

VILLAGE OF PHOENIX
455 Main Street
Phoenix, New York 13135

APPLICATION FOR USE OF VILLAGE FACILITIES

Today's Date: _____

Facility Requested: _____

Date(s) Requested: _____

Time: _____ to _____

INFORMATION ABOUT USE

Name of Organization or Individual: _____

Person (Authorized) in charge: _____

Mailing Address: _____

Telephone: (Day) _____ (Night) _____ (Cell) _____

INTENDED USE OF MUNICIPAL FACILITIES

Purpose of Use: _____

Total Participants Expected: _____ Number of Adults: _____ Number of Children: _____

Number of Residents: _____ Number of Non-Residents: _____

Is material or equipment required from municipality? Yes _____ No _____ If yes, state what types and for what purpose: _____

Is an admission fee charged? Yes _____ No _____ If yes, what will proceeds be used for? _____

AGREEMENT

The undersigned is an authorized representative of the individual or organization named herein, and is over 21 years of age and has read this form and attached regulations (Facility Use Requirements) and agrees to comply with them and to ensure the compliance of its organization, guests, invitees, vendors and contractors. He/she agrees to be responsible to the municipality for the use and care of the facilities. He/she, on behalf of such individual(s)/organization(s) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Phoenix from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, arising out of or in connection with the actual or proposed use or occupancy of the Village of Phoenix's property, facilities and/or services by such individual(s)/organization(s)

[ORGANIZATION(S)/INDIVIDUAL(S)]

By: _____

Name: _____

Title: _____

READ ATTACHED REQUIREMENTS AND RETURN APPLICATION TO:

VILLAGE OF PHOENIX
455 Main Street
Phoenix, New York 13135

Approved: Village of Phoenix

By: _____

Date: _____

Resolution Date: _____

(Attach Copy of Resolution)

FACILITY USE REQUIREMENTS

The use of all Village facilities shall be subject to the approval and following requirements of the Village of Phoenix:

1. Organizations wishing to use municipal facilities shall first apply to the Village of Phoenix on the prescribed form. The Village Board has final authority on approval.
2. In the event of inclement weather, the Mayor or his designee has the final authority on whether facilities are usable.
3. Alcohol use is allowed only by special permission.* Alcohol is not permitted in glass bottles, kegs or barrels. A separate fee of \$__ is required for permission from alcoholic beverages to be served.
4. Smoking is not permitted.
5. Standing and/or sitting on tables is not permitted.
6. Cooking is not permitted, but reheating of prepared food is permitted.
7. All posted rules must be adhered to.
8. Profanity, objectionable language, disorderly acts or illegal activities of any kind are absolutely prohibited, and those violating this prohibition will be ejected from the premises.
9. Any damage to municipal facilities shall be promptly repaired at the user's expense. User is financially responsible for any damage to a municipal building. If maintenance personnel are not available, make sure all doors are locked and lights are turned out when leaving.
10. Organizations and Persons using the facilities must clean-up afterwards.
11. Permits may be revoked at any time and for any or no reason.
12. Any organization with youth under 18 years old requires the presence of adequate adult supervision at all times.
13. The fee for use is \$____, payable before use begins.**
14. The emergency telephone number for Police is: _____; Fire _____. The appropriate authority must be contacted in the event of an emergency.
15. Users must provide the following insurance prior to using facilities **[FAILURE TO DO SO PRIOR TO USE WILL RESULT IN REVOCATION OF YOUR PERMIT]:*****
 - A. The user hereby agrees to effectuate the naming of the municipality as an unrestricted additional insured on the user's policy.
 - B. The policy naming the municipality as an additional insured shall:
 - be an insurance policy from an A.M. Best rated "secured" New York State licensed insurer;
 - contain a 30 day prior written notice of cancellation, material modification or termination;
 - state that the organization's coverage shall be primary coverage for the Municipality, its Board, employees and volunteers; and
 - additional insured status shall be provided with ISO endorsement CG 2026 or its equivalent.
 - C. The user agrees to indemnify the municipality for any applicable deductibles.
 - D. Enclose a copy of the endorsement providing additional insured status.
 - E. Required Insurance:
 - **Commercial General Liability Insurance**
\$1,000,000 per occurrence/ \$2,000,000 aggregate.User acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the municipality. The user is to provide the municipality with an unconditional certificate of insurance or endorsement, evidencing the above requirements have been met. The failure of the municipality to object to the contents of the certificate or endorsement or the absence of it shall not be deemed a waiver of any and all rights held by the municipality.

The coverages must include contractual liability coverage for the indemnification provision hereunder.

 - **Individuals:**
Required Insurance:
 - **Homeowners Insurance**
Section Two – Liability: \$100,000 limit of liability. Policy shall not exclude the off-premises activities of the insured.
17. In the event of an accident, please notify the custodian on duty, or call the business office the next morning.

* Use of Alcohol in Village facilities is solely in the discretion of the Village. In any event, the insurance provisions required hereunder shall include, in such event of alcohol use, coverage for any liabilities arising out of the service, use or misuse of alcohol.

** The fee for use shall be as determined by the Village Board based on the fair value of the occupancy and use of the premises. This is a constitutional requirement and is not subject to waiver but under certain narrow circumstances may be modified to reflect the not-for-profit or public purpose of the proposed use. In any event, the fee may also include a security deposit component as well as cost of clean up, utilities and the like.

*** The insurance requirements for individuals and organizations are absolute and may only be waived or modified, in the discretion of the Village Board, where the use is for a legitimate public purpose by a not-for-profit organization.

Initials: _____ Date: _____