

## HOW TO APPLY FOR A USE OF FACILITIES PERMIT

Applicant must submit the following at least 7 days prior to requested date(s):

- Application & Agreement for Use of Facilities Form;
- Facility fee;
- Security deposit;
- Hold Harmless Agreement; and
- Certificate of Insurance.

The Parks and Recreation Department reserves the right to reject any application.

### Application & Agreement for Use of Facilities Form

Submit the Application & Agreement for Use of Facilities Form to the Parks and Recreation Department by email to [amiller@dunellenborough.com](mailto:amiller@dunellenborough.com) or mail to Parks and Recreation Department, 355 North Ave, Dunellen, NJ 08812.

### Facility Fees and Security Deposit

Please request current facility rates and security deposit requirements from the Parks and Recreation Department by calling (732) 968-3033 x8 or emailing [amiller@dunellenborough.com](mailto:amiller@dunellenborough.com). Security deposit will be refunded to the applicant after the event/activity, if the Recreation Director determines the facilities were returned to the same condition as existed before the reservation.

### Hold Harmless Agreement

Submit the completed Hold Harmless Agreement to the Parks and Recreation Department.

### Certificate of Insurance

Submit valid Certificate of Insurance to the Parks and Recreation Department. See Hold Harmless Agreement for details. Name the Borough of Dunellen, 355 North Ave, Dunellen, NJ 08812 as the certificate holder and additional insured.

### Rules and Regulations for Use of Facilities

- 1 Applicant shall be in possession of Use of Facilities permit during event/activity.
- 2 Applicant organization shall obtain and produce Certificate of Insurance absolving the Borough of Dunellen, its employees and representatives of all liabilities relative to the use of the requested facilities.
- 3 Applicant shall be responsible for the behavior of all persons participating in and/or attending the event/activity for which this agreement is made.
- 4 Applicant is responsible for all clean up of any litter and/or debris as well as the return of the facility to the same condition as existed before the reservation. Recyclables must be placed in the proper containers.
- 5 No alcoholic beverages are permitted in park at any time.
- 6 Vehicles may only be parked in designated parking areas; vehicles parked illegally will receive summonses.
- 7 Fields must be left clean and orderly. No playing on wet fields as it ruins the fields. No golfing of any type. Applicant and event/activity attendees shall not damage landscaping, trees or grass areas. Any damages must be reported immediately.
- 8 The Parks and Recreation Department reserves the right to cancel this permit at any time at the Director's discretion for any reason.
- 9 Any organization violating these Rules and Regulations could cause the permit to be reevaluated or revoked.

These rules and regulations will be enforced by the Dunellen Police Department and violators may be subject to arrest and/or fines.

**APPLICATION & AGREEMENT FOR USE OF FACILITIES FORM**

Submit this form seven (7) days prior to the event/activity to the Dunellen Parks and Recreation Department by email to amiller@dunellenborough.com or mail to Dunellen Parks and Recreation Department, 355 North Ave, Dunellen, NJ 08812.

Applicant is  Individual  Non-profit organization  Profit making organization  Other

Organization name \_\_\_\_\_

Contact name & position \_\_\_\_\_

Address \_\_\_\_\_

Phone number \_\_\_\_\_

Email address \_\_\_\_\_

- Park requested
- Columbia Park, 200 Orange St
  - Gavornik Park, High St and Lehigh St
  - McCoy Park, 200 Fourth St
  - Morecraft Park, First St and Sanford Ave
  - Washington Memorial Park, 300 N. Washington Ave
  - Other

Which facilities are you requesting to use at the selected park, e.g. gazebo, Senior Center, baseball field, etc.?

\_\_\_\_\_

Event/activity name and a brief description \_\_\_\_\_

\_\_\_\_\_

Total expected number of attendees \_\_\_\_\_

Will an admission or fee be charged for the event/activity? If yes, please list the amount. \_\_\_\_\_

| Date(s) of use | Time of use: setup time to departure time | Actual time of event/activity |
|----------------|---|-------------------------------|
|                |   |                               |
|                |   |                               |
|                |   |                               |
|                |   |                               |

I/We, the undersigned, as duly authorized representative(s) of the Applicant acknowledge and agree to abide by and comply with the Rules and Regulations for Use of Facilities and Chapter 204 Parks and Playgrounds of the Borough's Municipal Code.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**HOLD HARMLESS AGREEMENT**

Between the **BOROUGH OF DUNELLEN**

AND

\_\_\_\_\_  
(Organization/Party)

\_\_\_\_\_  
(Address, not Post Office Box)

Organization Type (please circle one) :    Individual                      Non-profit organization                      Profit making organization

In consideration for use of municipality owned facilities \_\_\_\_\_, on  
(Location)  
the following dates: \_\_\_\_\_ for the purpose of \_\_\_\_\_

the undersigned agrees to indemnify, defend and hold the **Borough of Dunellen** and its officers, agents, members, servants, employees and assigns harmless from any and all liability demands, claims, suits, losses, injuries, damages, judgments, expenses, costs and attorney's fees arising out of the use of the property referred to above. I understand that this Hold Harmless Agreement also requires that the **Borough of Dunellen** is indemnified from any and all claims, demands, damages, judgments, expenses and costs of any kind resulting from the acts or omissions from any guest, participant, visitor or other person attending the event/activity herein referred to. Unless raised in writing to the **Borough of Dunellen**,

\_\_\_\_\_ agrees to furnish a Certificate of Insurance as to workers Compensation coverage (except for an individual) and Certificate of Insurance specifically naming the Borough of Dunellen as an additionally insured, providing a general liability, bodily injury and property damage coverage with minimum limits of liability not less than:

- \$300,000    for an individual
- \$500,000    for a non-profit organization
- \$1,000,000    for a profit making organization or corporation

The following information concerning the intended use of the premises is furnished:

- a) total number of persons anticipated is \_\_\_\_\_
- b) live entertainment (will) or (will not) be provided
- c) other \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ as the binding act in deed of

\_\_\_\_\_  
(Name of organization)

\_\_\_\_\_  
(Authorized signature)

## **BOROUGH OF DUNELLEN MUNICIPAL CODE | Chapter 204 Parks & Playgrounds**

Adopted 6/3/89 by Mayor and Council; <http://www.dunellen-nj.gov/ordinances/index.php>

**§ 204-1 Purpose.** This chapter is enacted to establish rules and regulations for the protection, care and control of the public parks and playgrounds in the Borough and to regulate the conduct of persons on or within such parks and playgrounds or using the facilities thereof.

**§ 204-2 Prohibited acts.** No person shall:

- A. Cut, break, deface, defile or misuse any building, playground equipment, fence, tree, bush, plant or turf or other thing belonging to a park or playground, or any part thereof.
- B. Destroy, remove or carry away or have possession of any building, playground equipment, fence, tree, bush, plant, turf or other thing belonging to a park or playground, or any part thereof.
- C. Cut into, destroy or remove any of the curbing, roadways, sidewalks or paths within a park or playground without written permission from the Division of Public Works.
- D. Use any park, field, play area or equipment for which a permit is required without obtaining the necessary permit from the Department of Recreation.

**§ 204-3 Permits.**

- A. The Department of Recreation shall designate all parks, fields, play areas or equipment for which a permit must be obtained.
- B. The Department of Recreation shall post a sign in a conspicuous place at all parks, fields, play areas or equipment for which a permit is required setting forth:
  - (1) The months, days, and times when the park, field, play area or equipment can be used without a permit;
  - (2) The months, days and times when a permit must be obtained before the park, field, play areas or equipment can be used;
  - (3) The address and phone number of the Department of Recreation, where applications for permits can be obtained; and
  - (4) The fee, if any, for the permit for the park, field, play area or equipment in question.
- C. The Recreation Commission shall establish a schedule of fees for the use of designated Borough parks, fields, play areas or equipment. All fees must be paid in advance. No permit shall issue until the required fees are paid. The Recreation Commission shall have the discretion to impose a cleanup deposit as part of the permit fee, which deposit will be refunded to the applicant after the event, if the Recreation Director determines the grounds are properly cleaned after use.
- D. Where permits are required for the use of parks, fields, play areas or equipment, priority will be given to all individuals or entities residing in, or with a principal place of business in, the Borough of Dunellen.
- E. The permit fee may be waived by the Recreation Director at the written request of the applicant, provided the applicant establishes to the satisfaction of the Recreation Director that:
  - (1) The activity in question serves a charitable purpose; or
  - (2) The permit fee will be an economic hardship for the applicant; or
  - (3) The activity in question will benefit the public; or
  - (4) Such other reason as the Commission determines warrants waiver of the permit fee.
- F. Any person who fails to obtain a permit as required by this chapter will be in violation of this chapter and subject to the penalties in § 204-12.

**§ 204-4 Sporting and water activities; use of vehicles.**

- A. No person on or within a park or playground shall, except in a place provided therefor and only at such times and under such regulations as the Department of Recreation may prescribe, bathe, skate or fish or place in the water a boat or raft or place, throw or drain any offensive substances into the water.
- B. No person shall ride a bicycle in any park or athletic field except upon a path or paved area nor in such a manner as to interfere with another's enjoyment of the facilities of the park or playground.
- C. No person, except an authorized employee of the Department of Recreation or Department of Public Works, shall drive any motor vehicle, wagon or cart upon paths, driveways or roadways within any park or playground.
- D. No person shall coast with a sled, cart or other vehicle in any park or playground, except in places especially designated therefor by the Department of Recreation.
- E. No person shall fly a model airplane without the written permission of the Director of Recreation and in an area other than that specified by the Department of Recreation.
- F. No person shall play any sport or take part in any activity in such a manner as will cause physical damage to the grounds, park facilities or adjacent property, or place any persons at risk of harm or injury due to such activity. The playing of golf, archery and the use of boomerangs is expressly prohibited.

**§ 204-6 Disposal of refuse.** All refuse shall be disposed in a manner consistent with the provisions of Chapter 186, Littering.

**§ 204-7 Tents, stands and other structures.** No person shall erect or occupy any tent, stand or other structure in any park or playground or sell or give away from any such tent, stand or other structure any food, drink or other thing without the written permission of the Council.

**§ 204-8 Closing hours.** All parks will close at sunset except where and when other specific closing hours are permitted.

**§ 204-9 Disorderly conduct; gambling.**

- A. No person within a park or playground shall annoy another person or utter any profane, threatening, indecent or abusive language or act in a disorderly manner.
- B. No person shall play any game of chance or have possession of any instrument or device for gambling.

**§ 204-10 Restrictions on fires.** No person shall make any fire within a park or playground, except at such places as may be designated by the Department of Recreation and only under such conditions and restrictions as may be prescribed by said Department.

**§ 204-11 Prohibited conduct.** No person on or within a park or playground shall:

- A. Throw a stone or other missile.
- B. Sell, expose for sale or give away goods, wares or circulars or post or display any sign, placard or advertising device.
- C. Play, engage in or take part in any game or competitive sport for money or other valuable thing without authorized permission by the appropriate authorities.
- D. Unless authorized by law, discharge or have possession of any firearm.
- E. Solicit alms or contributions for any purpose without the written permission of the Council.
- F. Individually or as part of a group preach or make any harangue, sing, play a musical instrument or move in a military or civic parade, drill or procession, without written permission of the Council.
- G. Go within shrubbery or climb a tree or sit or stand on a balustrade or fence or stand or lie down on a bench.

**§ 204-12 Violations and penalties.**

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding 90 days, or both.