

Gregory H. Post, Supervisor
Daniel G. Underhill, Deputy
Supervisor
Patti Michalak, Councilwoman
Sharon White, Councilwoman
Chad Zambito, Councilman



Teresa M. Morasco, Town Clerk
Thomas Lichtenthal, Highway. Supt.
Andrew J. Young, Sr., Town Justice
Lisa A. Funke, Town Justice

3833 West Main Street Road Batavia, New York 14020-9402
Phone: (585) 343-1729 Fax: (585) 343-8461 TDD: 1-800-662-1220 www.townofbatavia.com

APPLICATION FOR USE OF PARK FACILITIES

Today's Date: _____ Date Requested: _____

Pavilion Requested: _____ A _____ B

PARK USE FEE Town Resident \$30.00

PARK USE FEE Non-Resident \$50.00

KEY DEPOSIT (*refundable) \$30.00

There will be **no refund given** for a cancellation made within 10 days of the reservation date.

Initials _____

I have read the park regulations attached to this form and agree to observe all rules and procedures stated herein.

Initials _____

I understand that I will be held responsible for any damages resulting from our use of the facility.

Initials _____

*** Key Deposit** -deposits will be kept if any of the park rules or regulations are violated.

Initials _____

COVID-19- Use of park is subject to the Governor's executive orders pertaining to gatherings. All current gathering restrictions must be adhered to and are subject to change.

Initials _____

*****REMINDER THIS IS A CARRY-IN CARRY-OUT PARK SYSTEM*****

INFORMATION ABOUT YOUR GROUP

Name of Organization or Individual: _____

CERTIFICATE OF INSURANCE REQUIRED FOR ORGANIZATIONS Date Rec'd _____

Person In Charge: _____

Mailing Address: _____

Telephone: (Day) _____ (Night) _____

Email Address _____

This institution is an equal opportunity provider, and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found on-line at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-0992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to US Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, DC 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

INFORMATION ABOUT YOUR INTENDED USE OF MUNICIPAL FACILITIES

Purpose of Use: _____

Total Participants Expected: _____

Person(s) other than applicant allowed to pick up key, park permit and deposit:

HOLD HARMLESS AGREEMENT

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the municipality for the use and care of the facilities. He/she on behalf of _____ does hereby covenant and agree to defend, indemnify and hold harmless the **Town of Batavia** from and against any and all liability, loss damages, claims or actions (including costs and attorney's 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 **Town of Batavia's** property, facilities and or services by _____.

Signature of Person in Charge

OFFICE USE ONLY

Date & Time Received _____ *Permit Issued* _____

Park Use Fee Received: Amount _____ *Check #* _____ *Cash* _____

Key Deposit Received: **Check or Cash (circle one)**

PARK FACILITIES RULES AND REGULATIONS

Adopted by the Town Board of the Town of Batavia on November 20, 2019 by Resolution No. 168

A. Conduct.

1. No person shall play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device for money, chips, credit or any other representative of value, nor shall any person maintain or exhibit any gaming table or other instrument of gambling.
2. No person, except authorized peace officers or other law enforcement officers, shall have, carry or transport any firearm, air gun, switchblade, hunting knife, slingshot, dagger, metal knuckles, bow, arrow, or other dangerous weapon.

B. Fires.

No person shall build an open fire, except in park or portable grills. Fires shall be extinguished upon leaving the park.

C. Hunting and molesting wildlife.

No person shall hunt or trap game within any park boundaries. No person shall kill, injure or unnecessarily disturb or molest any wildlife found in a park.

D. Preservation of property and natural features.

No person shall injure, deface, disturb or dirty any part of a park or any buildings, signs, equipment or other property found therein, nor shall any tree, shrub, rock or other mineral be intentionally removed, injured or destroyed.

E. Littering, rubbish, garbage, sewage and noxious material.

1. No person shall leave behind, dump or similarly dispose of materials of any kind in any park. Refuse is not to be dropped, thrown or scattered on park property.
2. No person shall, either within or outside of a park, discharge into, throw, cast, lay, drop or leave in any river, brook, stream, storm sewer or drain flowing into or through a park any substance, matter or thing, either liquid or solid, which may or shall result in the pollution of said river, brook or stream within any park, interfere with the natural resources of any park or endanger the health of visitors to any park.
3. No person shall have in his possession or control or shall carry in a basket or other container owned by him any glass beverage container, regardless of the contents of such container.
4. Anyone using park facilities in the Town of Batavia shall be required to remove when leaving the park any trash, garbage, litter, or any items of any kind or nature that are brought into the park.

F. Alcoholic beverages and glass bottles.

The consumption and/or possession of alcoholic beverages (including alcohol, spirits, liquor, wine, beer, cider, and every liquid or solid, patented or not, containing alcohol, sprits, wine or beer and capable of being consumed by a human being), as well as the possession or use of glass bottles containing any beverage, shall be prohibited at all times from any and all areas of parks located within and maintained by the Town of Batavia, including pavilions, parking lots and rights-of-way.

G. Dogs, cats and other household pets.

No person shall bring into or keep in any park any dog, cat, household pet or other animal destructive to birds and other wildlife, except that dogs or cats are permitted if held in control by a leash while in a park.

H. Inflatable structures.

Inflatable structures, defined as any games or equipment of any kind or nature that are inflated by forced air, are prohibited.

I. Traffic rules.

1. No person shall use or operate any motor vehicle within a park except upon roadways specifically designated for the operation of motor vehicles.
2. No vehicle shall be operated on any park road or drive at a speed exceeding 10 miles per hour.
3. No person or vehicle shall enter or remain in any park, park road or drive between the hours of 10:00 p.m. and sunrise., except as otherwise provided by the Town Board, by resolution.
4. No person shall park or cause to be parked any vehicle at any point where a sign prohibiting parking has been erected pursuant to direction of the Town Board.
5. In case of an emergency, any portion of a park may be closed to the public, vehicles or to designed persons.

J. Use of Park Facilities.

1. All users of park facilities must comply with the Park Rules and Regulations as adopted from time to time by the Town Board.
2. Every application for reserved use of the park facilities shall be accompanied by a deposit of \$30.00 and resident park fee of \$30.00 or non-resident park fee of \$50.00, pursuant to the Town of Batavia Parks Law.
3. Certificate of Insurance required for applicants seeking reserved use of park facilities for business or organizational purposes: General Liability Insurance- \$1,000,000 per occurrence/\$2,000,000 aggregate naming the Town as an unrestricted additional insured on the user's policy. The policy naming the Town as an additional insured shall: be an insurance policy from a "secured" New York State licensed insurer; contain a 30 day notice of cancellation; state that the organization's coverage shall be primary coverage for the Town; and additional insured status shall be provided with ISO endorsement CG2026 or its equivalent. The user agrees to indemnify the Town for any applicable deductibles ☐ Enclose a copy of the endorsement providing additional insured status

K. Emergencies.

In case of a medical emergency; contact 911. In case of emergency relating to the use of the Park Facility contact the Town Hall at (585)343-1729 or (585)356-7153.