

CITY OF FENNIMORE
GRANT COUNTY, WISCONSIN
USE OF FACILITIES AND EQUIPMENT POLICIES AND FEES FOR BALL DIAMONDS
AND AREA PARKS

PLEASE NOTE: Your request to use City of Fennimore facilities and/or equipment will not be approved until the *completed and signed* Property Use Agreement is returned to the City Clerk's office with the appropriate fee, if applicable. Subject to City use priorities, authorized use is granted on a first-come, first-serve basis.

Rental of Facilities and Equipment

Request for the use of City buildings, grounds and/or equipment may be granted to responsible individuals and organizations whose purpose is to furnish recreational, educational, civic, or cultural interests to the City of Fennimore. When a business is interested in use of City facilities or equipment, such use may require Council consideration on a case-by-case basis. It is to be understood that the availability of City buildings, grounds, and/or equipment must not interfere with the activities of the City. It is the policy of the City of Fennimore to encourage the use of City buildings, grounds, and/or equipment for the activities of educational and civic organizations. When a charge is assessed, it is made, not for the purpose of discouraging the use of the building but, rather, to make it possible for individuals, businesses, and organizations to utilize the facilities by sharing a portion of the expense involved.

Office Hours:

8:30 a.m. – 4:30 p.m. Monday through Friday, with the exclusion of Holidays

Police Department Hours:

24 hours per day, seven days per week

Definitions:

Local Community Group or Resident: Lives/exists solely within the City of Fennimore.

Non-local Individual or Group: Lives/exists in part or wholly outside the City of Fennimore.

Institutional Group: Southwest Wisconsin Technical College, CESA #3, Fennimore Community School District, etc.

Recreational/Educational Use: Scheduled activity is provided free and open to all residents. (Includes fundraisers by non-profit groups) Exception: Long term utilization such as gymnastics.

Commercial: Scheduled activity for which a fee of any kind is charged or profit is involved.

Buildings and Grounds: Auditorium, council room, parks, pool, ball diamonds, football field, and concession stands.

Equipment: Chairs and tables.

GENERAL RULES AND REGULATIONS

1. Applications for building, property and/or equipment use should be made in writing not more than 12 months nor less than five (5) days prior to the date requested. The date(s), duration, and specific property shall be subject to the approval of the City Clerk or designee. In some instances, Council action may also be required.
2. Regular City activities and organizations of the City shall have first priority in reserving the use of the City buildings, property and equipment. While the City strives to honor approvals or permits it has granted, emergencies or other City needs may require that approvals or permits be withdrawn after they have been granted.
3. Permit holder shall agree to indemnify the City of Fennimore for any and all damage by any person or persons attending the activity and indemnify the City against any and all liability and any and all damages to any person or persons or property. The City of Fennimore will be held harmless from any claim, cause of action, damage, accident, injury or liability caused by the permit holder's use of the

- facilities. Upon request, the permit holder must present a Certificate of Insurance or other evidence of ability to fulfill such indemnity.
5. The City of Fennimore shall not be liable for the theft or damage to “property of others” stored on City property.
 6. Permit holder may not assign, transfer, sublet or charge a fee for use of the facility or equipment unless specifically provided in the permit.
 7. The permit holder must secure the services of a City of Fennimore employee capable of providing access to the facility or equipment if the use period is outside business hours. Permit holder may incur a charge for this service unless the City of Fennimore employee chooses to volunteer his/her services and signs the appropriate section of the Property Use Permit.
 8. Permit holders will be held responsible for cost of cleanup or repair of damages resulting from use. In addition, failure of a permit holder to pay the cost of cleanup or repair may subject the permit holder to suspension or revocation of the permit or to the City’s declining or refusing to grant any further permit to the holder until such costs have been paid in full.
 9. Any additional costs incurred by the City of Fennimore for maintenance service prior to, during, or after events will be billed to the permit holder. Failure of a permit holder to pay the cost of maintenance service may subject the permit holder to suspension or revocation of the permit or to the City’s declining or refusing to grant any further permit to the holder until such costs have been paid in full.
 10. Permit holders will furnish supervision appropriate to the function for which the premises is to be used at the permit holder’s expense. When children are involved in the activity, the City Council recommends one (1) adult to each twenty (20) children. The permit holder will ensure that all rules of conduct and all persons using the premises comply with guidelines governing use of the premises.
 11. No smoking is permitted in enclosed City buildings per Ordinance No. 267. The ordinance also prohibits smoking on City Pool property.
 12. Alcoholic beverages may not be sold or served on any City property without Council approval. Only local bona fide clubs as defined under Chapter 125 of the Wisconsin Statutes are eligible to seek Council approval to sell/serve alcoholic beverages on City property, on a case-by-case basis.
 13. Alcoholic beverages may be consumed at special events such as wedding receptions, anniversary parties, or birthday parties held in City parks. However, if there are disruptive activities during the event which require calling the police, the continued use of the park for the event may be halted immediately at the discretion of the police department. Further, no alcoholic beverages may be sold during such events without a license. Only local bona fide clubs as defined under Chapter 125 of the Wisconsin Statutes are eligible for such licenses. No glass containers are allowed.
 14. All State laws and regulations and all City ordinances must be observed.
 15. All permits are revocable and are not considered a lease. The City Council or its authorized agent may reject an application or cancel any permit. If the City Council or authorized agent determines that an immediate suspension or termination is required, for any reason whatsoever, the City Council or its authorized agent may immediately suspend or terminate the permit upon giving oral notice. In addition, in the discretion of the City Council, any request for a permit may be refused if the permit applicant has, in the past, failed to pay fees or damages due, failed to comply with facility or park rules, or has otherwise failed to fulfill their responsibilities and obligations under a prior permit.
 16. The permit holder agrees not to discriminate against anyone because of age, sex, race, national origin, religion, ancestry, creed, pregnancy, marital or parental status, color, sexual orientation, or physical, mental, emotional or learning disability or handicap.

FEE SCHEDULE

The permit holder may solicit a City of Fennimore employee to volunteer to provide access to the building at times outside regular building hours. The volunteer must sign the Property Use Agreement. If a volunteer cannot be secured, the permit holder will pay for one hour of maintenance time at the overtime rate (see #7, General Rules and Regulations). Fees can be waived at the discretion of the City Council.

Ball Diamond/Concession Stand

- 1. Local Community Service
- 2. Non-local or for profit \$ 25.00
- 3. League and Tournament fees (adopted 4/12/10, updated 2/13/12):
 - a. Little League - \$50 per team, \$150 maximum
 - b. Softball - \$50 per team, \$150 maximum
 - c. Babe Ruth - \$50 per team, \$150 maximum
 - d. Men's Leagues - \$50 per team, \$150 maximum
 - e. Soccer - \$50 for league
 - f. Tournaments - \$25 per day use fee plus \$25 per day deposit, refundable within 5 days after the event if facilities are kept clean daily and no damages occur. Reservations for tournaments require a minimum 30 days advance notice. Permission to use facilities given on a first-come, first-served basis.
 - g. Football Field, with lights - \$100 per evening (non-local)
 - h. Concession Stand- \$25.00 (non-local, for-profit)

Park Areas or Pavilions (users must comply with park regulations listed below)

- 1. Local Residents FREE
- 2. Non-local residents or for profit \$ 25.00
- 3. Recreational Vehicle Parking (Oakwood Park) \$ 10.00 per night
- 4. Vendor use – fee is established per council action based on the details of the request.

PROPERTY/EQUIPMENT USE AGREEMENT

(Please print clearly)

Name of Individual/Business/Organization _____

Person Responsible _____

Address _____

Phone _____ # Email: _____

Type of User (please circle all that apply):

Resident Commercial Institutional Non-Profit Fundraiser Auction Community Service

Location of Residence or Principal Office: City of Fennimore Outside the City of Fennimore

Type of Activity _____

Date(s) _____

Time(s) _____

Will concessions or products be sold or admission fees be charged? Yes _____ No _____

Will alcohol be consumed during the event? Yes _____ No _____

Will any ATVs be used during the event? No _____ Yes _____ If yes, how many? _____

ATV Owner(s) _____

Will any unusual equipment or materials be used during your event? Yes _____ No _____

If yes, please describe: _____

Requested Use (please circle all that apply):

Batting Cage	Ball Diamond #1	Ball Diamond #2	Oakwood Park	
Concession Stand #1	Arborvitae Park	Concession Stand #2	Football Field	Soccer Field
Memorial Park	Other _____			

Fees

The fee for said use of the property or equipment shall be:

_____ Fee

_____ Maintenance Fee (\$25.00 per hour _____ hours. Minimum \$25.00)

City Staff, if applicable (see above: "General Rules and Regulations, #7")

I, _____, am volunteering my time to provide facility access for the above request.
(Print name clearly)

(Signature of City Staff Volunteer)

I have read the terms of this agreement, in my *individual capacity* or as an *authorized representative* (cross out the description that does not apply) of the business or organization listed on the reverse side, and agree to all of the terms in this agreement.

Person (s) Responsible as Permit Holder in the Agreement:

(Signature)

(Date)

NOTE: Permit holder must complete data on this form in full prior to City representative approval.

<i>OFFICE USE ONLY</i>	
Approved by: _____	Date: _____
Fee Paid: _____	

City of Fennimore, 860 Lincoln Ave., Fennimore, WI 53809, 608-822-6119

PARK REGULATIONS

Municipal Code Section 18.055

(1) Definition: The term “park” as used in this section shall include all grounds and structures which are or may be located within any area dedicated to public use as a park, parkway, recreation facility, playground or swimming pool owned, leased or operated by the City and shall also include Marsden Park.

(2) Specific Regulations.

- a. **Littering Prohibited.** No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park. Trash receptacles provided
- b. **Sound Devices.** No person shall operate or play any amplifying system unless specific authority is first obtained from the Common Council, or, in the case of Marsden Park, from the Park Board of Trustees or designated caretaker.
- c. **Bill Postings.** No person shall post, paste, fasten, paint, or attach any placard, bill, notice, sign or advertising matter upon any structure, tree, or other natural object in any park except park regulations and other signs authorized by the Common Council or Marsden Park Board of Trustees or caretaker.
- d. **Throwing Stones and Missiles Prohibited.** No person shall throw stones or other missiles in or into any park.
- e. **Removal of Park Equipment Prohibited.** No person shall remove benches, seats, tables, or other park equipment from any park unless authorized by the Common Council or the Marsden Park Board of Trustees or caretaker.
- f. **Making of Fires.** No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.
- g. **Protection of Park Property.**
 - i. No person shall kill, injure, trap, or disturb, or attempt to kill, injure, trap, or disturb birds or animals, wild or domestic, within any park. No person shall climb any tree or remove any flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove, in whole or in part, or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign, or other property within any park. No person shall remove any device for the protection of trees or shrubs. No person shall climb on any structure within any park except playground equipment specifically designed for that purpose.
 - ii. No person shall deface, by throwing stones, pebbles, or other debris in any of the toilets, water fountains, or other sanitary facilities located in any park; or deface by drawing with crayon, chalk, paint, or anything else any other buildings or equipment at any park; or deface such buildings or equipment by means of a sharp instrument.
- h. **Motorized Vehicles.** Except for authorized maintenance vehicles, no person shall operate any unlicensed or licensed motor vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicle of any nature may be used on the seeded areas except vehicles which have permission of the Common Council or the Marsden Park Board of Trustees or caretaker for shows, rides or exhibits.
- i. **Snowmobiles.** No person shall operate a snowmobile in any park except on designated trails.
- j. **Speed Limit.** No person shall operate a vehicle in any park in excess of 15 miles per hour unless otherwise posted.
- k. **Reckless Driving.** No person shall operate a vehicle in a reckless manner in any park.
- l. **Parking.** No person shall park a motor vehicle in any park except in designated areas.

- f. **Horse and Carriages.** No person shall ride a horse or drive a horse-driven vehicle in any park, except on roads or designed bridle paths, without permission from the Common Council or Marsden Park Board of Trustees or caretaker. It shall be unlawful for any person to ride a horse or drive a horse-drawn vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others. Horseback riding shall be allowed only during daylight hours. Horses may not be bridled in any park.
- g. **Pets.** Pets shall not be permitted to run at large in any park. Any person bringing a pet or other animal to or through any park property shall be responsible for removing waste deposited by the animal on park property.
- h. **Vendors Restricted.** No person shall sell or vend any article of merchandise in any City park without the consent of the Common Council. Such consent may be granted on any individual basis or for events or activities in which the vendor is authorized to participate. The sale or vending of any article of merchandise in Marsden Park is prohibited at all times.
- i. **Camping.** No overnight camping in City parks is permitted except upon approval by the Common Council. Overnight camping in Marsden Park is prohibited.

(3) Park Hours.

- a. **Hours Established.** All parks shall be closed between the hours of 10:30 p.m. and 6:00 a.m. on the following day. Any law enforcement officer may clear all persons from parks during closing hours.
- b. **Exceptions.** The established hours do not apply to persons or groups who have permission of the Common Council or Marsden Park Board of Trustees or caretaker to remain in a park during closing hours on specific days for specific purposes or to individuals attending events for which permission has been granted provided during the events and no later than 30 minutes after the ending time of the event.