

## **Bedford Parks & Recreation Department**

### **FIELD/FACILITY USE POLICY**

#### **I. Purpose**

The Town of Bedford provides outdoor athletic fields and recreational facilities for the use and enjoyment of the citizens of Bedford. This policy shall serve as the guidelines concerning the scheduling and use of Town fields and facilities. The purpose of this policy is to:

- Ensure that the use of available Town of Bedford recreation fields are allocated in a manner that is fair and equitable;
- Ensure that all users of the Town recreation fields understand the rules pertaining to their use of the facilities;
- Ensure that all users of the Town recreation fields exercise good judgment in the use and care of the facilities;
- Ensure that users of the Town fields and Town staff understand their responsibilities with respect to the use and management of Town facilities.

#### **II. Definitions**

“Adult Town Team/League” means adult sports organization which at least 80% of players are residents or employed in Bedford.

“Commission” means Town of Bedford Parks & Recreation Commission.

“Competition Team” means a selective competitive team with at least 50% of players being residents of Bedford (e.g., AAU or Classic Teams).

“Concessionaire” means any person or entity offering for sale any product or service at any Town field/facility.

“Department” means Town of Bedford Parks & Recreation Department.

“Field” means any type of athletic field, including but not limited to, baseball, field hockey, football, lacrosse, soccer, and softball.

“Facility” means any Town recreational park, structure, or facility excluding Bedford Town Hall.

“Non-Town Team or League” means an adult and/or youth team or league that does not meet the residency requirement.

“Organization” means a formally organized and recognized entity that sponsors a recreational activity.

“Ready Condition” means field/facility condition is free of trash and debris and properly prepared for the next scheduled event.

“Town” means Town of Bedford.

“User” means any individual person who uses a Town field/facility.

“Youth Town Team/League” means youth sports organization that at least 90% of the players are residents of Bedford.

### **III. General Rules and Regulations**

This policy shall set forth guidelines in accordance with the regulations promulgated by the Parks Ordinance, Article 25-2 of the Bedford Town Ordinances.

The Department, at its sole discretion, is responsible for scheduling and assignment of Town fields/facilities.

Organizations and individuals requesting use of Town fields/facilities must follow the application/permit procedures outline in Section V.

The Department may restrict public use of Town fields/facilities as deemed necessary by the Department, or designee, to preserve or protect the property or in the interest of the general public health, safety and welfare.

Any damage to Town fields/facilities must be reported promptly to the Department.

No vehicles, of any type (except for maintenance purposes), are permitted on Town fields except in designated parking areas.

Items of personal property found at Town fields/facilities will be removed and maintained in a lost and found location maintained by the Department.

Consistent with Parks Ordinance 25-2, Section 25-2-2 (d), drinking of alcoholic beverages in Town parks is strictly forbidden, unless the individual is a member of a group that has been issued a permit by the Police and the Department, in accordance with the requirements set forth by the Town to obtain such approval. (TC approved 6/05)

The possession or use of alcoholic beverages and drugs is prohibited on Town fields/facilities.

Smoking is prohibited on Town property.

Pets are not allowed on Town athletic fields (per Town Ordinance Article VII, 185-25).

## IV. Use Guidelines

Personal/Individual Field Use: Individuals desiring to use Town fields/facilities may do so at their leisure, providing that another party has not previously scheduled the fields. A Town Field/Facility Use Permit is required for personal/individual field use. Individuals may contact the Department to check the availability of a facility at any time.

Town Sports Teams/Leagues & Local Non-Profit Groups: Town organizations desiring to use Town fields/facilities on an on-going basis may do so with prior scheduling approval from the Department. The Department shall develop a proposed schedule and the proposed schedule will go before the Parks & Recreation Commission for final approval. Requests for field use are considered on a first-come, first-served basis, with an attempt to balance the needs of all groups. No fees will be charged to these groups for the use of Town fields/facilities. This category includes Competition Teams in which at least 50% of the players are Bedford residents.

Town Teams and Leagues are required to have General Liability insurance naming the Town as an additional insured.

Non-Town Sports Teams/Leagues & All For-Profit Groups: Non-Town organizations and any for-profit groups desiring to use Town fields may do so with prior scheduling approval from the Department. The Department shall develop a proposed schedule and the proposed schedule will go before the Parks & Recreation Commission for final approval. Requests for field use are considered on an individual basis and only after all Town groups have been scheduled. A field usage fee of \$75.00 per two-hour block will be charged. The charge for use of a lighted field is \$150.00 per two-hour block.

Non-Town Teams and Leagues are required to have General Liability insurance naming the Town as an additional insured.

## V. Field/Facility Request & Assignment Process

### Priority of Field/Facility Assignments

The priority arrangement for the scheduling of Town fields/facilities is as follows:

- 1) Town and School Activities (not covered by MOU)
- 2) Youth Town Leagues/Teams (\*membership not based on players ability)
- 3) Adult Town Leagues/Teams –90% residency
- 4) Adult Town Leagues/Teams – 80% residency/employment
- 5) Individual residents and/or Town Organizations (non-profit)
- 6) Competition Teams (includes Competition Teams affiliated w/leagues\*)
- 7) Non-Town Youth Leagues/Teams
- 8) Non-Town Adult Leagues/Teams
- 9) Other Organizations (non-Town and all for-profit)

*\*Town leagues shall not deliberately reduce the number of recreational programs offered so as to increase the field space availability for competition teams.*

## Town Field/Facility Use Request Application & Field/Facility Use Permit

To request Town field use, organizations, groups, and individuals must complete and submit a Town Field/Facility Use Request Application to the Department. Forms should be submitted during the following reservation periods to receive priority scheduling for field use:

- By January 15 – for use April 1 - July 31
- By May 15 – for use August 1 - November 30
- By September 15 – for use December 1 - March 31

Forms received after the designated reservation period will be handled on a first come-first served basis and shall be subject to the priority of Town field/facility assignments described above.

Town Field/Facility Use Permits will not be issued for use between December 1 and March 31 with the exception of the winter ski trails (Legacy Park).

Upon receipt of the completed application, any required fees, and documentation, the team/league will be issued a Town Field/Facility Use Permit to confirm the group's assigned fields and scheduled dates and times for usage. Permits will be mailed to applicants by March 15 for the spring season and May 1 for the summer and fall season.

A scheduling adjustment may take place 30 days or more before the scheduled activity.

Organizations or users shall notify the Department of the cancellation of any scheduled field/facility use at least 48 hours prior to the scheduled use.

### Good Standing

Teams and Leagues requesting field use must not only complete a Town Field/Facility Use Application but also be in "good standing" with the Town for consideration. Good standing includes, but is not limited to the following:

- No outstanding monies owed to the Town;
- Current League Annual Report on file with the Department (including Federal Form 990 if applicable);
- Current copy of League's Code of Conduct for players, coaches and parents, as approved on file with the Department; and
- Current Certificate of Insurance naming the Town as an additional insured on file with the Department. *(The insurance policy must provide for general liability coverage with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate for personal injury, bodily injury and property damage.)*

## Tournaments, Camps & Special Events

All requests for tournaments, camps and special events must be submitted separately. These requests will be considered on a case-by-case basis by the Department and/or designee and may be subject to a user fee, in accordance with the Town Field Use for Camp Program Guidelines.

## **VI. Permit Denial/Revocation**

A Town Field/Facility Use Permit may be denied or revoked for the following reasons:

- Failure to use permitted field;
- Non-compliance with application/submission requirements and procedures;
- Failure to comply with Field/Facility Use Policy;
- Field renovation or repair; and
- For any other reason deemed necessary by the Department.

## **VII. Inclement Weather Policy**

The Town is committed to providing high quality and safe playing surfaces for all of its multi-use fields, but we need the help and consideration of all user groups in protecting the turf from excessive damage due to practice and game activities. If any of the following conditions occur, scheduled practices, scrimmages, and games must be postponed or cancelled:

- Standing water on the field of play;
- Field/Soil saturation;
  - walking on turf causes water to surface
  - ground is muddy and soil clumps or clings to foot gear
  - one-half inch or more of rain has fallen within the previous 24 hours
  - steady rain downpour on event day which could cause damage to field or injury to participants
- Audible thunder or visible lightning;
- Extreme drought conditions where 50% of playing surface is dormant; and
- Poor visibility (darkness).

During periods of inclement weather, the Department shall attempt to notify leagues of field playability status, however, it is the shared responsibility of the Department and league/team officials to determine the appropriate and safe use of fields. If any of the above-noted weather or field conditions apply, league/team officials must postpone or cancel the scheduled activity. The Department, or designated representative, shall have final authority over determining the playability of Town fields. All teams must abide by the Department's decision or be subject to forfeiture of future playing dates and/or a security deposit for future use. The Town is not liable for any costs incurred by the team(s) due to cancellation at any time.

## **VIII. Field/Facility Maintenance**

The Department will perform and/or approve all maintenance of Town fields/facilities, spectator areas, and parking areas, in accordance with the Field Maintenance Guidelines.

Repairs to league owned and maintained equipment and structures (i.e. netting, cages, bases, and buildings (i.e. concession stands and dugouts)) are the sole responsibility of the league.

If a league or team damages a Town field/facility beyond what is considered normal wear and tear, or damages a Town field/facility due to misuse, the league/team will be responsible to work with the Department to make and/or pay for the necessary repairs.

Department staff may prohibit scheduled use of Town fields/facilities if, at the sole judgement of staff, the field is unsafe for use or that undue damage to the field will occur as a result of the scheduled use.

The Town fields shall not be in use, for warm-up, practice or games, when Departmental staff is working on the field.

No portable fencing shall be erected without the prior written approval of the Department.

Teams using Town fields shall leave Town fields in "Ready Condition" for the next activity, game and/or day. Failure to leave the Town field in Ready Condition may result in loss of Town field use privileges.

## **IX. Concessions**

The establishment of any concession shall be approved by the Health Inspector and/or the Department before commencement of such operations.

Concessionaires shall maintain all applicable licenses and permits for the operation of a food service business from the Town and State of New Hampshire.

Concessionaires shall provide dumpsters for the proper disposal of trash and waste generated from and by the concession facility, or agree to provide an appropriate number of trash receptacles to support the concessions operation and be responsible for removing said trash from the location at the end of the event and/or day.

## **X. Responsibilities**

The Department is responsible for providing every organization or user of Town fields/facilities a copy of this policy.

The Department is responsible for administering and enforcing this policy in a fair and equitable manner.

The Department is the responsibility for routinely assessing the conditions of the fields/facilities during the playing season in conjunction with league/team officials.

The Department shall notify league officials of field closures (refer to Section VII for weather related postponements and cancellations).

It is the responsibility of the organizations and users to provide timely and accurate information to the Department.

It is the responsibility of the organizations and users to ensure that all persons associated with their use of Town fields/facilities understand this policy.

It is the responsibility of the organizations and users of the Town Field/facility to ensure that all litter generated in association with their use, is removed from the field, dugouts, spectators areas, and parking areas.

All coaches, referees, and umpires are responsible for ensuring the safety of field playing conditions at all times during scheduled play.

## **XI. Violations**

Any infraction or violation of this policy, or local, state or federal laws and/or regulations, by organizations or users utilizing Town fields/facilities shall be considered infractions and may result in the violator being prohibited by the Department from future use, either temporarily or permanently.

## **XII. Grievance Policy**

**Step 1.** If a grievance is received by the Department, we will advise the person filing the grievance to contact the appropriate organization, league or group for a resolution.

**Step 2.** If the person filing the grievance does not receive a response within seven (7) days, they should notified the Department and request a follow-up on their grievance. We reserve the right to contact the appropriate organization, league or group to research the grievance and respond to the grievant with a copy to the Parks & Recreation Commission.

## **XIII. Appeals**

Any person aggrieved at any decision of the Department in the administration or enforcement of this policy may appeal to the Parks & Recreation Commission. Decisions of the Parks & Recreation Commission may be appealed to the Town Council. Appeals shall be filed in writing and within ten (10) days of the decision subject

of the appeal and shall set forth the decision subject of the appeal and a detailed explanation of the alleged error.

Decisions of appeals shall be rendered in writing within fifteen (15) working days of hearing the appeal. The decision of the Town Council is final.

### **Appendix**

Appendix A-Benedictine Property (Easement Deed)

Appendix B-Greenfield Farms (Recreational Use Agreement)

Appendix C-Joppa Hill (Easement Deed & Land Management Plan)

Appendix D-McAfee Farms (Quitclaim Deed)

Draft – Approved by Parks & Recreation Commission (3/16/2005)

Revised by P&R Director (5/4/2005)

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