

## **POLICY FOR USE OF AND IMPROVEMENTS UPON TOWN PROPERTY/FACILITIES**

The following procedures will be implemented for requests to use Town property:

Permission to use school buildings or property must be arranged through the school department.

For all other Town buildings and facilities, Town boards, committees and all other organizations must submit an Application for Use of Town Property at least two weeks prior to the event. Applications are available at the Office of the Town Clerk, the Selectmen's Office, and online at [www.douglasma.org](http://www.douglasma.org).

The completed application must then be delivered to the Town Administrator who shall forward it to the Police Chief for approval and/or conditions when any of the following apply:

1. The event will utilize Town Roads
2. The event will use one or more of the following buildings: Municipal Center, Fire Station, Senior Center or Library.

The Town Administrator shall forward the application to the Fire Chief and Buildings & Facilities Maintenance Manager for approval and/or conditions when the event will utilize any town building.

The Town Administrator shall forward the application to the Senior Center Director for approval and/or conditions when the event will utilize the Senior Center.

The Town Administrator shall forward the application to the Recreation Commission for approval and/or conditions when the event will utilize any facility under the jurisdiction of the Recreation Commission.

If police detail(s) are required, their cost shall be borne by the organization holding the function on a prepayment basis.

The application, once reviewed and approved by the Police Chief, Fire Chief, Buildings & Facilities Maintenance Manager, Library Director, Senior Center Director and Recreation Commission (as necessary), shall be reviewed for approval and signed by the Town Administrator. All applicants shall be notified upon final approval.

Since the Town has limited facilities, first preference for use of space will be given to municipal boards with regularly scheduled meetings and other bona fide municipal functions.

Town buildings are not left open and arrangements must be made to unlock and lock buildings when needed. All organizations must clean up IMMEDIATELY after the event and arrange for the trash to be removed themselves. Events which include children should be carefully supervised and the group must confine themselves to the particular area assigned.

Alcoholic beverages are not allowed on town property.

The Town reserves the right to place restrictions and conditions on all functions including evidence of liability or other appropriate insurance when needed. Any organization which uses Town property without proper approval will be considered in violation of Town policy and will be removed and/or fined.

These rules will be in effect for all Town property, which comes under the jurisdiction of the Board of Selectmen.

If you are requesting the Municipal Center Gym or Senior Center, please see their rules & regulations.

#### **FEE SCHEDULE (Per event/per Day)**

In-Town Non-Profit No Charge

Out-of-Town Non-Profit \$50.00

All Others \$100.00

Use of Gymnasium \$25.00 per hour

I fully understand and agree to the above stipulations and requirements. Any damage done to Town property as a result of this function will be repaired or restored at the expense of the organization that I represent. The cost of any additional police will also be at the expense of this organization.

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Date \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

## WAIVER FORM

I, the undersigned, do hereby consent to and acknowledge my participation in voluntary or recreation programs of the Town of Douglas and/or use of Town of Douglas property.

In consideration for the foregoing and the value I receive therefrom, I agree to forever release the Town of Douglas, and its employees, agents, board members, volunteers and any and all individuals and organizations assisting or participating in any voluntary or recreation programs of the Town of Douglas ("the Releasees") from any and all claims, rights of action that may have arisen in the past, or may arise in the future, directly or indirectly, from personal injuries to myself or property damage resulting from my participation in the Town of Douglas voluntary activities or recreation programs, or from my use of Town of Douglas' Property.

I also promise, to indemnify, defend, and hold harmless the Releasees against any and all legal claims and proceedings of any description that may have been asserted in the past, or may be asserted in the future, directly or indirectly, arising from personal injuries to myself or property damage resulting from the aforementioned activities.

I further affirm that I have read this Consent and Release Form and that I understand the contents of this Form. I understand that my participation is voluntary and that I am free to choose not to participate in said programs or use Town property. By signing this Form, I affirm that I have decided to participate as a volunteer or in its recreation programs, and/or to use Town Property, with full knowledge that the Releasees will not be liable to anyone for personal injuries and property damage that I may suffer in the aforementioned activities.

Signature of Parent or Guardian if the Organization / Group Name Participant is less than 18 years of age

Participant Name (please print): \_\_\_\_\_

Participant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **USE OF TOWN PROPERTY BY OUTSIDE ORGANIZATIONS INSURANCE COVERAGE POLICY**

Whenever the Town of Douglas allows any individual, group or organization ("user") to utilize town owned premises, whether for consideration or otherwise, said user must supply a Certificate of Insurance to the Selectmen's Office with the Town Property Use Application.

Insurance coverage requirements are as follows:

1. General Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability per occurrence/\$3,000,000 aggregate. The Town of Douglas shall be named as an "Additional Insured".
2. Automobile Liability (applicable for any user which has an automobile operating exposure) of at least \$1,000,000 Bodily Injury and Property Damage per accident. The Town of Douglas shall be named as an "Additional Insured".
3. Workers' Compensation Insurance as required by law.

Note: The above requirements are the minimum insurance coverage limits. It will be at the Town's sole discretion as to whether higher limits are needed.

The Board of Selectmen may waive these insurance requirements if it deems it to be in the public interest to do so. Any user which receives such waiver must submit a signed "Property User, Recreational and Volunteers Activities Release Form" (attached) for each person who will use the premises. This form will be signed at the time the individual signs up for the activity. It is the responsibility of the user to submit all forms to the Board of Selectmen's Office.

## **REPAIRS AND/OR IMPROVEMENTS TO TOWN OWNED PROPERTY**

It is the policy of the Town of Douglas to engage in a public process when changes are contemplated to Town facilities that may have an impact upon immovable items of historic and/or cultural significance. In this context, “significance” is defined as having nostalgic, emotional and or unique characteristics that reflect on the history or serve as evidence of the civic pride of people in the Town that do not yet rise to the level of inclusion on formal federal or state historic or cultural registries. When an item or location has achieved inclusion on such a registry, it shall be protected by all the relevant rules and regulations attached to such a registry, and this policy will no longer apply.

The items subject to this policy shall include:

1. The various monuments and markers installed throughout the Town, commemorating war service or extraordinary public service, including plantings of trees or gardens for these purposes;
2. Signs or markers authorized by the Town denoting dedications of places to persons, groups or events;
3. Unique artistic works, in any medium, created at the direction of, or with the permission of, the public body having jurisdiction over the Town property in question;
4. Any other item identified and listed per the procedure below.

In the first instance, the Board of Selectmen, School Committee, Recreation Commission, Planning Board, Building and Facilities Construction Committee, Cultural Commission, Historic Preservation Commission, and Cemetery Commission shall compile a list of items that will be covered by this policy. The lists will be collected by the Town Administrator and presented to the Board of Selectmen and placed on the Board’s agenda for public hearing. At the conclusion of the hearing, the Board may add to or subtract from or otherwise alter the list, and take a vote to approve or disapprove the list.

If/when the list is approved, it shall be reviewed every fifth year during the month of December and updated as required. Forgotten or new items may be added to the list at any intervening time by petition to the Town board having jurisdiction over the property in question.

When undertaking any maintenance, repair, improvement to or removal of Town property (“work”) that will have an impact upon the items on the approved list, the following procedural steps shall be taken:

1. No work shall be done until the public hearing process is completed.
2. Notice of the proposed work shall be given to all of the public bodies listed in section (c) above, and shall also be posted on the Town’s website and

- conspicuous places where the public gathers, at a minimum, the Municipal Center, the Simon Fairfield Public Library and the Council on Aging Senior Center for a minimum of two calendar weeks. Such notice shall include the date, time and place of the public hearing to be held to discuss the proposed work;
3. After the conclusion of the notice period, the Town board having jurisdiction over the Town property in question shall hold a public hearing at its next regularly scheduled meeting to allow for public comment on the proposed work. In every instance, the Town official proposing the work shall present the facts and reasoning in support of the proposed work;
  4. The board having jurisdiction may take any action on the proposal in accordance with its authority over the property in question, provided that, such action shall be based upon documented findings of fact and shall not be unreasonably withheld. The failure of a board to act within 60 calendar days of the opening of the public hearing shall be deemed approval of the proposal and the work shall proceed as proposed.