

CITY OF WALTHAM
PARKS-RECREATION BOARD

**2024 ATHLETIC FIELDS AND RECREATION FACILITIES
PERMIT POLICY**

Authority, Applicability, and Policy Statement

The City of Waltham’s Parks-Recreation Board adopted the following policies and rules pursuant to Chapter 614 of the Acts of 1967 and Section 11-19 of the General Ordinances of the City of Waltham to govern the use of athletic fields and facilities under the jurisdiction of the Parks-Recreation Board. This policy is designed to ensure the maintenance and preservation of such fields/facilities for the public’s recreational use, responsible usage of such fields/facilities, coordination of the equitable allocation and scheduling of limited field space, and financial accountability for potential damages.

Definitions:

Applicant: Refers to individual of an organized group responsible for completing permit application and abiding by policies and conditions set forth in the permit.

Facility: Refers to the location and appropriate name of property requesting use of.

Waltham Resident: Refers to individuals who reside within the City of Waltham.

Non-Resident: Refers to individuals who do not reside within the City of Waltham.

Waltham Youth Organization: Any youth group based in the City of Waltham with a purpose to provide support and services to the youth of Waltham. Each youth group must have a governing Board of Directors consisting of Waltham adults.

Non-Profit Groups: Any group acting as a non-profit organization with proof of such declared status.

For Profit Groups: Any group looking to secure a facility for profit or gain.

User: Refers to an individual, group, or organization that utilizes property under the jurisdiction of the City of Waltham’s Parks-Recreation Board.

Organized Group Use: Any group of individuals that proposes or wishes to meet at a particular field or facility under the jurisdiction of the Parks-Recreation Board at a pre-determined date and time, including those meeting for multiple dates on a regular basis over an extended period of time, to engage in any of the following uses or activities, provided said uses or activities are authorized by the Zoning Ordinance of the City of Waltham to occur at the specified field or associated facility:

(1) any league(s), game(s), practice(s), tournament(s), clinic(s), match(es), or youth/collegiate/adult athletic activity to occur on a specified field or facility;

(2) any use, activity, or event involving 12 or more people to occur on a specified field or facility. Such event(s) must comply with zoning and may include, but are not limited to parties, weddings, fundraisers, and entertainment performances.

(3) any use or activity where the organizer of the activity charges a fee that enables participation in said activity to occur on a specified field or facility, or where spectator fees for viewing such use or activity are charged.

(4) any use or activity where a person pays a fee for receiving instruction to occur on a specified field or facility. Such instruction may include, but is not limited to, soccer goalie instruction, softball pitcher instruction, and exercise classes.

Policies:

- All individuals or groups meeting the definition of “Organized Group Use” are required to obtain a permit from the City of Waltham Recreation Department to use a specified field or associated facility under the jurisdiction of the Parks-Recreation Board in the City of Waltham (hereinafter “Group” or Groups”). The fees for this required permit are found on page 6 under **Fees**. The fees paid are to reimburse the City for costs that it would not have incurred but for the applicant’s particular use of the specified field and associated facility. The fields/facilities that require a permit are as follows:

Fields and associated facilities:

- Veterans Field (4 fields, which are soccer sized and 2 softball fields);
- Falzone Field (one field);
- Nipper Maher Park (three fields);
- Monsignor McCabe (two fields);
- Lazazero Playground (two fields);
- Cornelia Warren Field (one field);
- Lowell Field (one soccer sized and one softball field);
- McKenna Playground (one field); and
- Elsie Turner Field (one field).”

Indoor Recreation Facilities:

- Waltham Community and Cultural Center, 510 Moody Street
- 14 Church St
- 119 School St Gymnasium

A permitted field and/or facility is reserved for the exclusive use by the organization(s), group(s), or individual(s) authorized to use the field/facility by the issued permit, then during the time that the permit is operational no other person not covered by that permit shall enter the area of the field or facility covered by the permit.

- Those fields and facilities not requiring a permit are open to the public on a first-come, first served basis.

- No person shall enter or be present on City of Waltham land or any field or facility under the jurisdiction of the Parks-Recreation Board after dark unless authorized by the Recreation Department.
- All individuals and Group(s) must comply with the terms and conditions of the permit, this policy, the rules and regulations of the Parks-Recreation Board, City of Waltham ordinances, procedure of the Waltham Recreation Department, and any and all rules and regulations posted at the specified field and/or facility under the Parks-Recreation Board's jurisdiction.
- Athletic fields and/or recreational facilities under the jurisdiction of the Parks-Recreation Board may be reserved and designated for a specified use and time period.
- Allocation of permits will be based on availability, scheduling needs, field conditions, renovations, and control measures implemented by the Recreation Department, subject to approval from the Parks-Recreation Board (note: the Director of the Recreation Department will determine if a request is out of the ordinary and, if so, will bring such application to the attention of the Parks-Recreation Board).
- For all activities where children are involved, such activities shall be supervised by individuals who have passed a CORI check within one year prior to the event.
- Liability Insurance Requirement: All permit applicants must submit a Certificate of General Liability Insurance in an amount not less than \$1Million dollars that names the City of Waltham as an additional insured and that covers the time-period the organization is requesting to use the recreation fields/facilities. If your organization does not currently hold insurance, your application must include your plan to purchase such insurance and you must submit the required certificate of insurance by no less than 3 business days prior to the scheduled first use of the field/facility. Failure to submit the required Certificate of General Liability Insurance by the deadline shall result in loss of permit.

In circumstances when an applicant has demonstrated to the satisfaction of the Director of the Recreation Department that the user(s) of the field/facility are unable to satisfy this insurance requirement, all individuals that will use the field/facility in connection with the permitted activity ("user/participant") shall sign a release waiving liability for and indemnifying the City from liability of any kind or character and assuming all risks associated with the planned activity and protecting the City property from any and all damage. All such releases shall be submitted to the Recreation Department by no less than 3 business days prior to the scheduled first use of the field/facility. Failure to submit all such releases by the deadline shall result in loss of permit. Copies of such releases for each user/participant shall be available for inspection upon the request of any Recreation Department employee during the permitted activity and any user/participant without a signed release shall not be allowed to participate in the permitted activity.

- Indemnification and Warranty of Signatory Requirement: all permit applicants must submit an indemnification and warranty by an individual with the authority to bind the Licensee, each of the members of the Licensee organization, and all participants in the use licensed, jointly and severally to the terms of the Permit/License, certifying that the Permit Holder/Licensee shall indemnify and shall at all times save and hold harmless the City of Waltham, its officials, employees, agents, and volunteers and the Parks-Recreation Board, its officers, members, employees, agents, and volunteers from and against any and all claims, demands, suits, actions, proceedings, liabilities, damages, losses, judgments, of or by anyone, and costs and expenses, including without limitation the costs and expenses of

litigation and attorneys' fees, for property damage or bodily injuries or personal injuries to or death suffered by the Licensee or any member of the Licensee organization or participants in the use licensed or of anyone that in any way is caused by, arises out of, or is occasioned by the permitted use or the use of the buildings, facilities, or fields owned by the City of Waltham. Without limiting the generality of the foregoing, this indemnification shall be further construed to protect the herein indemnified parties from any liability caused by, arising out of, or occasioned by the actions or inaction of the Licensee or its employees, agents, officers, members, guests, or invitees of the Licensee or of any of the Licensees' contractors, or the agents or employees of any of them, or that occur in conjunction with the permitted use, regardless of whether or not it is caused in part by a party indemnified hereunder.

- City of Waltham Police details may be required as a condition to approving a permit request when deemed necessary by the Recreation Department. Costs for police coverage shall be at the applicant's expense.
- The Recreation Department reserves the right to charge additional fees for camps, clinics, tournaments, and any activity or event held on properties under the jurisdiction of the Parks-Recreation Board if such activities or events are expected to cause a greater impact than normal wear and tear to a specified field or facility. The Recreation Department also reserves the right to charge additional fees to large groups and/or functions due to increased expenses incurred for upkeep, maintenance and personnel needs. *See* page 7 below for standard fees.
- The Recreation Department may require a security deposit, if applicable (page 7, under **Fees**) to be paid and/or utility fees in addition to permit fees charged to reserve facilities. It is the responsibility of the group using the facility to leave an athletic field/recreational facility in the condition it was in prior to their use. Custodial service fees may also be charged.
- No individual or Group(s) is/are allowed to practice or play games on any field that has standing water on it, or during thunder storms/lightning activities. Groups will be held responsible for the repair of any field on which they played in standing water, wet or unfavorable conditions, and caused damage to the field. Failure to pay for repairs will result in all future permit use being revoked.
- The permit holder must be present at the facility during the time stated on the permit. The permit holder must be in possession of the permit at the athletic field and/or facility and be prepared to produce the permit upon proper request by representatives of the Recreation Department or any city official, including the police. Failure to produce a valid permit when requested is grounds for expulsion from the athletic field or facility and such further action as the Recreation Department may determine to be appropriate under the circumstances. In the event that the permit applicant is a City of Waltham School Principal then they shall list the name(s) of the individual(s) who will be onsite on the application.
- Re-allocation or subletting of any field or facility by a permit holder to any other person or group is prohibited. If it is determined such action was granted, the permit will be revoked and future permit requests will be denied.
- There is no guarantee that the field permitted will be lined. Field lining is not included in the permit fee. If the group using the field requires lines it is the responsibility of the

permit holder to make arrangements. Users are NOT permitted to perform any type of maintenance, repairs or improvements, including the painting of any lines on any athletic fields within the jurisdiction of the Parks-Recreation Board without the approval of both the Director of the City of Waltham's Consolidated Public Works (C.P.W.)/Department's designee and the Recreation Department.

- Goals and other equipment ancillary to use on any field or facility within the Parks-Recreation Board's jurisdiction may be made available by the Recreation Department. The permit holder may use such equipment, but shall do so at their own risk. The permit holder is responsible to ensure that all such equipment that is used is returned to its original location on the site after each use.
- **The City of Waltham's ordinances pertaining to discharge of firearms (§ 10-1 of the city's general ordinances), drug paraphernalia (§10-51 - §10-53 of the city's general ordinances), registered sex offenders (§10-70 - §10-76 of the city's general ordinances), and alcohol in public places (§17-4 of the city's general ordinances) are strictly enforced on all fields and facilities under the jurisdiction of the Parks-Recreation Board. No firearms, drugs, or alcohol are allowed on or at the fields and facilities at any time! Any violation of the City ordinances will be grounds for immediate revocation of any issued permit and denial of future applications for permits.**
- **Any violation of permit terms, conditions and/or limitations shall be grounds for immediate revocation of such permit and denial of future applications for permits.**
- The Recreation Department reserves the right to deny permits to those individuals and organizations that have in the past shown disregard for these policies, rules and regulations.
- If a permit is revoked for failure to abide strictly by its terms, conditions, and/or limitations, there shall be no refund of the permit fee.
- Once a field/facility permit fee has been processed, no refunds will be given. If inclement weather conditions cause a cancellation due to wet or unfavorable conditions, the Recreation Department will attempt to accommodate a request for another date and time. This may not be possible due to scheduled events. To be eligible for a possible re-scheduling date it is the responsibility of the permit holder to contact the Recreation Department by the next business day.
- After a permit has been processed, each change made to a permit, whether it is date or time, will result in a \$10.00 administrative fee being assessed to the permit holder.
- By submitting an application for a permit, all applicants agree to conform to all City policies for athletic fields and recreational facilities.

Infractions

- First Occurrence – Will cause a letter specifically listing the Department's concerns to be emailed to the organization/permit holder. This notification is a warning that any future infraction will result in loss of permit.
Second Occurrence – Will result in the loss of scheduling privileges, suspension of permit, or cancellation of permit and future use of facilities by organization.

- Any violation of permit terms, conditions and/or limitations shall be grounds for immediate revocation of the permit. The Recreation Department reserves the right to deny future permit applications to those individuals and organizations that have disregarded the Parks-Recreation Board/Recreation Department's policies, rules and regulations or had a prior permit revoked for failure to abide by the terms and conditions of the issued permit.

Scheduling Procedures

The scheduling of athletic fields and recreational facilities requiring a permit is performed by the Recreation Department, which is located at 510 Moody Street, Waltham, MA 02453. Office Hours are Mondays –Fridays, 8:30 a.m. – 4:30 p.m.

Scheduling an athletic field or recreational facility and issuing a permit to an organization does not give the group authority to use the field in the event the field is too wet and not playable. The event should be postponed and rescheduled.

The scheduling of athletic fields and recreational facilities will have the following priorities:

- Recreation Department sponsored programs, services, activities, and special events.
- Waltham Public Schools athletic teams, programs, activities, and special events.
- Waltham Youth Sport Organizations supported by the Recreation Department.
- Other Waltham educational institutions and Waltham Youth Recreational Program Providers (Boys and Girls Club/YMCA)
- Organized Waltham Adult Sport Leagues/Associations (Team Roster complete with names and addresses, requiring the majority of Waltham residents, will be verified)
- Waltham Neighborhood Associations
- Waltham Non-profit and Charitable Organizations
- Waltham Businesses and Companies
- Non-Waltham Non-profit and Charitable Organizations
- Non-Waltham Adult organized Sports Leagues/Associations
- Other Requests (companies, private camps, clinic, athletic competitions, special events)

Application Process and Procedures

- The filing of an application for use of any field or facility in Waltham under the jurisdiction of the City's Parks-Recreation Board and the City's Recreation Department does not necessarily mean that the application will be approved. The purpose and nature of requested permitted use must be clearly stated before approval can be considered. Priorities will be given to individuals and/or groups residing/headquartered in Waltham or sponsored by a Waltham resident or group, which is willing to assume legal responsibility for the activity to be held.
- No permit shall be granted for the use of any field or facility at such time or in such manner as to interfere with the ongoing recreation programs and services offered daily by the Recreation Department within the building or on any field. The permit holder is responsible for seeing to it that the members of the group and those in attendance are not allowed to go into or trespass upon any area of the building or property not covered by the permit.
- For Indoor Facilities Permit requests, - permit applications will be reviewed when received by the Waltham Recreation Department (must be submitted at least 3 business days prior to the desired date of the event).

- For Athletic Fields and Outdoor Facilities Permit requests, permit applications are available from the Waltham Recreation Department beginning February 1 and will be reviewed at that time.
- For Athletic Fields and Outdoor Facilities Permit requests, - the starting and ending dates for each season are approximate and depend upon weather conditions and field conditions. The Recreation Department in partnership with the City’s Consolidated Public Works Department (C.P.W.) will set start and end dates.
 - Spring Season: Approx. Apr. 1 – Jun. 15 Submit beginning Feb. 1
 - Summer Season: Approx. Jun. 16 – Aug. 15 Submit beginning April 15
 - Fall Season: Approx. Aug. 15 – Nov. 15 Submit beginning June 15
- Facility permit requests are available from the Recreation Department office or online from our website <https://www.city.waltham.ma.us/recreation-department/pages/permits-request-forms>
- Facility permit requests will contain the following information: Applicant’s name, address, phone numbers, organization name, date and time requested, athletic field or recreational facility to be used, fee schedule if applicable, and size of group anticipated using facility. Additional information may also be requested depending upon planned use of facility. No permit will be considered unless all conditions are met. The application must be completed and signed. All required documentation must be attached, which may include rosters, residency verification and/or insurance coverage.
- An adult (21 years or older) must complete all permit applications. The applicant named on the permit must be present during the times specified on the permit.
- A copy of the applicant’s driver’s license will be required prior to issuing a permit.
- It is the responsibility of the applicant to fully complete the application and provide the required Certificate of General Liability Insurance (or the approval of the Director of the Recreation Department to submit, and to submit, Releases waiving liability for each user/participant). Incomplete applications will not be considered.
- Once notification is made confirming the permit, all fees must be paid in full prior to use.
- The City of Waltham Recreation Department reserves the right to cancel reservations in the event, it is determined, there is an increase of COVID – 19 or any unforeseen circumstances.

Athletic Fields and Outdoor Facilities Permit Fees

2 – Hour Block	\$175.00
Additional Hour	\$80.00
Use of Lights	\$80.00
Security Deposit (if applicable)	\$500.00

Indoor Facilities Permits Fees

2-Hour Block	\$150.00
Additional Hour	\$75.00
Security Deposit (if applicable)	\$500.00

Acknowledgement of Receipt of Policy

The undersigned, an applicant seeking to obtain the use of a specified field and/or recreational facility under the jurisdiction of the Parks-Recreation Board of the City of Waltham, acknowledges that the undersigned has received and read a copy of the Parks-Recreation Board’s “2024 Athletic Fields and Recreation Facilities Permit Policy” and understands and will fully abide by, and comply with, the terms, conditions, and provisions contained therein.

Signature

Print Name

Date