Pomfret as an additionally insured. A copy of this certificate must be on file with the Parks and Recreation Director before groups can have access to any field or facility. For sport groups, proof of player/participant accident insurance in the amount of at least \$25,000, must also be provided.

7. Keep the facility clean. All equipment will be returned to its designated area, and at no time will equipment be left on the playing areas. All areas shall be free from litter before leaving the facility.

8. User group may be required to pay for related park maintenance fees, such as (but not limited to) additional rentals and/or cleaning of portable restrooms, utilities, excess trash removal, security or police coverage (all fees will be disclosed prior to the rental agreement.)

Town of Pomfret Responsibilities:

1. The Town of Pomfret, if determined necessary, will have appropriate staff, (i.e. – Park Monitors) to check permits, to ensure proper use of facilities and fields, and that the user group is adhering to the Parks, Facilities and Fields Use Policy.
2. The Town of Pomfret will provide safe and adequate facilities including general maintenance of all areas.
3. The Town will make every attempt to notify the group contact person at least 24 hours prior to emergency any park/facility closings for maintenance or other purpose unless obvious weather conditions or situations force an unforeseen closure.

Signature of Applicant _____ today's Date: _____

Director of Parks and Recreation Signature (or designee):

Carrie E. Wolfe

Date _____

Approved: _____ Not Approved: _____ Reason: _____

**TOWN OF POMFRET
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