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**CITY OF ROCHESTER HILLS
OFFICE OF THE MAYOR**

Administrative Policy #405-1999

**Sports Facilities Use Policy
Rochester Hills Municipal Parks**

I. INTRODUCTION

- A. The Parks, Forestry and Facilities Department of the City of Rochester Hills has established the following policies and procedures to ensure the safe, efficient use and the equitable availability of sports facilities within City parks.
- B. These policies and procedures expand upon, but do not take priority over, the provisions of Chapter 7-10 of the Code of Ordinances of the City of Rochester Hills entitled "City Parks."
- C. The Parks, Forestry and Facilities Department 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. While fees as imposed by this policy and City Ordinance may be waived in certain limited cases, it is the General Policy of the City of Rochester Hills that fees shall be charged in any instance where an entry fee, participation fee, or other fee is charged by the facility user.
- E. Although reserved use of park facilities is permitted by this policy and encouraged by the City of Rochester Hills, the Parks, Forestry and Facilities Department may 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, organized play, practice, and league activities shall not be permitted on the specified facility.
- F. 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 Director of Parks, Forestry and Facilities.

II. PRIORITY OF USERS

Four priority categories of facility users are here created (Category I being the highest priority) and shall be considered in the allocation of facilities and scheduled time at all parks.

If necessary, a lottery system shall be used as a tiebreaker within a category. All parties within a category that have requested a field rental for the same field time and date shall be eligible to enter the lottery on an equal basis. The operation of the lottery shall be defined by the Director of Parks, Forestry and Facilities prior to the lottery.

A. CATEGORY I - THE CITY

"The City" shall include all of the following:

1. Activities of Rochester Hills City Government.
2. Events sponsored or co-sponsored by the City.
3. Activities and events of the Rochester Avon Recreation Authority (RARA) as the City's primary recreation activity provider.

B. CATEGORY II - 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. Such groups could include, but are not limited to, teams from the Rochester Youth Soccer League, North-Oakland Baseball Federation, Rochester Hills Little League, YMCA, etc.

C. CATEGORY III - 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 IV - OTHER ORGANIZATIONS, INDIVIDUALS, BUSINESSES, OR GROUPS

Any organization, club, individual, business, or group which does not fall within the definitions of Category I, II, or III users shall be considered a Category IV user under this policy.

III. FACILITIES RESERVED

- A. A facility shall be considered "reserved" upon the payment of the prescribed fee and the issuance of a Park Facilities Permit upon a form to be provided by the Department of Parks, Forestry and Facilities; said permit to include ALL of the following.
1. The name of the organization reserving the facility.
 2. The name, address, and phone number of the individual making application for the permit.
 3. The specific facility being reserved.
 4. The date of issuance.
 5. The date, time, and duration of the permit.
 6. The specific fee or fees charged.
 7. All conditions assigned to the permit over and above the requirements of City Ordinance or this policy.
 8. The signature of the Director of Parks, Forestry and Facilities of the City of Rochester Hills or his designee.
 9. 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 prior to the event for which the permit has been issued.
- B. Reservation requests will not be approved more than 90 days prior to the usage date nor less than two business days prior to the usage date. If the individual or organization initiating the reservation request requires more than 90 days to confirm the reservation, a written request to the Director of Parks, Forestry and Facilities detailing the circumstances and need is required. Each such request shall be judged on its own merit.
- C. **A deposit/down payment equal to twenty-five percent (25%) of the total fees due, and not less than twenty-five dollars (\$25), shall be paid at the time of the issuance of the permit.** If the total fees due are less than twenty-five dollars (\$25), the deposit/down payment shall be equal to the total fees due.
- D. The balance of the total fees due shall be paid in full not less than forty-eight hours (48 hours) prior to the scheduled event or activity.
- E. Cancellation of any event or activity by the applicant/permit holder:

1. **30 days or more prior to the event or activity** shall result in a full refund of all monies paid to the City.
2. **less than 30 days, but more than 14 days, prior to the event or activity** shall result in a forfeiture of 50 percent of the minimum deposit.
3. **less than 14 days and prior to 48 hours before a scheduled event or activity** shall result in a forfeiture of the entire deposit.
4. **less than 48 hours prior to the event or activity** shall result in a forfeiture of the entire fee.

F. In the event of cancellation of an event by the Director of Parks, Forestry and Facilities or his designee because of weather conditions which make the event/activity impossible or unsafe, or to any Act of God beyond the control of the applicant/permit holder, a credit may be given to the applicant; a refund may be applied for to the Director of Parks, Forestry and Facilities; or the event may be rescheduled at the earliest available date.

IV. SALES ON PARK PROPERTY

- A. The City of Rochester Hills 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, concessions, souvenirs, programs, parking permits, etc. The sale of such items is expressly prohibited without the written permission of the Mayor of the City of Rochester Hills.
- B. The right to grant a franchise to a third party for the sale of all goods specified is held exclusively by the City of Rochester Hills and no payment, fee, percentage, or other remuneration shall accrue to the applicant/permit holder as a result of such a franchise without the express written permission of the Mayor of the City of Rochester Hills.

V. WAIVERS, ETC.

The Mayor of the City of Rochester Hills reserves the right to waive policies in whole or in part; to waive restrictions and conditions; to impose additional 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 this community and the users of the reserved facility.

VI. FEES AND CHARGES

- A. The most recent schedule of fees and charges for the use of park sports facilities, as approved by the Rochester Hills City Council, shall be appended to and made a part of this Chapter and Section.
- B. To qualify for Resident Fees, the team that reserves the field must provide a team roster including addresses and phone numbers, and a majority of the members/participants must be residents of the City of Rochester Hills.
- C. Fees for field rental for tournaments, play-off series, special events, rental of open space of parking facilities, special security needs and additional maintenance requirements may be subject to negotiation of fee with the Director of Parks, Forestry and Facilities. Any agreement reached shall be subject to approval by the Mayor.

VII. ALCOHOL IN THE PARK

- A. The sale, use, and possession of alcoholic beverages, including beer, wine, and wine coolers, in all parks of the City of Rochester Hills is expressly prohibited by city ordinance.
- B. The City Council of the City of Rochester Hills reserves the right to waive the prohibitions of Section VII at its own discretion; subject to the provisions of City Ordinance and State Law.

VIII. LIABILITY OF THE CITY

- A. A Certificate of Insurance indicating full liability coverage of not less than \$300,000 and naming the City of Rochester Hills as co-insured shall be delivered to the Director of Parks, Forestry and Facilities or his designee prior to issuance of any permit under this policy. A "conditional permit" may be issued by the Director or his designee prior to the receipt of such insurance coverage; however, failure to provide such coverage not later than 48 hours before a scheduled event shall result in revocation of the permit and cancellation of the event. (Sample wording for an acceptable policy is available upon request.)
- B. The liability of the City of Rochester Hills for failure to execute an issued permit for 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 City shall be limited to
 - 1. providing a mutually satisfactory alternate date and/or time for the event or activity scheduled under the permit; or

Administrative Policy #405-1999

2. refund of any monies received by the City from the applicant/permit holder as a result of a specific permit.

KENNETH D. SNELL, Mayor
November 1, 1999

History:

February 11, 1992 *Originally Issued as Administrative Policy #92-20*
December 18, 1992 *Revised and Reissued as Administrative Policy #92-20b*
March 1, 1994 *Revised and Reissued as Administrative Policy #92-20c*
January, 1996 *Revised and Reissued as Administrative Policy #92-20d*
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November 1, 1999 *Reissued as Administrative Policy #405-1999*

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