



**TOWN OF NEWBURY  
NEWBURY, MASSACHUSETTS**

**PLAYING FIELD AND FACILITY PERMIT POLICY**

**Approved and Adopted by the Newbury Board of Selectmen, November 28<sup>th</sup> 2017**

**Revised 01-03-18 - Approved and adopted by the Newbury Board of Selectmen, January 9, 2018**

The Town of Newbury, through its Recreation Committee (NRC), has adopted the following policy concerning the use of the Town's playing fields and related facilities. The fields are public and do not necessarily need a permit for use. However, a holder of a valid permit will take priority over any drop-in groups at any playing fields or facilities. Regular meetings of a group of individuals are considered an organized activity and require a permit. The Field House is available for comfort and safety during posted times.

### **Section A: Fields and Facilities Covered by this Policy**

1. The Central Street Recreational and Environmental Resource Area, including Manter Field (Fields 1,2,3,4,5 and 5A)
2. The Field House located on Central Street, Byfield
3. All Venues under the jurisdiction of the Recreation Committee

### **Section B: Priority Status of Various Field Uses**

1. Residents of Newbury, the Recreation Committee or Town Department/Committee/Board
2. Newbury/Byfield and Triton Youth Sports Leagues
3. Triton Regional School
4. Charity / Community Events / Adult Leagues
5. Private clinics, camps, tournaments or other special uses of the Town's fields or related Facilities

### **Section C: Permitted Uses**

1. Organized or regular use of these fields and facilities by groups shall require a permit.
2. When two or more applicants apply for the same space, priority will be given as set forth above(?) and, in addition, to the traditional in-season sport, as defined by the High School sports season.
3. In addition to the season, as defined on the application, consideration will be given to Newbury/Byfield and Triton Youth Sports Leagues that have been a permit holder in the past and are in good standing.
4. Permits will be based on availability, scheduled renovations, or any other factors identified by the Recreation Committee and/or the Public Works / Highway Department
5. The permit applicant or the responsible adult/s (league representative, coach parent, proper adult supervision) shall be present at all times a field allocated to them is in use. For short term events (those lasting three days or fewer), the applicant will designate a site manager(s), whose responsibility is to communicate with the Recreation liaison any and all incidents that involved Police, Fire or other emergency personnel. Any

complaints or concerns must be forwarded to the liaison within twenty-four hours.

6. Payment is required prior to issuance of the permit. Access to the field playing surface is prohibited until payment has been received. **Only payment by check is accepted.** No future permits will be issued to a group or organization until all outstanding fees are paid.
7. Unless specifically requested by the applicant and approved by all applicable Town Departments and Boards, it is understood that the function/activity to be held is not a fund raiser, that no admission is to be charged, that no tickets will be sold or collections taken, and that no items will be sold including concessions.
8. Any violation of the permit's terms, conditions and / or limitations may be grounds for immediate revocation of the permit. No refund of the permit fee will be granted and future applications for permits may be denied.
9. A certificate of Insurance naming the Town of Newbury as an additionally insured party is required. **Simply naming the Town as a certificate holder is insufficient**, however the insurance agency may state that the certificate holder (Town of Newbury, 12 Kent Way, Byfield, MA) is listed as an additional insured. The Insurance Policy must include the following coverages:

- 1) General Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$2,000,000 Annual Aggregate Limit. The Municipality should be named as an "Additional Insured".

- 2) Automobile Liability (If applicable for any automobile operating exposure) of at least \$1,000,000 Bodily Injury and Property Damage per accident. The Town should be named as an "Additional Insured".

- 3) Workers' Compensation Insurance as required by law. Include Employers Liability Part B

- 4) Umbrella Liability of at least \$2,000,000/ occurrence, \$2,000,000/aggregate. The Municipality should be named as an "Additional Insured".

The Certificate of Insurance shall be provided prior to commencement of use of the facility.

10. By submitting an application, all applicants agree to conform to all Town and Recreation Committee policies for playing and facilities use.

**Section D: Application Process – Notice of Intent**

1. Sessions are as followed:
  - a. Spring – Approximately April through the 3<sup>rd</sup> week of June, or when the Triton Regional School Academic. year is completed
  - b. Summer – End of Spring Season to August 14.
  - c. Fall – Approximately August 15 – November 21
  - d. Winter – Approximately November 22 – March 31
  - e. With the written approval of the NRC, an application can overlap seasons. Additional fees may be required.
  - f. Blackout dates (not included in regular season) –
    - Memorial Day weekend
    - July 4<sup>th</sup> (and abutting weekend)
    - Labor Day weekend
    - Columbus Day weekend
2. All completed permit applications must be received by the Recreation Committee. Following is an approximate timetable for submission of playing field and related facility applications.

	Spring Season	Summer Season	Fall Season	Winter Season
Application Period Opens	December 1	December 1	December 1	September 1
Application Due By	January 15	March 1	June 1	October 1
Permits Issued By	March 1	June 1	July 1	November 1

- Each organization is required to submit a separate application for each season, including all supporting documentation.

## **Section E: Application Checklist –**

**To initiate the process, the applicant must file a signed application and certificate of insurance.**

1. Completed application with signed acknowledgement of policy statement
2. Organizations or leagues must submit rosters which shall include:
  - a. The first name of participants and city residence (Players & Officials)
3. A copy of the organization's insurance certificate. See section C .9
4. Any organization or entity that provides activities or programs to children 18 years of age or under must provide the Recreation Department with written documentation that the entity or organization conducted a CORI check on all volunteers/employee, as required by Massachusetts General Law. This must be on the organization's letterhead and signed by the President and CORI Officer.
5. Once a field permit/facility has been processed and issued, no refund will be given.
6. See section D for Notice of Intent & Application Deadline

## Section F: Use of Permit –

1. Approval of the application by the Recreation Committee is considered issuance of a permit. Applicant will be notified by email of approval or rejection.
2. It is the responsibility of each permit holder to submit the requests in writing to the Recreation Committee
3. Once a permit is completed and approved, use of the playing fields and facilities covered by such permit is strictly limited to the terms and conditions, and limitations contained in the application and The Town of Newbury, Newbury Massachusetts Playing Field and Facility Policy document.
4. Field and Facility Permits may be revoked for:
  - a. Use of alcohol, tobacco, and other controlled substances at field sites
  - b. Damage to fields or facilities
  - c. Excessive litter
  - d. Use of foul and / or abusive language
5. Field Permit Holders are not allowed to practice or play games on any fields under the following conditions:
  - a. When a sign of the field closure is posted.
  - b. When there is standing water on the field.
  - c. When the ground is water-logged and “squishy”.
  - d. When the footing is unsure and slippery or snow is present.
  - e. During thunderstorms, lightning events, or heavy rain
6. While the Recreation Committee will make every effort to inform the organizations in a timely manner of field availability, it is required that all users err on the side of caution when using the field.
7. Field Permit Holders will be held responsible for the repair of any field on which they play in wet or unfavorable or excessive use conditions and caused damage to the field, the Recreation Committee will determine what and how the field needs to be repaired and the permit holder will be responsible for paying all the field damage.
8. Permit holders and / or their patrons will be held responsible for damage or maintenance costs arising from the misuse of the field house.
9. Any pre-existing damage to the field or facility upon arrival by a permitted group must immediately reported to the Recreation Committee to avoid any issue or confusion of responsibility of the damage
10. Field lining is not included in the administrative fee and is the responsibility of the permit holder.
11. Field permit holders are not allowed to practice or play on any snow covered field and are not allowed to remove the snow from the field
12. In submitting an application for a permit under this policy, the applicant:

- a. Agrees he/she will abide by the rules of the Recreation Committee and their representatives and designees
  - b. Recognizes the possibility of physical injury associated with the use of playing fields and related facilities and in consideration for the Town and Recreation Committee accepting his/her/its application for a playing field and related facility use permit, shall indemnify, defend, and hold the Town and its departments employees and officials, harmless from and against any and all claims, demands, fees, arising out of use of the playing fields and facilities by the applicant, its members and players.
13. The Town of Newbury and / or the Recreation Committee reserves the right:
- a. To require a police and or fire detail, where deemed necessary as a condition to any permit issued. The cost of such a detail shall be borne by the permit holder.
  - b. To revoke permits issued for violation of Policy, Town Ordinance or Recreation Department Rules and Regulations.
  - c. To close fields at any time to prevent field damage.
  - d. To "rest" a field or fields if needed.
14. Based on enrollment and staffing size, as well as length of use, the applicant will at the discretion of the NRC, pay a set fee or provide portable toilets. Each site must have at least one handicapped accessible toilet available during usage hours.
15. Other groups/Organizations – The number of units will be determined by the number of participants and spectators noted on the permit.
16. Once an application has been approved the field or facility cannot be sublet or reissued without written consent by the NRC.
17. Equipment left on the playing field will be available for use by the general public and other permit holders.
18. The Town of Newbury, its employees or Committee members assumes no liability to damage to said equipment.
19. The applicant will ensure parking at the Town of Newbury recreational sites are safe, does not interfere with other uses of the area and abides by local and state vehicle laws.