

Athletic Field



Use Policy

Effective August 22, 2016

I. Policy Statement:

The City of Lovington provides athletic fields for use by its citizens and for organized league play. It is the intent of this policy to establish use regulations, application for use permits, and scheduling procedures to accommodate groups that wish to use these facilities. A facility use permit may be revoked for violation of this policy or any local, state, or federal code, ordinance, or law. Permits shall not be transferred, assigned, or sub-let.

II. Definition of Terms

Resident: defined as an individual participant that resides within the Lovington City limits or within the Lovington Extraterritorial Zone.

Youth: defined as persons 18 years of age or under.

Non-profit: To qualify as a non-profit user, the organization must meet all the criteria below:

1. The organization must be registered as a not-for-profit corporation with the State of New Mexico, or if not registered with the State, must have a constitution, bylaws or mission statement which clearly state the objectives of the organization are of a non-profit, non-commercial nature.
2. The organization must be comprised of volunteers, (75%) of which must be Lovington residents. The organization must submit the following:
 - a. If incorporated, submit State Incorporation papers and bylaws; if not incorporated, submit constitution and bylaws or mission statement.
 - b. Current financial statement
 - c. Roster of Officers
 - d. List of persons authorized to make reservations for your organization; must be Lovington residents.

III. Priority Group Qualification

Due to the limited number of fields and facilities available, the City of Lovington has established a priority use.

Priority use of fields/facilities will be allocated as follows:

- GROUP 1: City sponsored or co-sponsored events.
- GROUP 2: Non-profit youth programs, organizations, or events with 75% Lovington residents (i.e. organized youth league play)
- GROUP 3: Non-profit adult programs, organizations, or events with 75% Lovington residents (organized adult league play)
- GROUP 4: Youth programs, organizations, or events
- GROUP 5: Adult programs, organizations, or events

IV. Process for Obtaining Permits

Application and Agreement

Each organization is required to sign and submit an Athletic Field Use Rules and Regulations for on Page 6, Application and Agreement Request for Use of City of Lovington Facilities on Page 7, and Hold Harmless and Indemnity Agreement form on Page 8 and provide proof of insurance one month in advance of starting use of the facility. A statement certifying the residency of players must be submitted to the City no later than one week following the organization registration date.

Multiple-use reservations may be made for more than one date or with recurring weekly use. Any person or organization missing any deadlines will have access to any remaining fields/facilities after the allocation process is finalized on a first come first served basis. Submission of a request does not constitute approval. Approval is given according to allocation policy, after fees are paid, and when a permit is issued. Every effort will be made to accommodate user group's use of fields.

Permit Procedures

Requests to permit the use of City fields and facilities in Lovington are made through City Hall, 214 S. Love Street, Lovington, NM 88260 (575) 396-2884. Individuals desiring to utilize the athletic fields but are not part of an organization, program, or league may do so without having a permit, however, if the facility is in use by a permitted user during their reserved time, they are not allowed the use of the facility.

Game and practice schedules are required to be submitted and will be used by City staff to ensure fields are being used as allocated. If fields and facilities are not used as requested, permits may be rescinded. Groups or organizations not using fields and facilities as stated may lose their permit and/or priority allocation consideration for future allocations.

Liability Insurance Requirements

The facility user shall secure and maintain throughout the period of use contemplated under this agreement, general liability insurance with policy limits of not less than \$1,000,000 per occurrence. The City of Lovington, its elected and appointed officials, officers, agents and employees shall be named as additional insured by endorsement. Such policy or policies of insurance shall further provide that said policies of facility user shall be primary over any insurance held by the City of Lovington that may be applicable. The types and limits of insurance may be changed from time to time as determined by the City of Lovington.

The facility user agrees to hold the City of Lovington harmless and free from any liability of any nature arising out of the use of City Facilities, to include reimbursement of any legal costs and fees incurred in defense of such claims.

Fee Payment

Payment in advance of use is required. Cash, check, or money order may be used for payment at least 2 weeks prior to the requested use. If payment is made less than 5 days prior to use, only cash or money order will be accepted.

Deposit (\$10 per day)

A deposit of \$10 per each day of use for each facility is required. The deposit will be refunded if the group abides by all Athletic Field and Facility Use and Allocation Policy Rules and Regulations and pertinent City codes.

Permit Cancellation

Permits may be canceled and/or rescheduled. Permits canceled by the City may be rescheduled as availability allows or may be refunded in full. Permits canceled by the user at least 5 days prior to the event will be refunded in full. No refunds will be issued if canceled with fewer than 5 days notice.

Refunds for inclement weather permit cancellations for days reserved for organized league play during a season will not be provided. Refunds for inclement weather permit cancellation will be provided for single or one time use's.

The City of Lovington may cancel use of City maintained facilities for any of the following:

- City begins work involving any of the facilities.
- When the health and safety of participants are threatened due to impending conditions, including but not limited to, heavy rains, high winds, smoke, blowing dust.
- Non-adherence to Athletic Field/Facility Use and Allocation Policy or City ordinance.

Notice of Field Exchange

Organizations may give up or exchange their allocation, or any part of it, with an organization of equal or greater allocation priority only when all the parties agree in writing and the City reissues the permit. All requests for exchanges will be provided in writing.

Notice of Non-Use of Field

Any organization that has been allocated space and does not intend to use it according to the permit, shall notify the City so that the fields/facilities may be reallocated or otherwise used at its maximum. Also, non-use of a field may result in revocation of the allocated field.

V. Facility Allocation Procedures, Rules & Regulations

Facilities will be allocated by priority use.

Facilities will be allocated without regard to competitive level of skill.

Facilities will be allocate on a first come, first serve basis with respect to the historical time

periods that organized league play has occurred (i.e. baseball league season, soccer league season).

League and organization presidents must provide schedules that indicate all allocated fields are being used. Fields not being utilized by the appropriate organization or team indicated on the use schedules three times during a season and/or the reserved period of use the field will be reassigned. Reassignment will be made based on the type of use requested while taking into consideration the safety of spectators and participants.

After all requirements for application of field use are met a formal permit will be issued authorizing use of City maintained fields. A copy of the permit must be available at each site approved for use for inspection by City staff and Police.

In addition to the Application and Agreement Request for Use of City of Lovington Facility form, a completed copy of the Athletic Field Use Rules and Regulations Form is required. Please see "Athletic Field Use Rules and Regulations" on page 6. Applicants are required to abide by the specific rules of the application as well as other City codes. Failure to comply may result in cancellation of any current or future permits. These rules include but are not limited to:

1. Groups consisting of ten or more individuals wishing to utilize a field must acquire a permit with the City of Lovington. Field use permit must be available during use and presented to any City representative upon request. It is the League/organizations president responsibility to make sure coaches receive and understand that permits must be on site during field use.
2. It is the responsibility of the organization president and the individual identified as the person in charge of the permit to enforce the rules and regulations regarding the conduct of the group while on permitted facilities.
3. Use begins and ends at the times stated on the permit including set-up and clean up. Groups are not allowed on fields prior to the start time on the permit and are required to have the fields clean, picked up and be off the fields at the ending time indicated on the permit. Check your permit for specific times you may access the fields.
4. Parking is allowed in designated areas only. No vehicles are allowed on City fields or property, other than parking lots, without written permission noted on the permit issued by the City of Lovington. User groups must inform their participants and spectators to park in facility parking lots and public parking areas.
5. No person shall consume or have in their possession any intoxicating beverage or other drug or narcotic prohibited by federal law.
6. Selling of food or other items is not allowed without City approval and must be noted on the permit.
 - a. If approved, the organization must obtain all state permits as required.
 - b. Sales of food or other items are limited to organizations that qualify as a non-profit user.
 - c. Proceeds from sales of food or other items must be used for the benefit of the

organization. Direct payment to an individual is prohibited. The City reserves the right to inspect financial records of the organization. Failure to provide the requested documents may result in cancellation of any current or future permits.

7. No person, organization, or league may charge for entry or admission to any City maintained field or facility.
8. Balls and any other equipment thrown, batted, kicked, or otherwise land on private property must not be retrieved without the property owner's permission.
9. Portable goals and/or markers are allowed but must be maintained in a safe and operable condition. This equipment must also be removed once the permit expires.
10. At the conclusion of games or practice each user group is responsible for picking up trash and debris and depositing it into the proper trash bins. The field and any adjoining areas affected by a group's use must be picked up and cleared of all trash or full refund of deposit will be forfeited.
11. Damage to facilities during use must be reported immediately to the City. Once reported, City staff will determine if the damage will result in a forfeit of the entire deposit. Groups may be subject paying the full cost of repair/replacement and may be charged an additional deposit as determined by the City.
12. In the event of inclement weather, fields may be closed. It is the user groups responsibility to contact City Hall to verify field closures. Groups cannot play on fields that have been closed.
13. All lining of City fields is prohibited unless otherwise authorized by the Recreation foreman.
14. No permanent structures or equipment shall be erected on facilities unless approved by the City and is dedicated for public use.
15. All organizations must have evidence that coaches and referee's and or umpires have taken Concussion Protocol Training.

ATHLETIC FIELD/FACILITY USE RULES AND REGULATIONS

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2. It is the responsibility of the organization president and the individual identified as the person in charge of the permit to enforce the rules and regulations regarding the conduct of the group while on permitted facilities.
3. Use begins and ends at the times stated on the permit including set-up and clean up. Groups are not allowed on fields prior to the start time on the permit and are required to have the fields clean, picked up and be off the fields at the ending time indicated on the permit. Check your permit for specific times you may access the fields.
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13. All lining of City fields is prohibited unless otherwise authorized by the Recreation foreman.
14. No permanent structures or equipment shall be erected on facilities unless approved by the City and is dedicated for public use.
15. All coaches and referee's and/or umpires must have current Concussion Protocol Training.
16. Non-adherence to any of these rules or City ordinance may result in the retention of a portion or all of the deposit and/or result in the cancellation of current and/or prohibition of future use.

Applicant Name: _____

(Print) (Title)

(Signature) (Date)

Approved by _____

City Representative (Date/Title)

(Print/Signature)

Application and Agreement Request for Use of City of Lovington Athletic Fields and Facilities

Organization: _____

Name of Applicant: _____

Address: _____

Home Phone: () _____ **Day Phone:** () _____

E-Mail Address: _____

Field/Facility Requested: _____

Description of Activity: _____

Estimated Attendance: _____ **Open to Public** Yes _____ No _____

Day of Week	Date	Start Time Include Set-up	End Time
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I verify that the information on this Application and Agreement Request for Use of Athletic Fields / Facilities form is correct as defined in the Athletic Field Use & Allocation Policy and understand the possible consequences if the information is incorrect or misleading within the acceptable boundaries as described in the allocation policy. I have read the Application and Agreement and agree to all provisions listed on this Application, the Athletic Field Use & Allocation Policy, Rules and Regulations and disclaimers applied to issued permits and will communicate this information to our coaches and participants.

Signature of Applicant

Signature of Organization President

Date

Date

Date Received			Organization Priority	1 2 3 4 5
Approval			Permit Number	

SAVE HARMLESS AND INDEMNIFICATION AGREEMENT

I, _____ (Applicant), hereby agree to protect, defend, indemnify and hold harmless the City of Lovington, its officers, employees and agents against any action, demand, claim, loss, injury or liability arising out of or resulting in any way from the use of the field(s) or facility(s) or from any actions taken, work performed or service provided by Applicant with respect to the use of City property for the purposes described in this permit application. Applicants obligations to indemnify and hold harmless are joint and several, and exclude only such action, demand, claim, loss or liability due to the sole negligence or willful misconduct of City and/or its employees. All of Applicants obligations under this agreement are intended to apply to the fullest extent permitted by law and shall survive the expiration, completion or sooner termination of the issued Permit. In any action or claim against the City in which Applicant is defending City, City shall have the right to approve legal counsel providing City's defense.

Signature of Applicant

Signature of Organization President

Date

Date