



BOROUGH OF OCEANPORT FACILITY/FIELD USE APPLICATION

PO Box 370 910 Oceanport Way Oceanport, NJ 07757
 Phone: (732) 222-8221 Fax: (732) 222-0904
 Website: www.oceanportboro.com

Name of Organization: _____

Contact Person: _____

Address: _____ City/State: _____ Zip: _____

Home/Cell Phone#: _____ Email Address#: _____

FIELD/FACILITY will be used by: _____ RESIDENTS _____ NON-RESIDENTS _____ BOTH RESIDENT/NON-RESIDENT

Type of Organization: _____ Not for Profit _____ For Profit Will admission be charged? _____ Yes _____ No

Approximate # of people registered to use the facility/field? _____

Facility/Athletic Field Requested:

- | | |
|--|--|
| <input type="checkbox"/> Blackberry Bay Pavilion, 440 Port Au Peck Ave
<input type="checkbox"/> Blackberry Bay Park Field 1 (Softball)
<input type="checkbox"/> Blackberry Bay Park Field 2 (Baseball)
<input type="checkbox"/> Blackberry Bay Park Field 3
<input type="checkbox"/> Blackberry Bay Park Field 4
<input type="checkbox"/> Blackberry TENNIS COURT 1
<input type="checkbox"/> Blackberry TENNIS COURT 2
<input type="checkbox"/> Blackberry PICKLEBALL COURT 1 2 3 4 5 | <input type="checkbox"/> Community Center Park Field (Softball)
<input type="checkbox"/> Community Center TENNIS COURT 1
<input type="checkbox"/> Community Center TENNIS COURT 2
<input type="checkbox"/> Maria Gatta TURF Field 1 _____ Full _____ Half
<input type="checkbox"/> Maria Gatta TURF Field 2 _____ Full _____ Half
<input type="checkbox"/> Maria Gatta TURF Field 3 _____ Full _____ Half
<input type="checkbox"/> Old Wharf House, 315 E. Main Street |
|--|--|

Purpose for which facility(ies) are to be used:

- | | | | |
|-------------------------------------|-----------------------------------|-----------------------------------|--|
| <input type="checkbox"/> Baseball | <input type="checkbox"/> Soccer | <input type="checkbox"/> Football | <input type="checkbox"/> Tennis |
| <input type="checkbox"/> Basketball | <input type="checkbox"/> Softball | <input type="checkbox"/> Lacrosse | <input type="checkbox"/> Other (specify) _____ |

The above applicant requests the use of FACILITY/FIELD(S) for:

DAY OF WEEK	MONTH	DATE	TIME	LOCATION (PARK/BLDG)	FIELD(S)

TURF Athletic Field Use Fee: RESIDENT \$100/hr (FULL) \$50/hr (HALF)
 (Gatta Park) NON-RESIDENT \$125/hr (FULL) \$75/hr (HALF)

Other Athletic Field Use Fees: RESIDENT \$35.00 per 2-hour increments
 NON-RESIDENT \$70.00 per 2-hour increments

Blackberry Bay Pavilion RESIDENT, \$50/hr; NON-RESIDENT \$75/hr and \$300 Returnable DAMAGE DEPOSIT

Old Wharf House Fees: RESIDENT, \$75/hr; NON-RESIDENT \$100/hr and \$300 Returnable DAMAGE DEPOSIT



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CLEAN-UP:

Individuals/Teams/Leagues holding permits are responsible for the conditions they create and leave at facilities/fields and may be required to provide a clean-up bond or check in the amount of \$200 for the use of the facility. Clean-up checks will be returned at the end of the permit if no excessive repairs, damages or maintenance clean-ups are necessary.

INSTRUCTIONS FOR COMPLETING APPLICATION:

Any Group/Organization using Borough of Oceanport fields are required to submit the following items in-person to the Borough Clerk's Office or via email to: facility-field-use@oceanportboro.com

- This completed application
- Proof of Insurance naming Borough of Oceanport, 910 Oceanport Way, Oceanport, NJ 07757 as the "Additional Insured" unless otherwise exempted (see Borough Code 279-6). Insurance for Rental of Blackberry Bay Pavilion and Old Wharf House are available via a homeowner's insurance policy or the Borough provided TULIP program. Call Borough Clerk's Office for TULIP information at 732-222-8221 opt#4
- Copy of Team Roster(s) & Schedule(s), where applicable

Be Advised: NO permit(s) will be issued without this form completed in its entirety and all items have been submitted to the Borough Clerk.

All Organizations are responsible for compliance with Borough Ordinances regarding Rules & Regulations for the use of Oceanport Borough Facilities/Fields. Alcoholic beverages are *not* permitted at any time. NO EXCEPTIONS! Failure to comply may result in forfeiture of permit.

INSURANCE / USE OF PREMISES AGREEMENT/ INDEMNITY (HOLD HARMLESS) STATEMENT

A hold harmless statement is required for all events indemnifying the Borough of Oceanport. A certificate of insurance for certain type of events and facilities, is required. Questions regarding insurance contact the Borough Clerk at 732-222-8221, x4.

I/WE, THE ABOVE LISTED APPLICANT(S) indemnify and hold harmless the Borough of Oceanport and assume the risks of all conditions existing in the area covered by this permit and shall assume liability for loss, damage or injury sustained by any person in attendance by reason of negligence of the person. I/We agree and understand that as applicants, we may not apply for the use of these premises on behalf of another person or organization, or sublet Borough premises to another person or organization. We agree to abide by the rules and regulations attached hereto, and by the ordinances of the Borough of Oceanport. We also agree that while we use the facilities made available by the Borough of Oceanport, that we will not discriminate on the basis of race, color, religion, sex, natural origin, age, marital or veteran status, medical condition or disability. In consideration granted by the Borough of Oceanport for the use of premises on this permit, the applicant does hereby covenant and agree to save and hold harmless the Borough of Oceanport, its elected and appointed officials, as well as all employees while acting within the scope of their duties, from any and all liabilities or costs arising out of the use of the described premises by the applicant, the applicant's invitees, or other persons. It is agreed that the use of the facilities on the requested day and date(s) will be used for the named purpose and no other. Applicant acknowledges that the permission to use the above listed facilities is limited to those premises described and only for the activity listed. Notwithstanding the foregoing, however, this agreement shall be applicable to any claim or claims asserted against the Borough of Oceanport or any loss incurred arising out of the applicant's use thereof, whether or not said activity extends beyond the permitted type or locale, or occurs on a different date than specified. Applicant agrees that this indemnification and hold harmless agreement shall include the responsibility to provide legal defense for the Borough of Oceanport for any suit arising out of the applicant's use of the premises, and that should the applicant or applicant's insurance carrier fail or refuse to provide such a defense, the applicant will reimburse the Borough of Oceanport for any and all costs incurred by it for any person or organization acting on its behalf.

I, have read and understand the regulations outlined in this application package and the attached ordinance and agree to the conditions set forth in the Indemnity/Hold Harmless Statement and am submitting this application to the Borough of Clerk for consideration.

APPLICANT SIGNATURE: _____ DATE: _____

Sworn and Subscribed on this Date: _____

NOTARY: _____ SEAL: _____

Blackberry Bay Pavilion

RULES FOR THE USE OF FACILITIES

1. Only persons 21 years of age or older may reserve an Oceanport facility. Proof of age will be required if there is a doubt as to the age of the applicant.
2. Smoking is prohibited in all Borough buildings.
3. Use of a facility will require a charge based on the schedule found on the application. A DAMAGE deposit of \$300.00 in the form of a check or cash is required. The deposit will be available to the applicant, assuming facilities are left in a condition deemed satisfactory by the Borough, no earlier than Wednesday, 8:30 a.m. following the weekend or holiday it was used. **The key will be made available and should be returned immediately after use to the Borough Clerk's office at 910 Oceanport Way during business hours or use the secure drop box in the outside foyer.**
4. Persons requesting use of a facility will be responsible for the conduct of all persons attending the event. No drinking or intoxicants will be permitted, nor persons under the influence of liquor admitted.
5. Facilities may be rented Friday, Saturday, Sunday and holidays. All events must be concluded with rooms cleaned by 11:30 p.m. Departure from the facility shall be no later than 12:00 midnight. Since this is a residential area, please request that guests leave with a minimum of noise and commotion. No horn blowing, please.
6. All decorations must be attached using masking tape ONLY... No Tacks.
7. Bring cleaning products and towels as needed.
8. All tables and chairs MUST be returned to the position they were in when you entered the building.
10. Restrooms must be "picked up" and baskets emptied into plastic bags.
9. All Garbage must be removed from the facility (in plastic bags) and placed in the containers located outside the building. Do not remove cans from the kitchen.
10. Recyclables must be placed in the recyclable receptacles.
11. **WASH DOWN TABLE TOPS.**
12. Sweep all floors in each room. Do not wash floors unless to remove sticky substances or to mop up a spill.
13. Upon leaving building, turn off all lights, air conditioning unit(s) and set thermostat to 55 degrees before leaving.
14. Before leaving check to see that all doors are locked. Lock door behind you upon exiting.

PLEASE leave the facility cleaner, if possible, than how you found it.

REGULATIONS FOR TEENAGE PARTIES

In addition to Rules 1 through 14, the following rules apply to teenage parties:

1. **Teenage parties consisting of 18 year olds and under require one adult chaperone for each 15 invited guests.** The names of the chaperones must be on the application.

2. Chaperones shall not permit anyone other than invited guests to enter premises. An invitation list should be provided to the chaperones.

3. At teenage affairs, once inside the building, no one is permitted to leave and return to the party.

4. Any drinking of alcoholic beverages by underage persons is justification to close the party and order everyone to leave.

5. Adult chaperones are to be informed that they are responsible for no one entering or leaving through the side doors.

6. Chaperones should do a periodic check of the outside area.

7. The adult representative requesting use of the building is required to be on the premises for the duration of the affair.

ANY DISCREPANCIES REGARDING THE RULES AND REGULATIONS MAY RESULT IN THE FORFEITURE OF SOME OR ALL OF THE \$300.00 DEPOSIT. LIABILITY DOES NOT END AT \$300.00. ANY THEFTS OR DAMAGE ARE THE RESPONSIBILITY OF THE PERSON WHO RESERVED THE CENTER.

We hope that your occasion will be a success. Thank You.

ORDINANCE #1061

AN ORDINANCE OF THE BOROUGH OF OCEANPORT AMENDING CHAPTER 279 "PARKS & RECREATION AREAS" AND CHAPTER 204 "FEES" OF THE CODE OF THE BOROUGH OF OCEANPORT TO PROVIDE FOR A SEPARATE FEE SCHEDULE FOR THE USE OF TURF FIELDS AT MARIA GATTA COMMUNITY PARK

WHEREAS, the Governing Body authorized improvements to Maria Gatta Community Park that included the creation of three (3) artificial turf fields and associated improvements; and

WHEREAS, the turf fields will be available to both residents and non-residents, teams, organizations, tournaments and the like; and

WHEREAS, the Borough Council has determined that the cost to create the fields and maintain them will be partially funded by facility use fees at a different rate than non-turf facilities due to the increased quality and utility for (4) types of sporting,

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the following be established in the Parks and Recreation Areas and Fees sections of the Borough Code:

NOTE: Additions are underlined and deletions are marked by strike through.

SECTION 1. Chapter 279 Parks and Recreation Areas

§ 279-7 Fee schedule.

A. Other than those who qualify as exempt or partially exempt as set forth in Section 7(B), all groups, organizations, teams, leagues shall be required to pay a fee to use municipal facilities as follow:

(1) Facility Use Fee:

Turf Fields

- (a) Full Field:
Resident fee: \$100 per hour,
Non-Resident fee: \$125 per hour
- (b) Half-Field:
Residents \$50 per hour
Non-residents \$75 per hour
- (c) No charge for recognized youth sports organizations and/or school athletic teams/events

All other facility uses

- (a) Resident fee: \$35 per activity (2-hour minimum increments)
- (b) Nonresident fee: \$70 per activity (2-hour minimum increments)

(2) Resident team rosters shall consist of ~~majority~~ 75% Oceanport residents.

(3) All other teams are to be considered nonresident teams. The determination of whether a team is a resident or nonresident team, when disputed, shall be decided by the Municipal Council and confirmed by way of resolution.

SECTION 2. Chapter 204 Fees

§ 204-13 Facility use fees.

~~A. Resident fee: \$35 per activity (two hour minimum increments).~~

~~B. Nonresident fee: \$70 per activity (two hour minimum increments).~~

A. Turf Fields

- (a) Full Field:
Resident fee: \$100 per hour,
Non-Resident fee: \$125 per hour
- (b) Half-Field:
Residents \$50 per hour
Non-residents \$75 per hour
- (c) No charge for recognized youth sports organizations and/or school athletic teams/events

B. All other facility uses

- (1) Resident fee: \$35 per activity (2-hour minimum increments)
- (2) Nonresident fee: \$70 per activity (2-hour minimum increments)

SECTION 3. All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

SECTION 4. This amending ordinance shall become effective upon due passage and publication according to law.

APPROVED ON FIRST READING

DATED: September 1, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: September 15, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

Chapter 279. Parks and Recreation Areas

Article I. General Provisions

§ 279-6. Permits for facility use.

- A. Facility use permit availability. Oceanport's recreational facilities are available for use by groups and individuals who make requests based upon availability. Applications are not required for the unreserved use of parks, fields, courts, playgrounds and other outdoor recreational facilities, except as required below. An individual or group that has reserved a particular park, field, court, playground or recreational facility and is in possession of a facility use permit will receive priority over an individual or group lacking such a permit.
- B. Facility use permits required. A facility use permit shall be required for the use of any Oceanport-owned park, field, court, recreational facility or playground for use under any of the following circumstances:
- (1) Except as otherwise determined by resolution of the Council, when there are "organized" groups (as defined in Subsection **B(4)** below) of more than four participants or 50 spectators in attendance.
 - (2) Any equipment is needed to be installed temporarily on the field, playground, court or facility, including, but not limited to goals, nets and lining of the field of play. No permanent installations of equipment may be made.
 - (3) Any field, playground, court or facility will be used for any sport or purpose other than for which it was specifically created.
 - (4) The field, playground, court or facility will be used for organized games or activities. Games and/or activities will be considered "organized" if:
 - (a) There is a referee, umpire or other official present; or
 - (b) Teams are part of a league; or
 - (c) Teams have uniforms; or
 - (d) There is a charge for any team, player or participant for participating; or
 - (e) There are trophies, medals or other prizes offered to individuals or teams; or
 - (f) Spectators are invited.
 - (5) The game or event is sponsored by a business or organization.
 - (6) A person or group elects to reserve a park, field, court, playground or other recreational facility for exclusive use for a specific period of time.
 - (7) The field, playground, court or facility will be used for sports or other training, exercise, instruction or other activity conducted by an individual paid to provide said services.
- C. Facility use permit application submission date.

[Amended 9-16-2021 by Ord. No. 1042]

- (1) All requests must be made a minimum of one month in advance to allow time for review.
- (2) Fields are available March 15 thru November 30 each year.

(a) Requests for:

- [1] March 15 thru July 31 shall be submitted no earlier than February 1.
- [2] August 1 thru November 15 shall be submitted no earlier than June 1.

(b) Submission dates may be changed subject to Borough offices being closed for recognized Borough holidays or weekends.

D. Permit application content. The application for requesting use of a facility can be downloaded from the Borough of Oceanport's website or can be obtained from the Borough Clerk during business hours. The application should be submitted or mailed to the Borough Clerk's Office, Attn: Facility Use Request, PO Box 370, Oceanport, NJ 07757.

[Amended 9-16-2021 by Ord. No. 1042]

E. Facility use permit application standards. Standards for issuance of a facility use permit by the Borough Clerk shall include the following findings:

[Amended 9-16-2021 by Ord. No. 1042]

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park or facility;
- (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (3) That the proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct;
- (4) That the proposed activity will not entail extraordinary or burdensome expense or police operation by the Borough;
- (5) That the facilities desired have not been reserved for other use at the date and hour requested in the application;
- (6) That the applicant has not had a previous permit revoked an/or has not been found to have violated this article in connection with previous usage.

F. Insurance requirements. Proof of insurance is required with certain facility use permit applications.

- (1) Formal organizations (e.g., Boy Scouts, athletic leagues, AAU teams, travel teams, businesses, athletic camps, etc.) that wish to use municipal facilities must maintain and provide proof of adequate insurance. An original, executed certificate of insurance is required at the time of application. Informal groups, however, are free to use the facilities without insurance coverage, contingent upon the execution of an indemnification and waiver which is more particularly described below. Insurance requirements may also be waived for municipally sponsored or approved meetings or events. Determination as to whether a group is formal or informal will be made by the Recreation Committee. Factors will include, but are not limited to, incorporation status, size of membership, frequency of gatherings and existing insurance.
- (2) Those permittees required to have insurance must present satisfactory evidence (an original, executed certificate of insurance) of insurance protection for participants, spectators, coaches and the public. Satisfactory evidence of insurance shall mean commercial general liability insurance, from an insurer licensed to do business in the State of New Jersey, with limits of liability in an amount not less than \$1,000,000, per occurrence and aggregate. The policy must provide coverage for the user's activity at the approved facilities, and shall state such activities

on the certificate of insurance. The certificate of insurance shall name the Borough of Oceanport as an additional insured for the duration of the use of the facility(ies).

G. Indemnification and waiver.

- (1) All permittees must sign a waiver in which they agree to waive and relinquish all claims, and causes of action, of every kind which they have or may have against the Borough of Oceanport arising out of the use of the facility(ies) resulting in personal injury and/or property damage. All permittees must acknowledge that they assume all risks in connection with the use of the facility(ies).
- (2) All permittees must indemnify the Borough of Oceanport of any and all liability of loss, and against all claims or actions based upon or arising out of damage or injury (including both) to persons or property caused by or sustained in connection with the applicant's use of the facility(ies), and the defense of any such claims or actions, whether the liability, loss or damage is caused by, or arises out of negligence of the Borough of Oceanport, or any of the agents, employees or otherwise. The user must further agree to reimburse the Borough of Oceanport, its agents, employees or otherwise, for any and all expenses, attorney's fees or costs incurred in the enforcement of this waiver and indemnification.
- (3) The form of waiver and indemnification can be downloaded from the Borough of Oceanport's website or can be obtained from the Borough Clerk during regular business hours.

H. Returnable deposit. It shall be within the discretion of the Borough Clerk to require that a user provide a returnable deposit of \$200 (check or money order made payable to "Borough of Oceanport"). This deposit will be used to cover any damage to Borough property or cleaning required due to the use of the facility. Permittees will be notified, in writing, by the Borough Clerk if any such charge will be assessed against the deposit.

[Amended 9-16-2021 by Ord. No. 1042]

I. Permit application procedure.

[Amended 9-16-2021 by Ord. No. 1042]

- (1) Upon receipt of application, the requested usage will be reviewed by the Borough Clerk's Office and referred to the Recreation Coordinator for any conflicts with Borough activities or events.
- (2) The applicant will be contacted to advise if approved or not approved.
- (3) If the request is approved, the applicant will also be advised of the usage fees along with payment instructions.
- (4) Upon receipt of payment in full, a permit will be issued to the applicant. Usage fees are not refundable unless deemed otherwise by the Borough.
- (5) All applications shall be reviewed under the standards set forth under Subsection **E** of this section.
- (6) Appeals regarding the Borough Clerk's decision for approval or disapproval, when disputed, shall be decided by the Municipal Council by way of resolution. The decision of the Borough Council shall be final.

J. Permittee obligations and responsibilities.

- (1) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in such permits.
- (2) The person or persons to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. The person or persons to whom the permit is issued shall be responsible for:

- (a) Ensuring that all participants and spectators adhere to park rules and regulations;
 - (b) Ensuring that the field, court or facility is in safe condition prior to allowing players or participants to proceed and to report unsafe conditions to the Borough Clerk not later than one day after its use; and
[Amended 9-16-2021 by Ord. No. 1042]
 - (c) Ensuring that upon conclusion of the use, the field, court and/or facility is left in the same condition as it was found, including removal of any equipment, and cleanup and proper disposal of any litter.
- K. Revocation of issued permit. The Borough Administrator, Borough Clerk and/or the Borough Council shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown. The Borough Administrator, Borough Clerk and/or the Borough Council may also revoke a permit which has been issued upon discovery of a material misrepresentation of fact on the application.
[Amended 9-16-2021 by Ord. No. 1042]
- L. Priorities of use. Applications for the use of facilities will be scheduled on a first-come-first-served basis. In all instances, priority is given to Oceanport residents. When more than one application is received for the same date(s), the following order of priority shall apply:
- (1) Meetings or events directly sponsored by the Borough Council for municipal purposes, inclusive of the Borough's recreational sports programs via the Borough-approved recreational sports associations.
 - (2) Meetings or events directly sponsored by municipal advisory boards and committees.
 - (3) Meetings or events directly sponsored by Borough departments for municipal purposes.
 - (4) Meetings or events held for the discussion of municipal issues.
 - (5) Resident youth recreation activities, leagues or service organizations.
 - (6) Resident adult recreation activities, leagues or service organizations.
 - (7) Board of Education related activities.
 - (8) Nonresident youth recreation activities, leagues or service organizations.
 - (9) Nonresident adult recreation activities, leagues or service organizations.
 - (10) All other uses.

§ 279-7. Fee schedule.

- A. Other than those who qualify as exempt or partially exempt as set forth in Subsection **B**, all groups, organizations, teams, leagues shall be required to pay a fee to use municipal facilities as follow:
[Amended 9-16-2021 by Ord. No. 1042]
- (1) Facility use fee:
 - (a) Resident fee: \$35 per activity (two-hour minimum increments).
 - (b) Nonresident fee: \$70 per activity (two-hour minimum increments).
 - (2) Resident team rosters shall consist of majority Oceanport residents.
 - (3) All other teams are to be considered nonresident teams. The determination of whether a team is a resident or nonresident team, when disputed, shall be decided by the Municipal Council and confirmed by way of resolution.

B. Borough-approved recreation sports associations.

(1) Notwithstanding anything to the contrary set forth within the ordinances of the Borough of Oceanport, the Borough of Oceanport hereby recognizes the following entities as "Borough-approved recreation sports associations" and further recognizes that these entities are charged with the responsibility of planning, promoting, organizing and operating specific recreation sports programs on behalf of the Borough, for the benefit of the Borough, its residents and, in certain instances, the residents of neighboring communities:

[Amended 5-21-2019 by Ord. No. 1002; 9-16-2021 by Ord. No. 1042]

(a) Oceanport Soccer Association.

(b) Oceanport Basketball Association.

(c) Oceanport Roller Hockey Association.

(d) Oceanport Adult Athletic Association.

(e) Oceanport Old Timers Softball Association (teams playing in the Two Rivers Softball League).

(f) Shore Youth Lacrosse Association.

(g) Shore Regional Little League Baseball and Softball.

(2) Insofar as these entities operate the Borough of Oceanport's recreation sports programs with the consent and under the aegis of the Borough of Oceanport, these entities and their teams shall be exempt from all fees.

C. Sports camps sponsored or operated by a Borough-approved recreation sports association shall not be required to pay a fee.

[1] *Editor's Note: For recreation program fees, see Ch. 204, Art. X.*