

**APPLICATION AND AGREEMENT
FOR USE OF
PAVILION AT ROTARY PARK**

Name: _____

Address: _____

Telephone: _____

Date of Event: _____

Start Time: _____

End Time: _____

Number of Persons: _____

By signing below, I verify my understanding that, upon approval by the Village, I am entering into an agreement with the Village of Middleport for use of the pavilion at Rotary Park and the adjacent grounds. I verify that I have received a copy of the "REGULATIONS FOR USE OF THE PAVILION, ROTARY PARK, 131 TELEGRAPH ROAD, MIDDLEPORT, NEW YORK" and "RULES & REGULATIONS, ROTARY PARK, MIDDLEPORT, NEW YORK", agree to follow such rules and regulations, and acknowledge such documents are referenced and incorporated into this agreement.

Signed: _____

Date: _____

For Office Use Only

Approved by: _____

Denied by: _____

Fee Paid: _____

REGULATIONS FOR USE OF THE PAVILION
ROTARY PARK
131 TELEGRAPH ROAD
MIDDLEPORT, NEW YORK

The pavilion may be used by the general public, provided that a reservation is made with the Village Clerk by application from a specific group or person. It is the intention of this regulation for the pavilion to be used for the following purposes: company picnics, family reunions, etc. The individual reserving use of the pavilion need not be a resident of the Village of Middleport. Effective June 1, 2006, a fee of \$25 will be paid at the time of application for use of the pavilion. If reservations are canceled, the fee will not be refunded. This fee is waived for non-profit organizations.

Reservation for use of the pavilion and payment of the fee entitles the group to use of the bathrooms in the "Scout House." Entrance into the Scout House is limited to use of the bathrooms. Use of the bathrooms will be allowed even if the Scout House is in use. Please be courteous, however, and do not disturb others using the facility. The key for the bathrooms will be given to the Village resident who makes reservations. That individual will be held responsible for cleaning of and damages to the Scout House should the necessity arise.

Noise must be kept to a minimum while using the pavilion so as not to annoy neighbors, pursuant to Village Noise Ordinances. A copy of the park rules shall be given to the individual making the reservation.

These regulations are supplemental to any existing regulations relating to the Village Park area, and, except as the same may be inconsistent with these regulations, the same shall continue in full force and effect.

Liability: The persons, groups, and/or organization utilizing the building and grounds pursuant to this application and agreement agrees to defend and indemnify the Village of Middleport and its officers, employees and agents, and shall hold them harmless from any and all risks of every kind, nature and description resulting from or arising out of the use of the building and grounds; provided, however, that those persons, groups and organizations utilizing the building and grounds pursuant to this application and agreement shall not be required to indemnify the Village of Middleport or their officers, employees and agents with respect to such risks to the extent caused by the negligence or intentional misconduct of the Village of Middleport or its officers, employees and agents over whom the user of the building and grounds has no authority or control.

Insurance: Prior to the use of the building and grounds, pursuant to this application and agreement, all persons, groups and/or organizations utilizing such building and grounds pursuant to this application and agreement shall obtain all insurance required under this paragraph which shall be kept in full effect through the use of such buildings and grounds and through the full term of the Agreement. Said insurance shall name the Village of Middleport, its officers, employees, and agents, as additional insureds. At the request of the Village Clerk, proof of such insurance shall be provided prior to use of the building and grounds.

A. Commercial / General Liability

1. Coverage to be included on certificate:

- a) \$1,000,000 Each Occurrence
- b) \$2,000,000 aggregate

B. Excess/Umbrella Liability -

Monetary Limit: \$1,000,000 Each Occurrence

C. Commercial General Liability Insurance shall be Primary and Non-Contributory Insurance, and this Certificate of Insurance shall so indicate.

RULES & REGULATIONS
ROTARY PARK
MIDDLEPORT, NEW YORK

1. All organizations must register with the Village Clerk.
2. Park hours are 6:00 a.m. to 9:00 p.m.
3. Vehicles permitted on driveway and parking area only.
4. Guns and other weapons are prohibited.
5. Fires permitted in fireplaces and grills only.
6. Alcoholic beverage consumption permitted in pavilion area only.
7. Horses are prohibited.
8. Dogs and all other pets must be leashed in the park area. No person having control of a dog or other pet shall allow such pet to urinate or defecate in the park.
9. All debris must be deposited in trash receptacles.
10. Bicycle riding to be restricted to pathway areas only.
11. Person or persons disobeying the rules may be ejected from the park.