

Town of Windham Facility Rental Policy

It is the policy of the Town of Windham Parks and Recreation Department (hereafter the "Department") that some of the buildings, parks and other facilities owned by the Town and overseen by the Department should be made available to the public to use for activities that benefit Town residents, at a reasonable cost. Therefore, the Department sets forth the following rules and regulations for the management and protection of the public facilities it oversees and for the protection of the persons granted permission to use the same. Failure to observe and abide by the Facility Rental Policies may result in the immediate termination of the Facility Use Permit, forfeiture of all fees and removal from the reserved facility. For more information or questions concerning this policy or its contents, please contact the Windham Parks and Recreation Department, 8 School Road, Windham, ME, 892-1905.

Standards for Issuance

The Parks and Recreation Department shall approve an application submitted based on facility availability, priority of usage, maintenance impact on the facility, best use of the facility and only if the application meets the following criteria:

1. The proposed event or activity shall not endanger the health and safety of persons who visit the public facility.
2. Adequate parking facilities exist and are available to accommodate the number of expected attendees at the proposed event or activity at the public facility.
3. Adequate sanitary facilities exist and are available to accommodate the proposed event.
4. The event or activity shall not cause damage from destruction or overuse of the grounds, equipment, vegetation, buildings, fences or other amenities in the public facility.
5. The proposed event or activity shall not unreasonably disturb persons who own and/or occupy land that is adjacent to such public facility.
6. The public facility or portion thereof to be used has not been reserved for other use at the day and hour required in the application.
7. The applicant has demonstrated the ability and intent to provide adequate supervision of the activity and understands the applicable rules and regulations.

General Conditions of Use

1. The applicant is responsible for leaving the public facilities in the same condition in which received and shall be responsible for any loss or damage to facilities or equipment. The applicant shall be charged for any required repair or cleanup costs incurred because of the applicant's use of the public facilities.
2. The Town shall not be liable for any damage or loss to any property of the applicant from any cause whatsoever while said property located on the premises for storage purposes or otherwise
3. The applicant is required to comply with all applicable federal, state and local statutes, ordinances and regulations, in addition to any policies or conditions imposed by the Director of the Department upon approval of the request, including, but not limited to, all of the following:
 - a. The applicant is required to arrange and pay for adequate security services by the Town of Windham Police Department, if necessary.

- b. When the use of Town equipment is requested, the applicant is required to arrange for qualified Town employees to be present and available for the operation of the same.
- c. When other Town licenses, permits or approvals are required (e.g., special event, food vendor, amplified sound, road closure, signage), the applicant must follow the proper procedure for seeking and obtaining such other licenses, permits or approvals. Contact the Town Clerk's office at least 30 days prior to the event and once the other license, permit or approval is obtained, a copy must be submitted to the Parks and Recreation Department.
4. The applicant shall not engage in or allow any illegal activity to occur at the public facility. Illegal drugs, alcoholic beverages and/or tobacco products shall not be brought onto or consumed within the public facility.
5. The applicant is responsible for any damage to the public facility or any part thereof caused directly or indirectly by the applicant or his/her agents, employees, guests, or invitees. The applicant is required to indemnify the Town for any claims arising from the applicant's use of the public facility.
6. Any outstanding debts owed to the Town of Windham or violation of Town policies during a previous reservation will result in denial of usage of any facility.

Priority Use & Rental Fees

User Priority Groups that use city facilities are characterized as follows, organized from highest to lowest priority.

1. **Priority 1** - Town of Windham and Windham Parks and Recreation programs & events.
Groups or activities will not be charged a rental fee
2. **Priority 2** - RSU14 and their associated RSU14 School Committee sanctioned programs.
Groups or activities will not be charged a rental fee but may be charged other support fees (site supervisor, technical support, maintenance support, etc.) depending on the nature of the event.
3. **Priority 3** - Non-profit organizations with 100% Windham resident participation.
Groups or activities will not be charged a rental fee but may be charged other support fees (site supervisor, technical support, maintenance support, etc.) depending on the nature of the event.
4. **Priority 4** - Non-profit organizations with less than 100% Windham resident participation.
Groups or activities will be charged a rental fee at the resident rate and may be charged other support fees (site supervisor, technical support, maintenance support, etc.) depending on the nature of the event.
5. **Priority 5** - Commercial, profit-making activities.
Groups or activities will be charged a rental fee at the non-resident rate and may be charged other support fees (site supervisor, technical support, maintenance support, etc.) depending on the nature of the event.

All non-profit organizations must provide proof of current non-profit status including a recent copy of the IRS Form 990 and/or Tax-Exempt Certificate.

Certificate of Insurance (COI) Requirements

MANDATORY FOR EVENTS WITH 50 or more people expected to attend. Administration will review events with attendance between 25-49 attendees.

Renters may be required to provide proof of general liability insurance provided by an insurance company or companies licensed or approved to do business in the State of Maine by the Maine Bureau of Insurance to cover any loss or damage to public facilities or Town equipment in an amount not less than \$1 million.

1. All policies evidenced to the Town shall name the Town of Windham as an additional insured.
2. Certificate Holder must read: **Town of Windham, 8 School Road, Windham, ME 04062.**
3. For any one-day event, proof of general liability insurance in compliance with this policy must be provided to the Parks and Recreation Department prior to approval of the use application.
4. Any tournament, league and/or organization must present proof of general liability insurance in compliance with this policy to the Parks and Recreation Department at least fourteen (14) days prior to the event. Failure to do so may result in the cancellation of rental.

Facility Rentals may qualify as Special Events under these categories

Tier 1 - Special Events involve the use of the Parks & Recreation Department facilities/Town facilities for functions open to the public, involving 100 or less people. The Parks & Recreation Director or their designee is the permitting authority

Tier 2 - Special Events involve street closure requests, parades, road races, walks or other single-day functions involving 100 or less people. The Police Chief and Public Works Director or their Designees are the permitting authority

Tier 3 - Special Events are functions that involve a street closure or the use of a Town facility for a single-day function involving 100-999 people. The Parks & Recreation Director, Police Chief, Fire Chief, Public Works Director, Code Enforcement Officer and any other personnel assigned by the Town Manager will be the permitting authorities.

PLEASE NOTE: The Town Council shall be the permitting authority for events to be held in Town of Windham parks, recreation, public buildings, grounds and streets when it could reasonably be assumed that 1,000 or more persons might gather or participate; or any event which is proposed to last longer than two consecutive days, regardless of the number of persons anticipated to gather or participate.

ADDITIONALLY: If alcohol is being sold, or otherwise available, permission must be obtained through application at the Town Clerk's Office and must be approved by the Town Council. If alcohol is sold, this requires applicable State of Maine Liquor license to sell alcohol.

Deposit/Cancellation/Refund Policy

1. A deposit of 50% of the total fee due is required for rental fees greater than \$75. Rental fees less than \$75 are due at time of confirmation. Balance is due at least 7 days prior to your event date. If balance is unpaid 7 days prior to your first date, we reserve the right to release your reservation and retain your deposit.
2. Cancellation greater than 7 days prior to rental = full refund
3. Cancellation less than 7 days prior to rental = refund of rental fee minus deposit
4. Modification to rental less than 7 days prior to your event = an additional \$30 fee per request.
5. No show on date of rental = loss of rental fee & deposit.

Any event that is cancelled by the Parks & Recreation Department will receive a full refund or account credit.

Failure to Comply with Policy

Any individual, group or organization that does not comply with the terms and conditions set forth in this Policy will be disqualified from future use of Town facilities at the discretion of the Director of the Department. Any person applying to use a Town facility and found to provide false information, such as false team member names and addresses, shall be disqualified from future use of the Town facilities.

Making a Reservation

All reservations requests must be made at least **14 days in advance of your event**, or at the discretion of the Director of the Department. Facility Rental Requests can be made **up to 3 months** prior to the reservation date. ***Please note, Parks & Recreation programming and annual special events take precedent over all requests.***

1. **Log in** - Log onto your account with Windham Parks and Recreation at www.windhamrecreation.com. If you do not have one, you must create one prior to requesting space.
2. **Online Requests** - Once in your account, go to the "Facilities" tab, then to "Facility List" and choose the Facility in which you would like to request space. Click on that Facility and choose "Request this Facility". Complete the online form and review the facility's policies and rules.
3. **Written Requests:** You may come to the office and fill out a rental request form. A staff person will review forms and you will be notified by email if your reservation is approved.
4. **Confirmation** - The Parks and Recreation Department staff person will then follow up with you to confirm or deny the request. Once confirmed, payment will be required in order to maintain your reservation. Payments of \$75 or less are due in full at the time of reservation confirmation. Reservations in which the balance due is over \$75; at least 50% of the *total amount due* is needed at the time of your reservation confirmation. All reservation balances are due at least 7 days prior to your event date. If balance is unpaid 7 days prior to your first date, we reserve the right to release your reservation and retain your deposit.