

NEWTON PARKS, RECREATION & CULTURE COMMISSION

Arthur Magni, Chairman

Nicole Banks, Commissioner

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PLAYING FIELD AND RELATED FACILITY PERMIT POLICY

The City of Newton (the “City”), through authority granted to its Parks, Recreation & Culture Department (“PRC”) hereby adopts the following policy concerning the use of the City’s playing fields and related recreation facilities. This policy is meant to provide guidance to Newton Parks, Recreation & Culture Facilities users; however, all decisions regarding the use of newton facilities shall be subject to the discretion of the PRC.

Permitted Use of Fields:

- **The use of Public Facilities for private gain is PROHIBITED.** The City of Newton’s Parks, Recreation & Culture Department requires a permit for the use of public facilities which results in compensation, monetary gain, benefit, or profit to an individual, organization, corporation, or other entity. Facilities include fields, tennis courts, outdoor basketball courts, track, playgrounds, and all other park and recreation space.
- Organized or regular use of Newton Parks, Recreation & Culture Facilities by groups shall require a permit.
- The PRC must receive completed applications no later than February 1 each year for spring use; June 1 each year for summer use; and August 1 each year for fall reservations.
- Reservation applications received past deadline date will be filled based on availability.
- **NO Action** will be taken on incomplete applications.

Order of Priority (Tier System):

- Parks, Recreation & Culture recognizes the commitment of the many dedicated youth organizations, and regrets that not all permit requests can be met due to limited space and field constraints of the various seasons.
- The PRC will recognize groups and take under permit request, each use based on the following order for use:
 - Tier 1: Newton Parks, Recreation & Culture and Newton School Department requests.
 - Tier 2: Newton Youth Organizations as follows:
 - Newton Little League, Newton Little League Senior Division, Newton South East Little League
 - Newton Babe Ruth League
 - Newton Senior Youth Baseball League
 - Newton 15 – 18 baseball League
 - Newton Post 440 American Legion League
 - Newton Lacrosse Leagues (Newton Boys Lacrosse, Newton Girls Lacrosse, Girls Lax Newton)
 - Newton Youth Soccer, Newton Girls Soccer
 - Newton Youth Football Leagues (Mustangs and Newton Area Flag Football)
 - Newton Girls Softball
 - Tier 3: Newton Adult Groups with more than 65% residents on their official league roster, Newton Private Schools, Newton Charitable organizations.
 - Tier 4: Newton Businesses, non-Newton schools, adult leagues, and youth leagues with less than 65% Newton residents.
 - Tier 5: Private Camps, Clinics, Tournaments, or other organizations running a business regardless of number of Newton residents associated with the program.

- When two or more applicants are on an equal footing (applications filed and complete with appropriate documentation) and applying for the same field space, priority will be given to the traditional in-season sport based on MIAA (school) athletic seasons, and assigned to spaces for the same school sport:
 - Fall Season – Football, Field Hockey, Soccer, Cross Country, Tennis, Rugby
 - Spring Season – Baseball, Softball, Lacrosse, Tennis, Track and Field, Rugby
 - Summer Season – Baseball, Softball, Ultimate Frisbee, Tennis, Rugby, Cricket
- Additional consideration may include the past history an organization has developed with the PRC, the length of time an organization has been at a particular site, how good a neighbor the NBSO has been to the surrounding neighborhood (i.e. parking, no alcohol use, excessive noise), condition the field is left in after user is finished for the day or evening (i.e. trash and recycling) and the ability of the group to conform to the rules and regulations of the City and the Parks, Recreation & Culture Commission.
- Applicant, or the responsible adult who is designated on the permit for the applicant, shall always be present a Field issued to them is in use. The permit holder must always have his/her permit in their possession.
- Assigned permit is a permit only for the named permit holder/organization, is non-transferable under any circumstances and may not be shared or transferred to any other organization except through the PRC Permitting Office.
- Unless specifically stated it is understood that the function/activity to be held is not a fundraiser, that no admission is to be charged, that no tickets will be sold or collections taken, and that no items will be sold.
- Groups conducting a fundraising activity must participate in the fundraising/special permitting process associated with special activities of this type. This includes NBSO's and PTO's. The Special Events Permit Application is available for download at:

<http://www.newtonma.gov/civicax/filebank/blobdload.aspx?t=47410.35&BlobID=94765>
- **Any violation of such permit's terms, conditions and/or limitations shall be grounds for immediate revocation of such permit and denial of future application for permits submitted by such team, group, organization or individual.**
- If a permit is revoked for any reason, there shall be no refund of the permit fee.
- By applying, all applicants agree to conform to all City policies for playing fields and related facilities use.
- Goals and other equipment ancillary to the Newton Parks, Recreation & Culture and/or School Department fields permitted by the PRC:
 - The permit holder may use such goals or other equipment but shall do so at their own risk.
 - The permit holder shall be responsible for using such goals and other equipment in accordance with rules and regulations as the PRC may establish from time to time.
 - The permit holder shall be responsible for all damage, or loss, of such goals or other equipment resulting from its use. If moving a piece of equipment that has sandbags to weigh it down, those sandbags must be moved with the equipment on and off the field each time.
 - The permit holder is responsible to ensure that all ancillary equipment that is used, is returned to its original location, and secured after each use.
 - The use of tents up to 20'x20' is allowed without a Fire Department permit. However, tents of any size are prohibited on the **Turf fields** at Newton North and Newton South High Schools. The PRC

Department must approve the size, location, duration of any proposed tent and any other relevant factors.

Field Marking:

- The Newton Parks, Recreation & Culture Department marks fields consistent with traditional in-season school sports. (This includes grooming of fields and spaces considered not in season) We do not mark fields off season. We do provide contact information for groups wishing to hire a private contractor to mark fields and if you wish to mark yourself.

Insurance:

- A Certificate of Insurance naming the City of Newton as an additional insured party for (Limits of \$1,000,000.00 general liability) IS REQUIRED. Just naming the city as a certificate holder is insufficient. The insurance agency **SHALL** state that the certificate holder (City of Newton, 1000 Commonwealth Avenue, Newton MA 02459) is listed as an additional insured.
- If the insured requesting space is holding a camp/clinic a certificate from the Newton Public Health Department certifying the camp/clinic meets all state requirements is to be part of the application and no permit will be issued until these criteria is met.
- If food is to be given/sold or donated a Health Permit must be submitted prior to the actual event.

Fees:

- All fees are considered a reservation fee for use of Newton Parks, Recreation & Culture facilities is non-refundable unless a field is not issued for a request, or a field is unexpectedly closed by the PRC for various reasons (not weather related). If a field permit is revoked for failure to abide by the terms, conditions and/or limitations of use outlined here, there shall be no refund of the permit fee
- **Field Permit fees are indicated on the Field Permit application and are listed by Tier.**
- The permit holder(s) must be in possession of the permit at the playing fields and/or related facility and be prepared to produce the permit upon proper request by City of Newton officials, including the Police. Failure to produce a valid permit when requested is grounds for expulsion from the playing field or related facility, and such further action as the PRC may determine to be appropriate under the circumstances.
- Appropriate notices will be posted for fields under repair and maintained by the PRC at all affected playing fields and related facilities, which will read substantially as follows: "Field under renovation, please keep off" The Police department shall enforce these limitations. Users are expected to keep off areas under repair.