

City of Calera



Parks and Recreations
Policy Manual

Chapter 1- General Provisions

Title5
Purpose.....5
Amendments and additions.....5

Chapter 2- The Park Board

Established.....5
Composition.....5
Filling vacancies.....5
Compensation.....5
Organization.....6
Function.....6
Budget.....6
Removal from office; Failure to attend meetings.....6

Chapter 3- General

Lost and found articles.....7
Maintaining Vehicles.....7
Park hours.....7
Amplified sounds.....7
Use of tobacco products.....7
Camping.....7

Chapter 4- Public Conduct

Disturbance of the peace generally.....8
Disturbing permitted activities.....8
Authority to eject violators.....8
Gambling.....8
Parental responsibility.....8
Prohibited acts generally.....8

Chapter 5- Public Safety

Walking and biking trails.....9
Dogs, cats and other animals.....9
Alcoholic Beverages/Illegal drugs.....10
Fire arms and weapons.....10
Emergency exclusion of public.....10
Trespassing upon public parks and athletic fields which are closed for repairs.....10

Chapter 6- Conservation of Park Resources

Hunting.....11
Artifacts.....11
Littering.....11
Destruction of park property unlawful.....11

Fireworks.....	11
Fires.....	11

Chapter 7- Youth league/organization requirements for use of Facility

Proof of insurance.....	12
Permits/Letter of permissions.....	12
Operations.....	12
Use of Fields.....	12
Operations of the Concession stand.....	13
Drinks at the stadium, unbreakable container requirements.....	13
Use of Lights.....	13
Scoreboards/Time clocks.....	13
Keys to the facilities.....	13
Operations of the press box/ticket booths.....	14

Chapter 8- Events

Permits.....	14
--------------	----

Chapter 9- Traffic

Generally.....	15
Enforcement.....	15
Emergencies.....	16
Confinement of operations to roads.....	16
Signs.....	16
Speed.....	16
Parking.....	16
Mufflers.....	16
Riding bicycles, motorcycle, motorbike and mini bikes.....	16

Chapter 10- Use of buildings and facilities

Right of entry.....	17
Segregated facilities generally.....	17
Availability of pavilions/picknick facilities.....	17
Basketball/Tennis courts.....	17
Concession stands.....	18
Press boxes/ Ticket booth.....	19
Money/Financial information in the concession stand.....	19
Keys to facilities.....	19
Skate park regulations.....	19
Penalty for violation.....	20
Vending or selling in park areas.....	20
Facility maintenance.....	20
Facility closure.....	21

Facility use agreement.....22

General Provisions

***Title:**

These rules and regulations shall be known as the City of Calera's (hereinafter referred to as the city) rules and regulations for the operation of the city park facilities

***Purpose:**

The purpose of these rules and regulations is

- (a) To establish quality park facilities and leisure opportunities for the City's Citizens
- (b) To prescribe rules, regulations and enforcement procedures for public safety and awareness, to conserve park resources, to emphasize the highest standards for services and programs, to ensure that the future recreational needs of the City's citizens are addressed.

*** Amendments and Additions:**

These rules and regulations may be supplemented, or its provisions may be amended by resolution duly adopted by the city's parks and recreations board (hereinafter referred to as the Park board) and the Mayor and City Council (hereinafter referred to as the city's governing body) and any such amendments or additions shall be incorporated within and adopted as part of these rules and regulations.

The Park Board

Sec. 11-20. Established.

Under the authority of section 11-86-1 of the Code of Alabama 1975, as amended, a park and recreation board is hereby established for the city.

(Ord. of 5-16-83, § 1)

Sec. 11-21. Composition.

The park and recreation board shall consist of nine residents of the city who have recognized interest in recreational activities, who shall be appointed by the council as follows: Two for a term of one year; two for a term of two years; two for a term of three years; two for a term of four years; one for a term of five years. As the terms of the members expire, their successors shall be selected for terms of five years each.

(Ord. of 5-16-83, § 2)

Sec. 11-22. Filling vacancies.

Vacancies in unexpired terms on the park and recreation board shall be filled in the same manner as original appointments are made.

(Ord. of 5-16-83, § 3)

Sec. 11-23. Compensation.

Members of the park and recreation board shall serve without compensation.

(Ord. of 5-16-83, § 4)

Sec. 11-24. Organization.

As soon as practical upon the appointment of the members of each new board, they shall meet and elect officers which shall consist of a chairman, vice chairman, and a secretary, and such other officers as they deem necessary, to serve at the pleasure of the board. The board shall have regular meetings every 90 days and special meetings that it may from time to time provide for by resolution entered upon its minutes.

(Ord. of 5-16-83, § 5)

Sec. 11-25. Function.

The park and recreation board shall be responsible for the direction, supervision and promotion of such recreational programs as will contribute to the general welfare of the residents of the municipality. The board shall make recommendations to the governing body concerning the use of land, buildings, equipment and other facilities assigned for recreational purposes. The board through the governing body shall have the power to accept financial and other aid and grants from any public or private agency.

(Ord. of 5-16-83, § 6)

Sec. 11-27. Budget.

The park and recreation board shall be responsible for submitting a proposed budget to govern recreation activities for the city. This budget shall cover a 12-month period from October through September. The final approval of the budget shall be made by the municipal governing body, with funds for recreational purposes being disbursed through the city general fund.

(Ord. of 5-16-83, § 8)

Removal from office; failure to attend meetings.

(a) Any member of the board may be removed from office, with or without cause, by a majority vote of the Cities Governing Body.

(b) In the event that any board member is absent from three (3) consecutive board meetings without a satisfactory excuse acceptable to the board chairman, the board chairman shall state such fact at the next regularly scheduled board meeting and shall thereafter notify, in writing, the Cities governing body of the board member's failure to attend without satisfactory excuse. The cities governing body shall review the board chairman's notification at a city council meeting and may declare the board member's position to be vacant if the cities governing body concurs that the board member was absent from three (3) consecutive board meetings without a satisfactory excuse and shall promptly fill the vacant position. The board member shall not serve at any meetings after his or her position is declared vacant.

(c) If any member of the board is absent for more than one-third of the board's meetings in a given fiscal year, it shall be deemed that the member has tendered his/her resignation from such Board. The Mayor and Council shall as soon as practicable after such resignation, declare the position to be vacant and shall promptly act to fill the vacancy. The board member shall not serve at any meetings after his/her position has been declared vacant by the cities governing body.

GENERAL

Lost and found articles: All lost and found articles located in the park shall be turned in to park attendants who shall report the same to the Superintendent. The Superintendent shall safeguard such articles and shall make every reasonable effort to find the owner thereof, and the park attendant shall make every reasonable effort to locate articles reported as lost and to return such articles to the owner.

Maintaining vehicles.

No person shall wash, polish, grease or repair any automobile or other vehicle in any park, square, parkway, avenue, grounds or recreation center, except insofar as repairs may be necessary for the immediate removal of any damaged or disabled automobile or other vehicle from such park, square, avenue, grounds or recreation center, except that the Park Superintendent may allow washing by written permit.

*** Park Hours**

No person shall enter or remain within the boundaries of a park facility at any time other than the posted hours for that facility.

- (a) This section shall not apply to persons acting in accord with the provisions of any special use permit or special events contract.
- (b) This section shall not apply to any city employee or contractor while performing work on behalf of the city.
- (c) This section shall not apply to any law enforcement officer while in performance of their duties.

*** Amplified sounds, Loud or Excessive noise**

Loud or excessive noise or disturbances are strictly prohibited and shall be enforced pursuant to the provisions of the Noise Ordinance of the City of Calera

Use of tobacco products

No tobacco products are allowed to be used in the bleachers of a sports complex, Basketball/Tennis courts, dug out, pavilion, Municipal building, play ground or any other area where children are at play or crowds are attending an event.

***Camping:**

No camping is allowed at any park facilities unless approved by written permission by the Park Superintendent, Public Works Director or the city's governing body.

***Citations**

When any person is found by the Code Enforcement Officer or Law Enforcement Officer to be in violation of any provision of this Ordinance, and the person responsible become known to the Code Enforcement Officer or Law Enforcement Officer, a citation may be issued to the person for said violation directing the person to appear in Municipal Court at a time and date stated therein to answer to charges of violation(s) of this Ordinance, which shall be stated in said citation. It shall be unlawful and a misdemeanor for any person to fail to appear in Calera Municipal Court at the time and place stated in a citation issued by the Code Enforcement Officer

PUBLIC CONDUCT

Disturbance of the peace generally.

No person in a park shall disturb the peace of others by violent, profane, indecent, offensive or boisterous conduct or language or by conduct calculated to provoke a breach of the peace.

State law references: Disorderly conduct, Code of Ala. 1975, § 13A-11-7.

Disturbing permitted activities.

No person in a park shall disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.

State law references: Disorderly conduct, Code of Ala. 1975, § 13A-11-7.

Authority to eject violators

The City of Calera's Law enforcement, Public Works Director, Parks and Recreations Superintendent, Event coordinator or Youth league officials such as the President, Umpires or Referee's shall have the authority to eject from the park any person acting in violation of the code of conduct in place by the City of Calera or the Organization in which it is operating under.

Gambling.

No person in a park shall gamble or participate in or abet any game of chance.

State law references: Gambling, Code of Ala. 1975, § 13A-12-20 et seq.

Parental responsibility.

No parent, guardian or custodian of a minor shall permit or allow such minor to do any act or thing in any park, grounds or recreation center prohibited by the provisions of the City of Calera or any organization which it is attending operations or functions for.

Prohibited acts generally.

It shall be unlawful for any person in any park to:

- (1) Willfully make, deface, disfigure, injure, tamper with, displace or remove any building, bridge, table, bench, fireplace, railing, paving material, water lines or other public utilities or parts or appurtenances thereto, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures, equipment, facilities or park property or appurtenances whatsoever.
- (2) Litter, defoul or soil any restrooms and washrooms, or to fail to cooperate in maintaining such restrooms and washrooms in a neat and sanitary condition. No person over the age of five years shall use the restrooms and washrooms of the opposite sex.
- (3) Dig or remove any soil, rock, stone, tree, shrub or plant; or cut down timber or other wood or materials; or make any excavation by tool, equipment, blasting or other means or agency.
- (4) Construct or erect any building or structure, of whatever kind, whether permanent or temporary in character, or to run or string any public utility into, upon or across such lands, except on written permit issued by the proper authorities.
- (5) Damage, cut, carve, transplant or remove any tree or plant, or injure the bark, or pick the flowers or seeds of any such tree or plant; or to attach any rope, wire, or other contrivance to any tree or plant; or to dig in or otherwise disturb grass areas (excluding sporting and recreational

Prohibited acts cont.

events); or in any other way to commit acts which cause injury to or impair the natural beauty or usefulness of any area.

(6) Climb, stand or sit upon buildings, monuments, vases, fountains, railings or fences or upon any other property not provided for or customarily used for such purposes.

(7) Tie or hitch a horse or other animal to any tree, plant, rail or fence not designated for such purpose.

(8) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; or to remove or have in possession the young of any wild animal, or the eggs or nest or young of any reptile or bird; provided, however, snakes which are poisonous when found on park property may be killed on sight.

(9) Give, offer or attempt to give to any animal or bird any tobacco, alcohol or other poisonous or noxious substances.

(10) Bring a dog into the park area, unless such dog is restrained at all times on an adequate leash.

PUBLIC SAFETY

*** Walking and Biking trails:**

Except as provided in subsection (a) and (b) below trails designated as walking and biking trails shall be used only by pedestrians, bicycles, roller skates or skate boards. Persons who operate a bicycle or who skate or skateboard on designated paved trails shall yield the right-of-way to pedestrians. Pedestrians shall move to the right and allow room for oncoming traffic and for faster same-direction traffic to pass.

(a) This section shall not apply to law enforcement officers, park security, persons operating authorized emergency vehicles or persons conducting official district business.

(b) Trails or areas clearly stating no wheels of any kind unless provided for handicapped purposes.

*** Dogs, Cats and other animals:**

(a) All dogs, cats and other like domesticated animals shall be kept leashed and under control at all times while within the park facilities. The term “leash” means a physical tether attached to the animal by which a person can maintain control. Electronic collars and other devices, even though manufactured for control purposes, do not meet the leash requirements for this section.

(b) Notwithstanding subsection (a) above no dogs, cats, or any other like domesticated animals shall be allowed in the boundaries of a play ground, pavilion area, pick nick area, ball field/stadium areas or any area clearly stating “No pets allowed” unless such animals are trained service aids for persons with disabilities.

(c) Any animal that shows aggression to a person or another animal shall be removed from the park immediately and not brought back to any facility operated by the city.

(d) Pet owners are responsible for the clean up of their pets and waste disposed of in proper containers.

*** Alcoholic Beverages/Illegal Drugs:**

No person shall possess, sell, consume or be under the influence of any alcoholic beverages or illegal drugs within any boundaries of a park facility.

*** Firearms and Weapons:**

Except as provided in subsections (a) (b) and (c) below. No person shall discharge, use or carry, within the Boundaries of the park facilities, any firearm, paint ball gun, spring gun, air gun, blank gun, sling shot, blow gun or any other device in which force is used to propel projectiles.

- (a) This section shall not apply to any law officer who is authorized by law to carry a firearm.
- (b) This section shall not apply to any other person who are authorized by law to carry a firearm to for the performance of their official duties, when said persons are performing their official duty.
- (c) Permitted carriers must leave firearms and weapons in vehicle while on the premises of any park facility at all times.

Emergency exclusion of public.

In an emergency, when the Park Superintendent, Public Works Director, Police, Fire or designee shall determine that the public interest, public health, public morals and public safety require such action, any park or recreational area or any part thereof may be closed and all persons may be excluded from such area

*** Trespassing upon public parks and athletic fields which are closed for repair.**

It shall be unlawful for any person to trespass upon any public park or city operated or maintained athletic field when signs have been posted by the city which shall give notice that the park or athletic field has been closed for repair.

Any section or part of any park may be declared closed to the public by the Parks and Recreations Superintendent or the Public Works Director at any time and for any interval of time, either temporarily or at regular and stated intervals, daily or otherwise, and either entirely or merely to certain uses, as the director shall find reasonably necessary.

No person shall enter an area posted as "closed to the public," nor shall any person use or abet the use of any area in violation of posted notices.

Any such trespass shall constitute a misdemeanor. Upon conviction of a violation under this section, the guilty party shall be subject to a fine and/or punishment based on the cities ordinance.

State law references: Criminal trespass in the third degree, Code of Ala. 1975, § 13A-7-4.

CONSERVATION OF PARK RESOURCES

*** Hunting**

Except as provided in subsection (a) below, no person in any manner shall Remove, take, pursue, capture, kill or trap any wildlife within the boundaries of the park facilities.

(a) This section shall not apply to law enforcement or city employees who are acting within the scope of their specific duties.

*** Artifacts**

It shall be unlawful for any person to remove any man made or natural objects, material, substance, plants, animal, historical or archeological relic or artifact from any Public Parks within the City of Calera. Upon the discovery of any known or suspected artifact, same shall immediately be reported to the Calera Police Department.

*** Littering**

No person in a park shall have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

State law references: Criminal littering, Code of Ala. 1975, § 13A-7-29.

Destruction of park property unlawful.

(a) It shall be unlawful for any person, other than authorized personnel, to cut, mark, remove, break or climb upon or in any way injure, damage or deface the trees, shrubs, plants, turf or any of the buildings, fences, bridges, monuments, fountains, back stops, goal posts, coin meters or other structures or property within or upon any park or other recreational facility.

(b) It shall be unlawful for any person, other than authorized personnel, to pick or remove any vegetation in any park, beach, dock, marina or other recreational facility, or to go or enter areas of any park or other recreational facility which are posted for no entry or no trespass

*** Fireworks**

It shall be unlawful to possess, to set off, or otherwise cause to explode, or discharge or burn, any firecrackers, torpedoes, rockets, or other explosives, of inflammable material, or discharge or throw them into such area from highways or adjacent areas. Firework displays or shows may be held only when authorized by a permit from the Park Superintendent and by a permit from the chief of the fire department.

*** Fires**

Fires shall be ignited and maintained only in fireplaces, fire-ring, grates or grills. Those persons responsible for a fire shall extinguish it completely after use. All ashes, charcoal

Fires cont.

briquettes or any other materials used or consumed shall be removed from the park by the person responsible for the fire.

YOUTH LEAGUE/ORGANIZATION REQUIREMENTS FOR USE OF FACILITIES

*** Proof of Insurance**

At the discretion of the Parks and Recreations Superintendent or the governing body all organizations must provide proof of and keep enforced insurance related to the operations of their organization. In addition, the policy should list the city as an additional named insured. Additional insurance may be required or requested before continuing operations within a city facility.

Permits/ Letter of Permissions

Whenever any group, association or organization desires to use city park facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, or organized sports practice or games, a representative of such group, association or organization shall provide a letter of request to the Parks and Recreations Department to obtain a permit for such purposes. The Parks and Recreations Superintendent and/or the governing body will then make a determination of whether or not the organization will be allowed to operate within a city facility. At any time the Park Superintendent, Public Works Director, Park Board or the cities governing body can revoke any permits of operation if found that organization is not operating within the guidelines required of them by the City of Calera or their policies, bylaws, rules and regulations of operations . The Cities governing body may adopt an application form to be used by the Parks Department for such situations.

The Parks Department and/or the cities governing body shall grant the application if it appears that the group, association or organization will not interfere with the general use of the City Park by the individual members of the public and if the group, association or organization meets all conditions contained in the application. The application may contain a requirement for an indemnity bond to protect the City from any liability of any kind or character and to protect City property from damage.

*** Operations**

It is the organizations responsibility to provide adequate documentation of their policies, Financial Reports, bylaws and rules and regulations of operations. Any changes made to these documents must be notified to the Park Superintendent in writing within 10 days. The City of Calera reserves the right to revoke any operating permit for any organization that makes changes to the bylaws that do not meet the requirements of operating within a city facility.

***Use of fields**

All use of fields within the park facility will be assigned through the Park Superintendent. It is the organizations responsibility to work with other organizations on

Use of fields (cont.)

the use of ball fields as needed. In a situation where both parties can not come to an agreement the Park Superintendent may make the final decision of the field use based on the needs of the organizations or events permitted to be held.

*** Operations of the Concession Stand.**

See Use of buildings and facilities/ Concession stands

*** Drinks at stadium, unbreakable containers required.**

All bottled drinks sold, served or dispensed within the City park by any person shall be served or delivered to the customer in a paper cup, or any other unbreakable container. The Parks and Recreations Department will negotiate and approve all pouring rights for soft drinks.

Use of lights.

Subject to the conditions and provisions set out in this article, the use of lights at various athletic facilities used in activities covered by this article shall be subject to the following:

- (a) All use of lights, whether for practice or games, shall cease and lights shall be turned off at 11:00 p.m.;
- (b) Lighting shall be turned on 1 hour prior to dusk unless weather or cloudy conditions permit.
- (c) Only with the approval of the parks and recreation department, and only under certain conditions and/or for certain special uses, will the light usage time be extended, and the use of lights on Sundays be permitted.
- (d) Any organization in violation of this policy will revoke their rights to the lights taken away or be charged a fine for improper use of the lights

Score boards/Time clocks

All score boards and time clocks must be turned off at the switch/breaker panels, panel boards in the press box unplugged (signal and power cords) and main power switches shut off on the back of the scoreboard. At any time a scoreboard has a problem due to procedures not being followed, The league organization in which was responsible for the operation of the scoreboard will be charged for any materials and maintenance fees occurred .

*** Keys to facilities**

All keys signed out to a park facility must be done through the city. No keys will be issued to a organization or other party for key disbursement. All parties entitled to a key must be on a list provided by the organizations president of operations to the Parks and Recreations Superintendent. The party then shall contact the Parks and Recreations Superintendent to set up a time that the key can be picked up. Keys will only be distributed during business hours Monday through Friday.

All keys must be turned in at the end of the event or season in which their key was signed out for. If keys are lost or not turned in at the end of an event or season applicant can be held responsible for rekeying all the locks and replacing the keys. Keys are to be used for the purpose in which it was signed out only. If use of the key for any reason other than which it was signed out it will revoke the rights to your key and could face charges for Trespassing.

Tournament/Special event promotions

Any league, school or anyone who uses a city park facility for their events shall use its best efforts to seek and promote area and state tournaments or any other events that directly promote the City of Calera which generate tax revenues or financial support of operating cost of park facilities or any other facilities used to promote youth activities sponsored by the City of Calera. At any time a league or the school has an opportunity to host such events they shall work together with the school or other leagues and the Park Superintendent to free up field space, concession stands or any other facilities needed to host the event.

Sponsor signs

Each league will be allowed to display one sponsor sign at the entrance designated by the Parks and Recreations Dept. for sponsorship advertisement. The size shall be a size approved by the Parks and Rec. Dept., shall list the names of all companies or individuals sponsoring the league for which it represents. All sponsor signs shall be maintained and updated every year by the league. Any signs not maintained and kept up to date will be taken down and disposed of by the Parks and Rec. Dept. No signs are to be displayed on any fences except for signs approved by the Parks and Recreations Superintendent.

Operations of the press box/ ticket booths

All press box and ticket booth duties shall be performed only by adults with the organization and no children are allowed to perform such duties.

EVENTS

Permits

(a) When required. A permit shall be obtained from the Parks and Recreations Superintendent before participating in any park activity other than activities already permitted by this article. It will be at the Park Superintendents decision whether he will approve such permits or it be taken before the cities governing body for approval

(b) Application. A person seeking issuance of a permit under this section shall file an application or letter with the Parks and Recreations Superintendent. The application shall state:

- (1) The name and address of the applicant;
- (2) The name and address of the person sponsoring the activity, if any;
- (3) The day and hours for which the permit is desired;
- (4) The park or portion thereof for which such a permit is desired;
- (5) An estimate of the anticipated attendance; and
- (6) Any other information which the Superintendent shall find reasonably necessary to a fair determination as to whether a permit should be issued.
- (7) Utilities or buildings needed while putting on event.
- (8) Guidelines of operations such as bylaws, policies, rules and regulations

(c) Standards for issuance. The Superintendent shall issue a permit when he finds that:

- (1) The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;

Permits (cont.)

(2) The proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;

(3) The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;

(4) The proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city; and

(5) The facilities desired have not been reserved for other use at the date and hour required in the application.

(d) Appeal. Within seven days after receipt of an application, the Superintendent shall apprise an applicant of his reasons for refusing a permit. Any aggrieved person shall have the right to appeal in writing within seven days to the city council, which shall consider the application under the standards set forth in subsection (c) of this section and sustain or overrule the superintendent decision within seven days. The decision of the city council shall be final.

(e) Effect. 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.

(f) Liability of permittee. The person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person to whom such permit shall have been issued.

(g) Revocation. The Superintendent shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

(h) Exhibition. No person who claims to have a permit shall fail to produce and exhibit any permit from the Superintendent upon request of any authorized person who shall desire to inspect the permit for the purpose of enforcing compliance with any ordinance or rule.

TRAFFIC

Generally.

No person in a park shall fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles, together with such regulations as are contained in this division and other ordinances.

State law references: Traffic generally, Code of Ala. 1975, § 32-1-1.1 et seq.

Enforcement.

No person in a park shall fail to obey all traffic officers and park police, who are hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of this article and such supplementary regulations as may be issued subsequently by the Superintendent.

Emergencies.

No person in a park shall fail to immediately notify an attendant or park police of an emergency in the nature of a breakdown requiring the assistance of a tow truck, mechanic or other persons.

Confinement of operation to roads.

No person in a park shall drive any vehicle on any area except the paved park roads or parking areas or such other areas as may on occasion be specially designated as temporary parking areas by the Park Superintendent or Public Works Director.

Signs.

No person in a park shall fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.

State law references: Obedience to signs, Code of Ala. 1975, § 32-5A-31(a).

Speed.

No person in a park shall ride or drive a vehicle at a rate of speed exceeding 15 miles an hour, except upon such roads as the director may designate, by posted sign, for speedier travel.

Parking.

No person in a park shall:

- (1) Park a vehicle in other than an established or designated parking area. Such use shall be in accordance with the posted directions and with the instructions of any park police who may be present.
- (2) Park on the road or driveway at any time. In order to enjoy some special natural scenic feature, vehicles may be parked with the two left wheels near the right edge of the paving for not more than ten minutes. No stopping or parking is permitted even briefly to view activities or athletic events.
- (3) Leave any vehicle anywhere in the park with one or more wheels chained or with motor set in gears and doors locked, or in any manner fixed or arranged so that such vehicle cannot readily be moved by hand.
- (4) Double park any vehicle on any road or parkway, unless directed by a park official.

State law references: Double parking, Code of Ala. 1975, § 32-5A-137(a)(1)a.

- (5) Park a vehicle at or around any entrance to a facility or field where Maintenance, Police, Fire or Rescue personnel cannot reach a destination of interest.

Mufflers.

No person in a park shall fail to use a muffler adequate to deaden the sound of the engine in a motor vehicle.

State law references: Mufflers, Code of Ala. 1975, § 32-5-216.

Riding bicycles, motorcycle, motorbike or mini bikes.

It shall be unlawful for any person to ride and operate a Bicycle, motorcycle, motorbike or mini bike on, upon and across ball fields, Walking tracks and Nature trails specified no wheels of any kind, tennis/basketball courts or pavilions which are maintained and operated by the city.

USE OF BUILDINGS AND FACILITIES

Right of entry.

The Calera Parks and Recreations department, its employees or any law enforcement officers of the City of Calera shall have the right at all times to enter the premises of any building, structure or enclosure of any park or recreational facility including such grounds, buildings, structures or enclosures as may be leased or set aside for the private or exclusive use of any individual or group.

Segregated facilities generally.

No person shall occupy any seat or bench or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the Superintendent for the use of the opposite sex. Exception is made for children less than five years of age.

Availability of pavilions/ picnic facilities: All individual Pavilions, Grills, tables and benches, in the park area are provided under the rule of "first come; first served" in the use of such facilities unless reserved or permitted through the City of Calera's Parks and Recreations department. It shall be unlawful for any person to violate such rule.

Basketball/Tennis courts

- (a) It shall be unlawful for any person to use or occupy or play upon the city basketball/tennis courts for any period of time in excess of one consecutive hour when other players are in fact waiting to play and use the facilities.
- (b) No person shall be allowed or permitted to use roller skates, skate boards, mini bikes, wagons, tricycles, wheelbarrows or any other equipment that would damage the pavement or interfere with the play of the basketball/tennis courts.
- (c) All basketball/tennis courts shall close at park hours posted and there shall be no further playing upon the courts until the following day at the opening hour thereof. No idling or loitering after the closing hour of the park shall be permitted or allowed.
- (d) There shall be no alcohol or tobacco products of any kind used on or around any courts

Concession Stands

Any party permitted or having rights to the use of a city facility for the use of concessions for any ball game, festival or event shall follow all rules and regulations provided by the Alabama Dept. of Public Health and The City of Calera's Parks and Recreations Dept. Each league or organization is responsible for obtaining the rules and regulations from the Alabama Department of Public Health, a health inspection and Permit for operation before operating concessions.

After operations of the Concession stand it is the parties responsibility to make sure that the following is done before leaving the building:

- (a) Wash all cooking utensils and see that they are put up.
No dishes clean or dirty should be left in the sink and sink is to be washed out.
- (b) Grease from fryers should be bottled, sealed and disposed of in the dumpster and fryers are to be cleaned every night after use. Do not pour grease in sinks, trash cans or on the ground.
- (c) Make sure the stove, oven, coffee pots, fountain drink machines, popcorn machine, counters, cabinets, ice machines and other type cookers, warmers freezers and coolers are clean.
- (d) Make sure all trash is taken to the dumpster and new bags are put in cans.
- (e) Make sure all food is stored in its proper place and syrup for the fountain drink machine is in their boxes on the rack. Do not hang syrup bags on the rack and dispose of them if they are not in their boxes.
- (f) Sweep and mop the floors.
- (g) Make sure ice machine doors are closed and no cups are left in ice machines.
- (h) Make sure all cleaning supplies, pesticides and other chemicals are stored in a cabinet away from foods etc.
- (i) Make sure all cooking equipment and lights are turned off.
- (j) Make sure all windows and doors are closed and locked
- (k) Make sure air conditioner/ heater stays set on 70 degree's

Any utilities or appliances that the City of Calera provides for the concession stand use is not to be locked up except for lights on the ball field. All restrooms are cleaned and stocked with supplies daily during business hours. Any additional cleaning or supplies needed during the time of use must be furnished by the party operating at the facility. The City of Calera reserves the right to charge a fee for misuse or any services the Calera Parks and Recreations Dept. has to provide to put the Concession stand back in operating order. It is the league or operating parties responsibility to remove all personal belongings at the end of their season within one week after season is over unless storage is provided for their items.

During the operation of the Concession stand there shall be :

- (a) No children in the concession stand at any time.
- (b) All condiments must be served in containers or squeeze bottles no packs
- (c) All drinks etc. should be served in unbreakable containers. No glass containers

Press boxes/ Ticket booths

All press box and ticket booth duties shall be performed only by adults with the organization and no children are allowed to perform such duties.

Money/Financial information in the Concession stands

No money, check books, bank statements or anything associated with the financial operations of the leagues or any association operating within a park facility are to be left in the concession stands. All cash registers must be emptied at the end of the night before closing.

Keys to facilities

All keys signed out to a park facility must be done through the city. No keys will be issued to a organization or other party for key disbursement. All parties entitled to a key must be on a list provided by the organizations president of operations to the Parks and Recreations Superintendent. The party then shall contact the Parks and Recreations Superintendent to set up a time that the key can be picked up. Keys will only be disbursed during business hours Monday through Friday.

Skate park regulations.

The following regulations shall apply for all skate parks:

- (a) No person shall skateboard or roller skate without wearing the required safety equipment as posted at the skate park.
- (b) No person shall skateboard or roller skate when the skating surface is wet.
- (c) No person shall engage in profanity, reckless or boisterous behavior (including, but not limited to, tandem riding, pushing, horseplay and bullying) or any other activity that could endanger the safety of persons using a skate park or spectators.
- (d) Only skateboards and roller skates will be allowed to be used in a skate park. Prohibited devices include, but are not limited to, bicycles, scooters and any motorized device whether electric or gas powered.
- (e) No person shall use, consume or possess food, beverages, glass bottles or any breakable glass item on the skating surface.
- (f) No person shall place or utilize additional obstacles or other materials, including, but not limited to, ramps or jumps, at a skate park.
- (g) No person shall use, or be under the influence of, alcohol, controlled substances or illegal drugs while using a skate park.
- (h) No person shall enter the skating surface area of a skate park unless actively skateboarding or roller skating in accordance with these regulations.
- (i) No person shall use portable/personal stereos and headphones within a skate park or its perimeter.
- (j) No person shall have a dangerous weapon in his/her possession. Deadly weapons shall include, but not be limited to guns, knives, bats/clubs or martial arts weapons.
- (k) No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle.
- (l) No person shall apply, or cause to be applied, any vandalism, including but not limited to graffiti, tagging, stickers or decals, to any facilities in the skate park.
- (m) All persons shall skateboard or roller skate only on the skating surface, and shall not skateboard or roller skate on the curbs, planters, benches, steps, railing, parking lot or driveways of a skate park or other city-owned area surrounding a skate park.

Skate park regulations (cont.)

(n) No person shall skateboard or roller skate at a skate park at any times other than those established as the hours of operation.

Penalty for violation.

(a) Any violation of the provisions of this article shall be deemed to be an infraction or misdemeanor at the discretion of the city attorney or district attorney, and punishable as such. The complaint charging such violation shall specify whether the violation is a misdemeanor or an infraction. Each day a violation of any provision of this article continues shall be a new and separate violation. Any person cited and convicted of three or more infractions of this article shall be permanently barred from the use of or entrance to a skate park.

(b) In addition to the penalties so described, any police officer or other person authorized to issue citations shall have the authority to impound any skateboard, bicycle, scooter or roller skates of a person found violating this article. Upon impoundment of any skateboard, bicycle, scooter, roller skates as provided herein, the owner of such device shall be issued a receipt. Said receipt shall state the hours, location, time frame and manner for claiming the impounded skateboard bicycle, scooter, roller skates, as provided in subparagraph (1) and (2) of this paragraph.

(1) Upon presentation of the receipt, the owner may claim the impounded skateboard, bicycle, scooter, roller skates at the police department during business hours. If the owner is a minor, such owner may claim the impounded skateboard, bicycle, scooter, roller skates if accompanied by a parent or guardian. No fee may be assessed on the owner, parent or guardian.

(2) If the impounded skateboard, bicycle, scooter, roller skates is/are not claimed within sixty (60) days after the date of impoundment, the city may dispose of the item(s) by destruction or public sale at auction.

(c) Any provision of this Code or appendices thereto inconsistent with the provisions of this article, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this article.

(d) If any section, subsection, paragraph, sentence, clause, phrase or portion of this article is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article.

Vending or selling in park areas.

No person, other than the recreation services department or its licensed concessionaires acting by and under the authority of the city, will expose or offer for sale, rent or trade any article or thing, or place any stand, cart or vehicle for the transport, sale or display of any food, drink, article or merchandise, or engage in any commercial activity for compensation, or solicit any business within the limits of any park or recreational area.

Facility maintenance.

Subject to the conditions and provisions set out in this article, maintenance of various athletic facilities owned by the city shall be subject to the following:

(a) Maintenance of all facilities owned by the city will be performed only by the parks and recreation department unless user groups enter into a written maintenance agreement with the parks and recreation department. No modifications, alterations, additions, or deletions (temporary or otherwise), may be made to any facility owned by the city unless written approval is obtained from the parks and recreation department in accordance with the policy for construction/maintenance approval process for user groups.

(b) Certain athletic sites or fields as determined by the Parks and Recreation Superintendent or his/her designee, may receive enhanced maintenance in cooperation with specific user groups.

Facility Maint. (cont.)

These fields shall be used only on a scheduled basis and shall be identifiable by special signage. These fields or sites may be gated or fenced with controlled access to protect the benefits of enhanced maintenance from unauthorized practices and vandalism.

Facility closure.

Parks and Recreation departmental staff may close a facility/field at any time due to weather and/or field conditions. Gated facilities are considered closed when the gates to the facility are not open. Non-gated facilities will be posted with signage at individual fields. Persons using closed facilities/fields are subject to penalties.

FACILITY USE AGREEMENT

STATE OF ALABAMA
SHELBY COUNTY

THIS FACILITY USE AGREEMENT (“Agreement”) is made this _____ day of _____, 20____, by and between THE CALERA PARKS AND RECREATIONS DEPARTMENT of the City of Calera (THE “Parks and Recreations Dept.”) and the _____, an unincorporated non-profit association (the “League”). For and in consideration of the mutual promises, covenants and agreements set out hereinbelow, the receipt and sufficiency of which is hereby acknowledged by the parties of this Agreement, the Parks and Recreations Dept. does agree to permit the League to use ball fields, surrounding grounds and specified building structures at Calera Oliver Park Sports Complex (the “Facilities”) to conduct a youth _____, program subject to the terms, covenants and conditions set forth hereinbelow.

1. Term. The term of this Agreement shall be for the period _____, through _____.
2. Use of Premises. The Facilities are to be used solely for the purpose of conducting youth programs pursuant to the provisions of this Agreement.
3. Parks and Recreations Dept. and League Responsibilities. The Parks and Recreations Dept. maintenance staff shall be responsible for maintaining the aesthetic and/or sanitary conditions of the Facilities, which is to include but not be limited to all building structures and surrounding grounds unless otherwise specified herein. Any patron of League representative finding the Facilities to be in unsuitable conditions should immediately notify the Parks & Recreations Superintendent or the Designee.

The Parks & Recreations Superintendent should be notified if the League’s concerns are not immediately addressed in a satisfactory manner. In the event a matter is not handled in a satisfactory manner, a written complaint should be submitted to the Parks & Recreations Superintendent. The Park and Recreations Dept. shall have the right to take whatever action it deems appropriate, in its sole discretion, relating to the maintenance and use of the Facilities by the League and of its participants or observers.

The Park and Recreations maintenance staff will empty the Facility trash receptacles on a timely basis so as to insure that the trash receptacles can accommodate all trash accumulated in peak usage periods. However, general housekeeping and removal of all trash and litter from the concession stand and press boxes will be the responsibility of the League and the League participants

using the Facilities on a daily basis. The League shall require that all patrons, coaches, players and spectators using the Facilities aid in this clean up so as to demonstrate pride in the Facilities. Any abuse of the Facilities shall be reported in writing to the Parks & Recreation Superintendent and may be the basis termination of this Agreement.

Maintenance of all athletic field surfaces throughout the period of this Agreement shall be the

responsibility of the City Park and Recreations Department or Designee. The League will instruct its coaches, players, and patrons to ensure that their actions do not alter the Facilities in any manner other than normal wear associated with play. Any alterations to the facilities that jeopardize the maintenance of the fields may result in termination of this Agreement and additional penalties for the responsible parties. All complaints or concerns about the quality or scope of work performed by the City Park Maintenance Department, shall be submitted by the League to the Parks & Recreations Superintendent, detailing such concerns. No coaches, patrons or League representatives should attempt to alter the scope of work by the Maintenance Department. The City Park Maintenance Department will be responsible for initial dragging of fields before each game day. Only personnel employed with the City Park Maintenance Department or Designee can operate any City equipment. The scheduling of the Facilities, including all fields, batting cages and other grounds shall be by the Parks & Recreations Superintendent. The Parks & Recreations Superintendent or designee shall have the authority to make all decisions pursuant to determining which activities will be permitted on the Facilities. The Superintendent shall make all field assignments, in his/her sole discretion, according to the needs and requirements of the League. The League shall specify one individual to act as the League's spokesperson, preferably the President of the League, to the Park Superintendent for requests of the League (the "Spokesperson"). All requests should be made by the Spokesperson to the Park Superintendent in writing as to avoid any miscommunication.

The League must provide the Superintendent with the following information:

1. Registration Dates, Fees & Location for each season.
2. Number of fields needed based on the anticipated number of registrants.
3. Dates & locations for holding team try outs/skill evaluations.
4. Dates players will be notified as to what team they are on.
5. Beginning practice dates.
6. Beginning date(s) of regular season play.
7. Dates of tournaments being requested to host by Calera teams.
8. Date of final season game(s).
9. Name(s) & number(s) of individual(s) scheduling field space.
10. Certificate of Insurance naming Calera Parks & Recreations Dept., The Board, Director and staff as insured.

After the completion of registration for the League, the Spokesperson shall provide to the Park Superintendent the following information:

1. Total number of League registrants.
2. Number of teams per age division.
3. Number of games for each age group division
4. Total number of coaches & assistant coaches per age division.
5. List of Coaches, Concession Workers and Board members who will need to be issued keys to the facility

Under no circumstances will the League permit the use of the Facilities including the fields and/or other facilities by any outside entities without prior written approval by the Superintendent.

Use of the Facilities for practice and game play will be greatly influenced by professional advice to the Park Board and The City of Calera's Governing body from the Parks and Recreations Dept.. The Parks and Recreations Dept. determination relating to the use of the Facilities shall be at the sole discretion of the Park Superintendent. The Parks and Recreations Dept. will have Rules of use of the Facilities posted in prominent places at the Facilities so that all participants using the Facilities will be informed of the acceptable guidelines. Violations of any Park rules may result in termination of the use of the Facilities by the League and any of its participants or spectators. Blatant abuse or intentional alterations of the Facilities by the League or its representatives will result in fines to the League in the actual amount of damages. Any participants using the Facilities shall be required, as a condition of use, to adhere to the Codes of Ethics and any Park rules, regulations or directives relating to the use of the Facilities.

The Parks and Recreations Dept. shall have the right to determine uniform policies related to all city parks, such as their affiliation with baseball, football, softball, soccer, associations, regulations of the amount of fees to be charged participants in all sports programs, methods and location of registration, the eligibility of participants, the establishment of districts in order to determine which children shall play at which park, and any and all other matters which are to be determined on a city-wide basis.

The Parks and Recreations Dept. encourage regular participants to utilize the overflow parking area on the lower side of the complex during tournaments. In the spirit of hospitality, the Parks and Recreations Dept. encourages that it would be prudent to reserve use of the more convenient spaces for the elderly and special guests of the participants who live outside of the City. A strong commitment to this use is necessary by the League so that the Facilities may accommodate the growing number of guests attending the League's events at the Facilities.

The Parks and Recreations Dept. recognize the importance of providing a well-run concession operation. The Parks and Recreations Dept. understands that a concession

program is to provide the patrons and participants of the League with a needed service while generating sufficient income to cover operating cost and pay the umpires officiating the games for the League. The Parks and Recreations Dept. will allow the League to conduct concession services using a group or individuals to conduct concession sales. The concession building and equipment are included as part of the Facilities for the purpose of conducting concession sales. The concessionaire shall abide by the rules and regulations of the Shelby County Health Department, including the cleanliness of restrooms, and all rules, regulations and directives of the Parks and Recreations Dept. The League should provide the Parks and Recreations Dept. with proof of liability insurance naming the City of Calera, Calera Parks & Recreation Board, Calera Parks and Recreations Dept. and its staff as insured.

The League and the Parks & Recreation Board agree to the responsibilities as follows:

Field Materials & Work-The Parks & Recreations Dept. will purchase all fertilizers, pesticides, infield mix, mound clay, Bases and Home Plates. The Leagues will purchase athletic field marking paint, marble dust, diamond dry, turface, rakes and hand drags.

Field surfaces will be maintained by park personnel or Designee only, this includes cutting of grass, dragging of the in fields. The League will be responsible for the lining of the fields and The Parks and Recreations Dept. Personnel is responsible for care of the mound areas and bull pen areas, however, during games and practices the organization should make the effort to maintain these areas. The Park Personnel will manage all Sprinkler systems.

Batting Cages The Leagues are responsible for the purchasing of netting, L-Screens and backstop material. Parks & Recreation Personnel will assemble.

Concession Stand The Parks and Recreations Dept. grants to the League the exclusive privilege to furnish and sell all food and drink for the comfort of those attending events sponsored by the League at the City Park. There shall be no alcoholic beverage sold or

allowed on the subject premises. The Parks and Recreations Dept. will negotiate and approve all contracts related to pouring rights for soft drinks. The Parks and Recreations Dept. grants to the League all supplies, telephone service, cleaning of grease traps. Handling of trash and garbage in the concession stands and Press box areas shall be the responsibility of the League. Calera Parks & Recreation Department will be responsible for all plumbing, electrical, lighting and painting of the concession area. The League will maintain the concession premises in good order and shall not make any alterations or improvements without the prior approval of the Parks & Recreations Superintendent in writing. The League will permit no equipment installation and or removal where utility connections or alterations of premises involved, unless specifically approved in advance by the Parks & Recreations Superintendent in writing. Equipment not permanently attached purchased by the League for the preparation and sale of food and drink during the term of this Agreement shall remain the property of the League. It shall be the sole responsibility of the League to keep such equipment in clean and proper working condition, or to replace such equipment if necessary. The League at the termination of this Agreement may remove such equipment. If such equipment is not removed within thirty (30) days of termination of this Agreement, it shall become the property of the City.

Restrooms The Leagues will share all responsibility for the paper supplies, some cleaning supplies and shared cleaning of the facility. The Parks & Recreation Department will be responsible for all lighting, plumbing, and some cleaning supplies and shared cleaning of the facility. Park personnel daily will clean and stock the restrooms. The responsibility to clean and stock the restrooms after 3:30pm during the week, Saturdays and Sundays is the responsibility of the League. No Park Personnel will be available on Saturdays or Sundays at this time for cleaning Restrooms. On call personnel can be reached through the Calera Police dept. at 205-668-3505 for Maintenance issues.

Meeting Rooms/Press boxes The Calera Parks & Recreation Dept. is responsible for the lighting, shared cleaning and heating and air conditioning of the meeting rooms. The League is responsible for the shared cleaning of the meeting rooms and Press boxes.

HVAC Calera Parks & Recreation is responsible for the upkeep and repair of the HVAC units at all parks. Any Repairs to a HVAC unit due to negligence or abuse from the operating league will be billed for all cost of repairs.

General Janitorial supplies such as toilet paper, paper towels, hand soap and air freshener for the restrooms and concession area will be provided when restrooms are cleaned daily. Any additional supplies are to be purchased and furnished by the League.

Press boxes and Dugouts are to be kept clean by the League Associations. PA systems are the responsibility of the League Associations.

Organizations may not alter any playing field or install any permanent facilities unless approved by the Parks & Receptions Superintendent.

At the end of practices and/or games dugouts and bleacher areas are to be cleaned up of all trash. Park Personnel will empty trash containers the next day. Keeping the parks clean should be a joint effort of all participants at any City of Calera Parks & Recreation facilities.

4 . Indemnify of Parks and Receptions Dept. by League. The League shall indemnify and hold harmless The City of Calera and its agents, employees, and representatives for all fines, suits, claims, demands, and actions of any kind or nature, by reason of any breach, violation or non-compliance with laws, ordinances, order, and regulations, of all federal, state or local authorities affecting the Facilities, including but not limited to EPA, NEPA, RCRA and ADEM regulations and laws an the provisions of the Agreement. The League will indemnify, protect and hold harmless the City of Calera and its agents, employees, and representatives from any loss, costs, damage or expense, including reasonable attorneys fees incurred, caused by injuries to persons or their property, while in, on, or about the premises. Any and all property of the League may be located or stored on the premises shall be at the sole risk of the League.

5 Termination. Either party, without cause, upon seven days written notice may terminate this Agreement. Non-compliance or violation with any of the contained information, may be grounds for termination, which would result in the League not being allowed usage of the stated Facilities, either at all, or until The Parks and Receptions Dept. is satisfied with the non-compliance or violation resolution.

6. Non-waiver Provisions. The failure of the Parks and Recreations Dept. to insist upon a strict performance of any of the terms, conditions and covenants set out herein shall not be deemed a waiver of subsequent compliance with the terms, conditions, and covenants herein contained.

7. Severability. If any term or provision of the Lease or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of the Agreement or the application of such terms or provisions to person or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and each term and provision of the agreement shall be valid and be enforced to the fullest extent permitted by law.

8. Notices. Each notice or other communication which may be or is required to be given under this Agreement shall be in writing and shall be deemed to have been properly given when mailed by first class mail to the Calera Parks and Recreations Dept or delivered personally during the normal business hours of the Calera Parks and Recreations Dept.

IN WITNESS WHEREOF, the parties have executed this agreement at Calera,
Alabama

on the date and year first above written.

CITY OF CALERA'S PARKS AND RECREATIONS DEPARTMENT
10947 Hwy. 25
Calera , AL 35040

By: _____

Its _____

Witness

League/Association

Address

By: _____

Its _____

Witness