



Parks & Recreation
PO Box 550
23 South Brady Avenue
Newton, NC 28658

PARK SHELTERS

PARK SHELTER RENTAL LETTER OF AGREEMENT

Purpose of Rental: _____

This is to confirm the agreement between _____
and the Newton Parks and Recreation Department as follows:

Mailing Address: _____

Home/Cell Telephone: _____ Work Telephone: _____

Date and Time of Rental: Date: _____ Time: _____

Facility & Location: S. Side Park _____ N. Side Park _____ W/J Park _____ E. Newton _____
Fees: Resident of Newton - Large: 10:00 per hour/Small: \$5.00 per hour/Amphitheater: \$50.00
Non-Resident of Newton - Large: \$15.00 per hour/Small \$10.00 per hour/Amphitheater: \$75.00

Price Agreement: _____

I, the undersigned, agree to abide by all rules and regulations applicable to the rented facility and will be responsible for any and all property damages and/or personal injury resulting from use of the facility.

NO WATER BALLOONS ALLOWED IN RENTAL FACILITIES.

** The rental fee must be paid within 1 WEEK PRIOR TO RENTAL DATE once Department has approved Reservation.

**Shelter/Park Reservations: NO REFUNDS: department will reschedule.

**Any Charitable, Profit and/or Non-Profit, Community Serving Organizations/Individuals who conduct an event/activity on department property must pay an estimated rental fee. In addition shall pay the established fee and 20% of gross receipts.

**Certificate of Insurance is required for person(s) requesting the use of any indoor and outdoor facilities, ballfield, centers, gymnasiums, etc. This also includes vendors selling any and all merchandise to include, but not limited to, food. Certificate of Insurance naming the City of Newton, as additional insured must be provided with signed agreement. Certificate coverage amount to be \$1,000,000.00 (one million dollar) each occurrence with a \$2,000,000.00 (two million dollars) aggregate.

**Inflatables - If using an inflatable, the vendor providing the inflatable will need to provide a certificate of insurance naming the City of Newton, as additional insurer prior to the date inflatables will be used. **Inflatables will require a generator.

If yes, what company is providing them? _____

Event Details:

Number of Participants Expected: _____ Number of Police Officers Required: _____

Number of Chairs Required: _____ Number of Tables Required: _____

Description of Event: _____

Miscellaneous Rental Details: _____

Renters Signature

Newton Parks and Recreation Director Signature

Date

Date

City of Newton Rules and Regulations

It shall be unlawful for any person to:

1. Remove, destroy or damage any city equipment or property.
2. Climb or hand on any fence surrounding city property.
3. Have motorized vehicles on city property, except in designated areas.
4. Discharge or cause to be discharged any firearm on city property.
5. Consume, display publicly, or be under the influence of any alcoholic beverages and/or drugs.
6. Use of profanity or abusive language or be guilty of disorderly conduct of any kind.
7. Make or kindle a fire except in designated areas.
8. Deposit garbage, debris of any kind on or upon city property.
9. Dig, cut, bruise or mutilate plant materials.
10. Make or do any indecent or vulgar motions in view of any person on city property.
11. Engage in soliciting, peddling, begging, or selling of any kind without written permissions.
12. Organize or sponsor political or religious gatherings or rallies.
13. Erect any structure, sign, or advertising advice of any kind without written permission.
14. Conduct or carry on any game or chance at which money, property or other things of value are bet.
15. Have skateboard, roller blades, bicycles, scooter and/or strollers on tennis courts.
16. Have handguns and/or concealed weapons on any city property.
17. No jam boxes, loud or obscene music/gestures allowed on premises.
18. Absolutely no chalk art on sidewalks, roads, parking areas, in picnic shelters, on tables, tennis courts, and any other areas and facilities in the park.
19. Reference to certificate of insurance - non-profits groups – must have a letter from IRS exempting, showing you are a non-profit organization or group – a 501C-3 corporation certificate.
20. Reference to certificate of insurance - profit and non-profit groups – must have \$1,000,000 general liability coverage and naming the City of Newton as an additional insurer.
21. Reference any charitable, profit & non-profit organization and/or individuals - a vendor must be willing to pay 20% to Newton Recreation Department on all products sold.
22. The Recreation Department reserves the right to require the right to require police/security for functions as deemed appropriate. Groups requiring this service are responsible for arranging and providing police/security.
23. The Recreation Department reserves the right to cancel, terminate and/or deny facility usage for any individual or organization not complying with any and all procedures & requirements stated in the agreement; which also includes inclement weather conditions, facility and parking conditions and/or circumstances beyond or control.
24. **No selling or vending of any type of food products (concessions) or drinks without permission from the parks and recreation director.**
25. **1) Warning, 2) Will not be permitted to use facility and/or park.**

Public use of any portion of the City of Newton Park, facilities during the hours of 12:00 a.m. to 6:00 a.m. shall be unlawful. All parks shall close at 12:00 a.m. until 6:00 a.m. except when authorized by the recreation department for extension of time.

PARK FACILITY RENTAL FEE

Charitable, Non-Profit, Community Serving Organizations who conduct an event on department property must pay an estimated rental fee. In the event is a fundraiser, the charitable Non-Profit or Community Serving Organization shall pay the established fee or 20% of gross receipts which ever is greater.

<u>Non-Profit Organizations</u>	<u>Residents</u>	<u>Non-Residents</u>
<u>Shelter Fees:</u>		
Small Shelter	\$ 5.00	\$10.00
Large Shelter	\$10.00	\$15.00
Amphitheater Fees: (Stage & Electricity Only)	<u>Residents</u> \$ 50.00 use of amphitheater only	<u>Non-Residents</u> \$ 75.00 use of amphitheater only
<u>Profit Organizations</u>	<u>Residents</u> Same as shelter/amp. Rental <u>20% receipts</u>	<u>Non-Residents</u> Same as shelter/amp. Rental <u>20% receipts</u>
Permit Authorization (Show Proof) (Sale of food and drink in one location within the park)	<u>Residents</u> \$ 25.00	<u>Non-Residents</u> \$ 50.00
<u>Hours:</u>	<u>Amphitheater</u> 10:00 a.m. – 8:00 p.m.: April 1 – October 31 10:00 a.m. - 7:00 p.m.: November 1 – March 31	
<u>Parking Fee:</u>	(Only for Profit Organizations) – Events at which Gate fees and/or Parking fees are charged a minimum of \$1.00 and a maximum of \$3.00 may be charged per car. The Recreation Department would collect five percent (5%) of gross gate/parking receipts.	

Reservations of facilities may require additional expenses such as:

Provisions of Law Enforcement Officers, Park Maintenance, Additional Staff and/or additional toilet facilities as necessary.

****Inflatables – If using an inflatable, the vendor providing the inflatable will need to provide a certificate of insurance naming the City of Newton, as additional insurer prior to the date inflatables will be used.**

****Inflatables will require a generator at all parks except for Southside Park. Must have a generator available for back up and the department needs to know how many outlets will be needed.**

Certificate of Insurance is required for person (s) requesting the use of any indoor and outdoor facilities, ballfield, centers, gymnasiums, etc. This also includes vendors selling any merchandise to include, but not limited to, food. Certificate of Insurance naming the City of Newton, as additional insured must be provided with signed agreement. Certificate coverage amount to be \$1,000,000.00 (one million dollar) each occurrence with a \$2,000,000.00 (two million dollars) aggregate.

Chapter 15

NOISE*

- Sec. 15 - 1. Unreasonably loud and unnecessary noises prohibited.
Sec. 15 - 2. Prohibited noises enumerated.
Sec. 15 - 3. Sound amplification devices.

Sec. 15 - 1. Unreasonably loud and unnecessary noises prohibited.

Subject to the provisions of this chapter, the creation of any unreasonably loud, disturbing and unnecessary noise is prohibited. Noise of such character, intensity and duration as to detrimental to the life or health of any individual is prohibited. (Code 1953, ch. J, art. 5, § 1)

Sec. 15 - 2. Prohibited noises enumerated.

The following acts are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but such enumeration shall not be deemed to be exclusive:

- (1) Sounding any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching, apparently out of control or while in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended, the creation by means of any such signal device of any unreasonably loud or harsh sound, and the sound of such device of any unreasonably loud or harsh sound; and the sound of such device for an unnecessary and unreasonable period of time.
- (2) Using any gong or siren upon any vehicle, other than police, fire or other emergency vehicle.
- (3) Playing any radio, phonograph, musical instrument, tape player or sound amplification device in such manner or with such volume as to annoy or disturb the quiet, comfort or repose of any person in any place of business, dwelling, hotel or other type of residence.
- (4) Keeping any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.
- (5) Using any automobile, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise.
- (6) Discharging into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine, except through a muffler or other device, which will effectively prevent loud or explosive noises there from.

***Cross references** - Advertising on streets and sidewalks by crying out, using horns, etc., § 3 - 2; Keeping, etc., habitually barking dogs, § 4 - 14; offenses and miscellaneous provisions, Ch. 17.

State law reference - City authorized to regulate noise, G.S., § 160A - 184.

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Volume of noise from the many sound - reproducing devices available today. It is the intent of this section to strike an appropriate balance between the right of individuals to obtain information and derive pleasure by listening to radios and other such devices, and the right of the public to a peaceful and healthful environment.

- (b) **Noise declaration.** Noise described in subsection © below is hereby declared unreasonable; dangerous to the public health, safety and welfare; and shall be illegal unless exempted herein.
- (c) **Unlawful operation.** It shall be unlawful for any person to play, use or otherwise operate, either from a motor vehicle or as a pedestrian, any radio, tape player or other sound amplification device emitting sound that is audible from a distance of fifty (50) or more feet from the source of the sound, unless such device is being used to request assistance or warn against an unsafe condition.
- (d) **Exemptions.** Subsection © shall not apply to any of the following:
 - (1) Public safety personnel, when responding to an emergency call or engaged in other official business.
 - (2) Persons engaged in a lawful assembly, procession, or community event.
 - (3) The operator in a lawful assembly, procession, or community event.
 - (4) The operator of a vehicle being used for advertising purposes in accordance with existing ordinances.
 - (5) The activation of a theft alarm signal device.
- (e) **Violation; penalty.** Violations of this section shall be a misdemeanor. The first violation of this section shall result in a written warning being issued to the offender by the charging officer. The penalty of a second offense shall be one hundred dollars (\$100.00). The penalty for a subsequent offense thereafter shall be three hundred dollars (\$300.00).
(Ord. No. 93 - 96, §§ 1,2, 7-14-93)