

TITLE 20

MISCELLANEOUS

CHAPTER

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2. RECREATION FACILITIES RULES AND REGULATIONS.

CHAPTER 1

SPECIAL EVENTS

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20-101. Event permit required. Whenever any person, group, association, club, business, firm, or corporation desires to sponsor any "event," as hereinafter defined, such person, group, association, club, business, firm or corporation shall first obtain an "event permit" from the Town of Pleasant View. (as added by Ord. #12-2, March 2012)

20-102. "Event" defined. An "event" is any festival, parade, race, dance, celebration or other gathering involving the use of public facilities in the Town of Pleasant View, including, but not limited to parks, streets, alleys, sidewalks, or other city owned facilities which necessitates additional services as described in § 20-107 of this chapter, and which includes a general invitation to all members of the public to either participate in and/or view such event, or part thereof. (as added by Ord. #12-2, March 2012)

20-103. Exemptions. Any/all government or not for profit organizations shall be exempt from paying any cost under § 20-107 of this chapter but shall not be exempt from obtaining an "event permit" from the Town of Pleasant View. (as added by Ord. #12-2, March 2012)

20-104. Application contents and fee. Event permits shall be issued only upon the submission of an application therefore which will be filed with the city recorder a minimum of twenty-one (21) days prior to the anticipated date of the event. Such application must contain the following information:

(1) A detailed description of the event, including all associated events/and or uses; and the date or dates, and hours of the event. Event permits shall not be issued for more than three (3) days, unless otherwise approved by the "event committee." A site plan shall be submitted upon request.

(2) A detailed description of the specific area where the event shall be held, and, if street closure is requested, a complete listing of such streets or portions thereof, together with the dates and hours of closures.

(3) A description of any city services and/or utilities that shall be needed.

(4) The approximate number of citizens expected to either participate in and/or view the event.

(5) The exact name of the person, group, association, club, business, firm, or corporation sponsoring said event, together with the complete name, address, and telephone number of the person to contact for all communications from the town.

(6) Certificate of insurance naming the town as an additional insured, with same/equal limit one million dollars (\$1,000,000.00) general liability and one million dollars (\$1,000,000) per occurrence, presented at the time of application.

(7) The payment of twenty-five dollars (\$25.00) for processing fee of the application. Additional fees/deposits may apply. The town reserves the right to waive the twenty-five dollars (\$25.00) processing fee for any government and/or non-profit organization.

(8) Any application not meeting the requirements of the special event permit shall be denied if not completed in full by (21) twenty-one days prior to the event. Denied applications will be notified in writing to the applicant. (as added by Ord. #12-2, March 2012, amended by Ord. #12-09, Nov. 2012, and replaced by Ord. #18-15, July 2018)

20-105. Approval of application. The "event committee" shall review all such applications. This event committee shall consist of but not be limited to the mayor and department heads. The committee shall grant final approval of the event permit. (as added by Ord. #12-2, March 2012)

20-106. Issuance of event permit. After the approval of the application, the event permit shall be issued by the event committee only after the sponsor has presented the town with a certificate of insurance, with same/equal limit one million dollars (\$1,000,000.00) general liability and one million dollars (\$1,000,000.00) per occurrence, with the Town of Pleasant View

named as additional insured; protecting the town from any and all claims and liabilities arising out of the event. (as added by Ord. #12-2, March 2012)

20-107. Additional services. The town reserves the right to require one (1) or more Town of Pleasant View police officers or other city personnel to be present at any and all events that occur within the city limits. Please budget for this request at twenty-five dollars (\$25.00) per hour at a minimum of two (2) hours. The organization sponsoring the event shall contract directly with the police officers or other city personnel and payment by the sponsoring organization shall be paid directly to the individuals working the event prior to the start of the event.

All town services and utilities which are required by the event over and above the normal level of service provided to the general public shall be charged to the sponsor at the rates established by this chapter. The Town of Pleasant View shall be compensated for the use of city vehicles and equipment at the rate of ten dollars (\$10.00) per hour, per vehicle. Where possible, such additional services shall be paid within forty-five (45) days upon the receipt of a statement from the Town of Pleasant View.

Additional Services/Charges: Other: Any expenses incurred above the normal level of service to accommodate the permit holder i.e., port-o-johns, additional electrical services, seating, etc. shall be at the event permit holder's expense. (as added by Ord. #12-2, March 2012, and replaced by Ord. #12-09, Nov. 2012)

20-108. Concession booths and vendors. The event sponsor shall be in charge of all concession booths and vendors. The sponsor shall determine what booths and vendors shall be allowed, and see that they comply with all ordinances, statutes, rules and regulations, including, but not limited to: public health, safety requirements, and anti-discrimination laws. For events which have multiple vendors, a form must be completed for each vendor that contains: name and location of business, name of managing agent, and copy of managing agent's driver's license. Background checks may be conducted on any vendor. A map/drawing of the event should be returned to the town with the application that shows location of each vendor. (as added by Ord. #12-2, March 2012)

20-109. Revocation. The event committee or his/her designee shall have the authority to immediately review the permit for a violation of any section of this chapter or if there is any direct threat to the health or safety of the general public. (as added by Ord. #12-2, March 2012)

20-110. Advertising requirements. All special events shall be advertised in a newspaper of general circulation at a minimum of two (2) weeks prior to the scheduled event to ensure adequate notice of the event is given to the public. (as added by Ord. #12-09, Nov. 2012)

20-111. Routes for 5K events. The event sponsor must provide a map of the proposed route for the 5K event. This map must be provided in a time and manner that will allow the police chief ample time to make a thorough consideration of the proposed route. The event sponsor must provide an appropriate number of volunteers to provide safety to not only the event participants, but also the general public. The map must show the proposed location of all volunteers and will be reviewed by the police chief for approval or sent back to the event sponsor with necessary changes.

If the approved number of volunteers are not present on the day of the event, the Pleasant View Police Department reserves the right to cancel the event without notice. (as added by Ord. #12-09, Nov. 2012, and replaced by Ord. #13-11, Aug. 2013)

CHAPTER 2

RECREATION FACILITIES RULES AND REGULATIONS

SECTION

20-201. Preamble.

20-202. Definitions.

20-203. General information.

20-204. Scheduling procedures for city recreation facilities.

20-205. User fees.

20-206. Specific rules regarding the use of recreation facilities.

20-201. Preamble. It is the expressed intent and purpose of the mayor and board of aldermen that all eligible persons be permitted to utilize city-owned and/or operated recreation facilities to the fullest extent possible. To do so, the city must consider the safety of park users, the wear on park property that is inherent with its use, facility maintenance and upkeep, and the fact that city facilities are limited in size and availability. Therefore, the "rules and regulations" governing the use of these facilities shall serve to promote fair and equitable access for all, while remaining fully cognizant of the interests of the residents of the Town of Pleasant View. (as added by Ord. #13-10, July 2013)

20-202. Definitions. The following terms, as used within these "rules and regulations," shall have these definitions as specified below:

(1) "Adequate minimum liability insurance coverage." Bodily injury liability coverage, personal injury liability coverage, and property damage liability coverage that provides for one million dollars (\$1,000,000.00) of protection for each occurrence and one million dollars (\$1,000,000.00) of protection as a policy aggregate.

(2) "Application for recreation facility use." The contract and application form required to be submitted by all organizations requesting use of city-owned or operated recreation facilities.

(3) "City." The Town of Pleasant View, Tennessee, as defined by the current corporate limits of the city. This term may also refer to any unit of the city government.

(4) "City-owned or operated recreation facilities." The following facilities fall under the jurisdiction of these "rules and regulations": Balthrop Park and Pleasant View Community Park.

(5) "City located youth organization(s)." [RESERVED]

(6) "Committee." The Town of Pleasant View Board of Parks and Recreation.

(7) "Emergency request." Those requests for use of city-owned or operated recreation facilities that are submitted during the actual week of the requested time for recreation facility use.

(8) "Open time." All hours specifically reserved for unorganized use by the residents of the Town of Pleasant View. These hours are Sunday from 8:00 A.M. until dark (except as otherwise noted) and on Monday through Friday from 8:00 A.M. until 4:00 P.M.

(9) "Organizations headquartered with the city, but not city located youth organizations." Any recreational organization not meeting the definition set forth in definition (5), but who belongs to a sports association headquartered in Pleasant View and whose membership consists primarily of residents of the Town of Pleasant View who meet regularly at a physical location within the current corporate limits of the city. Organizations whose primary affiliation is with a sports association headquartered outside of the corporate limits of the city do not qualify under this part, but, rather, qualify under definition (11).

(10) "Organized use/organized sports activity." Any use or activity, usually over a period of time, characterized by belonging to an organization, or involving the scheduling or routine holding of games or practices, or the wearing of uniforms and/or use of umpires/referees.

(11) "Outside organization(s)." Any organization requesting recreation facility use that does not meet the definitions set forth in both definition (5) and definition (9) above.

(12) "Permit." Permit for recreation facility use for a specific requesting organization, as approved by the board and/or the city.

(13) "Resident." Any individual who currently resides at an address within the corporate limits of the city.

(14) "Rules and regulations." The current "City Recreation Facilities Rules and Regulations."

(15) "Unsuitable for use." Those days or hours that are determined to be unacceptable for use based on the physical condition of the recreation facility in question. The designated representative of the Town of Pleasant View Public Works Department shall make this determination. (as added by Ord. #13-10, July 2013)

20-203. General information. The committee, as designated by the mayor and board of aldermen, shall be responsible for making recommendations to insure the maximum appropriate usage of city-owned or operated recreation facilities. Furthermore, the committee shall also work to promote the usage of city recreation facilities by the community. The committee shall be charged with maintaining full recreation facility use schedules, including designated open times for general use in any given period of time. (as added by Ord. #13-10, July 2013)

20-204. Scheduling procedures for city recreation facilities.

(1) Application for use must be made, in writing, to the "Town of Pleasant View, 1008 Civic Court, Pleasant View, Tennessee 37146." Requests for spring/summer use must be submitted by December 1st of the prior year, requests for fall use must be submitted by the preceding June 1st, and requests for special event use must be submitted no later than two (2) weeks prior to the date requested. Organized teams must submit, in writing, a proposed schedule for each sport along with the "Application for Recreation Facility Use" for approval by the city. Extension, schedule adjustments, or additional items must be submitted separately, when and if needed. Use prior to permitted dates and times is not allowed. Whether or not a school or other entity applying for field use has access to other fields that are usable for the same purpose is relevant in determining whether to grant requests for use of city fields.

(2) It is the intent and purpose of the mayor and board of aldermen that city located youth organizations shall have priority in scheduling city-owned or operated recreation facilities. In the event of a conflict as to field time use, the committee shall make a recommendation to the mayor and board of aldermen who will make the final decision.

(3) Permission may be granted by the board for either organizations headquartered within the city, but not city located youth organizations, or outside organizations to use city-owned or operated recreation facilities, upon submission of a written request to the board (as described in § 20-204(1) above). These two (2) categories of organizations are subject to the same rules and procedures that apply to any other organizations requesting recreation facility use. In addition, outside organizations shall be subject to the recreation facility user fee schedule, as described later in this document.

(4) The city and the board reserve the right to: limit use, refuse the use of any city owned or operated recreation facility, and/or cancel any permit granted for usage of these facilities upon due cause or upon the recommendation of an appropriate member of the committee. Due cause shall include any of the following: violation of any of the "rules and regulations" (See § 20-206), documented misuse of any city-owned or operated recreation facilities, or improper recreation facility cleanup.

(5) The Town of Pleasant View, the board, city employees, and city representatives shall not be liable for any physical injury or property damage incurred on or adjacent to any city-owned or operated recreation facility when damage or injury has been caused by, or as a result of, any activity--whether officially sanctioned or not. Consequently, all organizations requesting the use of any city-owned or operated recreation facility shall be required to submit, along with their "application for recreation facility use," proof of adequate minimum liability insurance for all members of the requesting organization. In addition, all such organizations shall hold the city harmless from any claims or losses resulting from the use of city recreation facilities.

(6) After receiving all requests for recreation facility use for any given season, the board, at its discretion, may determine it necessary to schedule an "orientation meeting for recreation facility users." Any organizations requesting the use of city-owned or operated facilities for the first time must attend such a meeting. This meeting shall serve to provide both a review of these "rules and regulations" and also to allow the board and the new requesting organizations to review the tentative recreation facility use schedule. First time requesting organizations that do not attend this orientation meeting shall be ineligible for approved recreation facility usage during that particular season.

(7) An up-to-date copy of these "rules and regulations" shall be provided to all requesting organizations at the time of the orientation meeting. Additionally, an up-to-date copy of these "rules and regulations" shall be posted on the Town of Pleasant View's website, www.townofpleasantview.com. Additional rules may be posted at each individual park. It shall be the responsibility of each requesting organization's contact person to disseminate the "rules and regulations" to any coaches or other individuals who will be directly responsible for their group's use of city recreation facilities.

(8) All requesting organizations shall be asked to designate a specific "contact person" who shall be charged with keeping all interested parties informed of any issues that may arise in regards to their use of city recreation facilities. A contact list shall be developed and distributed to all requesting organizations that have received a permit for use of city-owned or operated recreation facilities. This contact list shall include: the names and telephone numbers of the designated representative of the committee and the names and telephone number of the designated representatives of the Town of Pleasant View. It shall be the responsibility of both the contact persons and all of the designated representatives to notify all others on the contact list of any situation, which has caused, or is expected to cause, a change in the approved recreation facility use schedule. At that point, the contact persons and designated representatives shall work together to devise a mutually convenient solution. (as added by Ord. #13-10, July 2013)

20-205. User fees. (1) All organizations that utilize city-owned or operated recreation facilities have the responsibility to share equally in the costs of upkeep for these facilities.

(2) Consequently, the following basic user fee schedule (for both regularly scheduled use and special event use) shall exist:

(a) City located youth organizations. Any city located youth organizations shall be exempt from any and all user fees for use of city-owned or operated recreation facilities.

(b) Organizations headquartered within city, but not city located youth organizations. Any requesting organization who meet the definition of this category shall be required to pay ten dollars (\$10.00) per player, per sport for the use of city-owned or operated recreation facilities.

(c) Outside organizations. Any requesting organizations who meet the definition of this category shall be required to pay twenty dollars (\$20.00) per player, per sport for the use of city-owned or operated facilities. Provided, however, that a school not located within the city, but with significant community connection, may be authorized by a vote of the mayor and board of aldermen to use city fields for a special event at no charge if the use is otherwise appropriate for the field. A special event may be a championship game but does not include regular tournament play.

(d) Payment of fees. All fees must be paid by the requesting organization immediately following the city's approval of the organization's application for recreation facility use. The city's approval of the organization's application for recreation facility use is contingent upon payment of all user fees. The organization will not be permitted to use the requested recreation facility until all appropriate user fees have been paid. In the event that the player is added to the requesting organization's roster after the organization has begun facility use, payment must be made to the city prior to a player using the facility.

(3) In addition to the basic user fees described above, an additional service charge of two hundred dollars (\$200.00) per month will be assessed to all organizations using lighting at any city-owned or operated recreation facility. This fee will be paid by the organizations collectively based on a pro rata basis. The actual amount paid by each organization will be determined by the total number of organizations using facility lighting.

(4) Unless otherwise stated, the "application for recreation facility use" shall govern the rights and responsibilities of both the city and the requesting organization in relation to the usage of city-owned or operated recreation facilities.

(5) The board and the city reserve the right to periodically review this user fee schedule and to make any adjustments deemed appropriate at that time.

(6) Waive of fees. The city may vote to waive user fees, in whole or in part, upon recommendation of the committee. When considering whether to recommend or grant a full or partial waiver of user fees, the following criteria shall be considered:

(a) The level of use that is involved with the activity, including wear and tear on the facility;

(b) The level of involvement by Pleasant View residents in the activity.

(c) The community benefit that may result from the activity, for example, recreational opportunities for youths or seniors;

(d) Volunteer services that the user provides to the city or its residents;

(e) Assistance to be provided by the user for maintenance of the recreational facility; and

(f) Whether user activities promote the interests of the Pleasant View community. (as added by Ord. #13-10, July 2013, and amended by Ord. #15-04, March 2015)

20-206. Specific rules regarding the use of recreation facilities.

(1) City-owned or operated recreation facilities shall be reserved for use only by those organizations or groups who have obtained the proper permit for use, and only at those times officially approved by the committee, with the exception of designated open times for unorganized use.

(2) In order that there shall be ample time for the usage of city-owned or operated recreation facilities for those members of the community who are not associated with organized programs, no organization nor its teams, nor any organized use or sports activity shall be authorized to play without applying for and receiving a permit. All activities shall be in compliance with the approved permit for use. "Emergency requests" may be approved on a limited basis by the city recorder, with the advice and consent of the board as a whole.

(3) All fields are available during the defined open times (see § 20-202(8)) for unorganized use by the community. Defined open times, when not otherwise permitted, shall be reserved to general use. To ensure the "open" use of the field, in no event shall one (1) sports event or other activity involve the use or occupation of more than one-half (1/2) of any playing field. Should priority or permit users of the sports field not make actual use of any portion of their scheduled time, then it shall be open for general use and subject to permitting, provided, however, that the unused time may not be used for non-priority organized use or organized sports activity, as defined herein.

(4) No motorized vehicles (including motorcycles, ATVs, four-wheelers, etc.), except those authorized by the city and performing maintenance work or delivering, installing, or repairing city equipment, shall be allowed on any portion of any city-owned or operated recreation facility other than designated parking areas.

(5) All organized activities shall begin no earlier than 4:00 P.M. and must end no later than sunset Monday through Friday unless otherwise permitted by the city when approving the organization's application for recreation facility use. Scheduled Saturday activities shall begin no earlier than 8:00 A.M. and must end no later than sunset unless otherwise permitted by the city when approving the organization's application for recreation facility use. Scheduled Sunday activities shall be started no earlier than 1:00 P.M. and shall end no later than 4:00 P.M. unless otherwise authorized by the mayor and board of aldermen.

(6) Under normal circumstances, only the mayor and board of aldermen, upon recommendation by the committee or on its own motion, shall approve use of the recreation facilities for organized activities on Sunday. However, in the event that a request for Sunday field use is received--and

approval is recommended by the committee--but the mayor and board of aldermen are not scheduled to meet prior to the date of the proposed field use, authority is hereby delegated to the mayor to provide final authorization for the event. The mayor is required to report such action to the full board of aldermen at the next regularly scheduled meeting or workshop.

(7) No games, practices, scrimmages, or use of any type shall be scheduled or played during any time when the city-owned recreation facility in question has been declared unsuitable for use. In the event that any city-owned or operated recreation facility is declared unsuitable for use, appropriate notices shall be posted. Each organization scheduled to use any recreation facility is responsible for checking that particular facility and notifying the players of the facility closure. No person, other than the designated representative of the city shall have the authority to remove these postings of facility closures.

After any specific game has begun, the umpire/official has the authority to declare that particular recreation facility as unsuitable for use.

(8) The Town of Pleasant View has adopted the following policy with respect to severe weather. All organizations using city recreation facilities must adhere to these rules:

(a) You are in danger from lightning if you can hear thunder. Most people struck by lightning are not in the rain.

(b) If thunder and/or lightning can be heard and/or seen, stop the event and seek protective shelter immediately. Go inside a sturdy building or vehicle. Stay away from tall things like trees, fences, and utility poles. Lightning is attracted to metal and poles or rods.

(c) If you can't get inside or if you feel your hair stand on end and skin tingle (which means lightning is about to strike), immediately assume the following crouched position: drop to your knees, place your hands/arms on your legs, and lower your head. Do not lie flat.

(d) In the event that either situation should occur, allow thirty (30) minutes to pass after the last sound of thunder and/or last lightning strike prior to resuming play.

(9) Field lighting. Only the Town of Pleasant View and its designated representatives shall control recreation facility lighting usage. Written documentation must be maintained at city hall if the city designates someone other than a city employee to control recreation facility lighting. Lighting shall not be used except for scheduled organized activities, as noted in any specific group's "application for recreation facility use." Subsequent requests for lighting must be received by the chairperson of the committee no later than two (2) weeks prior to the first scheduled usage of lights.

Lighting use will correspond to the following scheduled times:

Monday through Thursday:	Lights on at dark; off at 10:15 P.M.
Friday and Saturday:	Lights on at dark; off at 10:30 P.M.
Sunday:	No lights. Light usage requires special approval by the mayor and board of aldermen
Exceptions:	If a game is still in progress at the scheduled shut-off time.

(10) Maintenance and/or conditioning of city-owned or operated recreation facilities shall be the exclusive responsibility of the Town of Pleasant View unless otherwise designated in writing. No physical changes shall be made to any city-owned or operated recreation facility unless specifically authorized by the city in writing. Under no circumstances shall permit holders be permitted to do any type of work on any recreation facility, with the exception of refuse pickup on the field in question, unless otherwise specified by the city in writing.

(11) Sale, possession, or consumption of any alcoholic beverage or any glass-bottled beverage of any kind is prohibited at any city-owned or operated recreation facility. Smoking is strictly prohibited on or within city-owned or operated recreation facilities. All firearms are strictly prohibited except for law enforcement officers acting in the course and scope of their employment. All pets must be on a leash not to exceed six feet (6') in length and restrained by the owner. Pets are not permitted in the playground areas or on athletic fields. Pet owners are responsible for picking up and disposing of their pet's solid waste from city-park property. Pet owners must make all reasonable efforts to discourage their pets from disposing liquid waste on flowers, shrubbery, decorative plants, or in other landscaped areas.

(12) Harassment of any representative of either committee or the Town of Pleasant View may subject the individual or group to the cancellation of their permit to use city-owned or operated recreation facilities.

(13) Additionally, any egregious misuse of city-owned or operated recreation facilities may subject the individual or group to: make appropriate financial restitution for documented physical damages, the cancellation of that organization's permit to use any city-owned or operated recreation facility, and/or any other reasonable penalty deemed appropriate by the city.

(14) In the event that there are any special situations or circumstances that are not specifically described within this document, the city reserves the right, after appropriate consideration, to make a reasonable determination as to how that situation or circumstance shall be governed.

(15) Any individuals or organizations that have questions about the contents of this document are to forward to these questions to the: Town of

Change 2, September 9, 2014

20-13

Pleasant View Parks and Recreation Board, 1008 Civic Court, Pleasant View,
Tennessee 37146. (as added by Ord. #13-10, July 2013)