

NEW BERN PARKS & RECREATION FACILITY RENTAL AGREEMENT

This agreement is being made on the 10th day of February 2020 for the use of: **Kafer Park, 603 George Street, New Bern, North Carolina.**

Organization: East Carolina Amateur Baseball League

Contact Name: Doug Amerson

Address: 1035 Colleton Way, New Bern, NC 28562

Phone: 252-229-9059 Email: damerdson@gmail.com

The purpose of this agreement is to allow the organization, hereinafter referred to as "League" use of said park owned by the City of New Bern, Parks and Recreation Department, hereinafter referred to as "City" by **holding Adult Baseball Activities, Games and/or Tournaments between February and November, 2020.**

League shall:

- Provide a Game schedule or firm dates, as well as proposed rain dates, for the upcoming season no less than 15 days in advance of the first scheduled game.
- Inform City of any schedule cancellations or make up games as soon as possible.
- Provide a COI (Certificate of Insurance) with the City of New Bern listed as additional insured. Certificate must be in force prior to League using field and must continue through final game.
- Notify City of any potential safety issues that should be addressed.
- Provide your own equipment, uniforms, bats, balls, water jugs, etc...
- Provide a drag to line and prepare field between games.

City shall:

- Provide a clean facility for League activities.
- Provide reasonable grooming and maintenance of the park, including playing surface.
- Perform a weekly safety inspection.
- Insure restrooms are unlocked and clean prior to each scheduled game.
- Prepare field on game day by grooming, chalking and painting field. A nominal fee will be charged for game day grooming. Provide a bag of chalk for league to line field between games at a nominal price.
- Provide a working scoreboard for games.

- Provide working lights for night time activity. A nominal fee will be charged for the use of lights.
- Taurance Williams shall be the designated staff member to deal with field scheduling and maintenance concerns.

Points of Contact:

City of New Bern

Foster Hughes – Director of Parks & Recreation

252-626-1430 hughesf@Newbernnc.gov - Contract Administration

Taurance Williams – Supervisor of Athletics

252-675-7300 williamst@Newbernnc.gov – Field Scheduler/Maintenance Issues

East Coast Amateur Baseball League

Doug Amerson – Commissioner

252-229-9059 damerdson@gmail.com

Public Park: Kafer Park is a public park and may be used by the general public and reserved by other entities for use when not in conflict with the League schedule. Under no circumstances shall the facility be sub-leased at any time.

Compliance with Law: League shall take such action as deemed necessary to comply with all Federal, State and City laws and regulations pertaining to the use of park. Alcohol and drugs are prohibited on City Park property.

Alterations and Improvements: League shall not under any circumstances make any changes, alterations, modifications, or improvements to the premises, including without being limited to signage, building, and added structures, without the prior written consent of the Director of Parks and Recreation. All approved alterations, modifications, or improvements to the premises shall be the property of Owner. Depending on the upgrade, the City reserves the right to provide in-kind services and/or partner on the upgrade. All approved alterations and improvements shall be at the expense of the League.

Cancellation: This agreement may be cancelled upon mutual consent of both parties, or by either party giving a 60 day written notice.

Inclement Weather: In the event of poor weather, the Director of Parks and Recreation or his designee reserves the right to cancel and/or postpone activity if it is deemed that unnecessary damage may occur to the playing field and complex. City Staff shall notify League no later than 1pm on Weekends and 4pm on Weekdays of field cancellations due to inclement weather.

- In the event that Sunday games have been cancelled due to inclement weather, Heath Field may be reserved for use as a back-up on Sunday and/or on the following Wednesday with notice. See **Fees** for the applicable rates.

Parking: Parking is available on street and at George Street Park. Vehicles must park in designated areas only. Vehicles parked illegally are subject to being towed at owner's expense. Vehicles are allowed inside the park for set up and tear down only.

Conduct: All guests must obey Police, Parks & Recreation staff and others designated by the City to enforce rules while on park property. Disorderly conduct will result in immediate expulsion from the Park. Disorderly conduct includes, but is not limited to: Rude behavior, profanity, fighting, threatening behavior, public nudity, spitting, loud music or other noise. Littering of any kind is prohibited.

Signage: All Signs promoting any type of business, sponsor, or activity shall be approved in advance by the Director of Parks and Recreation. A sign placement fee in the amount of **10%** of sign sponsor rate (*whether cash or in-kind*) will be charged per season.

Security: Based on the size and type of event, Police and/or EMS may be required at the League's expense.

Damage: Reserving Organizations/Personnel are responsible for any and all damages incurred to the facilities, which were a result of the scheduled event. You are also totally liable for injury to person or persons using facility during the rental period. Lessee obligates itself to Indemnify and save harmless The City of New Bern, its employees and its agents from any loss sustained by the Lessor as a result of, or in connection with, the use of the facility.

Fees: The following fees will be charged for the use of Kafer Field and or Heath Field on a per game basis.

1. **Sunday Field Prep** (includes field prep between games). **\$40.00**
2. **Weeknight Field Prep** (includes field prep for one game). **\$40.00**
3. **Ballfield Light Use** (For games/practices – 2 hour min.). **\$30.00. \$15 for each additional hour.** (*Fee will not be prorated*).

Additional use of lights and/or field prep and/or use of concession stand for retails will incur additional charges.

An additional fee will be charged for any vendors selling food or merchandise on City Park Property. The Reserving group shall know and abide by all local and state health department regulations concerning the preparation and/or resale of concession or other legal products. The concession stand is available for use for a nominal fee. Areas will be designated by Parks, Recreation & Tourism staff for Vendors. Designated Space size is 10' x 15'. Vendors requiring additional space will be charged accordingly. The Parks, Recreation & Tourism Director shall approve any outside vendors setting up on Park Property. The City of New Bern reserves the right to sell concessions and to lease vendor space to outside vendors.

The use of Kafer Park for any other activities must be approved in writing by the Director of Parks and Recreation and shall be subject to rental fees and charges.

Indemnity: I/We Agree To Be Fully Responsible For The Facilities Per Conditions As Outlined On The Front & Back Of This Reservation Request. Applicant further agrees to save, defend, and hold harmless the City of New Bern, North Carolina, and its agents/employees from any and all claims for damages for injury (including death), theft and or loss and property damages arising from applicant's use of occupancy of any City of New Bern, North Carolina property or any activity conducted by applicant on that property.



Doug Amerson
Commissioner

2-10-2020
Date



Foster Hughes, CPRE
Director of Parks & Recreation

2-10-2020
Date