



VILLAGE OF PHOENIX
455 Main Street
Phoenix, NY 13135

**Application for Use of Memorial
Park Baseball/Softball Fields**

FACILITY USE REQUIREMENT

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 apply to the Village of Phoenix on the prescribed form.
2. In the event of inclement weather, the Village has the final authority on whether facilities are usable.
3. Alcohol use is NOT permitted.
4. Smoking is NOT permitted.
5. Any posted rules must be adhered to.
6. Profanity, objectionable language, disorderly acts or illegal activities of any kind are absolutely prohibited, and those violating this prohibition can be ejected from the premises.
7. Any damage shall be promptly repaired at the applicant's expense. Applicant is financially responsible for any damage.
8. Organizations and Persons using the facilities must clean-up afterwards.
9. Permits may be revoked at any time and for any or no reason.
10. Any organization with youth under 18 years old requires the presence of adequate adult supervision at all times.
11. The emergency telephone number for Police is: _____; Fire: _____. The appropriate authority must be contacted in the event of an emergency.
12. Users must provide the following insurance prior to using facilities (**FAILURE TO DO SO PRIOR TO USE CAN 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 hereby agrees to indemnify the municipality for any applicable deductibles.
 - D. Enclose a copy of the endorsement providing additional insured status
 - E. Required Insurance:
 - **Organizations:** Commercial General Liability Insurance - \$1,000,000 per occurrence/ \$1,000,000 aggregate. User acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of this permit 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 endorsements, 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 coverage must include contractual liability coverage for the indemnification provision hereunder.
 - **Individuals:** Homeowners Insurance – Section Two – Liability: \$100,000 limit of liability. Policy shall not exclude the off-premises activities of the insured.
13. In the event of an accident, please notify the police on duty, or call the Village office's the next morning.

*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: _____