



CITY OF MIDDLETON: PUBLIC LANDS, RECREATION & FORESTRY

PARK FACILITY USE AGREEMENT FORM

7426 Hubbard Ave, Middleton, WI 53562

Ph: 608-821-8360 Fax: 608-827-1057

****Please complete this form in its entirety and submit with full payment to the Recreation Department****

NAME OF USER/AGENT: _____ RESERVATION DATE: _____
ADDRESS: _____ CITY/ST/ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

PURPOSE: _____ ATTENDANCE EST: _____ (Over 200 in attendance will require a Special Event Application)

RELEASE OF LIABILITY

In consideration of the permission granted to _____ (user name) to use the requested city property, the undersigned discharges and releases the City of Middleton, Wisconsin, from all claims, injuries, deaths, property damage, or liability whatsoever which we may now have or hereafter have, as a result of use of the premises on _____ (rental date).

Signature of User/Agent _____

Date _____

LAKEVIEW PARK (6300 Mendota Ave.)

Please check all that apply.

Facility	Capacity	Resident Rental Fee	Non-Resident Rental Fee	Non-Profit Org Rental Fee
Indoor Shelter	110	\$125	\$190	\$75
Outdoor Shelter	150	\$115	\$175	\$75
Indoor & Outdoor Shelters	260	\$225	\$340	\$150
Tent Space		\$75	\$75	\$75
Hall Gazebo	20	\$110	\$165	\$65
Small Shelter	16	\$100	\$150	\$15

Note: Indoor shelter (with kitchen) is available year round. Outdoor shelters are available May 15-October 15; restrooms are open for public use May 15 – Oct 15.

FIREMEN'S PARK (7400 Lee St.)

Please check all that apply.

Facility	Capacity	Resident Rental Fee	Non-Resident Rental Fee	Non-Profit Org Rental Fee
Large Shelter	200	\$115	\$165	\$75
Small Shelter	50	\$110	\$165	\$75

Note: Shelters are available May 15-Oct 15. Bathrooms are NOT available during the school year on weekdays. Online reservations are not accepted for rental dates occurring during the school year.

ORCHID HEIGHTS PARK (3960 Valley Ridge Rd.) / PARISI PARK (2405 Park St.) / TAYLOR PARK (5280 Bishops Bay Pkwy) / MIDDLETON STATION (7106 South Ave)

Please check all that apply.

Facility	Capacity	Resident Rental Fee	Non-Resident Rental Fee	Non-Profit
Orchid Heights Shelter	30	\$110	\$165	\$75
Parisi Shelter	30	\$110	\$165	\$75
Taylor Park Shelter	48	\$110	\$165	\$75
Middleton Station	16	not available	not available	\$15

Note: Shelters & restrooms are open May 15 – October 15. Middleton Station does not have a restroom.

Staff Use Only

Reservation Fee Total: _____



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***Note: Keys are available for pick-up during business hours at City Hall, 7426 Hubbard Ave, in the Administration Office.**

Summer hours: Mon-Thurs 8:00-4:30, and Friday 8:00-3:00. Labor Day to Memorial Day: 8:15- 3:00.

Keys can only be obtained from City Hall the last business day before rental, unless other arrangements are made in advance. Failure to obtain keys during business hours will result in loss of rental. Failure to return keys 24 hours after rental or next business day will result in a \$50 charge.

Keys can be picked up on _____ and need to be returned to City Hall on _____

1. INDEMNIFICATION

- A. (Name) _____ hereby agrees to indemnify, defend and hold harmless the City of Middleton, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, attorneys' fees, costs, and expenses of whatsoever kind or nature in any manner directly or indirectly caused, occasioned, or contributed to in whole or in part or claimed to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive, of (Name) _____ or of anyone acting under its direction or control or on its behalf, even if liability is also sought to be imposed on City of Middleton, its elected and appointed officials, officers, employees, agents, representatives and volunteers. The obligation to indemnify, defend and hold harmless the City of Middleton, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, shall be applicable unless liability results from the sole negligence of the City of Middleton, its elected and appointed officials, officers, employees, agents, representatives and volunteers.
- B. (Name) _____ shall reimburse the City of Middleton, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.
- C. In the event that (Name) _____ employs other persons, firms, corporations or entities (sub-contractor) as part of the work covered by this Agreement, it shall be (Name) _____'s responsibility to require and confirm that each sub-contractor enters into an Indemnity Agreement in favor of the City of Middleton, its elected and appointed officials, officers, employees, agents, representatives and volunteers, which is identical to this Indemnity Agreement.
- D. This indemnity provision shall survive the termination or expiration of this Agreement.

2. RESERVATIONS ARE ACCEPTED ON A FIRST COME - FIRST SERVE BASIS

- E. A reservation is not considered complete until this signed agreement and fees have been submitted to Middleton Recreation Division. Reservations can be made up to one year in advance. **Rental fee must be paid in full when agreement is signed to reserve date. Dates/facilities will not be held without payment and completed agreement.** Rental fee will be refunded in full minus a \$5 processing fee if rental is cancelled 60 days prior to rental. If rental is cancelled less than 60 days prior to rental, the rental fee will be withheld. The City of Middleton does not guarantee absolute privacy to any group. Your reservation will reserve only the facility you are using, not the entire park or other facilities, including the restrooms, within the park.
- F. Tax is included in all rental fees.
- G. Fees are charged in two different ways: Resident and Non-Resident. Residents reside within Middleton city limits. Non-Residents live outside city limits. Non-Residents include those who live outside the city limits yet are in the Middleton/Cross Plains Area School District and the Town of Middleton.
- H. Failure to secure building(s) after rental, failure to properly clean facility, and damage costs will be the responsibility of the renter and be paid in full within 30 days after the rental. Any violation of the signed agreement is subject to **a minimum of a \$200 charge.**
- I. All events MUST complete a Special Events Application, if applicable, available from the **Event Coordinator Liaison, (608-212-7535, 1811 Parmenter St).** Private rentals over 200 people or those with special permit needs may be required to complete a Special Event Application. A deposit is still required with rental. Users wishing to rent the facility prior to completing the Special Event Application may do so if full payment is paid at time of rental. A full refund minus a \$5 processing fee will be refunded if the Special Event Application is denied.
- J. User(s) shall be responsible for damages to any property in rented area and/or for any injuries which might be sustained by any members of the party during the gathering or as a result thereof.
- K. The City of Middleton reserves the right to decline future rentals of any or all city facilities to any party causing damage to city property.
- L. The City of Middleton is not responsible for any articles left, lost, or stolen on the rented premises.



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M. It is understood that any City Employee has the right to enter the rented premises at any time.

3. RULES AND CONDITIONS

- A. All park hours are posted and must be followed. Municipal Code Section 21.01(2)(a): Park Hours. Each park shall be closed and all activities therein shall be terminated at 10:00 P.M., daily, and shall not reopen until 5:00 A.M. the following morning, except for the Quarry Park Skate Facility, which shall open at 8:00 a.m. and shall be closed during hours of darkness, as defined in Wis. Stats. § 340.01(23). No person shall enter or remain in any park at any time other than as herein provided, unless specific written authority is first obtained from the Board of Park, Recreation and Forestry Commissioners.
- B. No person shall operate any sound system outdoors, cause amplified music, or other sound in the City without permit. An Amplified Sound Permit can be applied for at the City Clerk's Office (608-821-8350, 7426 Hubbard Ave.). To prevent disturbance or disruption at Middleton High School, no outdoor amplified sound permit shall be issued for use at Firemen's Memorial Park from 7:30 a.m. to 4:00 p.m. on weekdays during the period that regular classes are in session for the Middleton-Cross Plains Area School District, but not including any official school holidays or breaks when no classes are held or during any special or summer session classes outside the regular school year calendar. (City Ordinance 21.01(2)(d))
- C. No person shall erect a tent without permission from the Public Lands, Recreation & Forestry Department. Permission must be received prior to placing any equipment in the designated area with notice of at least one month prior to the reservation date and Department approval. It is the party's responsibility to contact digger's hotline prior to installation. **Only permitted at Lakeview Park, in the designated area. BOUNCE HOUSES AND OTHER INFLATABLES ARE NOT ALLOWED ON PUBLIC LAND.**
- D. Users shall leave areas in clean condition, as determined by the Public Lands Crew. All areas MUST be returned to clean conditions or renter will incur charges. Any tables, chairs or other furnishings that are moved must be returned to their original location. Users shall complete all these tasks and remove all personal property and any rental equipment prior to closing time of **10:00pm**.
- E. All recyclable and trash materials must be picked up and put in proper receptacle. Please leave trash in bins.
- F. **Per state fire code: At no time during the rental of any facility shall any exits be blocked or obstructed; also, all exits must be kept unlocked during use.** Fires are only allowed in grills or in a designated fireplace.
- G. Keys to buildings are available from City Hall, Administration Office, 7426 Hubbard Ave., Monday thru Friday, 8:00 a.m. to 4:30 p.m. Keys can be obtained 24 hours in advance and/or last business day prior to rental. **Failure to obtain keys during business hours will result in loss of rental. Keys can only be obtained from City Hall the last business day before rental and/or 24 hours in advance, unless other arrangements are made in advance. Failure to return keys 24 hours after rental or next business day will result in a \$50 charge.**
- H. No glass bottles allowed in buildings and on park grounds (City Ordinance 21.01(2)(t)).
- I. No person shall smoke or hold a lighted cigarette, cigar or pipe in any structure within any park, or in any other area in any park where notices prohibiting smoking are posted pursuant to an order of the Board of Park, Recreation and Forestry Commissioners. Smoking shall be prohibited in Firemen's Memorial Park from 7:30 a.m. to 4:00 p.m. on weekdays during the period that regular classes are in session for the Middleton-Cross Plains School District, but not including any official school holidays or breaks when no classes are held or during any special or summer session classes outside the regular school year calendar and the Board of Park, Recreation and Forestry Commissioners shall cause notice of such regulation to be conspicuously posted. Nothing in this subsection shall be construed to limit the Board of Park, Recreation and Forestry Commissioners from ordering and posting more restrictive regulations regarding smoking. (City Ordinance 21.01(2)(b)).
- J. No items that will damage the walls can be used for displays. The use of nails, tacks, staples, etc. is prohibited. Use of rice and confetti is not allowed.
- K. No motor driven vehicle shall be driven or parked in any park, except in designated parking areas (City Ordinance 21.01(2)(g)). **Please respect signage designated for drop-off only areas.**
- L. Only beer and wine are permitted in Lakeview and Firemen's Park. A public event must obtain a Class B Picnic License by contacting the City Clerk (608-821-8350, 7426 Hubbard Ave.). No person shall have in his or her possession or drink any alcohol beverages regulated under Wis. Stats. Chap. 125 in any park except in those parks designated by the Board of Park, Recreation and Forestry Commissioners. Notwithstanding any such designation by the Board of Park, Recreation and Forestry Commissioners, no person shall have in his or her possession or drink any alcohol beverages in Firemen's Memorial Park between 7:30 a.m. and 4:00 p.m. on weekdays during the period that regular classes are in session for the Middleton-Cross Plains School District, but not including any official school holidays or breaks when no classes are held or during any special or summer session classes outside the regular school year calendar. (City Ordinance 21.01(2)(l))



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- M. No person shall carry, shoot, fire or discharge any gun, pistol, rocket, torpedo, bow and arrow or any fireworks of any description within or into any park, unless pursuant to a valid license issued under Wis. Stats. § 175.60 or specific written authority is first obtained from the Public Lands Manager and the Chief of Police pursuant to section 16.03(2)(e) of this Code. The word "gun" shall include gas operated guns, pellet guns or any device which will propel projectiles. (City Ordinance 21.01(2)(i))
- N. It shall be the responsibility of the renter to obtain any necessary permits or licenses required, and to abide by all State laws, as well as City Ordinances. **Permits are required for group sizes of over 200, tent set-up, amplified sound, selling permit, etc.**

4. USE OF GROUNDS

- A. Permission to use ball fields and courts must be obtained from the Middleton Public Lands Recreation & Forestry Department.
- B. Permission to use park for wedding ceremony must be obtained from the Middleton Public Lands Recreation & Forestry Department.
- C. Permission will be declined if there is a conflict with any city-sponsored recreation events.
- D. Scheduled or rain date city-sponsored recreation events have priority over all other uses.
- E. No Person shall sell, convey or solicit within any City Park, except with a permit. (City Ordinance 21.02(2))