

Facility Use Policy

Section 1 - Introduction

- A. The Parks & Recreation Department (Department) of the Charter Township of Oakland (Township) has established the following policies and procedures to ensure the safe and efficient use and the equitable availability of facilities managed by the Department.
- B. The intent of this policy is to ensure that our facilities and athletic fields are maintained for, used by, and kept available for use by Township residents and members of the public at large, without undue restriction or discrimination of any person, entity or organization seeking access to, and use of, facilities and athletic fields offered by the Township.
- C. The Township reserves the right to modify these policies and procedures and to develop and enforce such additional rules and regulations as may be required for the protection of the parks, the individual facilities of the parks, and the users and patrons of the parks.
- D. The Township shall adopt a schedule of fees for reasonable use of the facilities and athletic fields offered by the Township.
- E. Although reserved use of park facilities and athletic fields is permitted by this policy and encouraged by the Township, the Department shall allow any unreserved facility or portion of a facility to be made available for open, unstructured, public recreation activity on a first-come/first-served basis. During such periods (unreserved time), organized play, practice, and league activities shall not be permitted on the specified athletic fields at Marsh View Park.
- F. The Township reserves the right to refuse any individual or organized group.
- G. The dedicated use of any facility or area shall be considered the priority use for that facility or area unless written permission for an alternate use has been obtained from the Department.
- H. ADA Compliance: ADA, The Americans with Disabilities Act, prohibits municipal agencies from supporting organizations that discriminate on the basis of disability.

Section 2 - Categories of Users

The Township athletic fields and facilities are public property and should be used by the public as near to a first-come/first-served basis as is reasonably possible. To protect the public lands from unregulated use that could potentially cause harm to the facilities, four categories of athletic field users are hereby defined to promote orderly and timely accessibility, reservation and scheduling of use. The Township acknowledges its right to establish a reasonable method and ranking for reserving and scheduling fields based upon, but not limited to, the following: the programming of the Township, the number of participants, the residency of participants, and the overall impact of the group or organization upon the established recreational needs of the Township. A

resident is hereby defined as a person(s) who resides in the corporate boundaries of the Township. The following categories shall be applied in the event of conflicting applications for reserved field use.

A. Category 1 – The Township

The "Township" shall include all of the following:

1. Activities of the Charter Township of Oakland Parks & Recreation Department.
2. Activities of the Charter Township of Oakland.

B. Category 2 – Local Recreation Providers

A "Local Recreation Provider" is defined as a non-profit or not-for-profit group organized for the primary purpose of providing and delivering recreational opportunities providing they meet the following requirements:

1. Have at least 50% + 1 residents;
2. Have open registration regardless of skill level; and
3. Provide an "everyone plays" philosophy.

Individuals or organizations upon verification that 50% + 1 or more of the members/participants are residents of the Charter Township of Oakland. A team roster including addresses and phone numbers is required for groups in this category and shall be filed with the Parks & Recreation Department in accord with the procedures adopted by the Parks and Recreation Commission (PRC) for reservation of field use and scheduling.

C. Category 3 – Civic or Educational Groups

A "Civic or Educational Group" shall include, but not be limited to, such organizations as the Lions Club, Homeowners Associations, Rotary Club, etc., and public or private schools.

D. Category 4 – Other Organizations, Individuals, Businesses, or Groups

Individuals, organizations, groups and other entities, regardless of the tax/profit status of the entity. This category shall also include programming by any person or entity where the nature of the program is a camp, try-out, training session, special event, showcase, or similar program or event.

Section 3 - Facilities and Athletic Fields Reservations

A. A facility shall be considered "reserved" upon the payment of the determined fees and the issuance of a Field Use Permit (Permit) to be provided by the Department. Permit shall include ALL of the following:

- The name, address, and phone number of the individual completing the application for the Permit. This information will determine residency and fees will be based accordingly.
- The specific facility and/or athletic field being reserved.
- The date, time, and duration of the Permit. Time reserved must include any necessary set-up or clean-up time.

- The specific fees charged and specific damage/security deposit.
 - Any conditions assigned to the permit over and above the requirements of Township Ordinance or this Policy.
 - The signature of the Department.
 - The signature of the applicant for the Permit agreeing to the conditions, restrictions, and waivers required and acknowledging that any such conditions, restrictions, and waivers have been met or will be met in connection with the event for which the Permit has been issued.
- B. Full payment of fees is due at the time of reservation; including a non-refundable \$15 application fee, refundable \$200 damage/security deposit if required and all other applied charges.
- C. Cancellation and schedule changes by the applicant/permit holder:
1. All cancellations and schedule changes are subject to a \$10 fee and forfeiture of non-refundable \$15 application fee. Requests must be made in writing at least 14 days prior to the rental date to avoid further penalties.
 2. For any cancellations less than fourteen (14) days prior to the event or activity, the entire fee is forfeited, however, the entire damage/security deposit will be refunded.
- D. In the event of cancellation by the Department due to weather conditions, which make the activity impossible, or by any Act of God beyond the control of the applicant/permit holder, 1) a credit may be given to the applicant; 2) a refund request must be submitted in writing to the Department; or 3) the activity may be rescheduled at the earliest available date.
- E. The goal of the Department is to provide high-quality facilities and turf on our fields. To this end, fields are rotated, fertilized, aerated, top dressed and mowed on a regular basis.
- F. The Township will be responsible for the daily maintenance of the Township owned fields such as mowing of the grass, fertilizing turf, lining, painting, etc.
- G. Any organization that would like to do any special work and/or alteration on the fields or park facilities must obtain written permission from the Township before any special work and or alterations can begin.
- H. Games can and will be cancelled by the Department if there is standing water or saturated areas on playing areas. In the event of cancellations; the Department will update the hotline, 248-650-4440, ext. 299, Monday - Friday and the *Designated League Representatives (DLR)* will also be contacted via e-mail or phone. When possible, field closure signs will be posted. It is the responsibility of the *DLR* to contact coaches and players. Coaches and players may also call the hotline. Do not call Department administrative offices.

Section 4 - League Procedures

A. Coach Training & Discipline

1. Organized leagues will hold training for coaches and require participation in a coaches training program. Coaches, referees, league officials, players/participants and fans/parents that do not follow the rules of conduct will be banned from future use of Township fields.

B. Application Procedures and Deadlines

1. The Department issues *Reserved Field Use Permits* seasonally. Individual or *Single Use Rental Field Permits* will be issued separately.
2. Field Allocation Meeting: To facilitate orderly scheduling of games and fields for multi-day, group or league play, the Township will host a field sizing and allocation meeting. Any league or group that has been issued permits for use will be contacted based upon contact information supplied to the Township. Based upon anticipated needs of the organizations attending the allocation meeting, the Township will issue a schedule of deadlines for the submission of application materials to obtain reserved field permits for game fields. The schedule will be forwarded to those attending the meeting, and posted at the Department offices and Township website within seven (7) days following the field allocation meeting.

a. Required application materials. To request field use permits the following must be submitted in its entirety:

- i. A signed copy of Field Use Application Form.
- ii. A current copy of the organization's by-laws, if applicable.
- iii. A copy of the official roster(s) listing all players and coaches of each team, which must include their complete address including zip code, telephone number, and date of birth.
- iv. Certificate of liability insurance in the form and amounts set forth in Section 11.
- v. Listing of fields requested that must include date, time, team name, coach and field requested. This shall be submitted electronically in the form of a Microsoft Excel spreadsheet for all requests seeking multiple events, group or league play.
- vi. Damage/security deposit and application fee. In the form of a check payable to "Charter Township Oakland", cash or money order. The balance of all fees must be paid within fifteen (15) days following the date of the last permitted event.

b. Permits listing all dates, games times and fields must be at the fields whenever games are being played.

c. Requests for additional fields/facilities must be made in writing (e-mail is acceptable) ONLY by the *DLR*. Additional fields will be permitted upon

verification that the above-referenced application materials are current and in effect at the time of the request.

d. Designated *game only fields* are specified for games only; no practice, camps, tryouts, clinics or other non-game functions will be permitted.

e. At the sole discretion of the Township, any permitted fields that are repeatedly unused by a permitted user will be immediately revoked and future use of fields will be denied. In such event, all permit fees are forfeited and any remaining deposit will be refunded.

Section 5 - Sales on Park Property

The Township reserves to itself complete and exclusive rights to regulate the sale of all goods and services sold or conducted on park property; including but not limited to: souvenirs, programs, parking permits, etc. The sale of such items is expressly prohibited without the approval of the Department. **The selling of food concessions must be approved by the Department and follow all Oakland County Health Department requirements.**

The right to grant a franchise to a third-party for the sale of all goods specified is held exclusively by the Township and no payment fee, percentage, or other remuneration shall accrue to the applicant/permit holder as a result of such a franchise without the approval of the Department. Failure to acquire authorization could result in forfeiture of damage deposit.

Section 6 - Waivers, Etc.

By recommendation of the Department, the Township reserves the right to waive policies in whole or in part; to waive restrictions and conditions; to impose restrictions and conditions; to require special security; to waive fees in whole or in part; to impose additional insurance requirements; to require municipal inspections and approvals; and to take such steps as may be necessary to ensure the health, safety, and welfare of the residents of Oakland Township and the users of the parks.

Section 7 - Fees and Charges

- A. A non-refundable \$15 application fee is required for all facility and field use requests. Application fee is per request, not per facility, and the request can be for multiple dates within the same calendar year.
- B. Additional fees may apply if it is deemed necessary for additional trash and/or sanitation services, see attached "Schedule of Fees".
- C. A refundable \$200 security/damage deposit is required for use of facilities and athletic fields on all property belonging to the Township. See "Schedule of Fees" for rates. Any damages occurring during or as a direct result of a reservation will be assessed, applied accordingly and deducted from the damage/security deposit. The applicant will receive an invoice from the Township for any costs, expenses or damages that have not been reimbursed.
- D. Organizations whose individual teams use the Township athletic fields that have been officially closed by the Department will automatically result in the loss of the

damage/security deposit. Organizations causing damages exceeding the security/damage deposit will be held liable and billed accordingly. Additional offenses will result in the loss of field use and the revoking of permits.

Section 8 - Alcohol/Tobacco in the Park

The sale, use, and possession of any controlled substance, including but not limited to, alcoholic beverages, beer, wine, and other spirits **is expressly prohibited** in all parks in the Township. Smoking is prohibited on or within fifty (50) feet of any athletic field, play structure, or Oakland Township recreation activity.

Section 9 - Tents, Canopies and Signage

Tents, canopies and signage are permitted in the parks under the following rules and regulations:

- Approval of the Department, with advance notice of a minimum of ten (10) business days.
- All tents/canopies shall be made of flame retardant material.
- Smoking is not permitted in tents/canopies.
- All tents/canopies are required to be a minimum of twenty (20) feet from buildings and thirty (30) feet from parking areas.

Section 10 - Rules

A. Facility and Athletic Field Use Rules

1. The Park and Recreation Commission is committed to preserving natural resources and the environment. Please assist us in our efforts to divert materials deposited in local landfills by recycling your refuse. Put all plastic water bottles in the designated recycle bins provided by the Township.
2. Please leave park clean - wipe off tables, and put refuse in designated waste containers provided by the Township.
3. A reservation is for the designated park facility only. Other park attractions and facilities are open to the public. (i.e., the basketball courts, restrooms, etc.)
4. The Township shall have the absolute right and discretion to cancel any agreement and any permission granted to the organization to use Township facilities in the event the organization fails to fully satisfy the rules of the Facility Use Policy, provided, however, the Township shall give written notification to the organization of the specific rule infraction(s) and a reasonable time to correct any infraction(s) prior to cancellation.
5. Organizations shall be responsible for the supervision of parking and the supervision and control of spectators.
6. Fireworks, torches of any kind and or explosives are prohibited in any form on the

property of the Township, unless permission is granted by the Department.

7. Radio-controlled model planes, rockets, boats or wheeled vehicles are prohibited within the parks, unless permission is granted by the Department. **Battery operated wheeled vehicles used by disabled persons are permitted.**
8. Gambling or any game of chance for money is regulated the State of Michigan Lottery Division in Lansing and is not permitted without properly displayed permits and approval from the Township Board of Trustees.
9. Adult supervision is mandatory. The applicant is responsible for the conduct of participants and spectators. Profane language, boisterous behavior or other objectionable demeanor is not permitted. Organizations must adhere to all Township noise ordinances.
10. All other Township ordinances are in effect and must be adhered to while on Township property.

B. Park Rules

1. Glass beverage containers are not permitted on park premises.
2. Unauthorized vehicles are not permitted on grass or paths except for motorized wheelchairs and/or similar devices for the disabled.
3. The sale, use, and possession of any controlled substance, including but not limited to, alcoholic beverages, beer, wine, and other spirits, is expressly prohibited in all parks in the Township.
4. Smoking is not prohibited on or within fifty (50) feet of any athletic field, play structure, or Oakland Township recreation activity.
5. All pets must be on no longer than a 6-foot leash.
6. Pets are not permitted in picnic areas, on any athletic fields, archery range, or in any Township facilities.
7. Pet owners are responsible for picking up and removing their animal's feces from any park area.
8. Please observe posted park hours. Park hours are from dawn until dusk.
9. Golf is not allowed in any Township parks unless in designated area.
10. Deposit all waste in trash receptacles.
11. Use of athletic fields must be requested at time of reservation and included on permit.
12. Children age 12 & under shall be supervised by an adult at all times.
13. Vehicles are not permitted in the Township parks after closing. Parking is permitted in

designated areas only. Parking along roadways, either paved or gravel, is prohibited, this includes safety paths, sidewalks and trails.

14. **Organized groups of twenty (20) or more must** notify Department prior to use of any Township recreation facilities.

15. Skateboards and rollerblades and other non-motorized vehicles are not permitted in Marsh View Park. Bikes are permitted in the park and on the park trails and but are not permitted on the fields.

Section 11 - Liability Insurance Requirements

- A. Use and Rental by Commercial (For Profit) Groups and Nonprofits/Charitable Groups including business seminars, parties, receptions, civic groups, such as Chamber of Commerce, service clubs, churches, and similar groups. A copy of the general liability coverage with a minimum amount of \$1,000,000 per occurrence and aggregate with the following wording added as Additional Insured "It is understood and agreed that the following shall be Additional Insured: The Charter Township of Oakland, and the Oakland Township Parks and Recreation Commission including all elected and appointed officials, all employees and volunteers, all boards, Departments, and/or authorities and their board members, employees and volunteers." The insurance shall be primary and non-contributory.
- B. Participants on teams must sign a hold harmless liability waiver indemnifying the Charter Township of Oakland and the Oakland Township Parks and Recreation Commission from any and all claims resulting from injuries, damages or losses sustained or associated with the use of the facilities.
- C. Any outside vendors providing services, such as caterers or similar, must submit a certificate of insurance showing the Charter Township of Oakland and the Oakland Township Parks and Recreation Commission as an additional insured and certificate holder for the date reserved of their liability insurance. Copies of the caterer's State of Michigan License shall also be provided.
- D. The liability of the Charter Township of Oakland for failure to honor an issued permit for use of facilities in any park as a result of power failure, act of God, condition of the facility, or other incident beyond the reasonable control of the Township shall be limited to:
 - 1. Providing a mutually satisfactory alternate date and/or time for the event or activity scheduled under the permit; or
 - 2. Refund of any monies received by the Township from the applicant/permit holder as a result of a specific permit.

Section 12 - Amendments / Review

This policy may only be amended by action of the Department for the Township. In the case of a conflict between this Policy and any other document, agreement, attachment, form, or other policy of the Township, this Policy shall control.

