Malone Recreation Park Facility Usage Agreement

Please check the requested facilities ($ Denotes that a use fee applies)

Application Date: _____

_____ Kelly Pavilion ($)
_____ Andrews Pavilion ($)
_____ Rotary Pavilion ($)
_____ Yonkoski Concession Stand ($)
_____ Cross Country Course
_____ Volleyball Court
_____ Tennis Courts ($)
_____ Basketball Courts ($)
_____ West Street Field ($)

_____ Small Baseball Field - Duane Street ($)
_____ Wiffleball Field - Duane Street ($)
_____ Upper Baseball/Soccer Field - State Street ($)
_____ Soccer Field 1 - State Street ($)
_____ Soccer Field 2 - State Street ($)
_____ Mustangs Football Field - State Street ($)
_____ Diamonds Softball Field - State Street ($)
_____ Cahill Field - Duane Street ($)
_____ Kelly Pavilion Field - State Street ($)
_____ Soccer Field 3 - Duane Street ($)

_____ Other _____

Organization/Person in Charge

Business Name:	Contact Name:
Street Address:	Email:
City, State, Zip	Phone:

Request Details

Dates Requested	
Time Requested	
Number of People Attending Event	
Admission charged?	Yes _____ No _____ Amount $_____
Is the purpose to Provide recreation?	Yes _____ No _____ Type: _____ If not recreational, does it involve activity ancillary to recreational purposes? Yes _____ No _____
Does the promoter of the event have insurance coverage?	Yes _____ No _____ Is the village named as additional insured on said coverage? Yes_____ No _____ (Please provide a copy of certificate of insurance and additional insured endorsement)
Is the event a carnival, circus or fair?	Yes _____ No _____ If yes, does it involve the use of mechanical amusement devices? Yes_____ No _____ Will there be sports or athletic contests sponsored? Yes_____ No _____
Will Alcoholic beverages be sold/and or consumed?	Yes _____ No _____ If yes, does the applicant have a license ? Yes ____ No ____ Is there "Dram Shop" Insurance? Yes _____ No _____ Is the village named additional insured? Yes _____ No _____ (Please provide a copy of license/Additional Insured Endorsement)

The following is a schedule of minimum charges, which may apply for each facility. The fee may be greater depending upon the nature or length of use. All FEES ARE NON-REFUNDABLE!

Facility Fees - Staples, nails or any fixtures that damage pavilion wood are NOT allowed. Any damage to facilities or fields will result in an additional charge that will be billed to the applicant after use.

Pavilion/Concession/Field	**Cost for 4 hours**	**Cost for each hour beyond 4 hours (to be scheduled before the event)**
Kelly Pavilion	$100	$20
Rotary Pavilion	$30	$10
Andrews Pavilion	$30	$10
Yonkoski Concession Stand	$50 (Cost Per WEEK)	
Athletic Fields	**Per season**	
One Field	$250	
Two Fields	$300	
Three Fields	$350	
Four Fields or More	$400	

Athletic Field Use Rules

A. Please leave the park **clean** - dispose of all waste in designated receptacles. The coach/organizer is responsible to ensure all litter and recyclables are disposed of properly after each game or event.
B. Placing empty deposit containers in Malone Rotary collection bins supports park operations.
C. Please leave the **fields** in good condition and report any damage to the park directors.
D. **Field use fees** must be paid before the first practice of the season.
E. Use of the **concession building** requires an additional reservation and fee.
F. All **keys** must be returned within one week of the end of the season.
G. Reservation is for the designated athletic field only.
H. In the event the organization is an **athletic league**, the organization shall provide the Malone Recreation Park director with a complete **schedule** of all games and practices to be played at the Recreation facilities. The recreation director must also be provided with a copy of all coach names and dates of birth. (All coaches will be run through the NYS sex offender registry)
I. It is recommended that all coaches carry a **med kit**.
J. Proof of **liability insurance** must be provided, naming the Village of Malone, Town of Malone and Recreation Park.
K. Malone Recreation Park Commission shall have the absolute right and discretion to **cancel this agreement** and any permission granted to the organization to use the park facilities in the event the organization fails to fully satisfy the rules set forth in this agreement, provided the Malone Recreation Park Commission has given written notification to the organization of the specific rule infraction(s) and a reasonable time to correct any infraction(s) prior to cancellation.
L. Organizations making the reservation shall be responsible for the **supervision of parking and the supervision and control of spectators.**
M. Organizations and spectators shall **follow all park use rules** as defined below.

Park Use Rules

A. Glass containers are not permitted on park premises.
B. Vehicles are restricted to designated parking lots, except for motorized wheelchairs and/or similar devices for people with a disability.
C. The sale, use and possession of any controlled substance is expressly prohibited, including but is not limited to, alcoholic beverages, beer, wine, wine coolers and other spirits in the Malone Rec Park unless approved in writing by the Malone Rec Park Commission.
D. Smoking is **prohibited** at the Malone Recreation Park.
E. All pets must be on a 6-foot leash and restrained by the owner. Pets are not permitted in the playground areas or on the athletic fields. Pet owners are responsible for picking up and disposing of, from any park area, their pet's feces into designated trash receptacles.
F. Park hours are from dawn to dusk.
G. Dispose of all waste in designated trash receptacles.
H. Children twelve years of age and younger must be supervised by an adult.

Village of Malone Guidelines For Use of Facilities

1. Sponsoring organizations and individuals shall adhere to all regulations outlined by the village of Malone Code, Chapter 44 (Recreation Park Regulations) outlined below.
2. The application and guidelines forms must be submitted to the Village of Malone Office at least 14 days before the requested date.
3. Any organization using a Malone rec park facility must agree to enforce all rules and regulations in effect to ensure proper safety, sanitation and protection of the Malone Rec Park property. Oral instructions given by rec park personnel in charge of the facility concerning safety and sanitary procedures must be observed.
4. The requestor is responsible for the supervision of all participants at all times during the event. Failure of the requestor to provide proper supervision may result in future revocation of facility use.
5. Final Malone Rec Park approval of a facility request will culminate with the scheduling of the event. Should the requestor need to change event details after final approval, the requestor must notify the Malone Rec Park director. Failure to notify the director of changes, may result in future revocation of facility use.

The undersigned is over 21 years of age and agrees to be responsible to the Village of Malone for the use and care of the facilities. He/she, on behalf of the organization/individual does hereby covenant and agree to defend, indemnify and hold harmless the Village of Malone from and against any and all liability, loss, damamages, calims, or actions (including costs and attorney fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Malone's property, facilities and /or services by Organization/individual.

Applicant Signature _____ Date _____

Park Use: Approved _____ Denied _____ Reason: _____

Alcohol Use: Approved _____ Denied _____ Reason: _____

Insurance: Adequate _____ Additional Required: _____

Signature of Village Representative _____ Date _____

Reservation fee amount _____ Date of Payment _____ Receipt # _____

Chapter 44 Recreation Park Regulations

§ 44-1. Compliance with regulations required. All persons bathing, swimming or playing at, entering or remaining upon or in any way using or occupying that area of land situate in the Town and Village of Malone generally known as the "Malone Recreation Park," to include that body of water located thereon and commonly known as "Rotary Lake," and supervised by the Town and Village of Malone and the Malone Recreation Commission shall be subject and amenable to the terms of this local law, the directives and regulations promulgated by the said Commission and the directives of those lifeguards, playground superintendents and other personnel employed by the said Commission and/or the Town or Village of Malone to supervise the said Malone Recreation Park. **§ 44-1.1. Other parks.** [Added 4-12-2021 by L.L. No. 2-2021] Other parks to include, but not limited to, Arsenal Green, Memorial Park, Second Street Park, Third Street Park, West Street Park and Playground, Duane Street, Mill Street and what is known as "Duck Pond." Also, any other recreational park owned now or in the future by the Village of Malone shall fall under all rules and regulations of this chapter. **§ 44-2.** Permission required for after-hours use. No person shall bathe, swim or play at or in any way enter or remain upon, use or occupy the said Malone Recreation Park at any time other than the periods of time specified herein, without the express written consent of the Malone Recreation Commission and the Village Board of the Village of Malone. **§ 44-3.** Hours. The hours for public use of the Recreation Park, under jurisdiction of the Malone Recreation Commission, shall be set at the discretion of the Recreation Commission. **§ 44-4**. Use of beaches and swimming facilities. During the said season, swimming, bathing, wading and any other form of use of said Rotary Lake, and the beaches and docks adjoining same, shall be allowed only during those hours specified for swimming and only when lifeguards, employed as such by the said Commission, town or village, shall be on duty. During those times so permitted for swimming, bathing, wading and any other form of use of the said Rotary Lake, and the beaches and docks adjoining same, such use shall be confined to those areas so designated for same by the Commission, town, village, their agents or employees. **§ 44-5**. Boats and swimming apparatus. No person shall take any boat, motor-powered or otherwise, raft, mattress, tube or other apparatus, inflatable or non inflatable, to include any and all types of snorkel or diving gear, to the said park or lake for use in the said lake, except as permitted at the direction of said lifeguards. **§ 44-6**. Use of lake restricted. Any use of the said lake, docks or beaches at any time or place not specifically authorized by this local law, and/or any use of same at a time when the said lifeguards are not in attendance and on duty shall constitute a violation of this local law and an act of trespass. **§ 44-7**. Vehicles in park. A. Except as permitted herein or as otherwise permitted by law, no person other than a member of the said Commission or an agent or employee of the said Commission, town or village shall use or operate any vehicle, as defined in the Vehicle and Traffic Law, and/or any snowmobile, as defined in the Conservation Law, on, across or upon any portion of the said Recreation Park, including but not limited to the said Rotary Lake. B. During that period of time specified as the season for use of the said park, and between the hours of 8:00 a.m. and 9:00 p.m., no person other than a member of the said Commission or an agent or employee of the said Commission, town or village shall use, operate or park any vehicle of any kind on, across or upon any portion of the said Recreation Park, except in those areas specifically authorized for the use, operation and/or parking of said vehicles. C. Any such use or operation of any such vehicle on, about or upon the said Recreation Park and/or the said lake at any time or place not specifically authorized by this local law shall constitute a violation of this local law and an act of trespass. **§ 44-8**. Animals prohibited. No person shall, at any time, bring or permit to run at large at the said Recreation Park any dog, cat, horse or other animal of any kind. **§ 44-9**. Sports and firearms. A. Except as otherwise permitted by law, no person or persons shall carry, fire or discharge any gun, pistol, firearm, bow and arrow or any weapon of any kind at the said Recreation Park. B. No person or persons shall trap or hunt wild birds, quadrupeds or fur-bearing animals. C. No person shall fish at the said Recreation Park and/or the said Rotary Lake, except at those times and in those places specifically authorized by the said Commission. D. No person shall engage in skiing, skating, sledding, sleighing or hockey or in any other winter sport without written consent of the said Commission and village, and, if such written permission is obtained, only at such times and places as may be specifically so authorized. E. No person or persons shall play and/or practice golf at the said Recreation Park without the written consent of the Malone Recreation Commission. F. No person shall play or practice any other sport at the said Recreation Park, or on the said lake unless permission is first obtained from the said Commission, town or village and unless the playing or practicing of such sport is supervised by the Commission, town or village or an agent or employee of one of them. **§ 44-10.** Containers; alcoholic beverages; rubbish disposal.A. No container, receptacle or bottle comprised of glass or glassware may be sold, transferred, brought, conveyed, carried or in any way utilized at the said Recreation Park or the said lake, except in those areas specifically designated by the said Commission and the village. B. No alcoholic beverages of any kind may be sold, transferred, brought, conveyed, carried or in any way utilized at the said Recreation Park or lake, except in those areas specifically designated by the said Commission and the village. C. No person shall deposit rubbish, papers, cans or waste materials of any kind on any portion of the said park or lake, excepting in baskets or receptacles maintained and provided for such purpose. **§ 44-10.1.** Tobacco. [Added 7-24-2017] The areas of parks where children are present including picnic areas, sports areas, spectator areas, park buildings, beach areas and parking lots in the Village of Malone are designated as tobacco-free zones and will be posted as such. **§ 44-11**. Camping; fires; fireworks.A. No person shall camp on any portion of the said park for any period of time, without specific written permission of the Commission and village. "Camp" shall include but not be limited to the use of any vehicle to sleep in and the sleeping on any portion of the said park after sundown. B. No campfires, bonfires or fires of any kind or nature shall be permitted on any portion of the said Recreation Park,

except at those times and in those places specifically designated by the said Commission and the village. C. No fireworks or explosive devices of any kind or nature shall be displayed, sold, transferred, brought, conveyed, carried or in any way utilized at any time or place in the said Recreation Park without the specific written consent of the said Commission and the said village. § **44-12.** Party permits. Groups of 20 or more persons must obtain a permit from the said Commission or village to hold a picnic or party at the said park. Upon approval of the Park Superintendent, such a permit shall be issued subject to the following conditions:A. The said picnic or party must be restricted to areas specifically designated for such purpose. B. The granting of the permit does not give the recipients thereof exclusive use of the park or any area thereof. C. The permit shall specify which area of the park the group may use for such picnic or party. D. The permit shall expire at 9:00 p.m. of the day for which it is granted, unless a written extension is obtained from the said Commission or village. E. The applicant assumes liability for the acts of all persons comprising the group to whom the permit was granted and is responsible for the conduct of members of his group. F. Such permit may be revoked for the violation of any of the provisions of this local law **§ 44-13**. Removal of vegetation A. It is hereby declared the policy of the Village Board to provide for proper usage of the said park by preventing all manner of removal or destruction of the grass and natural vegetation in the park areas and to help control erosion, waste and destruction of such lands. By this local law, the Village Board seeks to remove the danger of erosion caused by the removal or destruction of grass or natural vegetation. B. No person shall move, remove or destroy any grass or natural growth of vegetation whatsoever from any lands in the said park, except as herein provided. C. This local law shall apply to an owner of the whole or of any interest in said lands and to any lessee, tenant or occupant thereof and to any person whatsoever, whether or not legally or illegally upon said lands. D. The Commission, town or village is hereby authorized and empowered to issue a written permit for the taking, destroying, moving, transplanting or replanting of beach grass or natural vegetation in the park, subject to any rules and regulations adopted by the Town Board or Village Board. Such permit shall be issued if it appears that the issuance of the permit will not endanger the welfare and property of the park and will not cause or contribute to the erosion, wasting or destruction of said lands. E. An applicant for a permit shall file with the town or village a verified application in duplicate for such permit. The application shall set forth: (1) The name of the applicant. (2) His interest in the area concerned. (3) If the applicant is not the owner, his right of authority to do the work under the permit. (4) A description of the area concerned. (5) The reason for the application. (6) If the area concerned is to be improved with a structure, an agreement to replant the adjacent area, or, if the area concerned is not to be improved, an agreement to replant the area from which the beach grass or other vegetation is removed. (7) The time within which the work under the permit will be commenced and completed. (8) An agreement to comply with the requirements of the Building Inspector of the Village of Malone and any rules and regulations adopted by the village pursuant hereto **§ 44-14.** Nonliability of village. The village will not be responsible in any manner for any article that may be stolen from bathhouses or automobiles, nor for any automobile that may be stolen from or damaged while upon the said park. **§ 44-15**. Disorderly conduct. Any person who, with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned, commits any of the following acts shall be deemed to have committed the offense of disorderly conduct: A. Uses offensive, disorderly, threatening, abusive or insulting language, conduct or behavior. B. Acts in such a manner as to annoy, disturb, interfere with, obstruct or be offensive to others. C. Unlawfully congregates with others at the park and refuses to move on when ordered by an authorized agent or employee of the said Commission, town or village. D. By his actions causes a crowd to collect, except when lawfully addressing such a crowd. E. Interferes with any person in any place by jostling against such person or unnecessarily crowding him. **§ 44-16.** Penalties for offenses. Any person who violates any portion of this local law shall be subject to a fine not to exceed $50 and/or imprisonment for a period of 16 days for each offense. **§ 44-17**. Severability. If any section or part of a section or paragraph of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this local law.**§ 44-18.** Repealer. All previous ordinances and beach regulations inconsistent with this local law, including Chapter 34 of the Village Code of the Village of Malone, are hereby repealed. **§ 44-19**. When effective. This local law shall be effective immediately.