

## **PARKS, ATHLETIC FIELDS and OTHER FACILITIES**

### **Joint Policy**

The Town of Needham Park and Recreation Department schedules the use of parks, athletic fields, tennis courts, track, playgrounds and other activity sites at parks, under the jurisdiction of the Needham Park and Recreation Commission, the Trustees of Memorial Park, the Needham Board of Selectmen and the Needham School Committee. Policies for typical uses of the parks are primarily set by the Park and Recreation Commission and the Trustees of Memorial Park, but at times, the Board of Selectmen and/or the School Committee will coordinate on the creation of policies. The Board of Selectmen and the Town Manager's Office administer the use of the Town Common and the Needham Heights Common.

### **Definitions:**

- **Organized Activity** = any group of individuals that communicate and meet on a regular basis
- **Permit** = a set of documents provided by the Director of Park and Recreation, including but not limited to a calendar of approved dates and organizations, Regulations for Use, and safety information
- **Priority Use** = the order of preference when allocating the use of facilities to organizations
- **Non-Profit** = an organization formed as a 501c3 for which proof must be provided, including certificate, copy of constitution and table of organization with list of paid employees
- **For-Profit** = any business, group, individual or organization not certified as a 501c3 or that has received a waiver from the Park and Recreation Commission or Trustees of Memorial Park
- **Traditional Use** = includes, but not limited to, practices, games or meets between two teams
- **Special Events** = includes, but not limited to, clinics, tournaments, round-robins, practice-only organizations, charity events, carnivals, multi-inning/quarter games; approved only for events sponsored by Needham Park and Recreation, Needham Public Schools or a Needham based non-profit organization
- **Standing water** = puddles that remain on the facility surfaces after inclement weather
- **Authorized Maintenance** = tasks undertaken by an organization, approved in advance by the Director of Park and Recreation and the DPW Superintendent of Parks and Forestry
- **Legacy Organization** = a Needham-based organization that has used facilities for several years prior to the establishment of updated policies in 2011
- **Waiver** = a determination made by vote of the majority of the Park and Recreation Commission and/or the Trustees of Memorial Park that a specific organization may not meet all the requirements for a priority user group, but is determined eligible based on written documentation provided that determines organization's value to the community or requirements of league

- **Needham Residency** = In order to be considered 100% Needham residency, the participants must live in Needham, attend Needham Public Schools or a private elementary school or high school located in Needham, or have 100% of participants employed by Needham-based business.
- **Spring Season** = April 1<sup>st</sup> through third Sunday in June (Needham High may start prior to April 1<sup>st</sup> based on MIAA schedule)
- **Summer Season** = Monday immediately after third Sunday in June through August 31<sup>st</sup>
- **Fall Season** = September 1<sup>st</sup> through third Sunday in November (Needham High may use fields through Thanksgiving and post-season game schedule)
- **Senior Field** = those generally used by High School, adults and older youth
- **Junior Field** = those generally used by elementary aged and younger youth
- **Field Maintenance Fee** = fee charged to assist with costs related to maintenance of facilities that is deposited into a designated fund within Park and Recreation's Revolving Fund
- **Field Administration Fee** = fee charged to account for the cost of the administrative tasks undertaken by the Park and Recreation Department, and deposited into the Town of Needham's General Fund

#### **Permitted Uses:**

1. Organized activity held at Needham's parks, athletic fields and related facilities shall require a permit.
2. All permit applications must be submitted in writing to the Park and Recreation Department. Applications received past the established deadlines will be processed on an as available basis, regardless of priority status. No action will be taken on incomplete applications.
3. Requests to use athletic fields or parks that are deemed by the Director of Park and Recreation to be non-traditional or that will place a higher burden on the facility than typical use must be put in writing on the current Special Event Request Form. Special events must be approved by the Park and Recreation Commission or the Trustees of Memorial Park.
4. Facility allocation will be managed by the Director of Park and Recreation and will be based on the categories listed in the next section, but may also take into account field conditions, scheduled renovations, age and history of organization, past practices of organization (positive and negative), age appropriate sized facilities, and impact on neighborhood.
5. In general, younger youth will be scheduled on junior fields and older youth and adults will be scheduled on senior fields.
6. Priority use on 60' and 90' diamonds is given to baseball and softball organizations; priority use on multi-purpose fields will be given to organizations that play on rectangular fields, including but not limited to football, soccer, lacrosse and Ultimate Frisbee.
7. All permit holders agree to abide by the most current set of Regulations for Use as provided by the Director of Park and Recreation.

8. An athletic field with standing water is automatically closed. No unauthorized maintenance work may be done to move the standing water and use the closed field. Permits may be revoked from organizations allowing use of athletic fields with standing water, and a fine may be charged to cover the costs related to the needed repairs.
9. A representative of the organization holding the permit must be present at the facility while in use, to represent the organization when there are questions and insure that all regulations are followed. The representative may be a coach or league official.
10. All trash must be removed from the fields and facilities and placed in proper trash receptacles or removed from the park. A permit may be revoked from organizations leaving trash behind after use.
11. The Police Department will be notified when organizations allow coaches, parents, and/or participants to park illegally, or obstruct access to neighborhood homes or access by safety vehicles.
12. A permit may not be sub-let to a different organization. The Director of Park and Recreation will work with current permit holders on any exchanges when both permit holders agree to the exchange. Unauthorized permit sub-letting shall result in an immediate loss of permit.
13. Permits may be revoked if an organization does not abide by the Regulations for Use, or allows a facility to be damaged through its actions or lack of action. Organizations with revoked permits may be denied permits in the future.
14. For-profit individuals and/or organizations will not be given permits for use of athletic fields or parks, for the purpose of raising private funds, without a majority vote of the Park and Recreation Commission or the Trustees of Memorial Park.

#### **User Organization Categories:**

These categories place non-school/non-Park and Recreation organizations into scheduling categories that are listed in the following priority use levels.

##### **Category A**

- Needham Non-Profit Youth organization
- 100% “Needham residents” (see definition)
- Youth Legacy Organization
- Game and Practice Schedules, only

##### **Category B**

- Needham Non-Profit Adult organization
- 100% “Needham residents” (see definition)
- Adult Legacy Organization
- Game and Practice Schedules, only

##### **Category C**

- Needham Non-Profit Youth or Adult organization

- Less than 100% Needham residents
- Regional Teams, based in Needham (Club, AAU)

#### Category D

- Non-Needham Based Non-Profit

#### Category E

- Any organization not listed in prior categories

### **Priority Uses:**

The Director of Park and Recreation shall use the following priority order as a determining factor for providing permits, along with those listed under *Permitted Uses # 6*. Groups listed within each level have equal standing.

#### Level One

- Needham Public Schools: weekdays from 7:30 AM – 3:00 PM (September-June)
- Needham Public Schools: pre-season and post-season activity, as determined by the Massachusetts Interscholastic Athletic Association
- Needham High Athletics: weekdays from 3:00 -6:00 PM (September-June)  
*Priority Order: Varsity, Junior Varsity, Freshmen, Middle School, Clubs/Activities*
- Needham High Athletics Bay State Conference League Games, including Varsity Football night games (September-June)
- Needham High Athletics Varsity night games, which will be allowed a maximum of three night games per Varsity TEAM PER season defined as: Fall-Boys and Girls Soccer; Field Hockey. Spring-Boys and Girls Lacrosse, Girls Softball, Boys Baseball
- Needham Park and Recreation sponsored programs
- Needham Public School PTC events at own school (September-June)
- Approved Special Events of Current Permit Holders
- User Organization Category A: weeknights and weekends (September-June)
- Hours of Use: 6:00-9:00PM lit fields, 6:00PM – Dusk unlit fields, 8:00AM start on weekends

#### Level Two

- Needham High Athletics: weekends (September-June)  
*Includes practices, non-league games and scrimmages*
- Needham High Athletics: nights (September-June), excluding Level One definition. *Includes practices, non-league games and scrimmages*
- User Organization Category A: weekdays
- Needham Public Schools Community Education

#### Level Three

- User Organization Category B

**Level Four**

- User Organization Category C
- Special Events from organizations not holding permit in that season

**Level Five**

- User Organization Category D and E
- Late applications

**Application Process:**

Permit applications must be submitted on official forms, as provided by the Park and Recreation Department. All required forms must be submitted in order for action to be taken on the request. No action will be taken on incomplete applications. Required forms include, but are not limited to, contact information, specific dates/schedules, insurance certificate, and signed agreements.

Applications must be submitted within the required timetables, as follows. Level eligibility will not be honored with late or incomplete applications.

<b>Season</b>	<b>Due Date: Schools, Special Events</b>	<b>Due Date: All Others</b>	<b>Permits Issued by:</b>
Spring	January 15	January 30	March 15
Summer	January 15	January 30	March 15
Fall	July 1	July 15	August 15

An organization that has held a permit in the past but is changing its program to include additional teams, additional age levels, or other change to the prior season schedule for games/practices must submit these changes in writing on a “New Program” form.

An organization that has not held a permit in the past must provide all information about its organization in writing on a “New Program” form.

Any organization that would like to offer activities, such as but not limited to, clinics, tournaments, round-robins, practice-only organizations, charity events, carnivals, multi-inning/quarter games must submit a Special Event Request.

A written request for a waiver must be provided in order to extend a permit beyond the designated dates.

A Field Scheduling Summit may be held with groups preparing to request permits in order to assist organizations with the handling of potential conflicts. Conflicts worked out amongst groups prior to the submission of permit requests are preferred.

Youth organizations must submit the prior season's game and practice schedule with their permit requests. For those seeking to be in a higher priority category, written proof must be submitted stating that the organization only allows Needham residents, as defined under *Definitions*.

Adult organizations must submit team rosters. In order to prove Needham residency requirements, as defined under *Definitions*, proof of residency or employment in a Needham business is required. An authorized league roster or a copy of a driver's license (or similar legal document) will be accepted.

### **Fee Schedule:**

The Park and Recreation Commission and the Trustees of Memorial Park will charge the following fees, based on the type or category of use.

The Director of Park and Recreation will provide a bill with a due date listed on the bill. All fees must be paid by the listed due date. In the event a fee is not paid, the permit may be revoked or an organization may become ineligible to apply for future permits.

#### **Youth Programs (ages 18 and under)**

- \$15 per participant per season, of which \$10 is deposited as Field Maintenance Fee and \$5 is deposited as Field Administration Fee
- \$5 per participant per season, *if proof of residency cannot be provided*
- Fees are not charged to Needham Public Schools

#### **Adult Programs (above the age of 18)**

- \$45 per day per block of time of four hours or less; \$90 for more than 4 hour block of time, deposited as Field Administration Fee
- \$10 per participant per season, deposited as Field Maintenance Fee
- \$5 per participant per season, *if proof of residency cannot be provided*

#### **Clinics/Camps**

- This fee is not charged when event is approved special event only for members of a permitted organization during its regular season
- \$5 per participant per day
- \$5 per participant per clinic/camp, *if proof of residency cannot be provided*
- The majority of the fee will be deposited into a Trust Fund for Capital Improvements to Athletic Fields and Facilities. A small portion may be deposited into the Field Maintenance Fund to assist with repairs after the event.

### **Special Events**

- The Park and Recreation Commission and/or Trustees of Memorial Park will determine the events that fall under this fee structure, based on type of organization requesting and type of use. In general, Special Events officially sponsored by Needham Park and Recreation, Needham Public Schools and Needham-based non-profits will not be charged.
- \$250 per day on natural grass field or other facility, for event scheduled for four hours or less of actual use.
- \$500 per day on synthetic turf field, for event scheduled for four hours or less of actual use.
- \$500 per day on natural grass field or other facility, for event scheduled for four hours or more of actual use.
- \$1,000 per day on synthetic turf field, for event scheduled for four hours or more of actual use.

### **Repair and Maintenance**

In the event an organization allows for a use of an athletic field or facility that results in damage, the organization shall be charged the full cost of repair and renovation, determined by the DPW Superintendent of Parks and Forestry in consultation with the Director of Park and Recreation.

### **Appeals Process:**

- A. Any organization or individual whose permit has been altered, changed, modified, denied or revoked from its original request, may request a reconsideration by the Director of Park and Recreation and shall be granted a hearing before the Director of Park and Recreation provided that such person shall file in writing to the Director of Park and Recreation within five (5) business days after receipt of the decision. The written petition must provide a brief statement for the grounds for reconsideration, and when possible provide a solution to the purported permit issue. Upon receipt of such petition, the Director of Park and Recreation shall set a time and place for such a hearing and shall give the petitioner written notice thereof.

The hearing shall take place not more than ten (10) business days after such petition is received by the office of the Director of Park and Recreation. After such hearing, the Director of Park and Recreation may, by order, sustain or deny the petition, and shall notify the petitioner in writing of the reasons for such decision.

- B. If such appeal results in a denial by the Director of Park and Recreation, the permit holder may request, in writing, reconsideration of the matter by the Fields Appeal Committee and shall be granted a hearing before the Fields Appeal Committee provided that such person shall file the written appeal to the Park and Recreation Department within five (5) business days after receipt of the decision

of the Director of Park and Recreation. The written request must outline the reasons for disagreeing with the decision of Director of Park and Recreation.

The Fields Appeal Committee shall be made up of three board members as noted: if the matter pertains to Memorial Park, the committee shall consist of the Chairman of the Trustees of Memorial Park, and member of the Trustees of Memorial Park, and the Chairman of the Park and Recreation Commission. In matters pertaining to all other facilities, the committee shall consist of the Chairman of the Park and Recreation Commission, and member of the Park and Recreation Commission, and the Chairman of the Trustees of Memorial Park. Since time is of the essence, each Chairman may designate an alternate Trustee or Commissioner if he/she is unable to attend the hearing. No member of the Trustees of Memorial Park or the Park and Recreation Commission will participate in a hearing for an organization for which he/she has direct connection with, including but not limited to membership on the board of that organization, coach, or referee/umpire.

Upon receipt of such petition, the Fields Appeal Committee shall set a time and place for such hearing and shall give the petitioner written notice thereof. The hearing shall take place within ten (10) days after such petition is filed, unless the petitioner agrees in writing with the Fields Appeal Committee to a later date for such hearing.

After such hearing, the Fields Appeal Committee may, by order, sustain or deny the petition in accordance with findings of the hearing and shall promptly notify the petitioner in writing of the decision.

The decision of the Fields Appeal Committee is final.