

**PEMBERTON TOWNSHIP
DEPARTMENT OF RECREATION &
SENIOR SERVICES**

**OUTDOOR FACILITIES
USE POLICY
PROCEDURES
PERMIT APPLICATION**

I. OUTDOOR FACILITIES USE POLICY

A. The unregulated use of outdoor municipal recreation facilities may result in damage to Township property, may increase maintenance costs, and may curtail the public's use of outdoor public facilities designated as available for recreational and/or social purposes. The purpose of the policy is to manage the use/rental of outdoor recreational facilities in a manner that preserves the Township's investment and enhances the use and enjoyment by our residents.

B. This policy applies to all parks, sports fields, beaches and other outdoor public recreational facilities other than structures owned by the Township of Pemberton and designated as available for recreational and/or social purposes as set forth and authorized by Chapter 140 of the Code of the Township of Pemberton.

C. Applications for the use of Township owned outdoor recreation facilities shall be processed subject to the following priorities assuming all other requirements have been met by the dates required by the Department of Recreation & Senior Services:

First Priority. Pemberton-based youth recreation programs, operated by the township and operated by independent organizations.

Second Priority. Pemberton-based youth travel teams, where children 'try-out' for the team, with 51% or more resident children on the team.

Third Priority. Youth Travel Teams, where children 'try-out' for the team, with less than 51% resident children on the team.

Fourth Priority. Adult Teams, Other Youth Teams, Charity or For-Profit Tournaments.

D. The rules, regulations, privileges, limitations and prohibitions set forth in Chapter 140 of the Code of the Township of Pemberton are incorporated herein by reference.

E. In the event that this 'outdoor facilities use/rental policy' conflicts with the rules, regulations, privileges, limitations and prohibitions set forth in Chapter 140 of the Code of the Township of Pemberton, the language of Chapter 140 shall prevail.

F. The consumption and/or use of alcoholic beverages on Township property are strictly prohibited.

G. The smoking of tobacco products on Township property is strictly prohibited.

H. The application process set forth herein shall be the established and required procedure for all applicants requesting the exclusive use of Township owned outdoor recreational facilities designated for public use.

I. This policy and the application process required hereby shall apply to all sports leagues, teams, groups and/or individuals requesting permission to hold an event or multiple events during a sports season on Township owned recreational facilities designated for public use.

J. This policy will facilitate the management and preservation of outdoor recreational facilities designated as available for recreational and/or social purposes and the scheduling of events.

II. OUTDOOR FACILITY USE/RENTAL REGULATIONS

A. Outdoor Facilities

1. A completed Facility Use Agreement Application shall be submitted to the Department of Recreation & Senior Services requesting the use of any township-owned outdoor recreational facility designated for public use. Applications for use of outdoor facilities shall be submitted at least thirty (30) days before the event or program date. Approval shall be on the basis of earliest qualified application received except that requests for the seasonal use of sports fields shall be approved as set forth below. All application requests and applicable fees shall be approved and paid in full prior to the use of any outdoor facility.
2. Upon the approval of a Facility Use Application, the applicant shall pay all facility use fees in full and obtain a copy of the fully executed and approved Facility Use Agreement and the Facility Use Permit from the Department of Recreation & Senior Services. A copy of the approved application shall be kept by the applicant at every event.
3. Applications shall list all areas that will be occupied by the event attendees, for both the primary function, and for any auxiliary uses, such as restrooms, meeting rooms, press boxes, batting cages, specific outdoor areas, etc.
4. Requests for use shall not be accepted in a 'blanket' and imprecise format ('dawn to dusk', 'seven days per week', etc.). Applicants shall request specific times, dates and locations in order to reserve a facility. Leagues, teams and groups shall not submit applications for excessive dates and times during which the facilities may or may not be used, or, in a manner that would prevent equal usage by other organizations.
5. If the Department of Recreation & Senior Services determines that the outdoor facilities approved for use are not being used in accordance with the approved request, the Township may rescind the organization's approval for current and future use. Organizations that have violated this policy shall receive last priority in future applications.
6. The standard season for sports programs shall be taken into consideration when approving field and facility use (i.e. spring = baseball; winter = basketball; fall = football/soccer). Organizations requesting the use of the same facilities will be afforded an equitable opportunity to use the requested facilities. The Department of Recreation & Senior Services shall establish a date by which organizations that wish to use sports fields during a season shall submit applications.
7. Approved applications for the use of outdoor recreational facilities shall not be sublet, transferred, or conveyed in any fashion to any individual, team, group or league.
8. Applicants shall report any and all issues, concerns, and damage to and at outdoor recreational facilities within 24 hours of use except that emergent matters shall be reported immediately.
9. The Township of Pemberton shall not be responsible for any equipment, supplies, materials, furniture, paperwork, etc. that has been left at any outdoor recreational facility.
10. The applicant shall be responsible for removing all debris and litter at the outdoor facility (including dug outs, surrounding areas, rooms, etc.) at the conclusion of each use and place refuse in a main receptacle or dumpster located at the facility.

11. At the conclusion of baseball/softball field use, the applicant shall rake the pitchers mound and home plate areas.
12. Heavy vehicles shall not be permitted on any field at any time.
13. Applicants using outdoor facilities shall be liable for all damages to township property and shall reimburse the township for all costs of repair and/or replacement (including labor).
14. Participants and spectators shall park vehicles in designated areas only. Violations of this parking policy and applicable ordinance(s) may result in the suspension and/or revocation of the applicant's privilege to use public outdoor facilities. Improperly parked vehicles may be towed at the expense of the vehicle owner.
15. Upon receipt of a Certificate of Insurance (with proper endorsement(s)), signed Indemnity & Hold Harmless Agreement and completed Facility Use Application, the Department of Recreation & Senior Services shall issue a Permit for Use within a reasonable amount of time.
16. Youth organizations that receive township funding shall comply with the Financial Controls Policy issued December, 2010. Failure to do so will result in forfeiture of funding from the township and may result in the denial of permission to use township owned facilities.
17. Lights fee shall be the responsibility of the approved applicant. The township shall bill the organization. Payment must be made to the Township of Pemberton within thirty (30) days.

III. SUPERVISION

1. Applicants approved to use any Township facility are responsible for ensuring that there is specific and sufficient adult supervision present at each event to provide security and to deter vandalism to Township property.
 - a. Activities shall be supervised by responsible adult(s) at all times. The Township requires a minimum of one (1) adult, of at least twenty-one (21) years of age per twelve (12) children under the age of eighteen (18).
2. Pemberton Township may require applicants to secure sufficient police protection depending on the type of activity and the anticipated number of participants and/or spectators. The cost of police protection is the responsibility of the building user.

IV. NOISE ORDINANCE

1. The Facility Use Application must include any request for the use of loudspeakers, public-address systems or amplifiers, all of which are to be supplied by the applicant. Approval for said request will be granted by the Recreation Department on a case by case basis. Conditions for approval will vary depending upon but not limited to building location, type of equipment being used and hours of building rental. All events are subject to Pemberton Township Noise Ordinance 17-2009.

V. FEE SCHEDULE

1. Fees shall be charged as set forth in Chapter 140 of the Code of the Township of Pemberton.
2. Proof of insurance, non-profit status (from Secretary of State, 501c3 confirmation letter) and a signed liability insurance indemnification and waiver are required with certain applications. Further information is contained in **Section IX: Indemnity and Hold Harmless Agreement**.

VI. CANCELLATION POLICY

1. All cancellations of approved facilities use permits shall be submitted in writing to the Department of Recreation & Senior Services in order to be considered for reimbursement of fees.
 - a. If the department receives written notification 7 days or more before the scheduled event, a 25 administrative fee will be retained from the collected fee.
 - b. Less than 7 days will result in the department retaining 50% of the fee.
 - c. If notification is not received within 24 hours of the scheduled event, 100% of the fee shall be retained.
2. The Department of Recreation & Senior Services receives a substantial number of facilities use applications. If you have been approved for use of a facility and will not be utilizing it, please advise the Department of Recreation & Senior Services as soon as possible. If reserved facilities are found to be unused, fees shall be assessed and permit applications may be revoked and denied for future use.
3. The Department of Recreation & Senior Services reserves the right to cancel reservations previously approved for township or township related activities. Whenever practical, reasonable notice will be provided.

VII. LEGAL RESPONSIBILITY/LIABILITY/ INSURANCE

1. Upon approval of applications, applicants shall provide a copy of a certificate of insurance showing general liability coverage for the specific event or use. Pemberton Township shall be named an Additional Insured on Certificates of Insurance. General Liability insurance coverage limits shall not be less than \$1,000,000 each occurrence; 2,000,000 General Aggregate.
2. Applicants shall be responsible as set forth in the Indemnity & Hold Harmless Agreement below.
3. Applicants shall execute an Indemnity & Hold Harmless Agreement and submit same along with the Building Use/Rental Application.
4. All youth serving organizations shall provide proof of Molestation & Abuse insurance with limits no less than \$1,000,000 per occurrence.

VIII. ADDITIONAL GENERAL POLICIES

1. Applicants shall not alter, modify, reduce, enlarge, adapt, or change any Township property for any purpose. Applicants may request changes to an outdoor recreational facility to facilitate a program or an organization's use. A formal request and plan shall be submitted to the Department of Recreation & Senior Services. The request shall be transmitted to the Mayor, who will approve or deny the request.
2. No person shall disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit issued by the Department of Recreation & Senior Services.
3. Applicants shall ensure that youth program volunteers who work with children under the age of 18 complete Federal and State background checks. Proof of compliance shall be provided to the Department of Recreation & Senior Services along with the application. Applications shall not be considered complete without such proof.

Township of Pemberton

Chapter 140 Parks, Playgrounds, Beaches and Recreational Areas

§ 140-8 Program and Facility Use Fees

B. Indoor facilities use fees: Dominique Johnson Center, Country Lakes Clubhouse, BMIA Building, Nesbit Center, Nesbit concession stand, Sports Complex concession stand and Sports Complex meeting room.

(1) Class A (donation): Pemberton Township registered nonprofit organizations, the sole purpose and mission of which is to advance schools, youth, or seniors; government agencies; and government-related agencies in Pemberton Township (i.e., PTO, neighborhood organizations, Boy and Girl Scouts).

(2) Class B (\$5 to \$10 per hour): any organization, the sole purpose of which is the social, civic, or charitable benefit of Pemberton Township as a community and which collects annual and/or meeting dues (i.e., Lions Club, Rotary Club).

(3) Class C (\$10 to \$15 per hour): any organization based in Pemberton Township, the sole purpose of which is to further national or international welfare (i.e., political groups, Cancer Society, Heart Fund, etc.).

(4) Class D (\$20 to \$30 per hour): any Pemberton Township organization or Pemberton Township resident that does not fall into Class A, B, or C as described herein (i.e., organization does not have nonprofit legal status, social group, private club, any group notwithstanding nonprofit that regularly collects and/or receives dues, fees, or donations).

(5) Class E (\$50): any individual, organization or group not based in Pemberton Township.

C. Outdoor facilities use fees.

(1) Seasonal.

(a) Adult resident (i.e., church leagues): \$0.

(b) Adult nonresident (men's/women's leagues): \$100.

(c) Youth recreation leagues: no charge.

(2) Tournament/daily use.

(a) Adult: \$200 per day.

(b) Charitable fundraisers: \$50 per day.

(c) Youth travel [Pemberton-based; more than 50% of sponsoring team's(s') members are residents]: \$0 per day.

(d) Youth travel [non-Pemberton-based; less than 50% of sponsoring team's(s') members are residents]: \$100 per day.

(3) Additional fees. There shall be an additional fee of \$10 per game for use which requires lights, except that youth recreation leagues shall pay \$200 per season for use of A Field lights and field scoreboards throughout the operating season.

D. Facilities use insurance requirement. All individuals, groups, and organizations authorized to use Township-owned facilities under Subsection **B** above shall, as a condition precedent to authorized use, provide a certificate of insurance for liability coverage identifying the Township as an additional named insured in an amount no less than \$1,000,000.

E. Additional fees. Any Class A or B user shall be treated as a Class C user for purposes of fees if said user receives or collects fees (i.e., raffles, entry fees, lotteries, etc.) from participants at the event or meeting.

IX. INDEMNITY & HOLD HARMLESS AGREEMENT

Name of Applicant: _____

Representing the Group: _____

Facility Requested: _____

The undersigned representatives of the applicant understand and agree as follows:

The applicant agrees to indemnify and hold harmless the Township of Pemberton, its officers, employees, volunteers and agents, from and against all claims, damages, losses, and expenses, including reasonable attorney's fees in case it shall be necessary to file an action 1) for personal or bodily injury, illness or death, or for property damage, including loss of use, and; 2) caused in whole or in part by my negligent act or omission or that of anyone employed by us may be liable. This Indemnification and Hold Harmless Agreement shall apply in all instances whether Pemberton Township, its officers, employees, volunteers and/or agents, is/are made a party to the action or claim or is subsequently made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of action or claim. We further agree to defend and hold the Township of Pemberton, its officers, employees, volunteers and/or agents harmless from any claim or suit or injury damage or blame resulting from the use of all Township-owned facilities.

I understand that as the applicant, I am responsible for the facility (damages), participants/attendees, and keys issued for use of the building/park. I will return the key(s) within two business days of my use of the building. I agree to abide by the noise regulations set forth in this Facility Policy, Township Code and Pemberton Township Ordinance 17-2009.

A Certificate of Insurance naming Pemberton Township as Certificate Holder must be provided. Limits must not be less than \$1,000,000 bodily injury and property damage combined single limit. ONLY if you are private user, the Hold Harmless & Indemnification Agreement may be substituted for the Certificate of Insurance. All other parties must provide both.

Signature-Authorized Applicant Representative

Date

Signature-Authorized Applicant Alternate Representative

Date

Signature-Authorized Pemberton Township Representative

Date

TOWNSHIP OF PEMBERTON
Department of Recreation & Senior Services

500 Pemberton-Browns Mills Road
Pemberton NJ 08068-1539

Phone: 609-893-5034 * Fax: 609-893-5036 * Email: recreation@pemberton-twp.com
Hours: Monday-Friday 8am-4:30pm

OUTDOOR FACILITY

_____ West End Park	_____ Mirror Lake Beach
_____ Birmingham Field	_____ Presidential Lake Beach
_____ Nesbit Football Field	_____ Country Lake Beach
_____ Sports Complex	
_____ A Field	_____ Lights
_____ B Field	_____ C Field
_____ Babe Ruth Field	

1. Name of Applicant: _____
Address of Applicant: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____
Email: _____

2. Name of Organization (i.e. Girl Scouts, Church): _____
Address of Organization: _____

Organization Phone: _____
Organization Email: _____

3. If you are an organization, league, church or other group, do you charge a membership or registration fee?
YES NO

4. Do you/will you charge or collect any fees while your group is gathered? YES NO

5. Type of Event/Event Name: _____

6. Date(s) of Use: _____ Day(s) of Week if long-term use: _____

7. Hours of use (all events must conclude by 10pm): _____

8. Number of persons attending: Adults _____ Children: _____

9. Number of chaperones if a youth event (1 per 12 children): _____

10. Additional facilities requested: _____

11. Special equipment to be used: _____

12. Will there be an admission fee? YES NO

13. Will you be selling items at the event? YES NO

14. If yes, what are the items and the cost of each? _____

