

## ATHLETIC FIELD USE POLICY

Application must be signed and returned no later than thirty (30) business days prior to the date of the event and a \$50 non-refundable/non-waived application processing fee must accompany the application.

This policy covers the use of *Franklin Athletic Complex - (Don Roux Field, Competition Track, Practice Soccer Field, Baseball/Field Hockey, Upper Franklin Softball Field, and eight (8) Tennis Courts with lights.) Lewiston Athletic Park including baseball and football field, Marcotte Park, Randall Road Softball Complex, Montello Field, Sunnyside Park, McMahon Field, Holy Family Field and Drouin Field.* All referred to herein as group one.

### A. SCHOOL USE

Lewiston High School shall have priority at the Franklin Pasture Complex for practices and games. The main field will be reserved strictly for varsity and championship games. All other activity on the Don Roux Field is prohibited unless approved by the Recreation Division.

Physical Education and Intramural classes shall have access to the track, tennis courts, practice soccer field, Upper Franklin Softball Field, Marcotte Park and the Baseball field. The main field shall be off limits for maintenance purposes.

Lewiston High School shall have first priority - Monday through Friday, 2:00-6:00 p.m. and on Saturdays when necessary.

Sunday events shall have to be approved by the Recreation Division.

1. For schools utilizing the Franklin Pasture Complex and other athletic fields, it shall be the responsibility of each school's athletic director to furnish the Recreation Division with a schedule of all games, scrimmages, and exhibitions, as early as possible, and to notify the Recreation Director of any schedule changes due to cancellations, deletions, additions, etc.. Changes for use of fields for games cannot be made until such changes are cleared through the Recreation Division Office.
2. Charges for all materials, vehicles, and labor will be conducted as described in the Lewiston School Department and City of Lewiston Field Use Agreement. Written agreements will be established for work conducted by the City of Lewiston Public Works Department for private schools and nonprofit organizations if a Memorandum of Understanding, Memorandum of Agreement or Lease is not established.
3. The athletic director will be required to authorize the Recreation Division, in writing, to line respective fields for scheduled games and practice fields.
4. Should the Lewiston Public Works line a field where a scheduled game has been cancelled or postponed, without receiving 24 hour notice from the athletic director, materials used will still be charged to the school in question.
5. All new schedule changes must be made at least 24 hours in advance. The Recreation Division will not guarantee that a field will be lined if the notification is less than 24 hours.
6. All use of fields and tennis courts must be authorized by the Recreation Division.
7. Keys to the complexes, to include fields, buildings, etc., shall be picked up and returned to the Recreation Division each season by respective coaches. Coaches are not permitted to keep keys during their off-season.

8. All Athletic Directors will meet with a representative of the Recreation Division before the start of each season to issue keys, review the field use policy, etc..
9. Schools or organizations using any equipment belonging to the Recreation Division shall be responsible for cost of repair and/or replacement if necessary.
10. Use of maintenance and storage buildings and the press box are for authorized personnel only.
11. All Booster Clubs will be responsible for the concession area and clean-up after each event.
12. A LPW overtime person(s) is required to be on duty during scheduled events unless an Athletic Director of the director's designee is familiar with the facility and is able to address problems that may arise. This determination can be made between LPW and the Athletic Director. There is a written agreement regarding this between LPW and LHS.
13. Spring use of fields - No team or group shall be permitted to use any field until the athletic director has received notification from the Lewiston Public Works and Recreation Division.

#### ***B. PUBLIC USE***

1. The Franklin Athletic Complex track, baseball, and practice soccer field will be open for public use, when available, Monday through Sunday from 6:00 a.m. to 10:00 p.m. from April through November (please see page one - school use).
2. The Franklin Athletic Complex Competition Track will be closed for use during School Department and Recreation Division activities that requires use of the main field.
3. Tennis courts can be reserved by the public through the Recreation Division on first come, first serve basis. A reservation slip must be obtained from the Recreation Division (8 a.m. – 4:30 p.m. - Monday through Friday) before using the courts. Reservation hours are Monday through Friday, 6:00 p.m. to 10:30 p.m., and Saturday and Sunday, 8:00 a.m. to 10:30 p.m..
4. Please refer to the City Code of Ordinance regarding Animals – Chapter 14 and Public Park usage Chapter 54.

#### ***C. NON-PROFIT ORGANIZATIONS***

It is the Department's policy to ensure that participants 17 years of age and under, belonging to a Lewiston-based, non-profit organization, shall not be assessed the field-use fee for games and practices. However, if there is a request for additional services such as grooming, lining, etc., the present fee schedule for such services shall be charged. (See fee schedule herein) The City of Lewiston does not charge for labor or equipment for this service; material and overtime only.

#### ***D. LIABILITY***

1. The permittee shall be liable for any damages to the Athletic Fields or to any contents owned by the City during the period of use, whether such damage is caused by permittee or its agents, servants or employees, or by any invitees, permittees, or trespassers.
2. The City of Lewiston shall not be liable for any damage or loss to any property of the permittee or any other person from any cause whatsoever while said property is located on the premises for storage purposes or for any other purpose, nor shall the City be liable for any injuries resulting from the use of the Athletic Fields.

3. The permittee agrees to defend, indemnify, and hold harmless the City of Lewiston, its departments and their representatives, officers, agents or employees from and against all claims of any nature whatsoever for damages, including damages or loss to personal property, personal injuries and death resulting there from the use of the Athletic Fields in connection with the event for which the permit is granted. However, nothing contained herein shall be construed as rendering the permittee liable for acts of the City of Lewiston, its departments, or their agents or employees.
4. When a permittee provides a certificate of insurance pursuant to Section 6(A) of this policy, the permittee shall provide comprehensive general liability insurance with minimum limits of liability for bodily injury in the amount of \$1,000,000 for each occurrence and minimum limits of liability for property damage in the amount of \$1,000,000 for each occurrence. The City shall be named additionally insured under the policy. Additional coverage may be requested when deemed necessary due to the risks posed by the permitted activity.

#### ***E. MISCELLANEOUS***

1. All other organizations not mentioned in section A through C must make application to the Recreation Division to request field usage and also to discuss a fee for such usage.
2. The consumption of alcoholic beverages by players or spectators on city-owned or leased property is illegal. Any infraction of this law could result in the cancellation of the particular game being played, or activity, and if necessary, the remaining games. Players, spectators, tournament directors, coaches, captains, etc., may be banned permanently depending upon severity of the infraction.
3. Leagues, all schools, booster clubs, organizations and the general public who utilize the athletic fields will be responsible for the conditions of the fields they use. Debris must be picked up and placed in the appropriate trash receptacles. Failure to clean the fields (after games, practice, etc.) will result in a per-hour clean-up fee at the existing overtime rate.
4. The Recreation Division reserves the right to accept or reject any request for field use.
5. The Lewiston Public Works and the Recreation Division reserves the right to cancel or postpone any scheduled games, events, and/or practices due to field conditions and/or priority schedules.
6. The Lessee (sponsoring organization) agrees to defend, indemnify and hold harmless the City of Lewiston, the Lewiston Recreation Division and their representatives, officers, agents or employees from and against all claims of any nature whatsoever for damages, including damages or loss to personal property, personal injuries and death resulting there from, arising out of, connected with or resulting from the Lessee's use of any and all athletic facilities. However, nothing contained herein shall be construed as rendering the Lessee liable for acts of the City of Lewiston, the Lewiston Recreation Division or their agents or employees.

#### ***F. SOFTBALL AND DEPARTMENT SPONSORED PROGRAMS (YEAR ROUND)***

Organized teams or programs sponsored by Lewiston Recreation Division may request a field site for a practice session or game in accordance with the following procedure:

1. A two-hour time slot will be allocated, when possible, for practice sessions or games;
2. Teams will not be granted more than one practice session within any seven-day period;
3. A team scrimmage with a team that has reserved a field for practice will not be charged with a practice session for that particular seven-day period;

4. Reservation slips to use the field for practice, scrimmage or a game, other regular scheduled league games, must be obtained from the Recreation Division Office. The slips must be in the possession of the team manager or coach at the field site. Reservations can be made by telephone or in person.

## ***G. TOURNAMENTS***

Due to the extensive use of softball fields by city-sponsored men's and co-ed league games and the current demand for space for team practices and games other than league games, the priority for the use of fields for tournaments shall be as follows:

1. Tournaments sponsored solely by the Lewiston Recreation Division;
2. Tournaments sponsored by a recognized Lewiston based league other than a league under the sponsorship of the Lewiston Recreation Division, such as Pine Tree League, or Men's Senior Baseball League;
3. District or state tournaments involving teams from any Lewiston league;
4. Tournaments sponsored by a local recognized chartered club or organization such as Andy Valley Umpires Association, American Legion, Veterans of Foreign Wars, Police Department, Fire Department, etc.;
5. Tournaments held for the benefit of a recognized local, state or national charitable program such as Muscular Dystrophy, Pine Tree Society, Jimmy Fund, United Way, etc.;
6. Any other organization wishing to use City of Lewiston facilities.

Tournament directors will have access to bags of lime and a machine for the purpose of laying down new lines where required during the tournament. The machine must be returned in the morning of the day after completion of the tournament (Monday through Friday). A breakdown of costs from the Recreation Division will be submitted to the tournament director. The breakdown will include machinery, agricultural equipment, supplies, and man hours (if required). Overtime and materials are the only charges currently submitted. A charge for vehicle hours is not.

The tournament director must have an experienced Athletic Field Maintenance person to care for the ball fields during the tournament. If a ball field is not properly maintained (cleaned and groomed), the existing overtime rate will be charged to the tournament director.

Tournament directors or tournament committee will be permitted to operate a concession at their tournament game sites and will be responsible to contact the Lewiston City Clerk's Office at the City Building to obtain the proper permits. Permits must be displayed in a prominent place at all concession sites.

All organizations and groups that meet criteria will make application in writing to the Director of Recreation, explaining in full the purpose of the tournament, the organization to be benefitted financially, the tournament director, the number and location of sites required, the number of games to be played, the dates requested for tournament play, field maintenance during the tournament, and fees required.

## ***H. FEE SCHEDULE***

1. A usage game fee of \$30.00 will be charged for all softball/baseball games.
2. Softball tournaments will be charged a usage fee of \$11.00 per game.
3. Benefit softball tournaments will be charged a usage fee of \$9 per game. The game fee will include foul lines painted, the infield leveled, screened and chalked before each tournament.

4. Fields designated for use in a tournament will be prepped and charged in accordance to this agreement. Any cancellation of a field requires a 24 hour notification. Without proper notification the field will be prepped resulting in a charge.
5. All fees must be paid in full by the previous day of the tournament, according to the above listed schedule.

### ***I. FIELD USE REVIEW COMMITTEE***

The City of Lewiston is concerned that the athletic fields be used for the proper purpose and in a manner consistent with the public interest. The Director of the Recreation Division may forward an application to the Committee for further review. The Committee shall be comprised of the following members:

1. Recreation Director or designee.
2. Two citizens appointed by the City Administrator
3. Public Works Director or designee.

Proposed uses for which the Director may require approval by the Committee and/or City Council include, but are not limited to:

- Entertainment events (concerts, live performances, circuses);
- Events which require a state or municipal license or permit;
- Events which impose age restrictions for admission;
- Events to which the general public is invited;
- Events or organizations which request free use of the facility.

If an item is forwarded to the Committee for approval, the Committee shall, within five (5) days either approve, approve conditionally, or disapprove it. The Committee shall report its decision to the Director, who shall then inform the applicant.

In approving any application which comes before the Committee or the Director, the following may be considered:

1. Time of day event is to be held;
2. Number of days event is to be held;
3. Number of people expected to attend;
4. Age of people admitted or expected to attend;
5. Purpose of event, i.e. fund raising, profit making, etc.;
6. Whether the event is appropriate for a publicly-owned and managed facility;
7. Whether the use may disturb the peace or cause excessive traffic congestion;
8. Whether the use is likely to burden the fire or police departments;
9. Whether the use may adversely affect the facility or neighboring property.

Should an application be conditionally approved, the following conditions may be imposed:

1. A requirement that the applicant provide adequate security for the event (depending on type of event, number of people expected, etc.);
2. A requirement that the applicant post a security deposit in the form of a bank check or cash in case of damage to city property or costs are incurred by the city as a result of breach of the agreement;
3. A requirement that the applicant post a fee to defray additional public costs which include, but are not limited to:
  - a. Police: traffic direction or protection;
  - b. Municipal inspector of special electrical equipment needed for events;
  - c. Cleaning: events which result in excessive debris from event or attendees;
  - d. Code: during event to ensure City Ordinances are enforced.
4. A requirement that the applicant provide insurance.

***OTHER PROGRAMS***

**Commercial**  
\$60 per hour

**Non-profit**  
\$25 per hour

**Exempt**

Lewiston non-profit groups  
\*Application fee (\$50) will not be waived or refunded

**Group**

**Definition**

Commercial

Defined as any type of commercial event where admission is charged, donation accepted, sales made, or other income derived.

Non-profit

Defined as church groups, civic groups, political organizations, fraternal groups, social organizations, conventions, or any other non-profit groups or activities sponsored by such groups where admission is charged, donations accepted, sales made, or other income derived.

Exempt (Lewiston Non-profit, Government)

Defined as non-profit groups or organizations located in the City of Lewiston (and not classified as non-profit revenue), also governments of the City of Lewiston, State of Maine and United States, their departments agencies or committees.