

**CITY OF MILL CREEK POLICY
FOR
SCHEDULED USE OF MILL CREEK SPORTS PARK**

City Policy No.: CCP 10-001
Effective: January 1, 2011
Amended: October 26, 2010

PURPOSE

1. Establish scheduling priorities.
2. Outline facility-scheduling policies.
3. Establish fees for use of the fields
4. Establish rules and regulations regarding use.
5. Assure equitable distribution and maximum use of the facilities by the public.
6. Manage the limited number of City sports fields.

The City of Mill Creek has park fields that are available for reservation to a wide range of users. Priority will be given to Mill Creek user groups. However, the City reserves the right to make the facilities open to a wide range of users and shall make final decisions in regard to scheduling. In order to be consistent in granting use of these park fields, identifying priority user groups, specifying deposit and fee schedules, and establishing administrative rules, the following policy applies.

1. PRIORITY USERS:

First Priority Group:

City of Mill Creek sponsored programs and events.

Second Priority Group:

Use will be granted to leagues, organizations, clubs and groups based in Mill Creek or with 51% or more of the participants residing within the city limits of Mill Creek.

Priority will be given to youth groups, then to adult groups.

* Everett School District will be given priority after second priority user groups have been scheduled.

Third Priority Group:

Use will be granted to leagues, organizations, clubs and groups with participants being composed of less than 51% City of Mill Creek residents. Priority will be given to youth groups, then to adult groups.

1.1 For this policy a league, organization, or club is defined as having 8 or more teams playing in a round-robin or competitive format.

2. FIELDS AVAILABLE FOR SCHEDULING:

Freedom Field - Little League/Softball
Freedom Field - Modified Soccer

3. SCHEDULING POLICIES:

The City of Mill Creek will have preferential use of all parks and recreation fields and facilities for camps, classes, and other special events.

Facilities are scheduled for three periods each year:

Spring & Summer:	March, April, May, June, and July
Fall:	August, September, October, and November
Winter:	December, January, and February

Field Reservations will be accepted in person at Mill Creek City Hall or via email for established User Groups.

Block Time Users: Leagues, organizations or clubs may apply for blocks of time for ongoing league sanctioned events (practices and games) and/or tournaments lasting more than one day.

- Spring/Summer Applications: (For use March 1 through July 31)
League application forms must be filed at City Hall between January 1 - 30)
To be considered for Block Time User application.
- Fall Application: (For use August 1 through November 30)
League application forms must be filed at City Hall between June 1 - 30)
To be considered for Block Time User application.
- Winter Applications: (For use December 1 through February 28/29)
League application forms must be filed at City Hall between October 1 – 31
To be considered for Block Time User application.

3.1 Regular league applications (practices & games) for Block Time Users must be submitted to the City within the above listed dates.

3.2 Tournament applications for Block Time Users must be submitted 30 days prior to the start of play. A tournament bracket must be submitted 10 days prior to the event.

- 3.3 Individual teams may reserve field space according to priority categories and will be considered on a first come, first served basis and after Block Time is allocated. Application must be submitted three days prior to scheduled field use.
- 3.4 City staff shall have discretion to resolve scheduling conflicts based upon historical use, community interest, or other factors.
- 3.5 User groups requesting the residency scheduling priority or resident fees may be required to submit a roster showing residency at the time of a field request.
- 3.6 Field customer is responsible for assuring all litter related to their use is picked up and the site is left in the condition it was found. Site includes: Field, Dugouts, Bleachers, Parking Lot, Concession Stand Area, and Bathrooms.
- 3.7 Block Time Users will provide the City, prior to start date, a list of league representatives, and or directors that are responsible for field use. List to include phone numbers and email addresses if available. Block Time Users verify that their coaches, athletes and parent/guardian have complied with mandated policies for the management of concussions and head injuries as prescribed by HB 1824 (Zachary Lystedt Law).

4. FEES:

- 4.1 Payment must be made in advance for approved field use for Individual Teams/Users. Fees are to be paid to the City of Mill Creek.
- **Block Time Users:** Payment for approved field time will be invoiced monthly and is payable upon receipt of invoice. Lights will be billed monthly according to use.
 - **Individual Teams/Users:** All fees are due three days prior to scheduled field use and at time of application.
- 4.2 A \$20.00 administrative fee will be applied to approved Block Time User applications for any extensive block time application revision requests. Extensive revisions are those that take more than 15 minutes to adjust.
- 4.3 If it is necessary for the City to repair damages or clean the premises (i.e. field, dugouts, bleachers, or concessions stand during the users rental, the customer will incur the maintenance/repair costs at \$40.00 an hour with a one-hour minimum.
- 4.4 For large events/tournaments the City may be able to provide staffing and/or equipment. Any additional equipment, materials or staffing requested by applicant, and provided by the City, shall be at the expense of the applicant. Users must also complete a Special Events Permit for each Tournament.

FEE SCHEDULE:

Second Priority:

*Everett School District - In conjunction with the interlocal agreement between Everett School District and City of Mill Creek, there will be no charge for Everett School District use.

<i>Resident Outdoor Athletic Facility (hourly rates)</i>	<i>Adult</i>	<i>Youth</i>	<i>Tournaments/ Camps with Participation Fee</i>
Baseball/Softball Field Modified Soccer Field	\$36	\$18	Youth - \$24 Adult - \$42
Field Lights	\$13	\$13	\$13

Third Priority:

<i>Non-Resident Outdoor Athletic Facility (hourly rates)</i>	<i>Adult</i>	<i>Youth</i>	<i>Tournaments/ Camps with Participation Fee</i>
Baseball/Softball Field Modified Soccer Field	\$54	\$36	Youth -\$42 Adult - \$60
Field Lights	\$13	\$13	\$13

5. CANCELLATIONS/REFUNDS:

- 5.1 An adjustment to Block Time User applications must be submitted to the City at least one week prior to the date to be adjusted in order to receive full credit for unneeded time.
- 5.2 Field reservations for individual groups are non-refundable except as stated in item 5.4.
- 5.3 The City reserves the right to limit the amount of play permitted on the fields and cancel permits in the event of adverse weather conditions or field maintenance. If the City closes a field, every attempt will be made to reschedule subject to an agreement with the user.
- 5.4 The City will track all City field closures. At the end of the total field use time, a refund will be issued to the permit holder for City mandated field closures.

6. INSURANCE:

6.1 Field users shall provide a Certificate of Insurance to the City prior to use except as provided in paragraph 6.4. This requirement is satisfied by providing the City with a copy of the customer's Certificate of Insurance naming the City of Mill Creek as an additional insured and a copy of the endorsement to this insurance policy, meeting the requirements in paragraph 6.2.

6.2 Liability Insurance Requirements:

The user shall provide evidence of commercial general liability insurance of two million dollars (\$2,000,000.00) combined, single limit per occurrence. Such insurance shall be primary over any coverage held by the City and shall name the City as an additional insured. Prior to usage of the facility, the user shall submit a copy of the insurance policy declaration page to the City as evidence of acceptable insurance coverage.

The following must be on the Certificate of Insurance:

- Location of activities must show on certificate (For example: City of Mill Creek)
- Type of activities must show on certificate (For example: Softball, Baseball, and Soccer)
- Separate Endorsement Sheet
- Dates of coverage
- Insurance carrier may FAX to the City of Mill Creek at (425) 745-9650.

6.3 Failure to provide acceptable insurance coverage prior to the first day of field use will result in loss of permission to use the fields.

6.4 The City Manager may, at his/her discretion, waive the insurance requirements for individuals or groups who use the field on a limited, short-term basis (e.g., family picnics, or non-league youth teams). If the insurance requirement is waived, a Hold Harmless agreement will be required.

7. CONCESSION STAND:

7.1 Groups or individuals may rent the concession stand on a monthly basis subject to availability. A Use Agreement form must be completed and submitted to the City at least two weeks prior to the date of use. A complete list of rules and regulations for use of the concession stand are available at City Hall.

7.2 To compensate for use of the concession stand for one month or longer, the user group will pay a minimum of fifteen percent (15%) of gross receipts to the City of Mill Creek each calendar month. Payment may be negotiated by the City Manager to be received as a flat rate during the term of the agreement and may be adjusted to a percentage of the gross at the end of the concession rental. Payment shall be received by the City for each

month the Concessionaire operates the Concession Stand and within fifteen days of the Concessionaire receiving an invoice. A late charge of 10 percent of the sum due and owing each month shall be assessed by the City and shall be immediately due and payable by the Concessionaire if the fees are not received in full and when due.

The term "gross receipts" means the value accruing from the sale of goods without any deduction for costs of products sold, material used, labor, or other expenses. It excludes monies collected as Washington State Sales Taxes. All payments shall be made to the following:

Attn: Finance Department
City of Mill Creek
15728 Main Street
Mill Creek, Washington 98012

7.3 A monthly utility fee of \$50.00 will be charged to the user.

7.4 A written statement of daily gross receipts on forms provided by the City shall accompany each payment. The user group shall submit any other information requested by the City for evaluation and monitoring purposes; and shall, at all times, keep records available for audit by an authorized representative of the City of Mill Creek.

7.5 No user will subcontract outside vendors to allow sales of merchandise without prior approval from the City.

7.6 No user shall make modifications to the Concession Stand without prior approval from the City.

8. RULES AND REGULATIONS:

Failure to comply with rules and regulations may result in cancellation of use, forfeiture of fees, and/or suspension of team/league from using the park.

8.1 Alcoholic beverages are prohibited.

8.2 Beverages, food of any kind (including seeds and gum) are prohibited on the artificial turf field and dugouts. Plain water is permitted.

8.3 Pets are prohibited on the artificial turf field and the dugouts.

8.4 Smoking and Tobacco use are prohibited.

8.5 Metal cleats or spikes are prohibited.

- 8.6 League Teams may not use ball fields unless pre-scheduled.
- 8.7 Games and or practices shall not start before 8:00 a.m. and all activity shall conclude by 10:00 p.m. NO EXCEPTIONS. No teams will be allowed in the park prior to 8:00 a.m.
- 8.8 Permittee must designate a Responsible Party for all field rentals. This person is directly responsible for informing team coaches, representatives, and participants of the Mill Creek Sports Park policy and for ensuring payment of all fees assessed for field rentals and usage.
- 8.9 Use of peripheral items or equipment such as scoreboard controls or P.A. systems must be requested in advance and authorized individuals identified in the request. Permission to use or operate these items must be pre-approved and authorized by City staff.
- 8.10 The City of Mill Creek reserves the right to cancel any event or to close the park. Closure of the park may be the result of an emergency, severe weather, vandalism, maintenance, adverse playing conditions or damage that could cause safety concerns.
- 8.11 Baseball/Softball Users are responsible for ensuring that individual teams clean up their respective dugouts after each practice/game and rake or sweep the dirt from the artificial turf back on to the mound after each game. The mound must be covered after the last scheduled practice/game of each day.
Soccer Users are responsible for ensuring that individual teams clean up the field after each practice/game.
- 8.12 Litter Control – User groups will be held responsible for litter left after practices, games and tournaments. Maintenance staff will monitor and report abuses of this policy to the Recreation Supervisor. Serious or repeated offenses by facility users may result in loss of field privileges. Maintenance or cleaning fees will be assessed to the facility user at \$40.00 per hour if deemed necessary by the City.
- 8.13 Field Lights will be turned off at 10:00 p.m. (unless an earlier time has been agreed upon by City and user) All activities, including cleanup, must be completed by this time. Please schedule games and practices accordingly.
- 8.14 The City of Mill Creek is not responsible for any personal property loss, damage to vehicles, etc.
- 8.15 Users who ignore the field closure signs will be in violation of MCMC 12.12.150 Ordinance 2003-569 and subject to penalties.

8.16 These rules and regulations are in compliance with Ordinance No. 2003-569 as passed by the Mill Creek City Council on May 13, 2003.

Adopted this 26th day of October 2010 by a vote of 6 for, 0 against, and 0 abstaining. *(Councilmember Bond was absent)*

APPROVED:



MAYOR MIKE TODD

ATTEST/AUTHENTICATED:



CITY CLERK KELLY M. CHELIN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
SHORT CRESSMAN & BURGESS

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