MANCHESTER PARKS AND RECREATION USER POLICY

SECTION 1. GENERAL POLICIES AND RULES

In order to help maintain our Parks and provide a safe and comfortable place for residents and visitors, we ask that all users of Town Parks adhere to the following Rules.

1.1 Parks – Defined. The Town of Manchester owns and operates three Parks: the Dana L. Thompson Memorial Park (340 Rec. Park Road); Adams Park (corner of Main Street and Center Hill Road); and the Factory Point Town Green (on Depot Street near the intersection of Main Street).

1.2 Permits. All requests to use facilities shall be submitted to the Parks and Recreation Department on a permit application form approved by the Town Manager. Before any permit application may be considered, all fees and deposits must be paid in full, and the individual or group requesting use of any facility must be in good standing with the Department, its fees and its policies. Permit applications may be filed for a period of time not to exceed three months in duration. Permit applications may be filed not more than 30 days and not less than 7 days before an event, unless otherwise waived by the Director of Parks and Recreation. The Parks and Recreation Department shall make efforts to ensure that facility use is distributed equitably among users; provided, that Town-sponsored programs and events shall take precedence over all other functions and that residents shall have preference over non-residents.

1.3 Cancellations and Postponements. The Town reserves the right to cancel, postpone or reschedule events, at its sole discretion, due to unforeseen circumstances. When the event is canceled by the Parks and Recreation Department, the Town shall refund 100% of the facility use fee. If the applicant cancels the event more than 48 hours before the scheduled start of the event and notifies the Parks and Recreation Department the Town shall refund 75% of the facility use fee; and if the applicant cancels the event less than 48 hours before the event the Town shall not refund the facility use fee.

1.4 Parks – Hours of Operation. Parks are open from 5:00 AM to 10:00 PM daily. Restrooms are available for use at the Dana L. Thompson Memorial Park during hours determined by the Parks and Recreation Director. Adams Park and the Factory Point Town Green do not have restroom facilities. See other sections for the hours of operation of specific Park facilities.

1.5 Damage to Facilities. Users shall be responsible for damage to facilities that are above and beyond normal wear and tear or damages that result from violations of policies contained herein. The Town will aggressively pursue criminal and civil penalties for vandalism.

1.6 Dogs and Other Animals. Dogs must be leashed at all times while at the Dana L. Thompson Memorial Park, Adams Park and the Factory Point Town Green, except while inside the fencing of the dog park, located in the northeast corner of the Dana L. Thompson Memorial Park. Dogs and other animals, except service dogs, are not allowed inside the Park House and pool area.

1.7 **Trash.** Dumping of household or commercial trash at Town Parks, including trash receptacles, is prohibited. Users are responsible for placing all trash that is generated while using facilities in designated receptacles. Littering and dumping is a violation of Town Ordinances.

1.8 **Smoking.** Smoking is prohibited inside Applejack Field, inside the Park House or within twenty-five feet of entrances to the Park House, inside the swimming pool fenced area, and near children, playgrounds and playing fields.

1.9 **Insurance.** The Town, at its sole discretion, may require a certificate of insurance from users in an amount to be determined by the Director of Parks and Recreation.

1.10 **Alcohol – General.** Alcohol is prohibited at Adams Park and the Factory Point Town Green, unless approved by the Chief of Police through a special permit for Town events. Alcohol is permitted at the Park House by special permit only (see Park House section). Alcohol may not be consumed between 9:00 P.M. and 12:00 noon at the Dana L. Thompson Memorial Park or as otherwise prohibited by the Chief of Police or Parks and Recreation Director. No container may exceed 2 liters in volume; no liquor or beverages with an alcohol content greater than 16% shall be permitted under any circumstances, and that possession shall be limited to not more than forty-eight ounces of malt beverages per person twenty-one years of age or older or 750 milliliters of vinous beverages per person twenty-one years of age or older. Any sale of alcohol at the Dana L. Thompson Memorial Park shall be by a business licensed by the State of Vermont and approved by the Chief of Police. The business shall be located in Manchester, unless waived by the Town Manager, and shall provide the Town a certificate of insurance with coverage for serving alcohol naming the Town as an additionally insured in an amount not less than $1,000,000 and acceptable to the Town Manager. The Town may require, at its sole discretion, coverage greater than $1,000,000.

1.11 **Vending and Soliciting.** Soliciting at Town Parks is strictly prohibited. Vending of food or merchandise is by permit only, issued by the Selectboard.

1.12 **Hazardous Activities.** Activities that are hazardous to other Park users, such as golf, archery and the discharge of firearms, are prohibited.

1.13 **Fireworks and Fires.** Fireworks and fires, including camp fires, are prohibited at the Dana L. Thompson Memorial Park, Adams Park and the Factory Point Town Green, except as approved in writing by the Parks and Recreation Director.

1.14 **Overnight Camping.** Overnight camping is prohibited at the Dana L. Thompson Memorial Park, Adams Park and the Factory Point Town Green, unless specifically approved by the Director of Parks and Recreation in writing.

1.15 **Parking and Motor Vehicles.** Motor vehicles are not permitted on grassed areas or playing fields. Parking shall only occur in designated areas or as directed by Parks and Recreation staff or the Manchester Police Department.

1.16 Appeals. Any appeals of decisions made based on this Policy shall be filed with the Town Manager in writing.

SECTION 2. FEES AND RESIDENCY (DEFINED)

2.1 User Fees (Legislative). The Selectboard shall establish user fees, if any, for programs and facilities. The fees shall be listed in Appendix A of this Policy. The Town of Manchester shall be exempt from facility use fees.

2.2 User Fees (Administrative). Whenever fees are not set by the Selectboard, the Town Manager may establish fees, if any, for programs and facility use. Generally, the fee for non-residents shall be 150% of the resident fee. For example, a program with a resident fee of $10.00 shall have a non-resident fee of $15.00.

2.3 Facility Deposit. The Town may require a deposit for cleaning, damage and the return of equipment (include keys and passes). After the facility has been inspected, the Town shall return the deposit to the user within 14 days of use, minus any withholding for cleaning, damages or equipment that is not returned to the Town. Any cleaning that is done by Town staff shall be billed at a rate of not less than $50 per hour, and the minimum charge for any cleaning shall be not less than $25.

2.4 Non-Resident Fees: Parks owned and operated by the Town of Manchester are maintained and operated using property taxes and user fees. Residents, who pay Town property taxes, are afforded lower user fees because a portion of their property taxes are used to support Town Parks and programs. Non-residents, who do not pay property taxes to the Town, are required to pay higher fees.

2.5 Resident Status: To receive resident rates contained herein, Manchester residents must produce valid identification.

A resident of Manchester shall be defined as the following:

1. Person lives in the Town of Manchester more than 6 months per year; or,
2. Person owns property (either commercial or residential) and pays property taxes to the Town of Manchester; or,
3. Person is a registered voter in the Town of Manchester; or,
4. Person owns a business in the Town of Manchester and can provide proof (tax license, for example).

An immediate family member shall be defined as the following:

For the purpose of this fee schedule, a family member shall mean a spouse, son, daughter, step-son, step-daughter, dependent for tax purposes, employee of the municipality, sewer or water department of the Town of Manchester or a ward of a legal guardian that is a resident of the Town of Manchester. Immediate family members of "residents" as defined above shall be considered residents.

The following shall be considered proof of residency:

1. Listed on Town of Manchester voter check-list;
2. Name appears on Town of Manchester Grand List;
3. Provides utility bill (electric, telephone, cable) with a physical address in Manchester;
4. Provides a valid State of Vermont drivers license with a physical Manchester address;
5. Current Manchester tax bill or water bill;
6. Current Town of Manchester employee I.D. badge;
7. Provide a signed and current copy of lease, valid for more than 6 months; or,
8. Another form of proof accepted by the Director of Parks and Recreation.

SECTION 3. PARK HOUSE AND ACTIVITY ROOM

3.1 General. The Park House Activity Room is being provided at a reasonable fee. Use of the Activity Room is by permit only. The resident rate and not-for-profit and non-profit rate includes the general cost of maintenance and operation, and does not include debt service related to the Park House. The non-resident rate and commercial rate includes the general cost of maintenance and operation, plus the estimated cost related to debt service. A user fee and deposit shall be paid in full before an application can be approved. Rental times include set-up and clean-up (including returning chairs and tables to the Storage Room).

3.2 Hours of Operation. The Activity Room is available by permit from Monday to Saturday, 8:00 AM to 10:00 PM and Sunday, 10:00 AM to 8:00 PM. Availability may be limited due to staffing.

3.3 Behavior of Guests and Participants. Applicants are responsible for supervising and controlling the behavior of their guests and participants. Applicants are financially responsible for any damages to the Park House that are caused by guests or participants, including but not limited to damage to walls, doors, window, flooring, fixtures and equipment. Promptly report any behavioral issues to the Parks and Recreation Department staff or the Manchester Police Department (802-362-2121).

3.4 Equipment. Applicants are responsible for providing all materials and supplies for an event. Due to limited storage at the Park House, all materials and supplies must be removed from the Park House after each event. Any materials and supplies left in the Park House will be removed and disposed of. The Town may provide as many as 90 chairs and 10 folding tables. The chairs and tables are stored in the adjacent Storage Room. All chairs and tables must be returned to the Storage Room after use.

3.5 Priority of Use. The following is the priority order for the Park House Activity Room: Town of Manchester, then the School District of Manchester; approved Manchester not-for-profits and non-profits; residents of the Town of Manchester; non-residents and commercial entities.

3.6 Minimum Age and Identification. Applicants must be at least 21 years old, be present during the event, and provide a photocopy of a valid government picture identification card.

3.7 Deposit and Cleaning of Facility. A cleaning, damage and equipment deposit of not less than $100 shall be required; provided that the Town may require a deposit greater than $100 at its sole discretion. User fees *do not* include janitorial services for an event or function. Users are responsible for all clean-up after an event or function. Cleaning supplies are stored in the upper right cabinet in the Kitchenette, located in the Activity Room. Clean-up shall include (1) removing and placing trash in the outside trash bin located

at the northwest corner of Park House; (2) wiping down and returning all chairs or tables to the Storage Room; (3) removing all food from the Activity Room, including from the refrigerator, and cleaning up any spills; (4) generally cleaning the room, including vacuuming the carpet if it was soiled during the event and wiping down the Kitchenette countertop and electric range. The vacuum is stored in the Storage Room. Any cleaning that is required by Town staff shall be withheld from the deposit as authorized herein.

3.8 General Operation of Activity Room. The Activity Room may be entered from the standard door located on the west wall, near the staff office doorway. The larger barn style doors can only be opened from inside the Activity Room. The Activity Room is air conditioned. The air conditioning cannot be set lower than 70 degrees Fahrenheit and cannot be operated when the windows, interior or exterior doors are open. You may not affix decorations, signs or posters to the walls using thumb tacks or other fasteners that damage the walls. Only masking tape (not clear scotch tape) may be used. Users are responsible for any damage to walls and trim that result from affixing decorations or other materials to the walls.

3.9 Television and Propane Fireplace. The wall-mounted television and propane fireplace are turned on by request only. The propane fireplace is available during the cold fall, winter and spring months only. Other audio-visual equipment, including a bluray player, is located in a locked cabinet; please contact Parks and Recreation Department staff for assistance.

3.10 Kitchenette. A kitchenette is available for use by users of the Park House Activity Room. The Kitchenette includes an electric range (oven and stovetop), small refrigerator and microwave. The Kitchenette is not designed to prepare and cook elaborate meals and is better suited for heating prepared foods. The Town does not supply kitchen supplies, including plates, glasses, napkins and serving and eating utensils. Due to limited space and hygiene issues, the Town cannot allow overnight storage of food in the refrigerator.

3.11 Prohibited Activities. The following activities are prohibited in the Park House: (1) events involving weapons, including firearms and large bladed knives (with the exception of cooking knives and work blades); (2) events that include open flames (we recommend battery powered LED tea lamps as an alternative); (3) activities that involve ball play or that would that otherwise damage walls and windows; (4) events which are partisan in nature, such as political caucuses and meetings or fundraisers, are not allowed in the Park House; however, political debates are allowable so long as the event includes all candidates for a particular public office; (5) any other activities that the Director of Parks and Recreation determines, at his or her sole discretion, may not be in the best interest of the Town and/or the facility.

3.12 Alcohol. The Chief of Police may, at his or her sole discretion, approve a written special permit for the sales and/or consumption of alcohol in the Activity Room and lobby, provided that: (1) alcohol may only be served by a business licensed by the State of Vermont and the Town and Village of Manchester; (2) no alcoholic beverages greater than 16% alcohol may be served under any circumstances; (3) the licensed business provides the Parks and Recreation Director a valid certificate of insurance (that includes coverage for the serving of alcohol) for not less than $1,000,000 that names the Town specifically as an additional insured; (4) the business that is serving alcohol agrees, and signs an agreement, to hold harmless the Town of Manchester from any claims that may arise from the serving or consumption of alcohol; (5) alcohol may only be served between 12:00 noon until 10:00 P.M; and (5) the licensed

business serving alcohol agrees to adhere to all state and local laws and regulations relating the serving and consumption of alcohol. The Town may require, at its sole discretion, coverage greater than $1,000,000.

Notwithstanding clause 2 of the preceding paragraph, the Town Manager, at his or her sole discretion, may allow a licensed business located outside the Town and Village of Manchester to serve and sell alcohol at the Park House.

SECTION 4. APPLEJACK FIELD

4.1 General. Applejack Field use is by permit only to help ensure that the field is maintained for competitive sporting events. A fee, established by the Selectboard is required for use of Applejack Field. The Town Manager may approve contracts with users relative to Applejack Field in order to provide for the orderly operation of the Field.

4.2 Paint Lining and Maintenance of Applejack Field. The Town shall providing line painting of the Applejack Field as well as day-to-day and seasonal maintenance.

4.3 Permitted Uses. Applejack Field is for competitive athletic events. Any events that are not athletic in nature, such as concerts and rallies, shall be approved or disapproved at the sole discretion of the Selectboard. The Selectboard shall consider, among other things, the impact of the non-athletic event on the field surface and other related facilities.

4.4 Lighting. The lighting on Applejack Field may only be operated by Town employees.

4.5 Alcohol. Alcohol may not be sold or consumed inside Applejack Field before or during athletic events.

SECTION 5. LARGE BASEBALL FIELD

5.1 General. Use of the large baseball field, located in the southwest corner of the Dana L. Thompson Memorial Park, is by permit only to help ensure that the field is maintained for competitive sporting events.

5.2 Allowable Activities. The outfield area, but not the infield area, may be used for purposes approved by the Parks and Recreation Director. Baseball and/or softball that use baselines less than 90 feet or use a pitcher's mount less than 66 feet from home plate is prohibited.

5.3 Maintenance. The Town provides maintenance of grassed areas and fencing. Users shall maintain infield playing surface, mound and dugouts, and line fields, subject to the oversight of the Parks and Recreation Director.

SECTION 6. OTHER PLAYING FIELDS, PLAYING COURTS AND DOWNTOWN PARKS

6.1 General. All other playing fields and playing courts, including Knapp Field, Lions Field, the field west of the swimming pool, tennis courts, basketball courts and volleyball courts, are on a "first-come, first-serve" basis; provided, however, the Parks and Recreation Director, or his or her designee, may approve

permits in accordance with the regulations established herein and pursuant to the fees established in Appendix A, and that permitted use shall supersede so-called "first-come, first serve" uses.

6.2 **Maintenance.** The Town provides maintenance of grassed areas and fencing. Users shall line fields, subject to the oversight of the Parks and Recreation Director, and for baseball, maintain infield playing surfaces, mounds and dugouts. The Town may provide, subject to availability, goals and nets for certain sports.

6.3 **Downtown Parks (Adams Park and Factory Point Town Green):** Commercial activities, including vending, are generally prohibited by Town policy or easement at the Town's two downtown Parks: Adams Park and the Factory Point Town Green. Provided, that the easement for Adams Park allows farmers' markets. Alcohol is also prohibited except by special permit, issued by the Chief of Police for Town sponsored events.

SECTION 7. SWIMMING POOL

7.1 **General.** Use of the swimming pool is by fee established in Appendix A.

The swimming pool may be rented for private parties, subject to availability and staffing. The base rental rate includes two lifeguards. Depending on the size of the event, the Town may require additional lifeguards, to be paid for by the applicant at a rate determined by the Parks and Recreation Director.

7.2 **Rules.** The posted Rules shall be adhered to by all swimming pool users and guests. Users and guests agree to follow the directions of Town lifeguards and staff.

7.3 **Group Discount.** The Town may offer a twenty (20) percent group discount for groups greater than 15 people. Full payment must be received before any admission may be granted.

7.4 **Alcohol.** Alcohol consumption is prohibited inside the fenced area around the swimming pool.

7.5 **Resident Family Cap for Swim Passes.** No household headed by a Manchester resident (see above for definition) shall spend more than a total of $200.00 for season pool passes for immediate family members (also see above for definition) during the pool season (normally June through August).

7.6 **Infants and Toddlers.** Infants and toddlers three (3) years old and younger may enter the pool without charge with the paid admission (season pass or day pass) of an adult (18 years of age of older).

7.7 **Fraudulent Use of Pool Passes.** Any fraudulent use of pool passes may, at the sole discretion of the Town, result in the immediate suspension or termination of pool passes without refund or credit.

March 12, 2013

APPROVED BY THE SELECTBOARD *DATE*