

PARKS DEPARTMENT
1 Adrian Marks Dr.
Frankfort, IN 46041
(765)659-3422
FAX (765) 659-6792

NEIGHBORHOOD CENTER PROPERTY USE PERMIT APPLICATION

APPLICANT (Group, Club, Organization) _____

ADDRESS _____ ZIP CODE _____

REPRESENTATIVE _____

PHONE: Res. _____ Bus. _____ Fax. _____

E-mail address: _____

Date (s): _____ (Time): _____

Event Description: _____

Anticipated Attendance: _____

Caterer: _____ Caterer's Phone: _____

Extraordinary Service Required: _____

Will alcohol be served: Yes _____ No _____. If yes, please refer to Alcohol Rules and Regulations for Park Property Use required to be submitted with the Application. Without the prior disclosure on this Application and approval by the Board of Works and its duly authorized agents, Applicant shall not permit its employees, volunteers, invitees or guests to furnish, consume, or sell any alcoholic beverages on or in the Park Property other than as may be set forth in the attached Park Property Rules and Regulations.

I. In consideration of being permitted the use of the Neighborhood Center (the "Property"), which Property is owned by the City of Frankfort, User as indicated below, for User and User's legal representatives, successors, and assigns, hereby releases waives and discharges the City of Frankfort, its officers, departments and employees and of them (herein collectively, "City") from all liability to User and User's officers, members, legal representatives, successors, invitees and assigns (herein collectively "User") from any and all loss or damage, and any claim of damages resulting therefore, on account of injury to persons or property arising out of possession or use of the Property, whether caused by the negligence of City, or any of them, or otherwise, resulting during the time the User is entitled to occupy and use the Property. User shall exercise the privileges under this Agreement at User's own risk, and irrespective of any negligence of City, User shall indemnify and hold City harmless from any and all liability for all damages, costs, losses and expenses resulting from, arising out of, or in any way connected with User's use and possession of the Property, including attorney fees incurred by City in defending any action arising out of User's possession or use of the Property, whether caused by negligence of the City, or any of them, or otherwise. City shall not be liable to User for any reason whatever User's occupation or use of the Property shall be hindered or disturbed. User agrees that User has made inspection of the Property and is not relying upon any representations of City or any of them as to the condition of state of repair of the Property or to its suitability for any particular purpose. This release, waiver, and indemnification is intended to be as broad and inclusive as permitted by the laws of the State of Indiana, and if any portion thereof is held invalid, the balance shall, notwithstanding, continue in full legal force and effect.

II. In the event attendance during the term of the above use may or will exceed three hundred (300) persons at any one time, or alcohol will be present or served, approval will not be granted until Applicant provides an insurance certificate from an acceptable insurer naming the City of Frankfort and the Board of Public Works (collectively "Owner") as co-insured on a general liability policy in amounts not less than **One Million Dollars (\$1,000,000.00)** per person for bodily injury or death of one person in any one occurrence, and **Two Million Dollars (\$2,000,000.00)** for injury or death of all persons in that occurrence, and **One Million Dollars (\$1,000,000.00)** per

occurrence for damage to property belonging to Owner or third persons. The insurance policy shall contain provisions that prevent the policy from being materially changed or canceled without providing the Owner at least ten (10) days prior written notice of such intended change or cancellation.

- III. In the event alcohol will be present or served, Applicant must, at its sole expense, hire uniformed Frankfort police officers to be present at the Park Property at all times during Applicant's use of the Park Property. Applicant must present proof of security to the Parks Department at least forty-eight (48) hours in advance of Applicant's use. Failure to provide proof of security may result in revocation of Applicant's use permit and cancellation of this Application. While not required, the Parks Department strongly suggests the hiring of police officers for all group use.
- IV. The rental fee of seventy-five dollars (\$75) for three hours (3) shall be submitted along with this application. If the rental exceeds three hours an additional twenty dollars (\$20) per additional hour shall be submitted as well. Set-up and clean-up time should be added to the total anticipated time and used to calculate the total cost. Checks should be made payable to the Frankfort Parks Department. All reservations must be paid in advance.
- V. **Rental fees for the Neighborhood Center are non-refundable regardless of weather conditions or requests of date change. Any change of an existing reservation to a different day will require a new rental fee with no refund of the existing fee. The Neighborhood Center has designated start and end times based on reservations. Renters may have access to the building at the designated start time and will not be able to add any extra hours.**

The violation of any federal or state law, city ordinance or Parks Department Rule or Regulation occurring as a result of the activity which is the subject of this Application or a permit, or any misrepresentation or false statement made by Applicant on this Application, may result in the immediate revocation of the permit and termination of this Application.

I have read the above Indemnification and Release and the Policy and Rules governing the use of the Neighborhood Center. I agree on my own behalf, and on behalf of the group or organization, I am authorized to represent, to such Indemnification and Release and to follow such Rules and Regulations which are incorporated and made a part of this user agreement.

ATTEST

SIGNATURE OF APPLICANT OR REPRESENTATIVE

OFFICE USE ONLY

Use Category _____

PARKS DEPARTMENT SUPERINTENDENT

Certificate of Insurance _____

IN A&E Permit # _____

Approval from Board of Works _____

DATE APPROVED: _____

Other: _____

DATE DENIED: _____

- Distribution:
- Copy 1 - Applicant
 - Copy 2 - Park Superintendent
 - Copy 3 - Frankfort Police Department
 - Copy 4 - City Office

CITY OF FRANKFORT PARKS DEPARTMENT

NEIGHBORHOOD CENTER RULES AND REGULATIONS

The term "Park Property" includes all land, water, buildings and other improvements under the jurisdiction of the Board of Public Works and the City of Frankfort Parks Department. These rules and regulations are intended to enhance the quality of our Park Properties and their use by the general public. The violation of any Park Properties Rule or Regulation occurring as a result of the activity subject to an approved permit may result in the immediate revocation of the permit.

- USE/HOURS The use of Park Property is subject to these "Park Property Rules and Regulations," which may be amended from time to time, as well as all posted rules; in the event a rule posted by the Department upon a Park Property is inconsistent with these Park Properties Rules or Regulations, the posted rule shall control. The Neighborhood Center shall be available for rental on a year-round basis.
- SMOKING Use of tobacco or e-cigarettes is prohibited inside and within 25 feet of all buildings including lawn area, and the associated grounds. Please note that additional restrictions may apply to the use of tobacco or e-cigarettes or other substances, including local ordinances, state statutes, including (without limitation) rules that are posted upon the Park Property.
- NOISE Loud music is not allowed in the Neighborhood Center. Please be courteous to adjacent private property owners and abide by the city noise ordinance.
- SOLICITING No person shall canvass or solicit any contributions within Park Property. No person shall sell, peddle, offer or display for sale any goods, wares or merchandise without the written permission of the Board of Public Works.
- & SALES The Neighborhood Center cannot be rented for any type of profitable use. This includes taking orders for goods even when money is not changing hands.
- GAMBLING Indiana state law prohibits any game of chance within the Park Property except pursuant to a Charity Gaming License issued by the Indiana Gaming Commission. (IC 35-45-5-1 et seq. and IC 4-32.2-1-1 et seq.)
- VANDALISM No person shall injure or otherwise cause damage to any Park Property building, structure or fence. Anyone causing damage will be prosecuted. **Nails, wall adhesives, tape, glitter and confetti are prohibited on Neighborhood Center grounds.**
- BEVERAGES No glass bottles or containers are allowed within Park Properties at any time.
- ALCOHOL **See Alcohol Rules and Regulations for Park Property Use.**
- DOGS No pets are allowed in any buildings within Park Properties with the exception of service animals permitted by the Americans with Disabilities Act and regulations thereunder. Pet owners must clean up after their pets.
- FIREWORKS No person shall bring into or have in one's possession, or set off any fireworks in or on Park Property.
- WEAPONS No personal shall bring into or have in one's possession, or fire any firearms, knives, or weapons in Park Property.
- LITTERING No person shall drop, throw, or place any refuse (which includes trash, garbage, or rubbish, regardless of composition) in the Park Property except in designated receptacles. Refuse shall not be brought into the Park Property for disposal.
- ADVERTISING No person shall, without written permission of the Parks Department post or fix any bill, to any building, fence or other structure within the Park Property, or otherwise distribute any advertisements or circulars on Park Property.
- FIRES With the exception of birthday cakes, candles are not permitted within the Park Property
- CONDUCT All persons are forbidden to use threatening, abusive, or indecent language or commit any obscene or indecent act or fight within the Park Property.
- AGE Reservations for use of the facility must be signed and paid for by a legal adult. Reservations cannot be paid for or taken from a minor. Any reservations for use as gathering for people under the age of 18 must be fully chaperoned by legal adults.

PERMITS

Special use of the Park Property for entertainment, demonstrations or exhibitions requires written approval by the Board of Public Works. Insurance requirement must be met. No admission may be charged for any function unless approved by the Board of Public Works.

Park Property, unless reserved or permitted by the Parks Department shall be available on a first come, first served basis. A fee will be collected for use of the Neighborhood Center or for Neighborhood Center reservations. ALL OF THE AFOREMENTIONED RULES REQUIRING WRITTEN PERMISSION REQUIRE THAT SUCH PERMITS BE CARRIED AND PRODUCED UPON DEMAND.

ALL USE OF PARK PROPERTY IS FURTHER SUBJECT TO ALL LOCAL ORDINANCES INCLUDING WITHOUT LIMITATION THE FRANKFORT MUNICIPAL CODE, AS WELL AS STATE AND FEDERAL STATUTES AND REGULATIONS, AND ALL RULES POSTED UPON PARK PROPERTIES BY THE DEPARTMENT.

By my signature hereon, I attest that I have read and understand the above Park Property Rules and Regulations and agree to abide by them, that I have the authority to sign on behalf of the Applicant seeking to use a Park Property, and that use of the Park Property is at Applicant's sole risk.

APPLICANT

_____ Date _____

Signature

_____ Printed Name and Title

City of Frankfort Parks Department

ALCOHOL RULES AND REGULATIONS FOR PARK PROPERTY USE

The term "Park Property" includes all land, water, buildings and other improvements under the jurisdiction of the Board of Public Works and the Parks Department of the City of Frankfort.

- A. WILL APPLICANT BE SERVING OR PROVIDING BEER OR WINE? Check here ()
If you have checked here, you must apply for a temporary beer/wine permit and a temporary employee's permit.
B. WILL APPLICANT BE SERVING OR PROVIDING BEER, WINE AND/OR LIQUOR? Check here ()
If you have checked here, you must hire a caterer with a supplemental caterer's permit. Permit applications required above may be obtained by calling the Indiana Alcohol and Tobacco Commission at (317) 232-2432. You should also call the Indiana Alcohol and Tobacco Commission or the Indiana State Excise Police at (812) 882-1292 if you have any questions regarding their laws, rules and regulations.

Proof that the required Permits have been obtained from the Indiana Alcohol and Tobacco Commission must be submitted to the DPR at least forty-eight (48) hours in advance of the scheduled event.

The following rules and regulations apply to Park Property use when Applicant's use may or will involve the selling, furnishing, giving away or consumption of beer, wine or liquor on Park Property.

- 1. All Indiana Liquor Laws are applicable and enforced.
2. If Applicant knows or believes that alcohol will be present during Applicant's use of the Park Property, Applicant is required to obtain the necessary permit(s) from the Indiana Alcohol and Tobacco Commission as set forth in A or B above, and as otherwise may be required by the Indiana Alcohol and Tobacco Commission. Please see contact listed above for information on how to obtain the required permits.
3. Applicant must, at its sole cost and expense, hire and provide professional, uniformed Frankfort police officers for the duration of Applicant's use of the Park Property. For Group Use with expected attendance in excess of 200 persons, a minimum of two (2) police officers is required. Please contact The Frankfort Police Department for more information (765)654-4245
4. Glass bottles are NOT permitted on Park Property.
5. Applicant shall be liable for any damages to the Park Property caused by Applicant, its employees, representatives, volunteers, guests, invitees or other persons in connection with Applicant's use of the Park Property and shall hold the Parks Department and the City of Frankfort harmless for any injury or damages to persons or property as a result of Applicant's use of the Park Property.
6. Failure to abide by these and any other Park Property Rules and Regulations, may constitute a violation of State or Federal law and such failure by Applicant is at Applicant's own risk.

Any misrepresentation or failure to abide by these or any Park Rules and Regulations may result in the immediate revocation of the permit and termination of the Park Use Application.

By my signature hereon, I attest that I have read and understand the above Alcohol Rules and Regulations for Park Use and agree to abide by them, that I have the authority to sign on behalf of the Applicant seeking to use a Park Property and that use of the Park Property is at Applicant's sole risk.

APPLICANT

Signature _____ Date _____

Printed Name and Title _____