

**RESOLUTION #2019-33**

**A RESOLUTION OF THE TOWNSHIP OF UPPER SOUTHAMPTON,  
COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA  
AMENDING THE PARKS AND RECREATION FACILITY USE POLICY**

Whereas, the Upper Southampton Township Board of Supervisors last amended the Parks and Recreation Facility Use Policy on April 3, 2018, and

Whereas, The Parks and Recreation Board wishes to amend the Parks and Recreation Facility Use Policy, and

Whereas, the Parks and Recreation Board, at its public meeting on November 12, 2019, recommends that the Upper Southampton Township Board of Supervisors approve the below Parks and Recreation Facility Use Policy,

Now therefore, be it resolved and it is hereby resolved that the Board of Supervisors of Upper Southampton Township hereby amends the Parks and Recreation Facility Use Policy as follows:

**UPPER SOUTHAMPTON TOWNSHIP  
PARKS AND RECREATION FACILITY USE POLICY**

**SECTION I: GENERAL PROVISIONS**

Upper Southampton Parks and Recreation encourages the use of its facilities by Upper Southampton community, civic and sport organizations. Some facilities are also available for rent by families, individuals, for-profit and nonprofit organizations, and other groups not considered to be Upper Southampton community, civic or sport organizations. Fee schedules have been established to cover applicable costs.

The Parks and Recreation Director is responsible for the implementation of the Parks and Recreation Facility Use Policy and may establish reasonable rules, regulations and procedures to accomplish this.

**A. USERS EXEMPT FROM FEES (See Section III.A)**

The following groups, listed in priority order, are exempt from fees, (except when necessary for those fees identified in Section III.A), for the use of Township Parks and Recreation facilities.

1. Upper Southampton Township Parks and Recreation Department.

2. Upper Southampton Township Boards and Commissions, acting in its official capacity.
3. The 4<sup>th</sup> of July civic celebration sponsored by the Southampton Days Committee.
4. Upper Southampton Township Resident Youth Groups (See Section IV: Definitions).
  - a) Sports in season have first priority over sports which are not, determined as follows:
    - Spring/Summer (March 1 to July 31): Baseball and Softball
    - Fall (August 1 to November 30): Soccer, Football and Cheerleading
    - Winter (December 1 to March 31): Basketball
5. Other Resident Youth Groups (See Section IV: Definitions).
6. Upper Southampton Township groups and organizations, as listed below, for use of the Farmhouse, Carriage House, Pavilions and Community Center meeting room only, provided that they have a majority Township resident membership and/or service connection with Upper Southampton Township.
  - a) Sports Groups: Township resident adult sports groups for meetings, registrations, etc.
  - b) Civic Groups: Township resident neighborhood associations organized for the purpose of discussing neighborhood affairs.
  - c) Cultural Groups: Resident music and artistic associations organized for the purpose of rehearsal, performance or music compositions, plays or art displays.
  - d) Service Organizations: Rotary, Kiwanis, Lions, Scouting and like non-sectarian service organizations serving the Township.
  - e) Nature Groups: Organized for the purpose of improving or enhancing Township Park and Recreation Facilities, such as the Friends of Tamanend Park or Herb Club.
  - f) Local Political Clubs: Organized for the purpose of promoting local candidates, provided the clubs are located in Upper Southampton Township and have a majority Township resident membership.

**B. USERS SUBJECT TO FEES (See Section III.B)**

Any individual, group, organization or agency not included in "Section I A - Users Exempt from Fees" are subject to fees for the use of Township Parks and Recreation facilities subject to the priorities of the facility use.

Examples include:

1. Individuals wishing to hold a party, shower or similar function.

2. Profit and nonprofit ventures which charge admission, registration fees or receive other considerations.
3. College/university course offerings/usage.
4. Community-based employee associations and labor unions (limited to members only) for meetings only.
5. Profit and nonprofit ventures which charge admission or receive other considerations for the staging of plays and/or musical performances suitable for general audiences.
6. Township employees and Township officials.
7. All other non-resident activities.

#### C. SPECIAL CONSIDERATIONS

1. The Parks and Recreation Department reserves the right to refuse the use of any Township Parks and Recreation facility or to revoke a permit for bad checks, lack of financial credibility, violation of rules and regulations, conduct inappropriate for general audiences or for extraordinary circumstances.
2. The Parks and Recreation Department reserves the right to assign employees to staff the facility at the applicant's expense, if necessary.
3. No applicant may transfer its permit to any other individual, group or organization.

### SECTION II: FACILITY USE

#### A. APPLICATION

1. All applications for the use of Township Parks and Recreation facilities shall be submitted to the Parks and Recreation Office on forms provided by the Parks and Recreation Department.
2. All fees, unless exempt, must accompany the application at the time of submission.
3. The deadline to submit an application for a field and gym use permit is as follows:
  - Spring/summer season: February 1 for field or gym usage between March 1 through July 31 each year,
  - Fall season: July 1 for field or gym usage between August 1 and November 30 each year,
  - Winter season: November 1 for gym usage between December 1 and last day of February each year.
  - Any application received prior to the deadline will be held until the deadline.
4. The deadline to submit all other applications for Township Parks and Recreation facilities, (such as the Farmhouse, Carriage House, Pavilions, Lion's Grove, Meeting Rooms, etc.) is two weeks prior to the event. The Parks and Recreation Department

may accept applications up to the day of the event if facilities are available and there is sufficient time and resources to process the application.

5. Every applicant, and every applicant's contractor who provides services on behalf of the applicant, shall have at all times while the permit granted pursuant to this application is in effect, the following minimum amount of insurance coverage and shall submit a Certificate of Insurance naming Upper Southampton Township as an additional insured:
  - a) A commercial general liability insurance policy from a reputable and well capitalized insurance company with minimum limits of liability of \$1,000,000 each occurrence, \$2,000,000 general aggregate, and \$1,000,000 products/completed operations aggregate.
  - b) If applicable, applicant shall have at all times while the permit granted pursuant to this application is in effect, workers compensation insurance or its equivalent with statutory benefits as required by the Commonwealth of Pennsylvania; employers liability insurance or its equivalent with minimum limits of \$100,000 each accident for bodily injury by accident; \$100,000 each employee for bodily injury by disease; and \$500,000 policy limit for bodily injury by disease.
4. All applications must be signed by at least one officer of the organization. In the event of an individual applying for a one-time event, such as a party, an adult responsible for and present at the event must sign the application.
5. All applications are subject to the approval and conditions established by the Parks and Recreation Department.
6. All applications for facility use by out-of-Township groups with no prior use record will be forwarded by the Parks and Recreation Director to the Parks and Recreation Board for review prior to final action of the Director.
7. Any use of the facilities involving youth ages 18 and under must have full supervision of all youths participating and/or observing. Failure to comply with this provision may result in the removal of disruptive youth(s) and/or cancellation of the event, even if it is in progress. In the event of a cancellation for this reason, fee paying users will still be required to pay the fee for the entire time granted. The Parks and Recreation Department reserves the right to establish adult/youth ratios, depending on the activity.
8. Individuals submitting an application for a one-time event may not submit an application more than twelve (12) months prior to the event.

#### B. SCHEDULING OF PARK AND RECREATION FACILITIES

1. The Parks and Recreation Director or designee is responsible for scheduling of Parks and Recreation facilities.
2. Priority Order: The use of Parks and Recreation facilities shall be scheduled in the following order of priority:
  - a. Parks and Recreation Department programs and events,
  - b. Upper Southampton Boards and Commissions, acting in its official capacity,

- c. Upper Southampton Township Resident Youth Groups,
  - d. Other Resident Youth Groups,
  - e. Resident Adult Sports, Civic, Cultural, Service and Nature Organizations
  - f. Residents renting a meeting room, pavilion or other facility for one-time events, such as parties, showers, etc.,
  - g. For-profit organizations and non-resident groups.
3. The Parks and Recreation Director or designee may require groups to share a facility when the number of participants cannot justify the use of the entire facility, or when the requests for a particular facility is greater than the time available.
  4. The Parks and Recreation Director or designee will notify the department's custodial service when groups have been given permission to use Parks and Recreation facilities. This provision does not relieve any user from the cleanup requirements described in Section II.C.
  5. The community center, carriage house, farmhouse and office buildings are closed on Township holidays.
  6. Use of facilities is subject to the time limits granted on the permit. All users are to have the facility cleaned up and leave at their designated times. Users who determine that additional time is required for an activity shall contact the Parks and Recreation office as soon as possible. Additional fees may be charged for additional use of the facility.

#### C. REGULATIONS

1. All organizations/users shall comply fully with all Federal, State and Local laws, regulations and ordinances.
2. The solicitation of funds or sale of any materials without express permission of the Department is prohibited.
3. The user is responsible for any damages to the facilities and the behavior of all participants and spectators attending an approved activity.
4. The Community Center may be used as a polling place pursuant to the provisions of the Election Law. In such instances, all permits previously issued for the Community Center (which includes building use and grounds use) when elections are held are automatically revoked on the day of the election.
5. Township officials, acting in their official capacity, shall be admitted to an activity at any time, at no cost, for the purpose of compliance with Township policy.
6. There shall be no installation of equipment or alterations to existing facilities by the users without prior written approval of the Parks and Recreation Board.
7. Any and all decorations must comply with all Township building and fire codes and receive prior approval of the Fire Marshal and Parks and Recreation Director.
  - a. No open flame decorations shall be used anywhere in the buildings.
  - b. The use of smoke machines is prohibited.

- c. No decorations and/or extension cords shall be fastened to any walls, ceilings, light fixtures and/or floors unless approved by the Fire Marshal.
  - d. Any and all decorations, furnishings and equipment shall be installed and removed by the user under the direction and supervision of the Parks and Recreation staff and such removal (along with debris) must be completed immediately upon termination of the activity.
8. Any and all materials brought to a Parks and Recreation facility by a user at the end of the allotted time for any day must be removed. Any materials not removed shall be removed and disposed of by the Township staff at the expense of the user.
  9. In the case of groups which have use of a facility over a period of time, the Director may allow materials to be stored at the Parks and Recreation facility. The Parks and Recreation Department will not be responsible for the loss, theft or damage to any such materials or items. No illegal drugs and/or alcoholic beverages shall be permitted on Parks and Recreation property at any time.
  10. Consumption of alcohol and the smoking of tobacco or smoke-producing products, including smokeless tobacco products and vapor producing products, are not permitted in any Township Parks and Recreation area. This includes all buildings, ball fields, playgrounds, play areas and parking areas.
  11. All apparatus, equipment and devices owned by the Township shall be operated by a Township employee unless otherwise designated by the Director. Users operating Township equipment shall be entirely responsible for the condition of the equipment while said equipment is being utilized by a user.
  12. Users may be given a key to gain entry into a Parks and Recreation facility. The user shall sign for the key and may not transfer it to anyone else without the approval of the Township. When the user is finished with the key, it shall immediately be returned to the Parks and Recreation Office.
  13. Facilities shall be left in "broom or vacuum-swept clean" condition by users. Tables shall be cleared of debris and wiped down, trash placed in receptacles provided, spills cleaned up, and tables and chairs or other room setup returned to the condition in which the room was found. All trash and/or recyclable materials shall be placed in the proper containers located in the parking lot of the Community Center or between the Barn and Carriage House in Tamanend Park. Users (paying a fee or exempt) who do not comply with this provision shall be charged by the Parks and Recreation Department for labor and other expenses required in returning a room to its original condition.
  14. Due to the nature of some activities, the Parks and Recreation Department may require a deposit be paid by any user, (including those users classified as exempt). The facility will be inspected after the completion of an activity, and if the facility is found to be in satisfactory condition, the deposit will be refunded to the user. If the facility is not found to be in satisfactory condition, then any or all of the deposit will be used to

- properly clean the facility. Any funds remaining from the deposit will then be returned to the user. The user is responsible for any costs of cleanup not covered by the deposit.
15. Prior to use, all equipment used in the Gymnasium shall be approved by the Parks and Recreation Department so as to prevent personal injuries and damage to the floor, walls, room divider, ceiling, lights, etc. The following equipment shall be prohibited in the gymnasium: pitching machines, skateboards, rollerblades, roller skates, athletic spikes or cleats of any kind, baseball and softball bats, and any other equipment as determined by Township staff at any time at its sole discretion.
  16. Prior to use, all equipment used on any recreational facility, including the tennis courts and outdoor basketball courts shall be approved by the Parks and Recreation Department so as to prevent personal injuries and damage to the facility. The following equipment is prohibited on the tennis courts and outdoor basketball courts: skateboards, rollerblades, roller skates, bicycles, other wheeled devices and any other equipment as determined by Township staff at any time at its discretion.
  17. Off premises advertising signs are not permitted in any park and recreation area, with the exception for resident youth groups who comply with the banner policy. An off premise advertising sign is a sign which draws attention to an activity not conducted in the park and recreation area or which advertises or otherwise directs attention to a commodity, business, industry, home occupation or other similar activity which is sold, offered or conducted elsewhere than on the park and recreation area upon which such sign is located.

#### D. SUPERVISION

1. Periodic checks will be conducted by the Parks and Recreation staff to determine proper utilization of the Parks and Recreation facilities. One purpose of the check is to determine that a sufficient number of participants are involved in the activity to justify use. In the event that there are not sufficient participants, the Director may terminate the activity or require the group to share the facility.
2. The Director shall report, in writing, all instances of facility abuse to the user and Parks and Recreation Board. The Parks and Recreation staff shall report instances of abuse to the Director.
  - a. Organizations/users will be responsible for reimbursing Upper Southampton Township for any and all damages to equipment and/or facilities that occur during the time that they are using such facilities, and when notified, will not be permitted further use until payment is made in full.
  - b. If abuse of facility usage continues following the Director's written notice, the Department shall revoke any permits and/or deny the use of the facility.
  - c. Once a Parks and Recreation facility use permit is revoked or application denied due to abuse, the organization/user may reapply under the following conditions:

- 1) A three-month waiting period shall occur prior to the filing of a new application.
  - 2) A new application must be submitted and approved only by the Parks and Recreation Board during its public meeting, of which the applicant must attend.
  - 3) The organization/user shall specify, in writing, the measure it intends to implement to rectify the previously identified problem.
3. If the nature of an activity so requires, the Director shall arrange for necessary police protection and security to maintain order and protect Township property. This shall be at the expense of the user. This provision will apply to all users when deemed necessary by the Parks and Recreation Department.
  4. The Parks and Recreation staff may assume charge of an activity at any time the Parks and Recreation facility is being used by an organization if a serious problem is identified. The Parks and Recreation staff has the authority to call the Police or other emergency services.

### **SECTION III: APPLICATION OF CHARGES FOR FACILITY USE**

#### **A. USERS EXEMPT FROM FEES - These groups shall be charged only for:**

1. Custodial services when janitorial staff is not normally present.
2. Special services, such as setup of chairs, special arrangements, etc., considered to be above and beyond the normal services of the Parks and Recreation staff.

#### **B. USERS SUBJECT TO FEES**

1. User Fees:
  - a. Fees are established by resolution by the Upper Southampton Township Board of Supervisors after review and recommendation by the Parks and Recreation Board.
  - b. Applicable custodial and operational charges apply.
  - c. When admission is charged, the organization using the facility is responsible for the payment of any taxes to the appropriate taxing agency.
  - d. Use of the Parks and Recreation facilities on weekends, holidays or other times when the facility is normally closed is subject to the availability of Department personnel to staff the facility.

#### **C. FEE WAIVER TO GOVERNMENT AGENCIES**



1. Requests may be made for use of Parks and Recreation facilities by governmental agencies which have jurisdiction in Upper Southampton Township. Government agencies include the Upper Southampton Municipal Authority, Centennial School District, and the County of Bucks.
2. Permit fees, custodial and/or operational costs may be waived by the Township provided that:
  - i. A written, formal application for facility use is submitted and includes a special request for fee waiver.
  - ii. The application is received a minimum of 30 days prior to the requested date.
  - iii. The request for the use of the facility is for use during normal operational hours.
3. No admission may be charged, nor donations requested.
4. In the event that the 30-day notice cannot be provided because of an emergency situation the request will be presented to the Director for immediate decision.

#### **SECTION IV: DEFINITIONS:**

- A. Upper Southampton Township Resident Youth Group: An organization that provides recreational programming and activities to individuals up to 18 years of age, provided that the organization meets the following conditions:
  1. Membership shall be comprised of at least 50% Upper Southampton Township residents.
  2. There is a minimum of fifty (50) youth members in the organization.
  3. All organizations shall be incorporated by the Commonwealth of Pennsylvania with an Upper Southampton Township incorporation address. Further, all organizations shall be incorporated as non-profit or not for profit.
  4. Membership shall be open to all Upper Southampton Township residents and any fees that the group charges shall be equally applied to all Township residents.
  5. Establish and enforce a Code of Conduct.
  6. All fees that the group charges to its members are to cover only the costs of the sports activity, such as equipment, referees/umpires, uniforms, clothing, trophies, facility maintenance, insurance and facility preparation. The fees shall not compensate volunteer members of the group for services, such as board officials and coaches, but may reimburse volunteer members for actual expenses.

B. Other Resident Youth Group: An organization that provides recreational programming and activities to individuals up to 18 years of age, provided that the organization meets the following conditions:


1. Membership shall be comprised of at least 50% Upper Southampton Township residents.
2. All organizations shall be incorporated by the Commonwealth of Pennsylvania with an Upper Southampton Township incorporation address. Further, all organizations shall be incorporated as non-profit or not for profit.
3. Membership shall be open to all Upper Southampton Township residents and any fees that the group charges shall be equally applied to all Township residents.
4. Establish and enforce a Code of Conduct.
5. All fees that the group charges to its members are to cover only the costs of the sports activity, such as equipment, referees/umpires, uniforms, clothing, trophies, facility maintenance, insurance and facility preparation. The fees shall not compensate volunteer members of the group, such as board officials and coaches, but may reimburse volunteer members for actual expenses.

**SECTION V: EXCEPTIONS**


Exceptions or other circumstances not specifically addressed in this policy or not covered in the above procedures must be referred to the Director with the application. The Director will notify the Parks and Recreation Board of all exceptions requested.

Be it resolved this 3rd day of December, 2019.

**BOARD OF SUPERVISORS**

  
\_\_\_\_\_

Chairman

  
\_\_\_\_\_

Secretary/Treasurer