

## ATHLETIC FIELD USE POLICY

This policy covers the use of the following facilities for all organized sports and activities:

**Franklin Athletic Complex** - (Don Roux Field, Competition Track, Inside the Track Field, Joe Deschesnes Field, Fleurette Roux Bannon Softball Field, Drouin Field and eight (8) Tennis Courts with lights.), **Lewiston Athletic Park** - (Football Field and Baseball Field) Randall Road Softball Complex, Kennedy Park Basketball Courts, Montello Field, Sunnyside Park, McMahon Field, Bartlett Street Fields, and any other City owned athletic facility not specified above.

*All associated fees for field and facility use can be found in Lewiston Master Policy- 81 Miscellaneous Fees and Penalties.*

### A. DEFINITIONS

Commercial - Any type of commercial event where admission is charged, donations accepted, sales made, or other income derived.

Lewiston Nonprofit - Church groups, civic groups, political organizations, fraternal groups, social organizations, conventions, or any other nonprofit groups or activities sponsored by such groups where admission is charged, donations accepted, sales made, or other income derived. These organizations can demonstrate that two-thirds or more of their active rosters or participants are City of Lewiston residents.

Lewiston School - A School within the Lewiston Public School System.

Nonprofit - Church groups, civic groups, political organizations, fraternal groups, social organizations, conventions, or any other nonprofit groups or activities sponsored by such groups where admission is charged, donations accepted, sales made, or other income derived. Less than two-thirds (2/3) of these organizations active rosters or participants are City of Lewiston residents.

School - Any school or learning institution that does not fall under the Lewiston Public School System.

### B. LEWISTON SCHOOL USE

Lewiston High School shall have priority at the Franklin Pasture Complex for practices and games. Physical Education and Intramural classes shall have access to the track, Tennis Courts, track infield field, Softball Field, and the Baseball Field. During the school day, Don Roux Field shall be off limits to the above activities for maintenance purposes.

School use will be consistent with the following:

1. Lewiston High School shall have first priority - Monday through Friday, 2:00 p.m-6:00 p.m. and on Saturdays when necessary.
2. All athletic field and tennis court use will be scheduled through the Lewiston Recreation Division.

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3. 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. The Athletic Directors must also notify the Recreation Division of any schedule changes due to cancellations, deletions, additions, etc. Scheduled changes for use of fields for games and practices are not final until the Recreation Division approves such changes. Please do not call the crew members, call the Recreation Office, 207-513-3005.
4. All 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.
5. Should 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.
6. Keys to the complexes, to include fields, buildings, etc., shall be picked up and returned to the Recreation Division each season by respective coaches. A deposit for each key will be collected at the time they are signed out. If a key is not returned, the entity responsible for checking the key out may be liable for rekeying the facility. Such a determination will be at the City's discretion. Coaches are not permitted to keep keys during their off-season.
7. 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.
8. Schools or organizations using any equipment belonging to the Recreation Division shall be responsible for the cost of repair and/or replacement if necessary.
9. Use of maintenance and storage buildings and the press box are for authorized personnel only. These must be cleaned out at the end of each season or annually. All unauthorized storage or outdated items may be removed and disposed of at the City's discretion.
10. All Booster Clubs will be responsible for the concession areas and clean-up after each event. There will be a fee of \$50 if the area is not cleaned to the Recreation Division's satisfaction after each event. Please refer to **concession area guide** for detailed expectations in using the Concession Areas. All unauthorized storage or outdated items may be removed and disposed of at the City's discretion.
11. A LPW overtime person(s) is required to be on duty during scheduled events unless an Athletic Director or 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 that Athletic Director per the agreement between LPW and LHS.
12. 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.

### C. PUBLIC USE

1. The Franklin Athletic Complex Competition track, Inside Track Field, Joe Deschenes Field, and Tennis Courts will be open for public use, when available, Monday through

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Sunday from 6:00 a.m. to 10:00 p.m. from April through November (see also – B. 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 Inside Track 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 (8:00 a.m. – 4:30 p.m. - Monday through Friday) before using the courts. Reservation hours are Monday through Friday, 6:00 p.m. to 10:00 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.

### **D. NON-PROFIT YOUTH ORGANIZATIONS**

Participants 17 years of age and under, belonging to a Lewiston Non-profit organization, shall not be assessed the field-use fee for practices.

However, if there is a special request for additional services such as grooming, lining, etc., the City of Lewiston will charge for materials and overtime at the current rates.

### **E. DON ROUX FIELD & JOE DESCHENES FIELD USAGE POLICY**

Scheduling of Don Roux & Joe Deschenes Field is to be done by the Recreation Division. Any event with a projected spectator attendance in excess of five hundred (500) is a special event and requires a rental agreement with the City. The Recreation Division reserves the right to turn any event over to the Field Use Review Committee, as a special event, if in it's sole opinion, spectator attendance is likely to exceed 500. These events require that you contract for event management staff, other required staff, and any auxiliary facilities through the City.

### **F. LIABILITY**

1. The permittee shall be liable for any damages to the Athletic Fields and associated facilities 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 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 from the use of the Athletic Fields in connection with the event for which the permit is granted. However, nothing contained

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herein shall be construed as rendering the permittee liable for acts of the City of Lewiston, its Departments, or their agents or employees.

4. Permittee shall provide certificates of insurance including: 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.

### G. MISCELLANEOUS

1. All other organizations not mentioned in section A through D must make application to the Recreation Division to request field usage and 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 activity or game being played, 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. Organizations using any equipment belonging to the Recreation Division shall be responsible for cost of repair and/or replacement if necessary.
4. Scheduled time for teams will be strictly enforced. When applying for time, **please ensure your warm up time and the entire time needed for a game are requested.** Because of field time constraints, teams will not be allowed to start early or finish late unless authorized.
5. The Recreation Division reserves the right to accept or reject any request for field use. Rejected field use requests may be referred to the Field Use Review Board.
6. 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.
7. 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 in place.
8. There is no smoking on any City or School property. ***City Code Sec. 54-10.***
9. There are no animals, with the exception of service animals, allowed on City Athletic Fields. ***City Code Sec. 14-47.***

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### **H. 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.

### **I. SOFTBALL 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 when 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 overtime (if required). Overtime and materials are the only charges currently submitted. A charge for vehicle hours is not.

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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 committees 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.

### **J. SOFTBALL FEE SCHEDULE**

1. The game fees will include foul lines painted, the infield leveled, screened and chalked before each tournament.
2. Fields designated for use in a tournament will be prepped and charged in accordance with this agreement. Any cancellation of a field requires a 24 hour notification. Without proper notification, the field will be prepped resulting in a charge.
3. All fees must be paid in full by the previous day of the tournament, according to the above listed schedule.

### **K. FIELD USE REVIEW COMMITTEE**

The City of Lewiston is concerned that the athletic fields be used for the proper purposes and in a manner consistent with the public interest. The Director of the Recreation Division may forward any application to the Committee for further review. Applicants may also appeal determinations made by the Recreation Division to the Committee. The Committee shall be comprised of the following members:

1. Deputy City Administrator
2. Public Works Director
3. Lewiston Superintendent of Schools or designee
4. Director of the Recreation Division
5. Lewiston High School Athletic Director

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

1. Entertainment events (concerts, live performances, circuses);
2. Events which require a state or municipal license or permit;
3. Events which impose age restrictions for admission;

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4. Events to which the general public is invited;
5. 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 reviewing 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 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 may include, but are not limited to:
  - a. Police: traffic direction or protection;
  - b. Municipal inspection of special electrical equipment needed for events;
  - c. Cleaning: events which result in excessive debris from event or attendees;
  - d. Code: presence during event to ensure City Ordinances are enforced.
4. A requirement that the applicant provide insurance.

The Committee may also suspend or restrict a Group's use of fields and facilities for up to one (1) year for non-payment of fees or charges or abuse of facilities.