



Key #

**RENTAL APPLICATION –
The Pavilion #2 - Nietopski Concession Stand
at Sweden Town Park**

(Does not include splash pad, playgrounds, or sports fields)
Sweden Town Park, 4761 Redman Rd, Brockport, NY

Staff Initials: _____

RESERVATION DATE: _____ **Circle Day: M-T-W-Th-F-SAT-SUN**

	<u>Resident</u>	<u>Non-Resident</u>
Mon - Sun	_____ \$35 Rental Fee	_____ \$45 Rental Fee
	_____ \$25 Security Deposit	_____ \$25 Security Deposit
2 Separate Checks Payable to Town of Sweden		
Rental Hours: 8 A.M. - 10 P.M.		Maximum Capacity = 99 Persons

Applicant Information

Name: _____ **Contact Tel:** _____
Street: _____ **City:** _____ **Zip:** _____
Function _____
Email: _____

Policy & Procedures – Please Read Carefully

No admittance to the Pavilion #2 - Nietopski Concessions Stand before 8 a.m. on your rental date. The Park closes promptly at 10 pm.

- Rental fee and security deposit are required at the time of application (separate checks). Rental fee **check will be deposited** and after a satisfactory post-event inspection of the concession stand is complete, the security deposit will be returned to the applicant listed on this form.
- The renter shall leave the concession stand in the same condition as it was received. The security deposit will not be returned if there is any damage to the building, grounds or furnishings. Damage costing more than the security deposit to repair will be the responsibility of the applicant. A cleaning fee will be deducted from the security deposit if the concession stand is not left in satisfactory condition. If the cost to repair damage or perform cleaning exceeds the security deposit, applicant will pay the difference within 10 business days.
- The concessions stand key must be picked up at the Sweden Clarkson Community Center, 4927 Lake Road Brockport. Rentals held M-F must pick up the key 24 hours in advance of rental. Saturday & Sunday rentals must pick up the key the Friday before the rental by 5pm. Key must be returned to the exterior lock box at the Community Center immediately after rental. Special key pick up times will be pre-arranged in the event the Community Center is closed for a holiday. **Failure to pick up the concession stand key as instructed may result in forfeiture of your rental. Failure to return the concession stand key immediately after the rental as instructed may result in the forfeiture of the security deposit.**
- Required cleaning includes: wiping down appliances, counters, picnic tables. All garbage must be removed from garbage receptacles provided.
- Cancellation 30 days or less before rental date: **NO REFUND**. Cancellation more than 30 days before rental date: **\$25.00 FEE**. Date change: **\$10.00 FEE**.
- All Park Rules apply (see attached). Of special note: Sweden Town Code 137-10 does not permit disorderly conduct (including fighting or threatening behavior), indecent exposure or conduct, obscene or abusive language, intoxication, gambling, hunting or swimming in the pond. The use of firearms, firecrackers, fireworks or other weapons, or the concealment thereof, is expressly prohibited.

7. Person signing application must be 21 years of age and supply proper ID. Person signing shall provide all necessary information and confirmation that he/she is possessed of appropriate authority to execute same if applicable. Person signing this application not only does so on behalf of any entity but also does so personally.

Concession Stand amenities include:

- Microwave
- 3 Bay Sink
- 2 - Refrigerator/freezer
- 6–10 outdoor picnic tables (under portico)
- Garbage cans
- Handicap accessible restrooms

Call (585) 431-0090 with any questions.

INDIVIDUAL: It is hereby agreed that the below-named individual will be fully responsible for the care of the concession stand, grounds and equipment as well as for the supervision of all persons coming on to Town premises in connection with this activity; and said individual further agrees to reimburse the Town(s) in full for any damages to the Town(s) facilities or equipment resulting from use as requested herein. I agree to indemnify the Town of Sweden for any liabilities, losses and damages of any nature whatsoever that the Town shall or may at any time sustain or be put to reason of such claim arising from use of the concession for the individual's event as listed on this application. It is further resolved that the fee indicated herein will be paid immediately to the Town of Sweden.

I have read the rules set forth on this form and the attached Sweden Town Code Chapter 137 Parks, and I do hereby agree to observe all rules and procedures as stated herein.

_____ Name of Individual (Must be ≥21 years old)	_____ Signature of Individual
_____ Address of Above (Street)	_____ Cell Phone
_____ Home Phone	_____ Date

ORGANIZATION: It is hereby agreed that the below-named organization will be fully responsible for the care of the concession stand, grounds and equipment as well as for the supervision of all persons coming on to Town premises in connection with this activity; and said organization further agrees to reimburse the Town in full for any damages to the Town facilities or equipment resulting from use as requested herein. The Town of Sweden can request that a Certificate of Insurance be provided at the time of this application that is satisfactory in wording and amount, same to be in the sole discretion of the Town of Sweden. I certify that the below-named organization carries insurance in a sufficient amount to cover such damage to Town facilities or equipment as well as any claims for personal injury in the event of a claim of whatsoever kind or nature against the Town of Sweden as a result of the presence of activities of the below-named organization, its members, employees, invites, licensees, or guests on Town property, and in the event that such a claim is not fully and completely covered by the below-named organization's insurance, the organization by its duly authorized representative whose signature appears below, agrees to indemnify the Town of Sweden against any liabilities, losses and damages of any nature whatsoever that the Town(s) shall or may at any time sustain or be put to reason of such claim. It is further resolved that the fee indicated herein will be paid immediately to the Town of Sweden.

The limit of recovery by the applicant against the Town of Sweden is to be no more than the rental fee and security deposit combined for payment of a judgement or other Court remedy against the Town of Sweden. Furthermore, by signing below, the applicant agrees to indemnify and hold harmless the Town of Sweden from any, and all, claims or actions based upon property damage, personal injury or death resulting from any acts of omission or commission, or any other matter whatsoever by, of, or on behalf of, the applicant, its members, guests and invitees, while on the premises of The concession at Sweden Town Park. This agreement shall include indemnity to the Town of Sweden for all costs, counsel fees, expenses, or any other liability whatsoever which may be incurred by the Town of Sweden as a result of the applicant's use of said facilities.

I have read the regulations set forth on this form, and I do hereby certify that I have been duly authorized by the below-named organization which I represent to enter into this agreement and that the activity which the organization is sponsoring fully meets the conditions set forth herein and that we agree to observe all rules and procedures as stated herein.

_____ Name of Representative (Must be ≥21 years old)	_____ Signature of Representative
_____ Address of Above (Street)	_____ Name of Organization
_____ Cell Phone	_____ Date
_____ Other Phone	

OFFICE USE ONLY

Certificate of Insurance Provided: _____ YES

Date Recorded on Calendar: _____

Fee Due: _____ Date of Payment: _____

Director's Initials: _____

Chapter 137. Parks

[HISTORY: Adopted by the Town Board of the Town of Sweden 1-13-2004. Amendments noted where applicable.]

GENERAL REFERENCES

Recreation and Park Advisory Council — See Ch. **42**.

Public assemblies — See Ch. **55**.

Open burning — See Ch. **70**.

Dogs and other animals — See Ch. **84**.

Noise — See Ch. **135**.

§ 137-1. Title.

This chapter shall be known as the "Parks Ordinance for the Town of Sweden."

§ 137-2. Purpose.

The purpose of this chapter shall be to preserve the public peace and good order on lands operated as public parks by the Town of Sweden and to contribute to the safety and enjoyment of the users of such parkland by regulating the hours of use and the use of motorized vehicles and by prohibiting certain activities inimical to customary park recreation use.

§ 137-3. Administration; jurisdiction.

A.

The Town of Sweden is charged with the administration of this chapter and the posting of signs designating parklands within the Town of Sweden.

B.

The rules and regulations set forth herein shall apply to and be in effect in all parks under the control, supervision and jurisdiction of the Town of Sweden.

§ 137-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DIRECTOR

The Director of the Department of Recreation of the Town of Sweden or his duly authorized agents.

PARK

The grounds, buildings thereon, waters therein and any other property necessary for the operation thereof and constituting a part thereof which are now or hereafter will be maintained, operated and controlled by the Town of Sweden for public park purposes.

PERSON

Any individual, firm, partnership, corporation or association of persons, and the singular number shall include the plural.

VEHICLE

Every device in, upon or by which a person or property is or may be transported.

§ 137-5. Hours.

The hours of operation are established at the discretion of the Town Board. No person shall be permitted to remain, stop or park within the confines of any park outside the hours designated by the Town of Sweden, except in an emergency or with special permit from the Director. In case of an emergency or when, in the judgment of the Director, the public interest demands it, any portion of a park may be closed to the public or to designated persons until permission is given to reopen. Nonobservance of this § **137-5** shall constitute a violation.

§ 137-6. Permits.

A.

A permit must be obtained from the Director for the following uses and activities:

(1)

The use of park lodges or pavilions.

(2)

The use of any playing fields or other park facilities by groups larger than 10 persons.

(3)

Camping within a park, where allowed.

(4)

Vending of food and drink (including beer, but excluding other nonalcoholic beverages) by nonprofit service organizations.

(5)

Those acts prohibited without a written permit as set forth in § 137-9 of this chapter.

B.

Permits shall be issued by the Director at the Community Center, 4927 Lake Road, Brockport, New York 14420.

C.

All permit applicants must be 18 years of age or older, unless otherwise designated by the Director. All permits must be signed prior to use of a park facility or prior to the activities for which a permit is obtained. The signer of a permit shall be responsible for all damages to park facilities or contents thereof and shall agree to indemnify the Town of Sweden for such damages.

D.

All permits issued shall be in writing by the Director and shall be subject to park rules and regulations. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof and not in violation of any law, ordinance or rule or regulation governing parks. Any violation of any term or condition thereof or any law or ordinance or rule or regulation governing parks shall constitute grounds for revocation of said permit by the Director, whose action therein shall be final. No permit for the same purpose shall be issued to those persons whose permit has been revoked during the year in which such revocation is made.

E.

Upon obtaining a permit, the applicant shall pay a permit fee to the Town of Sweden in an amount established by the Town Board of the Town of Sweden. Such fee may vary according to the activity permitted and the facilities used.

F.

The Recreation Director reserves the right to request a certificate of insurance naming the Town of Sweden as additional insured, said certificate amount to be determined at the discretion of the Recreation Director.

§ 137-7. Park lodges and pavilions.

A.

Park lodges and pavilions may only be used upon the obtaining of a permit as provided herein.

B.

Rules and regulations particular to each park's lodge or pavilion shall be established by the Town of Sweden and posted within such facility. Nonobservance of such rules and regulations shall constitute a violation.

C.

Park lodges or pavilions may be made available for overnight use upon written permission of the Director.

D.

All permits for park lodges and pavilions must be picked up at the Community Center at least 72 hours prior to use.

E.

Use of units not already reserved may be arranged for with the Director or his authorized representative on a first come, first served basis, upon payment of a permit fee and issuance of a use slip within the park area.

§ 137-8. Camping.

A.

Camping within parks is permitted only within designated areas and upon obtaining a permit.

B.

When camping sites are made available within a park, rules and regulations particular to each site shall be established by the Town of Sweden. Nonobservance of such camping rules and regulations shall constitute a violation.

§ 137-9. Acts requiring permit.

A.

No person shall commit any of the following acts without a written permit from the Director:

(1)

Post or display any sign, banner or advertisement of any kind within any park.

(2)

Make any public speech, oration or harangue; hold any public meeting or engage in any marching, drilling or driving as a member of a military, political or other organization; conduct any funeral procession or vehicle containing the body of a deceased person; or use any loudspeaker or other sound-amplifying equipment.

(3)

Picnic or cook in any area not designated by the Town of Sweden for that purpose or make or kindle any fire, except in places provided therefor, and then subject to such regulations as may be prescribed.

(4)

Ascend or land with any aircraft, including gliders and parachutes, or engage in stunt flying or parachute landing.

B.

Nonobservance of any part of this § 137-9 shall constitute a violation.

§ 137-10. Regulations.

Nonobservance of the following park regulations shall constitute a violation:

A.

Disorderly conduct.

(1)

No person shall disturb the peace and good order in any park by fighting, quarreling or wrangling with loud voices or shouts, threatening by violence to the person or property of others or engaging in riotous clamor or tumult.

(2)

No person shall congregate with others in a public place and refuse to comply with a lawful order of the police or the Director to disperse or leave the park.

(3)

No person shall beg, hawk or peddle or solicit within any park.

(4)

No person shall play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other devices for money, chips, credit or any other representative of value, nor shall any person be allowed to maintain or exhibit any gaming table or other instrument of gambling or gaming.

(5)

No person, except peace officers of the county or other law enforcement officers, shall have or carry any pistol, firearm, switchblade, hunting knife, slingshot, bow and arrow, dagger, metal knuckles or other dangerous weapons concealed or about his person while in the park.

(6)

No person shall use obscene, profane, or abusive language while in the park.

(7)

No person shall loiter in or near toilet buildings or parking areas.

B.

Games regulated. No person shall engage in potentially dangerous games involving thrown or propelled objects, such as footballs, horseshoes, roller skates, golf balls or similar objects, except in areas designated for such usage and then only subject to such rules as may be prescribed by the Director. All games of any description must be conducted in a safe and orderly manner, and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit and paying such fee.

C.

Hunting, fishing and molesting wildlife.

(1)

No person shall throw any animal or thing into a pond or any of the waters of the park, except that fishing may be permitted in season in certain park waters designated by the Town of Sweden.

(2)

No person shall kill, injure or unnecessarily disturb any waterfowl, birds or animals.

(3)

No person within the confines of a park shall hunt, pursue with dogs, trap or in any other way molest any wild bird or animal found within the confines of a park or rob or molest any bird nest or take eggs of any bird.

(4)

There shall be no hunting or carrying firearms, dangerous weapons, etc.

D.

Preservation of property and natural features. No person shall injure, deface, disturb or befoul any part of a park or any buildings, signs, equipment or other property found therein, nor shall any tree, flower, shrub, rock or other mineral be removed, injured or destroyed.

E.

Littering, rubbish, garbage, sewage and noxious material.

(1)

No person shall bring into, leave behind or dump any material of any kind in the park, except the refuse, ashes, garbage and other material of a picnic, camp or other permitted activity, and such material shall be deposited in receptacles or pits provided for such purposes. Refuse is not to be dropped, thrown or scattered on park property. Tin cans, bottles or metallic substance containing sharp edges shall be deposited in park receptacles.

(2)

No person shall, either within or outside of a park, discharge into, throw, cast, lay, drop or leave in any river, brook, stream, storm sewer or drain flowing into or through a park any substance, matter or thing, either liquid or solid, which may or shall result in the pollution of said river, brook or stream within a park or interfere with the conservation of the natural resources of a park or endanger the health of visitors in a park.

(3)

No glass containers are allowed.

F.

Alcoholic beverages. The consumption of alcoholic liquors or beverages, including beer, and the bringing of such items into the parks are permitted under the following conditions:

(1)

No person shall become intoxicated. No person shall bring into or drink any alcoholic liquors or beverages, including beer, in any park, except in such areas as designated by the Director. Beer may be brought into the parks for consumption at private family or social picnic parties but may not be dispensed or displayed at temporary bars or from kegs or other bulk dispensing units unless permission is obtained from the Director.

(2)

Drinking alcoholic liquors or beverages, including beer, is prohibited in the parking lots and rights-of-way within any park.

(3)

All alcoholic consumption shall conform with New York State law.

G.

Dogs, cats and other household pets. No person shall bring into, permit, have or keep in the park any dog, cat, household pet or other animal destructive to birds and other wildlife, except that dogs or cats are permitted if held in control by a leash.

H.

Horseback riding. Horseback riding is permitted only on designated roadways or bridle paths and only on the condition that they are ridden with care and under such control that they can be easily or quickly turned or stopped. No person shall ride horseback in any park after dark or before daybreak. No person shall smoke while mounted on horseback on bridle paths within park.

I.

Swimming. No person shall bathe, wade or swim within any park.

J.

Bicycles, snow vehicles, all-terrain vehicles (ATVs) and motorbikes.

(1)

No motorized snow vehicles shall be permitted.

(2)

No unlicensed motorbikes, ATVs or other unlicensed vehicles shall be permitted in any area of the park.

(3)

Riders of bicycles shall comply with the rules for the regulation of other vehicles.

K.

Indecent conduct and exposure. No person shall appear in a park in a state of nudity or commit, perform or engage in any lewd, lascivious, obscene or indecent act or behavior, and no person shall make any indecent exposure of his or her person.

§ 137-11. Traffic rules.

A.

No person shall drive any licensed automobile, motorcycle, motorized bike or other vehicle of traffic or burden upon any part of the parks or parkways, except on the proper drives and parking areas, or permit the same to stand upon the drives or any part thereof so as to congest traffic or obstruct the drive. Paths established as bridle paths, footpaths, skate parks, BMX bike trails, or bicycle paths shall not be used for vehicular traffic.

B.

No person shall cause any taxi, bus, limousine or other vehicle for hire to attend upon any part of the parks or parkways for the purpose of soliciting or taking in passengers or persons other than those carried to the parks or parkways by said vehicle.

C.

No person shall cause any bus, with or without passengers, nor any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles, or solely in use for the carriage of goods, merchandise, manure or other articles, to enter or to be driven in any part of the park or parkway. This section shall not apply to vehicles engaged in the construction or maintenance of operation of the parks or parkways.

D.

It shall be the duty of every person operating an automobile, motorcycle or other vehicle of traffic or burden within the parks or parkways to comply with the Vehicle and Traffic Law of the State of New York and with all orders, directions and regulations issued by traffic officers or officially displayed on any post, standard, sign or device installed for the regulation of traffic.

E.

No vehicle shall be operated on any road or drive in any park or parkway at a speed exceeding 15 miles per hour, unless otherwise posted.

F.

Signs indicating one-way traffic must be obeyed.

G.

All stop signs and other traffic control devices must be obeyed.

H.

No person shall park any vehicle or permit any vehicle to remain standing on any highway or roadway within the boundaries of a park or parkway in excess of the length of time and between the hours as hereinafter specified. No parking shall be allowed on any of the park roads between the hours of 10:00 p.m. and 6:00 a.m. No parking shall be allowed on the major roads, which will be designated by signs, during the hours the parks are open. Parking areas in the parks are established for the convenience of patrons while using the facilities of the parks. It shall be unlawful for any person to park, stop or leave standing any vehicle in any parking area in any park, except during the time he remains in the park. The term "parking" shall mean the standing of any vehicle, whether occupied or not, upon any highway, other than temporarily or while actively engaged in loading or unloading or while standing in obedience to traffic regulations or traffic signals.

I.

No person shall operate a vehicle along or over any road or drive within a park in a reckless manner or without due regard for the safety and the rights of pedestrians and drivers and occupants of all other vehicles so as to endanger the life, limb or property of any person while in the lawful use of said park drive or road.

J.

No person shall participate in a drag race upon any park drive or park property. "Drag racing" is defined as the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course from the same point to the same point wherein timing is made of the participating vehicles involving competitive accelerations or speeds. The operation of two or more vehicles side by side, either at speeds in excess of permitted speeds on park drives or

rapidly accelerating from a common starting point to speeds in excess of such permitted speeds, shall be prima facie evidence of drag racing.

K.

No person who is under the influence of intoxicating liquor, narcotic drugs or opiates shall operate any vehicle within the park.

L.

No person shall drive or move or cause or knowingly permit to be driven or moved within the park any vehicle or combination of vehicles which is in an unsafe condition so as to endanger any person.

M.

No person shall use or shine spotlights or unnecessarily or continuously shine automobile headlights onto parklands, except under the direction of a police officer or park employee, or except where necessary for the preservation of life or property.

§ 137-12. Parental responsibility.

No parents, guardians or custodians of any minor shall permit or allow him or her, as the case may be, to do any act that would constitute a violation of this chapter. Nonobservance of this § **137-12** shall be a violation.

§ 137-13. Compliance with police or official agency.

No person shall fail or refuse to comply with any reasonable order relating to the regulation, direction or control of traffic or with any other order lawfully given by any police officer or Town official in the execution of his office or willfully resist, obstruct or abuse any police officer or Town official in the execution of his office or duties. Nonobservance of this § **137-13** shall be a violation.

§ 137-14. Enforcement; appearance tickets.

A.

This chapter shall be enforced as it pertains to the issuance of parking tickets for violation of § **137-11H** and littering under § **137-10E** by the Director or other designated personnel, and in all other cases by the Director, the Monroe County Sheriff's Department and any other police agency having jurisdiction within the Town of Sweden.

B.

Any police officer or, in the case of a violation of the parking regulations set forth in § **137-11H** or a littering violation under § **137-10E**, the Director or other designated personnel may issue an appearance ticket pursuant to Article 150 of the Criminal Procedure Law of the State of New York to any person when he has reasonable cause to believe that such person has committed a violation of this chapter. Said appearance ticket shall direct the designated person to appear in the Justice Court of the Town of Sweden at a designated future time, not later than 30 days from the date of the issuance of the appearance ticket, in connection with the alleged violation. Any police officer may, without a warrant, arrest any person in violation of any park rules or regulations as set forth in this chapter or as posted within such park and take such person so arrested forthwith before a Judge having competent jurisdiction. Said police officer shall at all times have the right to enter the premises of any building, structure or enclosure or any park, including such grounds, buildings or structures which may be leased or set aside for the private or exclusive use of any individuals or group of individuals, for the purpose of arresting violators hereof, and he may use all necessary means to attain that end.

[Amended 8-22-2006 by L.L. No. 3-2006]

§ 137-15. Penalties for offenses; liability for damages.

A.

Any person convicted of an offense of this chapter shall be guilty of a violation and shall be subject to a fine not to exceed \$250 or imprisonment for a term not to exceed 15 days, or both such fine and imprisonment.

B.

Any person damaging any park property shall be liable for any damages incurred.