

Chapter 5. Athletic Facility Use

[HISTORY: Adopted by the Township Committee of the Township of Winslow 12-19-06 as Ord. No. O-33-06. Amendments noted where applicable.]

§ 5-1. Purpose.

The Township of Winslow finds and declares that it is necessary to allocate the priority of use of athletic facilities within the Township to organized youth sports programs and teams sponsored by and/or affiliated with the Township of Winslow. The organized youth sports programs in the Township of Winslow have been established to benefit its youth and teach the basic skills of organized team sports as well as providing an emphasis on good sportsmanship. It is not the public policy of the Township of Winslow to deny any member of the public the right to utilize any athletic facilities within the Township, however, the Township of Winslow finds that it is in the best interest of the youth of the Township to allocate priority of use of the athletic facilities for their benefit. Therefore, the purpose of this chapter is to protect the interests of the youth of the Township by ensuring that they have sufficient access to the available athletic facilities in the Township so that they may partake in the benefits of organized youth team sports.

§ 5-2. Definitions.

As used in this chapter:

ATHLETIC FACILITIES

Including, but not limited to baseball, football and soccer fields, as well as basketball courts, under the control of the Township of Winslow.

GENERAL USAGE

Any facility so designated shall be available to the general public on a first come first served basis.

§ 5-3. Priority of use.

[Amended 12-18-12 by Ord. No. O-2012-034]

- A. The Township of Winslow finds and declares that it is necessary to allocate the priority of use of athletic facilities within the Township to an official youth sports organization as recognized by resolution of the Mayor and Township Committee. An official youth sports organization as recognized by resolution of the Mayor and Township Committee has been established to benefit the Township's residents and teach its youth the basic skills of organized team sports as well as provide an emphasis on good sportsmanship. It is not the public policy of the Township of Winslow to deny any member of the public the right to utilize any athletic facilities within the Township; however, the Township of Winslow finds that it is in the best interest of the Township to allocate priority of use of the athletic facilities to an official youth sports organization as recognized by resolution of the Mayor and Township Committee.

- B. Any organization or group of individuals other than an official youth sports organization as recognized by resolution of the Mayor and Township Committee who desire to utilize athletic facilities under the control of the Township for sporting activities must apply for and receive approval from the Mayor and Township Committee. Applications shall be made on a form available from the Township Clerk. Upon meeting the requirements set forth in this chapter, a permit shall be granted on an as available basis, taking into account the priority of the predetermined schedules of an official youth sports organization as recognized by resolution of the Mayor and Township Committee under the requirements established in this chapter.
- C. In the event there is more than one officially recognized youth sports organization and a conflict arises with respect to the use of the athletic fields or facilities, then the official youth sports organization that submitted a complete application first and is not otherwise in violation of this chapter, or any other ordinance regarding the use of the Township's fields and facilities including, but not limited to, Chapter 49 of the Township Code, shall be entitled to priority use of the athletic field or facility.

§ 5-4. Application procedures; permit fees.

[Amended 4-27-10 by Ord. No. O-2010-012; 12-18-12 by Ord. No. O-2012-034]

- A. All organizations or groups desiring to utilize the Township's parks, playgrounds or athletic facilities shall be required to obtain a permit from the Township. The permit shall designate the group or organization authorized and permitted to use the field or fields as well as the dates and times on which the use is permitted. Permit applications shall be obtained from the Township Clerk and processed in the following manner:
 - (1) Applications shall be returned to the Township Clerk for processing. All applications must be completed at least thirty (30) days prior to the desired date of use of the park or recreation area. The Township Clerk shall review the application for completeness. Incomplete applications shall not be considered. The application shall be reviewed and either approved or denied by the Clerk, Administrator, Superintendent of Public Works or their designees.
 - (2) The application shall contain the following information:
 - (a) The name and address of the applicant.
 - (b) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - (c) A schedule showing date(s), day(s) and hour(s) for which the permit is desired. No application(s) will be accepted showing day(s) or month(s) blocked out.
[Amended 3-22-16 by Ord. No. O-2016-004]
 - (d) The park or portion thereof for which such permit is desired.
 - (e) The estimated number of participants and/or spectators expected to attend.
 - (f) A detailed description of the proposed activity or use.
 - (g) The name of the team, type of sport and player roster.
 - (h) The team sponsor(s).
 - (i) Schedule of games.
 - (j) Proof of comprehensive liability insurance coverage with limits in the amount of \$1,000,000./\$3,000,000., as well as proof that the Township of Winslow has been named as an additional insured thereunder.

- (k) Proof of crime bond covering theft of league monies in a bond amount acceptable to the Township.
 - (l) Proof of participant accident and health insurance coverage which will provide medical coverage if no personal health insurance is available with limits of coverage acceptable to the Township.
 - (m) Proof of directors and officers insurance with limits of coverage acceptable to the Township.
 - (n) Any other information which the Winslow Township Committee shall find necessary to make a fair determination as to whether a permit should be issued hereunder.
- B. An application fee in the amount of one hundred dollars (\$100.) shall be charged per applicant per sport per season. Said fee shall be due at the time the application is submitted to cover the costs and expenses associated with processing same.

§ 5-5. Standards for issuance.

[Added 12-18-12 by Ord. No. O-2012-034]

- A. Standards for issuance of a use permit by the Township Committee shall include the following findings:
 - (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park.
 - (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
 - (3) That the proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct.
 - (4) That the proposed activity will not entail extraordinary or burdensome expense of police operation by the Township of Winslow.
 - (5) That the facilities desired have not been reserved for other use at the date and hour requested in the application.
 - (6) In the event of a scheduling conflict, first preference shall be given to Township sponsored groups and Township residents.
- B. Athletic events commonly referred to as "tournaments" require special review by the Chief of Police, Superintendent of Public Works or their designees. Due to the nature of these types of events, careful consideration will be given to traffic and parking issues and to the possible impact on the park grounds. An additional tournament fee may be decided by the governing body.
- C. All applicants must submit, simultaneously with their application, proof of liability insurance in the minimum amount of one million dollars (\$1,000,000.) covering the use of the park(s) or recreation area(s) to be used. The Township of Winslow must be named as an additional insured. Waiver of the insurance requirement may be applied for, depending upon the requested use. Determination of whether the waiver request will be granted is within the sole discretion of the Mayor and Committee of the Township of Winslow.
- D. Applicants must also submit an Indemnity and Hold Harmless Agreement, to be provided by the Township Clerk, signed by an authorized person on behalf of the organization or group utilizing the park or recreation area.
- E. All teams using the athletic fields and/or equipment for games and/or practice shall be required to keep the field and/or equipment in the same condition following a game or practice as it was prior to

the game or practice.

- F. There shall be no assignment or transfer of any permits issued pursuant to this section to any other entity.
- G. Any violation of this section shall be enforced in accordance with the provisions of this chapter.

§ 5-6. Fee schedule.

[Added 12-18-12 by Ord. No. O-2012-034; amended 3-22-16 by Ord. No. O-2016-004; 3-12-2019 by Ord. No. O-2019-005]

- A. With the exception of an official youth sports organization as recognized by Resolution of the Mayor and Township Committee, which shall not pay any fee for use of the Township's athletic fields and facilities provided said organization is not in violation of this chapter, or any other ordinance regarding the use of the Township's fields and facilities including, but not limited to, Chapter 49 of the Township Code, all other persons, groups or organizations shall be subject to the following fee schedule, which fee shall be paid on an annual basis and prior to receipt of the permit:

(1)	Ball fields	
	Per hour/per ball field:	
	Without lights	\$15 per hour
	With lights	\$25 per hour
	Security Deposit	No fee
(2)	Street hockey/basketball/volleyball courts	
	Without lights	\$15 per hour
	With lights	\$25 per hour
	Security Deposit	No fee
(3)	Park areas for:	
	All other recreational activities	
	Daylight	No fee
	Security deposit	No fee
(4)	Park areas for:	
	Nonrecreational activities — e.g. flea market, car show, auction, musical shows, theater acts, concerts	
	Daylight	\$100
	Security deposit	\$250
(5)	Gazebo	
	Per-hour fee	No fee
	Security deposit	No Fee
(6)	Concession stand	
	Per-hour fee	\$150
	Security deposit	\$1,000
(7)	Police protection need to be determined by the Chief of Police	Prevailing overtime rate
(8)	Public works assistance need to be determined by the Director of Public Works	Prevailing overtime rate

- B. A person, group or organization that is subject to the aforementioned Fee Schedule may make a request to the Mayor and Township Committee, which request shall be in writing, to waive all or part of the fee set forth above, which shall only be granted for good cause.

§ 5-7. Exceptions.

[Amended 12-18-12 by Ord. No. O-2012-034]

The provisions of this chapter shall not apply to any athletic facility or field within the control of the Township of Winslow which has been designated for general usage. Such a facility or field shall be designated by signage at the location that the facility or field is for "General Usage."

§ 5-8. Enforcement.

[Amended 12-18-12 by Ord. No. O-2012-034]

The Township of Winslow or its designated agents, including the Township Police Department, shall diligently enforce the provisions of this chapter. Use of any athletic facility or field in contravention of the terms of this chapter shall be deemed trespassing and the violator shall be subject to ejectment and any other charges as determined by the Township Police Department.

§ 5-9. Penalties.

[Amended 12-18-12 by Ord. No. O-2012-034]

Any person violating any of the provisions of this chapter or any rule or regulation promulgated pursuant hereto shall, upon conviction, be subject to the replacement, repair or restoration of any damaged park property, athletic field, facility or equipment, and shall be subject to a fine not exceeding one thousand dollars (\$1,000.), and in default of payment thereof, may be sentenced to imprisonment in the county jail, in the discretion of the Judge, for a term not exceeding ninety (90) days.