



## VILLAGE OF WARWICK

INCORPORATED 1867

### **Facility Use Request Instructions** **For Gatherings Greater Than 200 People**

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE  
GREATER THAN 200 PEOPLE AT ANY GIVEN TIME

Facility Use Requests must be approved by the Village Board of Trustees. Village Board meetings typically take place on the 1st and 3rd Monday of each month. The Village of Warwick meeting dates can be found on our website: [www.villageofwarwick.org](http://www.villageofwarwick.org)

The following items must be received by the Village Clerk **at least 90 days prior to the desired Board meeting** for which they will go before the Village Board for consideration:

- ☐ A detailed map showing the location of the event including any structures to be erected for the purpose of the assembly.
  - ☐ A plan drawn to scale showing the layout of any parking area for motor vehicles, including disability parking spots and the means of egress from and ingress to such parking area.
  - ☐ A letter from the DPW Supervisor providing pre-approval of the event details and parking plan. The DPW Supervisor can be reached at (845) 986-2031 ext. 110 or [dpwsupervisor@villageofwarwick.org](mailto:dpwsupervisor@villageofwarwick.org)
  - ☐ **A detailed cover letter addressed to the Village Board of Trustees describing the nature of the event, including:**
    - ☐ A statement specifying whether food or beverage is intended to be prepared, served or distributed. If food or beverages are intended to be prepared, sold or distributed, a statement specifying the method of preparation and distribution of such food or beverage such as food trucks or open grills and the method of disposing of garbage, trash, rubbish or any other refuse arising therefrom. If food or beverage is to be prepared, sold and distributed, a plan or drawing to scale must be attached to the application showing the buildings or other structures from which the food or beverages shall be prepared, sold or distributed.
- \*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.***
- ☐ A statement specifying that the Warwick Police Department, Warwick Fire Department, and Warwick EMS have been notified of the event, including any recommendations from the aforesaid Departments.
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- ☐ A statement specifying whether any outdoor lights or signs are to be utilized, and, if so, a map showing the number, location, size, type of such lights and signs.
- ☐ A statement specifying whether any camping or housing facilities are to be available, and, if so, a plan drawn to scale showing the intended number and location of the same.
- ☐ A statement specifying the contemplated duration of assembly and use.
- ☐ If your event requires street closures and/or parking meters to be covered, you must detail the number of hours prior to the event you are requesting these accommodations and the number of parking meter bags you require. You will be responsible for obtaining the ‘no parking’ meter bags from the Village of Warwick and placing the bags on the meters and removing them at the approved times. You will also be responsible for returning the meter bags to the Village of Warwick within 48 hours of the completion of the event.
- ☐ If your event includes a parade, road race, etc. please include in the letter to the Village Board a clear layout of the route that you intend to take AND a letter or email from the Warwick Police Department approving the route.

Additional information:

- For-profit activities are prohibited as per Chapter 90 of the Village Code.
- **Events that include animals, mechanical rides, carnivals, bounce houses, or inflatables** must submit complete facility use requests & public assembly requests, including but not limited to contracts, agreements, and required certificates of insurance, to the Village Clerk **no less than 90 days prior to the event** to allow the Village’s insurance carrier to review and approve the complete application, prior to Village Board approval.
- The facility use request form must be filled out in its entirety and **both the facility use request form and the last page of the facility use requirement document must be signed** by the person responsible for the event, who must also be a Town of Warwick resident.
- Required certificate of insurance (Acord 25) as outlined in the facility use requirements for gatherings of greater than 200 people. Please see the attached example. They can be emailed directly to the Village Clerk at: [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org)
- Enclose with your complete packet, if applicable, the field light fee made out to the Village of Warwick. A separate \$500 security deposit check made out to the Village of Warwick must also be included as a separate payment. NOTE: If the grounds are restored to proper condition, the deposit will be returned within 30 days following the conclusion of the event.

Should you have any questions please contact the Village Clerk’s Office at (845) 986-2031 or via email: [clerk@villageofwarwick.org](mailto:clerk@villageofwarwick.org).



## VILLAGE OF WARWICK

INCORPORATED 1867

### FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE ON VILLAGE-OWNED PROPERTY

Date Request Submitted: \_\_\_\_\_

Title of Event: \_\_\_\_\_

Purpose of Event: \_\_\_\_\_

#### **SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY**

☐ Railroad Green      ☐ Stanley-Deming Park      ☐ Lewis Woodlands

☐ Veterans Memorial Park      ☐ Veterans Memorial Park Pavilion

*\*Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

☐ South Street Lot    ☐ 1<sup>st</sup> Street Lot    ☐ Chase Lot (non-permit only)  
☐ Spring Street Lot    ☐ Wheeler & Spring St. Lot    ☐ Upper CVS Lot    ☐ Lower CVS Lot

Village of Warwick Streets: \_\_\_\_\_

#### **SECTION 2: DATE AND TIME REQUESTED**

Date(s) Requested: \_\_\_\_\_ Rain Date(s) Requested: \_\_\_\_\_

Arrival Time: \_\_\_\_\_ Departure Time: \_\_\_\_\_

Event Start Time: \_\_\_\_\_ Event End Time: \_\_\_\_\_

#### **SECTION 3: APPLICANT INFORMATION**

Check one: ☐ Non-Profit Organization    ☐ Commercial/Business Organization    ☐ Family

*\*For-profit activities are prohibited.*

Applicant's Name/Responsible Party: \_\_\_\_\_

*\*Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: \_\_\_\_\_

Residential Address of Responsible Party: \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Proof of Town of Warwick Residency of Responsible Party: ☐ Driver's License ☐ Utility Bill

Name of Organization (if Applicable): \_\_\_\_\_

Organization's Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Name of Organization's Director(s)/Officer(s): \_\_\_\_\_

Mailing Address of Organization: \_\_\_\_\_

Physical Address of Organization: \_\_\_\_\_

#### **SECTION 4: EVENT INFORMATION**

Maximum Number of People Intended at the Event: \_\_\_\_\_

# of Adults: \_\_\_\_\_ # of Under 18 Yrs. Old: \_\_\_\_\_

Expected Number of Vehicles Intended at the Event: \_\_\_\_\_

Please explain the parking plan for the event: \_\_\_\_\_

#### **WILL YOUR EVENT INCLUDE:**

#### **CHECK YES OR NO**

<b>Greater than 200 people at any given time</b> <i>If no, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS OF LESS THAN 200 PEOPLE.</i>	Yes _____ No _____
<b>Music / Loudspeakers / Sound System</b> <i>If yes, explain: _____</i> <i>Location of Music/Loud Speakers/ Sounds System: _____</i>	Yes _____ No _____
<b>Parade, walk, road race, etc.</b> <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources</i>	Yes _____ No _____
<b>Tent(s)</b> <i>Include a map detailing the placement of the tent(s).</i> <i>Date &amp; time tent will be set up: _____</i> <i>Date &amp; time tent will be removed: _____</i>	Yes _____ No _____

<b>RVs, Campers, Food Trucks, etc.</b> <i>If yes, explain: _____</i>	<b>Yes _____ No _____</b>
<b>Admission Fee to Be Charged</b> <i>If yes, please list the admission fee: _____</i>	<b>Yes _____ No _____</b>
<b>Alcohol</b> <i>Host Liquor Liability Insurance is required.</i>	<b>Yes _____ No _____</b>
<b>Food will be served or sold</b> <i>If yes, explain the method of food distribution and disposal of trash:</i>  <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.          *Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	<b>Yes _____ No _____</b>
<b>Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc.</b> <i>If yes, explain: _____</i> <i>Additional contract(s) and/or insurance is required.</i>	<b>Yes _____ No _____</b>
<b>Animals:</b> (Example, horses, pony rides, petting zoo, etc.) <i>If yes, explain: _____</i>	<b>Yes _____ No _____</b>
<b>Portable Toilets</b> <i>Placement of portable toilets must be detailed on the map that is required with the application.</i>	<b>Yes _____ No _____</b>
<b>Other</b> <i>Please explain: _____</i>	<b>Yes _____ No _____</b>

**SPECIAL REQUESTS:**
**CHECK YES OR NO**

<b>Road Closure</b> <i>List road(s): _____</i> <i>Closed between the hours of _____ and _____</i> <i>Number of 'No Parking' meter bags requested, if applicable: _____</i>	<b>Yes _____ No _____</b>
<b>Use of Village owned tables and chairs</b> <i>Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____</i>	<b>Yes _____ No _____</b>
<b>Use of Electricity</b>	<b>Yes _____ No _____</b>
<b>Memorial Park Field Lights - The Daniel Prial Field / Football Field</b> <i>Additional fee required for use of field lights.</i>	<b>Yes _____ No _____</b>
<b>Use of Memorial Park Pavilion Lights</b>	<b>Yes _____ No _____</b>

<b>Use of Village of Warwick Restrooms</b> <i>Memorial Park and Stanley Deming Park only.</i>	<b>Yes</b> _____ <b>No</b> _____
<b>Other</b> <i>Please explain:</i> _____	<b>Yes</b> _____ <b>No</b> _____

## **SECTION 5: FEES/SECURITY DEPOSIT**

*Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick*

☐ Memorial Park Field Lights -

The Daniel Prial Field /Football Field (circle one) \$10 per day or \$300 per season

☐ \$500 Security Deposit (*Must be a Separate Payment*)

**TOTAL FEE:** \$ \_\_\_\_\_ (excluding security deposit)

## **SECTION 6: INDEMNITY & HOLD HARMLESS**

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of \_\_\_\_\_ (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by \_\_\_\_\_ (Name Organization).

Additionally, I agree to accept notices or summonses issued with respect to the application or the conduct of the assembly or use in any manner involving it arising out of the application, construction or application of Chapter 39 'Assemblies, Public' of the Village Code of the Village of Warwick.

Furthermore, I authorize the Village of Warwick or its lawful agents to observe the event at any time for the purpose of inspecting the same, the facilities provided and the cleaning of the premises after the termination of the assembly.

\_\_\_\_\_  
Printed Name of Applicant/Responsible Party

\_\_\_\_\_  
Signature of Applicant/Responsible Party

\_\_\_\_\_  
Date

### **Office Use Only:**

Security Deposit Check # \_\_\_\_\_ Certificate of Insurance \_\_\_\_\_ Host Liquor Liability \_\_\_\_\_

Fees Received \_\_\_\_\_ Park Map(s) \_\_\_\_\_ Police Dept. \_\_\_\_\_

Facility Use Calendar \_\_\_\_\_ Parade Calendar \_\_\_\_\_ DPW Pre-Approval \_\_\_\_\_

**\*Certificates of Insurance Reviewed by Village Insurance Carrier** \_\_\_\_\_

**Village of Warwick**  
**Facility Use Requirements & Acknowledgement Form**  
**For Gatherings Greater Than 200 People**

The use of all Village recreational and park facilities shall be subject to the approval and rules of the Village Board of Trustees administered by the Village Clerk or other Board designee.

1. Organizations or individuals wishing to use Village facilities shall first apply to the Village Clerk using the prescribed form. Such form shall then be forwarded to the Village Board of Trustees for consideration. All forms, security deposit, fees, and insurance documents shall be submitted to the Village Clerk for inclusion on the Village Board Meeting Agenda ***at least 90 days prior to the desired Board meeting*** for which they will go before the Village Board for approval. Village Board meetings typically take place on the 1st and 3rd Monday of each month. The Village of Warwick meeting dates can be found on our website: [www.villageofwarwick.org](http://www.villageofwarwick.org)
2. Permits must be requested by a **Town of Warwick** resident. Said resident shall be responsible for the event, club, team or group to which this permit is issued.
3. Organizations/individuals shall indicate areas to be used during an event or season on the attached map.
4. A fee, as listed on the Village Schedule of Fees, will be charged for use of field lights.
5. A limited number of tables and chairs are available for use in the Memorial Park pavilion. Applicants are responsible for the set up and take down.
6. A security deposit of \$500 for gatherings of over 200 people is required at the time the application is submitted to the Village Clerk. If the grounds are restored to proper condition, the deposit will be refunded 30 days following the conclusion of the event. Should any damage be done to the premises for which the cost to repair shall be in excess of said deposit, then either the individual making application for said permit or the group which they represent or on whose behalf they sign, or both, may be held legally responsible for said excess costs.
7. The Village Board of Trustees, at its discretion, has the authority to waive any facility use fees and/or security deposit.
8. All users must provide the following insurance. **Insurance certificates must accompany the Facilities Use Permit.**
  - I. Notwithstanding any terms, conditions, or provisions, in any other writing between the parties, the permittee hereby agrees to effectuate the naming of the Village as an additional insured on the permittee's insurance policies.
  - II. The policy naming the Village as an additional insured shall:

- Be an insurance policy from an A.M. Best rated "secure" or better insurer, licensed in New York State.
  - State that the organization's coverage shall be primary and noncontributory coverage for the Village, its Board, employees and volunteers.
  - The Village shall be listed as an additional insured by using endorsement CG 2026 or equivalent. A completed copy of the endorsement must be attached to the certificate of insurance.
  - At the Village's request, the organization shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the organization will provide a copy of the policy endorsements and forms.
- III. The permittee agrees to indemnify the municipality for any applicable deductibles and self-insured retentions.
- IV. The insurance producer must indicate whether or not they are an agent for the companies providing the coverage.
- V. Required Insurance:

**No less than the following:**

- **Commercial General Liability Insurance**

\$1,000,000 per occurrence/ \$2,000,000 aggregate, with coverage for athletic participants.

Not less than \$500,000/\$1,000,000 bodily injury or death.

Limits of not less than \$500,000 for property damage.

**Excess Insurance:**

\$\_\_\_\_\_ each Occurrence and Aggregate. Excess coverage shall be on a follow-form basis.

**Host Liquor Liability – Required if Alcohol is to be Included at Event**

**\*Insurance Liability Coverage must include Mechanical Rides / Bounce House / Inflatable Slides etc. – If Applicable**

- VI. User acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract 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 a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The



failure of the Village to object to the contents of the certificate or the absence of it shall not be deemed a waiver of any and all rights held by the Village.

- VII. The Village is a member/owner of the NY Municipal Insurance Reciprocal (NYMIR). The user further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the Village but also NYMIR, as the Village's insurer.
- VIII. Insurance is not cancelable without 10 days' prior written notice to the Village of Warwick.

**Individuals - Required Insurance Homeowners Insurance:**

- Section Two – Liability:  
\$1,000,000 per occurrence/ \$2,000,000 aggregate, with coverage for athletic participants.
- Not less than \$500,000/\$1,000,000 bodily injury or death.
- Limits of not less than \$500,000 for property damage.
- Policy shall not exclude the off-premises activities of the insured.
- Insurance is not cancelable without 10 days' prior written notice to the Village of Warwick.

**Host Liquor Liability – Required if Alcohol is to be Included at Event**

**\*Insurance Liability Coverage must include Mechanical Rides / Bounce House / Inflatable Slides etc. – If Applicable**

9. Alcohol is not permitted in any Village Park or Park Facilities, or Village owned property without a special permit issued by the Village Board of Trustees. Additional liability insurance (Host Liquor) is required if alcohol is part of your event.
10. All persons shall comply with the rules and regulations as set forth in Chapter 90 'Park Rules and Regulations' of the Code of the Village Warwick. ***See Exhibit A.***
11. All persons shall comply with the rules and regulations as set forth in Chapter 39 'Assemblies, Public – Village Owned Property' of the Code of the Village of Warwick. ***See Exhibit B.***
12. Illegal drugs, smoking, tobacco use, cannabis, electronic cigarettes, and vapor products are not permitted.
13. Profanity, objectionable language, disorderly acts, excessive noise or illegal activities of any kind are prohibited, and those violating this prohibition will be removed from the premises and will be subject to prosecution.

14. In the event of a scheduling conflict, the Village of Warwick will arbitrate a resolution which shall be binding for all parties.
15. In the event of inclement weather, the Village Board or their designee has the final authority on whether facilities are usable.
16. Any damage to Village facilities shall be promptly repaired at the user's expense. No exceptions. If Village personnel are not available, make sure all doors are locked and lights are turned out when leaving.
17. Organizations using the facilities must clean up afterward. It is the responsibility of the permit holder to remove any garbage the event generates. The Village may assess a charge for garbage generated from events that is not removed by the Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.
18. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
19. Supervision and parking are the responsibility of the applicant organization/individual.
20. Permits may be revoked at any time.
21. All posted rules must be adhered to.
22. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
23. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
24. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc.
25. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
26. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

## **INDEMNITY & HOLD HARMLESS**

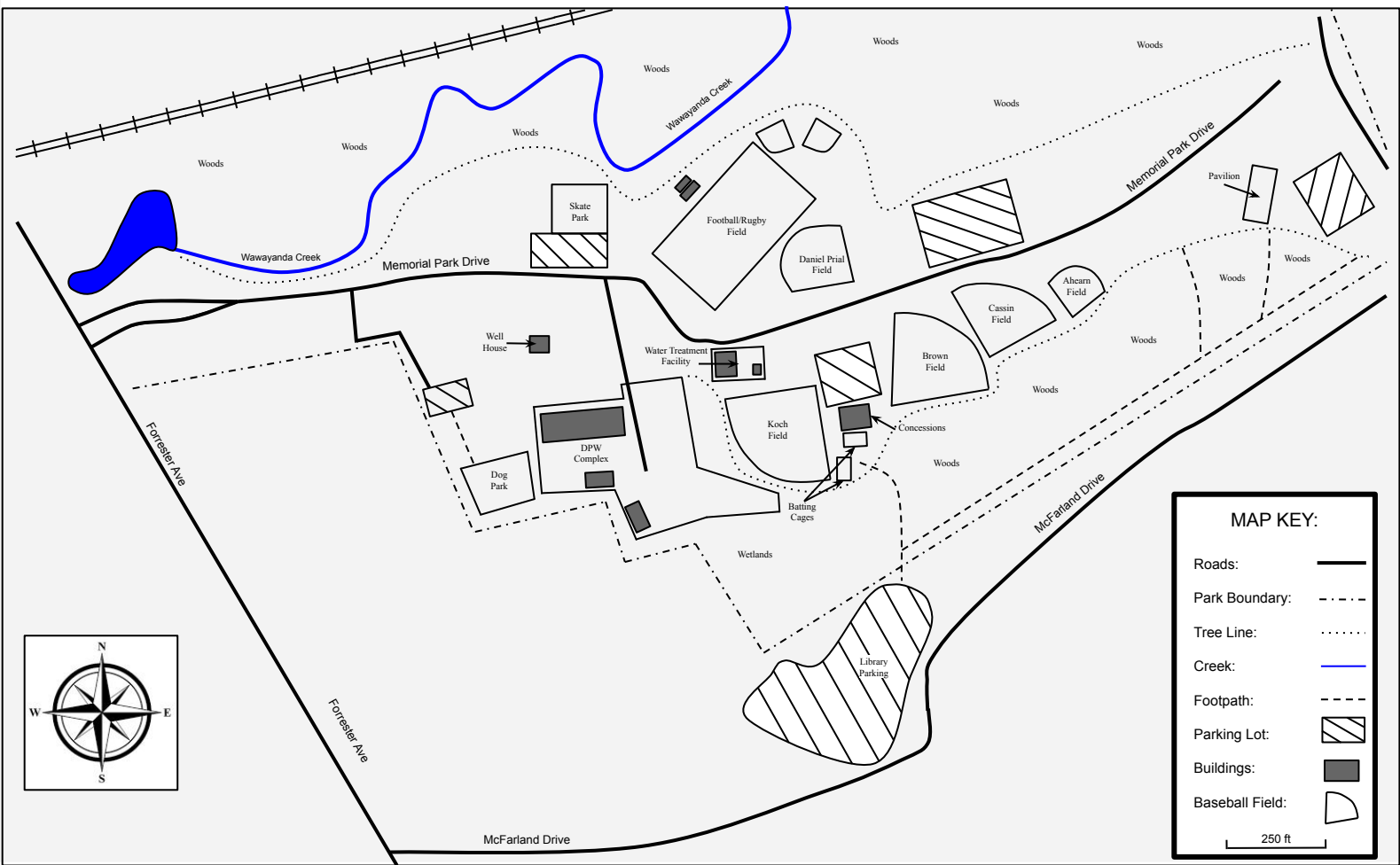
**FACILITY USER** does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and

attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services. I have read and understand the Facilities Use Requirements:

\_\_\_\_\_  
Printed Name of Applicant/Responsible Party

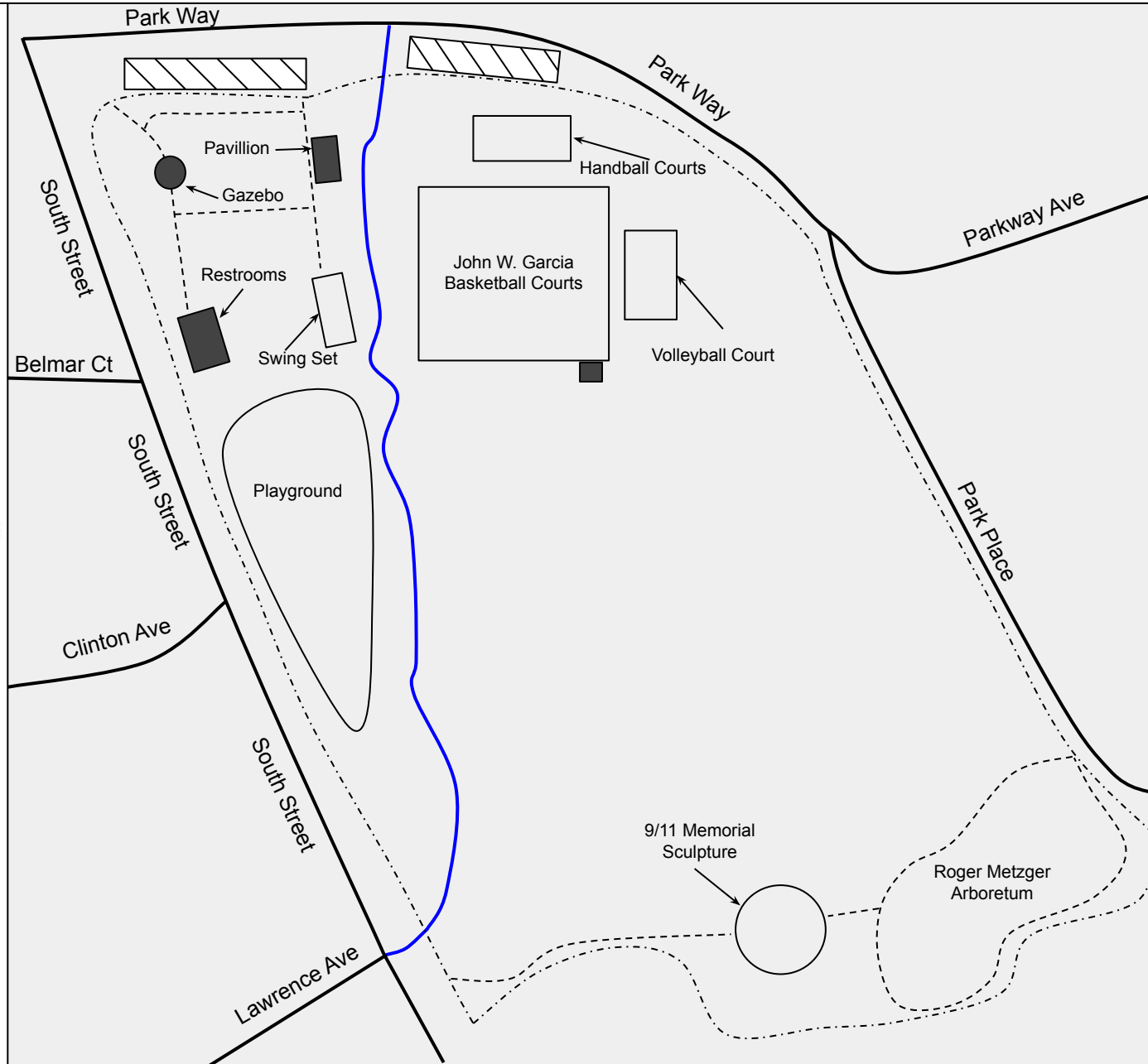
\_\_\_\_\_  
Signature of Applicant/Responsible Party

\_\_\_\_\_  
Date



# VETERANS MEMORIAL PARK

Village of Warwick 2024



**MAP KEY**

Road: ———

Footpath: - - -

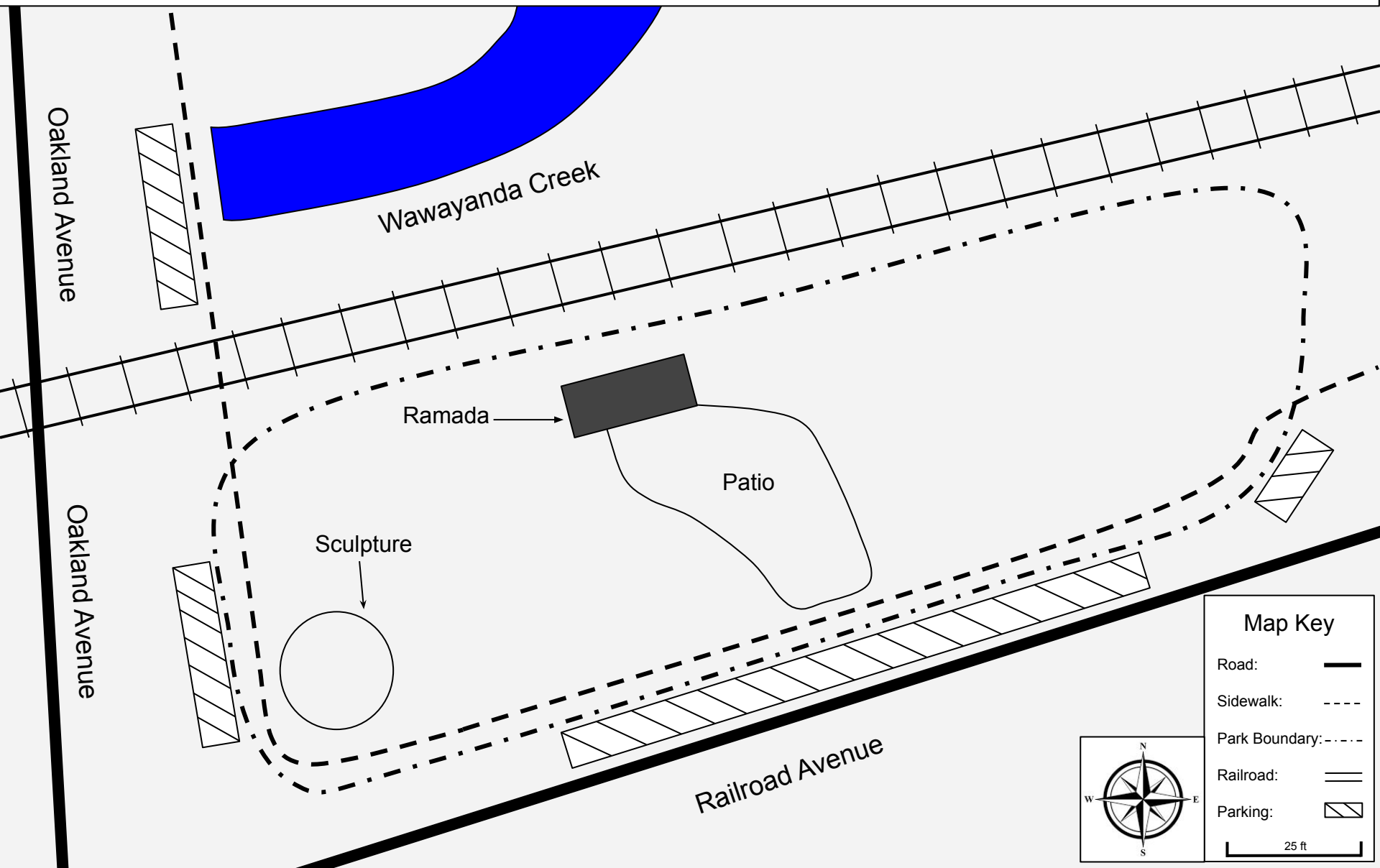
Park Boundary: . . .

Creek: ——— (blue)

Parking: [hatched rectangle]

Structure: [solid black rectangle]

100 ft



## **EXHIBIT A**

### **VILLAGE OF WARWICK**

#### **Chapter 90**

#### **Park Rules and Regulations**

##### **§ 90-1 PURPOSES**

1. The purpose of this chapter and the rules and regulations authorized hereunder is to harmonize, organize, clarify, and collect all laws relating to the governance of the use of the parks and facilities in the Village of Warwick so that they may endure and be used and enjoyed in peace and safety by the citizens of and visitors to the Village of Warwick in perpetuity.

##### **§ 90-2 DEFINITIONS**

A. As used herein the terms 'Park(s)' and 'Park Facilities' shall mean all lands and facilities under the jurisdiction, supervision, and control of the Village of Warwick, including but not limited to park lands, ball fields, playgrounds, basketball courts, skatepark, water courses, historic sites, nature preserves, and all other recreation facilities; and shall also include buildings, structures, parking areas, and all other Village of Warwick owned property.

B. "User(s)" shall hereinafter refer to all persons entering upon and/or using the Parks and/or Park Facilities for any purpose, other than to carry out their duties and responsibilities as agenda or employees of the Village of Warwick, or be interpreted herein in the singular or plural as the sense shall require.

##### **§ 90-3 GENERAL USE**

A. The parks and Park Facilities are for the peaceful use and safe enjoyment of citizens and residents of the Village of Warwick and visitors to the Village of Warwick. Use of the Parks and Park Facilities shall conform to this Chapter of the Code of the Village of Warwick and to all rules and regulations promulgated thereunder.

B. The Parks and Park Facilities, except as may be excluded or limited by the Village of Warwick DPW Supervisor, shall be open for public use on such days, at such times according to the below schedule or as the Village of Warwick DPW Supervisor may determine or designate. Such schedule shall be subjected to such temporary or permanent amendment or variation as the DPW Supervisor may determine.

1. Stanley Deming Park

No person shall enter into, remain or be found in Stanley Deming Park in the Village of Warwick between the hours of 9:00 p.m. and 6:00 a.m., without a special permit issued by the Village.

2. Railroad Green

No person shall enter onto, remain, or be found on Railroad Green located at the intersection of Main Street and Railroad Avenue during the hours of 11:00 p.m. and 6: a.m. without a special permit issued by the Village.

3. Memorial Park

No person shall enter into, remain or be found in Memorial Park in the Village of Warwick on foot or by vehicle between the hours of 9:00 p.m. and 6:00 a.m. without a special permit issued by the Village.

4. Memorial Park- Robert Newhard, Sr. Skate Park

No person shall enter into, remain or be found in the Robert Newhard, Sr. Skate Park in Memorial Park in the Village of Warwick between the hours of 9:00 p.m. and 6:00 a.m. without a special permit issued by the Village.

5. Lewis Woodlands

No person shall enter onto, remain or be found on Lewis Woodlands Park between dusk and dawn without a special permit issued by the Village.

6. Hallowed Ground

No person shall enter onto, remain or be found on Hallowed Ground Park between dusk and dawn without a special permit issued by the Village.

C. The Parks and Park facilities shall not be used other than during such times as the Village of Warwick DPW Supervisor shall have determined or designated. Exceptions for special uses at times not specified for used by the general public shall require a special permit issued by the Village of Warwick. Groups, clubs, businesses, or other organizations wishing to use the Parks or Park Facilities for an event must first secure in writing a special permit issued by the Village.

D. The Parks or any portion or portions thereof and Park Facilities or any part thereof may be closed or rendered unavailable for access or use, for such interval of time as may be deemed appropriate or necessary, by the Village of Warwick DPW Supervisor, Mayor, or Village Board of Trustees. Such closing may be accompanied by the posting of notices and/or signs to such effect upon the



affected property and/or facilities, and otherwise may best give notice of same to the public.

E. The Village Board of Trustees is authorized to adopt a schedule of fees, which shall be charged for the use of Park or Park Facilities and/or equipment. The Village Board is authorized to require the posting of security, in the form of cash or check, and insurance as a condition of the use of the Parks or Park Facilities and/or equipment. Should any damage be done to the premises for which the cost to repair shall be in excess of said sum, then either the individual making application for said permit or the group which he represents or on whose behalf he signs, or both, may be held legally responsible for said excess.

F. It will be the responsibility of the organized leagues to mark fields and to install necessary equipment for that league or any other items necessary for the operation of that league.

G. Use of the Parks and Park Facilities shall be at the sole and complete risk of the User. The Village of Warwick assumes no responsibility and is not liable for any injury, damage, or losses to any persons or property arising from the use of the Parks and/or Park Facilities.

H. Entering upon and using the Parks and/or Park Facilities shall constitute an agreement by the User to hold the Village of Warwick harmless from all claims from injury, damage or loss to any persons or property arising from the use of the Park and/or Park Facilities. Injury, damage or loss of property of the Village of Warwick, including the Parks and/or park facilities, resulting from the use of the Parks and/or Park Facilities, shall be the responsibility of the User, who shall be liable to the Village of Warwick for the actual cost or value of such injury, damage or loss; in addition to such other claims and sanctions as may be allowed or imposed by law.

I. All Federal, State, and local laws, rules, regulations and ordinances which apply or shall hereinafter apply in and for the Village of Warwick shall apply in and for the Village of Warwick Parks and Park Facilities, including insofar as same require prior notice of actions, claims, suits, and other proceedings; and in all other form and for such other purposes as are or may be provided therein.

#### **§ 90-4 CONDUCT AND PROHIBITIONS**

A. The Village of Warwick, DPW Supervisor, and any individual who may be designated in writing by the Village Board of Trustees and who shall be, in any event, an official of the Village of Warwick, shall have the authority to monitor compliance and seek enforcement of the provisions of this chapter and any rules and regulations promulgated hereunder.

B. The Village of Warwick Board of Trustees, Mayor, or DPW Supervisor shall have the authority to promulgate rules and regulations regarding the use of the Parks or Park Facilities. A current copy of all such rules and regulations shall be maintained on file in the Clerk's Office and on the Village's website.

C. As set forth in Chapter 39, Assemblies, Public - Village Owned Property, assemblies of persons in Parks, Park Facilities, and/or Village owned property where such assembly exceeds 200 people requires a Facility Use Permit that is available in the Clerk's Office and on the Village's website.

D. All dogs must be leashed while in Parks, Park Facilities, and/or on Village owned property.

E. All persons are prohibited from doing any of the following in or upon any Park or any Park Facilities:

1. Entering, remaining upon, and/or using the Parks and/or Park Facilities at any other time other than as scheduled or made available for use by the Village authority.

2. Failing to obey all signs, signals, speed limit signs and other directions and instructions from the Village of Warwick or other lawful authorities in or on Park Property and Park Facilities.

3. Carry or have in possession while in any Village Park any glass containers, bottles, or breakable glass products.

4. Making or causing loud noise and/or music in or on Park property and Park Facilities in such manner as disturbs or interferes with other users; or in any fashion impairing the ability of any person to quietly enjoy and use the same.

5. Possessing and/or using explosives, fireworks, rockets, dangerous chemical and/or devices or substances in or on the Parks and Park facilities, unless specifically approved by the Village Board of Trustees.

6. Littering, dumping, disposing or otherwise placing household trash, solid or liquid waste or debris in or on the Park property or Park Facilities except in appropriate receptacles provided therefor. No person shall use Park receptacles for household waste, construction and demolition debris or waste, medical waste, radioactive waste, chemical waste or other waste material which is generated or originated anywhere except on or from Park's property.

7. Acting, behaving, and/or using language in a disorderly, disturbing, indecent or obscene manner; or harassing, annoying, disturbing or interfering with other persons using the Parks and/or Park Facilities.

8. Possessing, using, selling or conveying to another person alcohol or substances containing alcohol except as hereinafter provided; or illegal chemicals, compounds or drugs; being in or upon or using the Parks or Park facilities while intoxicated or under the influence of alcohol or drugs or while abilities are impaired by same.
9. Smoking, tobacco use, cannabis use, electronic cigarettes and vapor products shall be banned in all public parks, the sidewalks immediately adjoining any parks, any pedestrian route through any park, public parking lots and any other Village-sponsored outdoor gathering of people, and all property within 24 feet of a public park except for private property.
10. Carrying or possessing any kind of weapons in or on Park property or Park Facilities, including but not limited to firearms, bows, slingshots, air or spring guns; or firing or discharging firearms or weapons on, from, into or across Park property and/or Park Facilities.
11. Secreting, storing, burying, abandoning, or otherwise emplacing privately owned or abandoned materials, items or property in or upon Park property and/or Park facilities.
12. Illegal activities of any kind are prohibited.
13. Taking upon or intentionally or negligently allowing upon Park property or Park facilities any unleashed, unconfined, or otherwise uncontrolled animal, or any animal under any circumstances which poses a danger or threat to the health and safety of any person or to any person's right and opportunity to quietly use and enjoy the Parks or Park Facilities.
14. Parking any vehicle, trailer or other human or animal conveyance or apparatus anywhere other than in designated parking areas, or contrary to the instructions of lawful authority. Parking overnight in or on any Park parking facility or area is prohibited. Parking areas are for use by vehicles or persons using the Parks or other Park Facilities. Parking areas shall not be used by persons not using the Parks or Park Facilities. Exceptions must be pre-authorized by the Village Board of the Village of Warwick.
15. Obstructing, impairing, burdening, damaging, altering or destroying the Parks, Park Facilities and property; disturbing, destroying, injuring, damaging or removing any property within the Parks, including, but not limited to, vegetation, wildlife, signs, equipment or facilities except as unavoidably impacted by normal minimal wear and tear resulting from authorized use of the Park or Park Facilities; erecting, displaying or affixing unauthorized signs, placards, bills or notices for any purpose whatsoever.

16. Selling, vending, or conducting or soliciting private business, commerce, or commercial transactions or for-profit activities on Park property or Park Facilities or Village owned land using same in pursuit thereof; using or renting for private profit or charging a private fee for the use of the Parks or Park facilities by any individual or group or entity, corporate or otherwise, for any purpose whatsoever.

17. Starting or maintaining a fire or open flame; operating a portable stove, grill or any other device for heating, cooking, or preparation of food without a special permit issued by the Village.

#### **§ 90-5. ALCOHOLIC BEVERAGES**

A. The use of alcohol is not permitted in any Village Park or Park Facilities without a special permit issued by the Village.

B. To obtain permission to allow alcohol as part of an event the following conditions must be met:

1. Approval of alcohol will only be issued to a bona fide group, club or business which has secured a special permit from the Village for use of the Park or Park Facilities for their event.

2. At the time of the request, applicants must submit a Certificate of Liquor Legal Liability Insurance Coverage. The certificate must name the Village of Warwick as an additional insured. Coverage must be in the amount of \$1,000,000 per occurrence/ \$2,000,000 aggregate.

#### **§ 90-6. MEMORIAL PARK- ROBERT NEWHARD, SR. SKATE PARK REGULATIONS.**

All Users of The Robert Newhard, Sr. Skate Park must adhere to and be in compliance with all rules and regulations pertaining to this chapter including;

A. General Rules- Robert Newhard, Sr. Skate Park

1. Children under 10 must be accompanied by an adult.

2. Pets are not allowed in the skatepark.

3. Motorized equipment is not permitted within the skatepark.

B. Protective equipment required:

1. Helmets are required for those under 14.

2. Elbow, knee pads, and wrist guards are strongly recommended.

C. All users of The Robert Newhard, Sr. Skate Park may not:

1. Ride, operate or use any device other than roller blades, skateboards, scooters, or BMX bikes.

2. Ride or operate devices unless that person is wearing an approved helmet and proper safety equipment, in good repair, at all times during use.

3. Place or utilize additional obstacles or other materials (including but not limited to ramps or jumps).

4. Ride, operate, or use roller blades or a skateboard before or after the posted hours of operation.

5. Fail to obey any rule or regulation posted on or near the skate park.

#### **§ 90-7 SPEED LIMIT IN MEMORIAL PARK**

Fifteen miles per hour is hereby established as the maximum speed at which vehicles may proceed on or along roadways in Memorial Park.

#### **§ 90-8 PENALTIES FOR OFFENSES**

Any person who violates any of the sections of Chapter 90 shall, for a first violation thereof, be liable for a civil penalty of not less than \$250 or more than \$400; for a second violation, both of which were committed within a period of 12 months, be liable for a civil penalty of not less than \$500 nor more than \$1,000; and for a third or subsequent violation, all of which were omitted within a period of 12 months, be liable for a civil penalty of not less than \$1,000 nor more than \$2,000. The continuation of an offense against the provision of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

## **EXHIBIT B**

### **VILLAGE OF WARWICK**

#### **Chapter 39**

##### **Assemblies, Public**

##### **Village Owned Property**

#### **§ 39-1 Purpose; statutory authority; scope.**

The Board of Trustees, in order to promote proper government and ensure the proper protection, order, conduct, safety, health, welfare and well-being of persons and property within the Village of Warwick, Orange County, New York, finds that it is in the public interest to enact this chapter pursuant to the provisions of Section 4-412 of the Village Law of the State of New York. This chapter shall regulate the assembly of persons where such assembly exceeds 200 persons on property owned by the Village of Warwick including but not limited to buildings, parkland, park facilities, parking lots, and streets.

#### **§ 39-2 Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meaning herein indicated. Words used in the present tense include the future, the singular number includes the plural and the masculine shall include the feminine:

#### **ASSEMBLY**

The gathering or collecting or congregating of persons on property owned by the Village of Warwick including but not limited to buildings, parkland, park facilities, parking lots, and streets, with or without the levy of an admission fee, for a common purpose, such as, but not limited to, sports events, circuses, carnivals, festivals, music festivals or religious observances.

#### **ASSEMBLY – GREATER THAN 200**

The gathering or collecting or congregating of persons in excess of 200 persons, either at any one time or in the aggregate over time, at any place within the Village, with or without the levy of an admission fee, for a common purpose.

#### **BUILDING**

A structure wholly or partially enclosed with exterior walls and a roof, of permanent or temporary nature, affording shelter to persons, animals or property.

#### **PERSON**

Any individual, firm, company, association, society, corporation or group.

**SHALL is mandatory, and MAY is permissive**

## **STRUCTURE**

A combination of materials to form a construction that is safe and stable and includes, among other things, stadiums, stages, prop forms, radio towers, sheds, storage bins, tents, billboards, space signs, bleachers, ramps and seats.

### **§ 39-3 Permit required; application; required information, facilities and surety.**

- A. No person shall use, allow, let or permit to be used property owned by the Village of Warwick for the assembly of persons in excess of 200 persons, nor shall any person use, allow, let or permit to be used property owned by the Village of Warwick for any part or portion of such assembly of persons which total assembly in the aggregate is in excess of 200 persons, unless upon written permit authorizing such use and assembly issued by the Board of Trustees through the Village Clerk.
- B. Application for such permit shall be by verified petition on forms to be furnished by the Village, addressed to the Board of Trustees and filed with the Village Clerk at least 90 days prior to the date upon which such use and assembly shall occur. The Board of Trustees shall act upon the complete application within 30 days after its submission. Such application shall include the following information:
  - 1. A statement of the name and residence address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of its directors and officers; the applicant must reside within the Town of Warwick, who shall be authorized to and shall agree to a verified statement to accept notices or summonses issued with respect to the application or the conduct of the assembly or use in any manner involving it arising out of the application, construction or application of this chapter.
  - 2. A statement containing the expected maximum number of persons intended to use the property at one time and collectively; the expected number of automobiles and vehicles intended to use the property at one time and collectively; and the purpose of the assembly and use, including the nature of the activity to be carried on and the admission fee to be charged, if any.
  - 3. A detailed map showing the location of the event including any structures to be erected for the purpose of the assembly.
  - 4. A plan drawn to scale showing the layout of any parking area for motor vehicles,

including disability parking spots and the means of egress from and ingress to such parking area.

5. A statement containing the type, number and location of any sound amplifier or loudspeaker or sound truck, or other similar sound equipment.
  6. A statement specifying whether food or beverage is intended to be prepared, served or distributed. If food or beverages are intended to be prepared, sold or distributed, a statement specifying the method of preparation and distribution of such food or beverage such as food trucks or open grills and the method of disposing of garbage, trash, rubbish or any other refuse arising therefrom. If food or beverage is to be prepared, sold, and distributed, a plan or drawing to scale must be attached to the application showing the buildings or other structures from which the food or beverages shall be prepared, sold or distributed.
  7. A statement specifying that the Warwick Police Department, Warwick Fire Department, and Warwick EMS have been notified of the event, including any recommendations from the aforesaid Departments.
  8. A statement specifying whether any outdoor lights or signs are to be utilized, and, if so, a map showing the number, location, size, type of such lights and signs.
  9. A statement specifying whether any camping or housing facilities are to be available, and, if so, a plan drawn to scale showing the intended number and location of the same.
  10. A statement specifying the contemplated duration of assembly and use.
  11. If the assembly and use are to continue from one day into another, a statement specifying the camping or housing facilities available or to be made available on the premises.
- C. No permit shall be issued unless it is clearly shown that all of the following are provided for and approved in writing by the Orange County Health Department and the Board of Trustees of the Village of Warwick:
1. A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.
  2. Toilet facilities adequate for the capacity of the assembly or use, including use by persons with disabilities. Portable toilet facilities shall be located as to be conveniently available and must be adequately maintained.
  3. Adequate facilities and arrangements for safe, clean disposal of solid waste,



garbage and trash.

4. Adequate off-street and off-road facilities for the contemplated number of people attending the assembly or use, including parking for persons with disabilities. Parking space shall be provided for at least one car for every four persons in attendance.
- D. No permit shall be issued unless the applicant shall furnish the Village with a comprehensive liability insurance policy insuring the Village against liability for damage to persons or property with limits of not less than \$500,000/\$1,000,000 bodily injury or death, and limits of not less than \$500,000 for property damage, sufficient to save the Village harmless from any liability or cause of action which might arise by reason of the granting of the permit, and not cancellable without 10 days' prior written notice to the Village. The applicant shall further provide a security deposit of \$500 with the Village to ensure the removal of trash and other waste material as hereinafter provided, which deposit shall be returned to the applicant within 30 days from the date of termination of the assembly after deduction therefrom of all expenses caused by the applicant's not complying to remove said trash and other waste material.
- E. Within 48 hours from the date of the termination of the assembly, trash, paper, garbage and other waste material shall be completely removed from the premises in a safe, clean and sanitary manner.
- F. Any permit issued may be revoked by the Board of Trustees through the Village Clerk if at any time it should be determined that the applicant has failed to provide the facilities as specified in the application, or that the setting up of the facilities provided for in the application cannot be reasonably accomplished within the time or date set for the assembly or use.

#### **§ 39-4 Application fee.**

Each application shall be accompanied by a fee at the time of its submission as set forth in Chapter 63, Fees. The fee shall compensate the Village for its examination and processing of such application and shall not be refundable in whole or in part.

#### **§ 39-5 Enforcement; penalties for offenses.**

- A. Any person who shall use, allow, let or permit to be used Village of Warwick owned property for the assembly of persons in the excess of 200, or shall use, allow, let or permit to be used Village of Warwick owned property for any part or portion of such assembly, which total assembly in the aggregate is in excess of 200 persons, or any person who shall cause the gathering, collecting or congregating of persons in excess of 200 on Village of Warwick owned property without first obtaining a written permit, in accordance with the provisions of this

chapter, shall be deemed to have violated this chapter and committed a misdemeanor against the chapter and shall be liable for the penalties provided. Any person who commits or permits any act in violation of any provision of this chapter shall be deemed to have violated this chapter and committed a misdemeanor against the chapter and shall be liable for the penalties provided.

- B. For each violation of the provisions of this chapter, the person violating the same shall be subject to a fine of not more than \$1,000 nor less than \$100, or imprisonment not to exceed one year, or to both such fine and imprisonment.
- C. In addition to the above-provided penalties, the Board of Trustees may maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with this chapter or to restrain by injunction the violation of such chapter, and in such action or proceeding the Village shall be entitled to recover the attorneys' fees incurred in prosecution of the same. "