

- Anything highlighted are questions/policies that need to be considered

## **Town of Windham Parks and Recreation Facilities 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 Usage Rules and 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 City 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 Facility Manager or Director of the Department upon approval of the request, including, but not limited to, all of the following:
  - The applicant is required to arrange and pay for adequate security services by the Town of Windham Police Department, if necessary.
  - 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.
  - 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.

### **Insurance Requirements**

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.

### **Priority Use**

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

1. Town of Windham and Windham Parks and Recreation programs & events.
2. RSU14 and their associated RSU14 School Committee sanctioned programs.
3. Non-profit organizations with 100% Windham resident participation.
4. Non-profit organizations with less than 100% Windham resident participation.
5. Commercial, profit-making activities.

*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.*

### **Administering Facility Rental Fees**

1. **Priority 1** Groups or activities will not be charged a rental fee.
2. **Priority 2** 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** Groups or activities will not be charged a rental fee may be charged other support fees (site supervisor, technical support, maintenance support, etc.) depending on the nature of the event.
4. **Priority 4** 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** 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.

### **Cancellation/Refund Policy**

1. A deposit of 50% of the total fee due is required for rentals 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 = loss of rental fee & 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 Facility Manager 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 Department facilities at the discretion of the Director of the Department.

Any person applying to use a Department 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 Department Director.

1. **Log in** - Log onto your account with Windham Parks and Recreation at [www.windhamrec.com](http://www.windhamrec.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. The facility reservation staff person will review forms and you will be notified by email if your reservation is approved.
3. **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.** Requests for a single day, one time reservation or Special Event can be submitted up to **6 months** prior to the reservation date. *Please note, Parks & Recreation programming and annual special events take precedent over all requests.*