

PARKS AND RECREATION AREAS

182 Attachment 1

Township of East Brandywine

EXHIBIT A

Township Park Facilities and Township Park Rules, Policies and Procedures

A. Purpose: to manage East Brandywine Township parks in a manner that will ensure fair and equitable use of Township facilities to the public through the following means:

- (1) Outline available Township park facilities and dates of usage.
- (2) Outline Township park facilities scheduling procedures and policies.
- (3) Define reservation fees and charges for use of Township park facilities.
- (4) Define rules and regulations regarding use of Township park facilities.
- (5) Manage the limited number of Township park facilities in a fair and equitable manner.

B. Definitions and Priority Type

- (1) Priority types. Priority types will determine scheduling and user fees.

(a) Type I: Programs and activities of East Brandywine Township and other Township-sponsored events will receive priority use of any and all facilities, which includes East Brandywine Youth Athletics, Inc. ("EBYA"), and Downingtown Area Recreation Consortium ("DARC"). In the event of a scheduling conflict, programs and activities of East Brandywine Township and other Township-sponsored events will receive priority scheduling. Township-sponsored and EBYA and DARC-based groups must provide a roster/list of names, addresses and municipality of the participants upon request.

(b) Type II: Township residents for private use, with proof of residency required; Township-based nonprofit organizations, including but not limited to Girl Scout and Boy Scout groups, church groups, service clubs, civic associations, etc. Township-based groups must either provide proof that it is located within the Township or establish that 40% of participants reside within the Township ~~must provide~~ providing a roster/list of names, addresses and municipality of the participants upon request.

(c) Type III: Tournament play sponsored by Type I or Type II organizations.

(d) Type IV: Township-based businesses and their employees. Each such business must provide proof that it is located within the Township, and provide a roster/list of names, addresses and municipality of the participants upon request.

(e) Type V: Other groups of 10 or more. No organized activity or gathering of more than 10 persons shall be held in the Township Park without a permit.

- (2) East Brandywine Township is limited in its ability to accommodate youth and/or adult leagues other than EBYA or DARC-sponsored programs due to limited available facilities.

C. Athletic Fields

(1) The athletic fields governed by these rules and procedures include the following: Community Park, Spatola Park, and Hopewell Park.

(2) Athletic fields may be available on a limited basis based upon maintenance and field conditions. The East Brandywine Parks and Recreation Board, East Brandywine Township or the EBYA Board reserves the right to suspend field availability during periods of inclement weather, poor playing conditions which could cause hazardous conditions and opportunities for necessary field maintenance. It is the organization's responsibility to obtain field closure information. ~~Up to date field closure information may be obtained by calling 610-269-8230. (no extension at this time)~~

(3) The Township adheres to a flag system to restrict facility usage. In the event of inclement weather, poor field conditions or other situations and circumstances, it is deemed that no play should be allowed on the fields. A "flag" system shall be instituted. EBYA Board representatives shall hold responsibility to raise a "red colored" flag which shall mean no ~~unauthorized~~ field play shall be allowed. The "red colored" flag will be flying at the entrance to each park. Violation of this rule can result in cancellation of your Park Permit.

(4) Fees for usage of the athletic fields will be ~~waived~~ refunded for games canceled by East Brandywine Township.

D. Scheduling Procedure and Requirements.

(1) East Brandywine Township and EBYA reserve the right to limit the amount of play permitted on Township athletic fields.

(2) The Township and EBYA shall determine the days of availability of the athletic fields for league play. EBYA will inform the township of the dates of any tournaments.

(3) All organizations requesting field allocation will submit a field use permit application ~~and a league roster, which shall include the name, address and municipality of each participant. If a current league roster is not available, the organization requesting field allocation may submit the prior year's roster; provided, however, that the organization submits a current league roster at least three weeks prior to any scheduled play.~~ The organization shall also submit a certificate of insurance and a game/practice schedule request ~~to the Township by January 10 of each year or upon receipt of this policy.~~ No request will be considered without a complete application form, which must be accompanied by all supporting documents.

(4) Upon receipt of a completed application, the Township shall advise an applicant within five ten business days if their request is approved. This time frame is dependent upon EBYA's sports schedule being complete for the upcoming season. If the EBYA schedule is not complete at the time of submission of an application, the approval process may be extended.

(5) All organizations and leagues shall secure and maintain, at no cost to East Brandywine Township, a comprehensive general liability insurance policy. The general liability insurance policy shall:

(a) Provide for East Brandywine Township, its officials, agents and employees as identified, as an additional named insured.

(b) Provide liability limits with per-occurrence and aggregate limits of not less than \$1,000,000.

(c) The ~~league coordinator or president~~applicant shall, at the time of the submission of the application, file with East Brandywine Township certificate(s) of insurance evidencing insurance coverage in force prior to any field usage or activities.

(d) Be ~~endorsed to require 30 days' written notice of cancellation to East Brandywine Township effective for all dates for which facilities are requested.~~

~~(6) Scheduled league games shall have priority for use of the facility over practice. Practice session locations shall be rotated around the field playing surfaces in accordance with existing field conditions. Township staff will control use of the facility.~~

~~(7) East Brandywine Township will assign game and practice dates and times. Users must meet requirements as outlined within these rules and procedures. Allocation for games and practices are based on the total number of requests received, availability and priority outlines. A schedule, including assigned game dates and times, will be delivered to leagues prior to season commencement. The league is required to remove assigned dates/times which are no longer needed and return a list of deletions within a week of delivery. Assignments accepted will be charged to the league, used or not. No response to the schedule will be considered acceptance by the leagues. Trading between leagues is not permitted. When possible, openings may be offered to other leagues on a priority basis as defined with the priority definitions stated in these rules and procedures.~~

(8) Team or organization schedulers are required to give notice when requesting in-season changes in a request for field usage time. Requests for deletion of scheduled games/events must be made within a time frame of 10 days, allowing for others to have an opportunity to book the field. If the canceled slot(s) cannot be filled, the original league assigned to the slot is responsible.

(9) East Brandywine Township reserves the right to limit the amount of ~~scheduled and nonscheduled~~ play on fields during any given season to prevent excessive damage to the playing fields.

E. Reservation Fees and Charges for Township Park Facilities

(1) Facility use fees. Fees are due ~~within 30 days' receipt of a Township invoice upon application.~~ The Board of Supervisors shall specify fees for facility use in the Fee Schedule adopted annually.

(2) Township Park Facilities fees. Fees for Township Park Facility use shall be paid in accordance with the fee schedule adopted by resolution of the Board of Supervisors. Such schedule may be revised, as necessary, by resolution of the Board.

(3) Maintenance fees: Activities requiring additional field preparation may be assessed a maintenance fee. Maintenance fees include fees for custodial, maintenance or grounds work outside regular working hours. Any fees incurred as a result of use of the facilities by a reserving organization or individual (e.g., improper cleaning after use) will be itemized and charged to the reserving organization or individual. Any additional fees that are unpaid could result in legal action to collect said fees and will disqualify the reserving organization from any future facility reservations.

(4) Maintenance fee schedule. Maintenance fees shall be paid in accordance with a fee schedule adopted by resolution of the Board of Supervisors. Such schedule may be revised as necessary by resolution of the Board.

F. Responsibilities of Organizations Using Park Facilities

(1) Observe all park rules as outlined in Subsection G of these rules and procedures.

(2) Payment of any appropriate Township fees.

(3) Pre-game preparation of field, including lining, raking, etc. All groups must use nontoxic Sportsfield Whiting (CaCo3) or sports lining paint. Spray paint should not be used on "skinned" areas such as base paths and the home plate area.

(4) Clean up all trash in and around the athletic field and parking lot areas after each use (including under bleachers) and place in appropriate trash receptacles or remove entirely from the park. Maintenance fees will be assessed if deemed necessary by the Township.

(5) Maintain and set appropriate expectations of behavior from participants, spectators and league representatives. The designated league representative on the field use permit will be responsible to communicate the terms of this policy and the park rules set forth in Subsection G herein.

(6) Park only in designated parking area and prohibit driving of any vehicles except on park entrance drive. Parking is prohibited on grass areas. Vehicles parked improperly may be subject to towing.

(7) Noise levels must be kept at a minimum. No bullhorns, sound amplification or lights are permitted, except as provided in Subsection G(13) herein.

(8) Applicants/users are responsible for any damage done to the fields or other park property.

(9) Field closure rescheduling. It is the organization's responsibility to contact the Township ~~field scheduler~~ within two business days after a field closure to confirm a credit or arrange for rescheduling.

(10) Applicants are required to have their approved field usage request form available during the event.

(11) No sales are permitted on park property without the proper vendor permit and Township authorization.

(12) Any organization with a use agreement with the Township must honor any stipulations in that agreement, including submission of a schedule of games, practices and tournaments as per the use agreement.

For further assistance and field reservation information, call the Township Office at 610-269-8230. All calls pertaining to scheduling should be made ~~between 9:00 am and 5:00 pm~~ during office hours, Monday through Friday.

Township Services

- Basic field maintenance
- Coordinate special maintenance and facility use needs
- Schedule event and special event usage
- Empty trash receptacles, normal restroom maintenance

G. Township Park Facilities and Open Space Rules and Regulations

(1) **Hours.** The parks shall be open between the hours of sunrise and sunset. At sunset, all activities in the parks shall cease, and all persons in the parks shall leave as soon as possible (except for any special activities specifically permitted by the Township).

(2) **Facilities.** The reserved use of the Township parks, such as recreation fields and other facilities, by organized groups or individuals shall be scheduled at the discretion of the Township. A permit shall be issued specifying the date, time and location of the use, and such use shall be subject to any conditions that may be imposed there under.

(3) **Alcoholic Beverages.** No individual or group shall possess or consume alcoholic and/or intoxicating beverages in any park.

(4) **Smoking, Tobacco Use and Controlled Substances.** No individual or group may possess or use any controlled substances on any park property. All smoking and tobacco use, including the use of smokeless tobacco, is prohibited on any park property. This no tobacco policy covers all smoking methods, including but not limited to the use of electronic smoking devices (e-cigarettes, e-cigars, e-pipes) and hookah-smoked products. This includes a prohibition of what is commonly referred to as “vaping” in the parks.

(5) **Personal conduct.** No individual or group shall engage in improper conduct within the parks so as to annoy or risk injury to any other person using the parks or occupying adjacent property.

(6) **Disposal of Waste.** All waste and garbage shall be disposed of in receptacles designate for this purpose. The burning of trash or garbage is prohibited. It is unlawful to transport trash, garbage or any other matter to any park for the purpose of disposal.

(7) **Township Property.** No person shall damage, deface, destroy or remove any park property, including but not limited to signs, equipment, natural growth or other material.

(8) **Firearms.** No person may discharge any type of firearm within the limits of the Township’s parks.

(9) **Building of Fires.** No person shall set or maintain any fire in the parks except in stoves or grills or fireplaces maintained for that purpose and located by authority of the Township.

(10) **Motor Vehicles.** No person shall operate, stop or park any motor vehicle except on park roads, parking areas or other areas so designated for such use, nor shall any person operate any motor vehicle in a reckless or negligent manner, in excess of the posted speed limit, or in such a manner as to become a nuisance or hazard to other park users or persons occupying adjacent property.

(a) To comply with the Americans with Disabilities Act (“ADA”) title II, “other power-driven mobility devices” (“OPDMD”) may be used by “individuals with mobility disabilities”. A person using an OPDMD may be asked to provide a “credible assurance” that the mobility device is required because of the person’s disability.

(b) Operation of all-terrain vehicles (“ATVs”), mini-bikes, and other similar vehicles, except as provided in Subsection G(10)(a) above, as well as trailers and commercial vehicles (except those making deliveries), are prohibited.

(11) **Notices.** No person shall deface or destroy any notice or sign posted at any place within the parks or open space areas by authority of the Township, nor shall any person post any notice or placard at any place within the parks other than by authority of the Township.

(12) **Dangerous Athletic Equipment.** No person shall use javelins, arrows, discus or similar athletic equipment dangerous in character unless the use has been expressly permitted by the Township.

(13) **Sound Equipment.** No person shall use any sound-amplification equipment in a Township park, unless specifically authorized by the Board of Supervisors or its agents.

(14) **Explosives and Fireworks.** No person shall have in his/her possession or ignite any fireworks (fireworks shall be defined by the National Fire Protection Association Standards), unless specifically authorized by the Board of Supervisors or its agents.

(15) **No Golfing.** No golfing or other similar activities are permitted in any Township park.

(16) **Signage.** No signs, other than political signs, shall be permitted to be displayed in any Township park without prior written approval by the Township. Political signs shall comply with all dimensional requirements and reasonable regulations regarding location of the signs as may be established by the Township.

(17) **Dogs.** All dogs in the Park must be leashed. Dog Owners are required to clean up after their dogs.

(18) **No parking.** No parking or driving on the grass is permitted.

(19) **No sales.** No sales are permitted on Park property without the proper vendor permit and Township authorization.

(20) **Rules and Regulations.** These park rules and regulations are subject to change from time to time at the discretion of the East Brandywine Township Board of Supervisors. A copy of the current park rules and regulations shall be posted prominently at the facility. All persons using any park facility shall observe and adhere to all park rules and regulations and any applicable Township ordinances.