

**WARRICK COUNTY DEPARTMENT OF PARKS & RECREATION
APPLICATION/RENTAL AGREEMENT FOR THE USE OF
FRIEDMAN PARK AMPHITHEATER
ADDRESS: 2700 Park Blvd, Newburgh, IN 47630
PHONE: (812)490-4FUN EMAIL: friedmanpark@warrickcounty.gov**

PLEASE READ APPLICATION BEFORE SIGNING

Lessee's name: _____ Phone #: _____

Address: _____ Type

of event or group/organization name: _____ Event

date: _____ Hours requested: _____

Will alcoholic beverages be served or be present at the event? _____ **IF YES SEE RENTAL POLICY #7.**

Alcohol Packet Given: _____ **Facility capacity: 700** Estimated attendance: _____

Any event over capacity of 700 requires special approval. Any event over 150 persons requires a security guard. All security guards must come from a reputable business and proof of scheduling and a final report from the security guard is required.

Parking – When paved parking areas are full, use the overflow grass parking lot (see attached map). Do not park anywhere except the paved parking areas and the overflow grass parking lot.

LESSEE MUST BE 25 YEARS OF AGE TO RENT THE FRIEDMAN PARK FACILITIES. To reserve the facility one half of the rental fee is required at time of booking. All insurance and alcohol requirements are lessee's responsibility. Balance, proof of insurance, and alcohol requirements are due 7 days prior to the event date. This facility may be rented thirteen (13) months in advance.

RENTAL POLICIES

1. Lessee agrees to abide by all Rules and Regulations.
2. Applications will be processed on a first come first serve basis.
3. Lessee must be present at the function at all times and Lessee agrees to be responsible for the conduct of all guests and invitees of Lessee.
4. Lessee shall retain and have receipt of reservation on the day of the rental.
5. Fireworks are not allowed on park property or in any facility.
6. Lessee agrees to leave the facility in a cleaned state, approved by park personnel. If the facility is not left in a clean state, an additional charge of \$25.00 per hour for cleaning will be billed to the responsible party.
7. **If alcoholic beverages will be served or present at the event, the lessee must provide any and all permits for state and local governments. Lessee shall provide the business office with photocopies of any and all permits issued allowing the service of alcoholic beverages during the lease period. (Permits may require 4-6 weeks to obtain.) If alcoholic beverages will be served or present, the lessee must have a licensed bartender, proper insurance, and a beer and wine permit. Any permit must be prominently displayed.**
8. Children's groups or those under 18 must be supervised.
9. Reservations and fees on annual events must be approved by the Warrick County Department of Parks & Recreation Board.
10. Lessee will be responsible for additional fees charged for any and all damages to the facility or park.
11. The facility will be available for use at 9:00 a.m. The facility must be cleaned and vacated no later than 10:00 p.m. Any times of arrival or departure other than listed herein must be in writing and signed by the Park Manager or Superintendent. Entering the facility before 9:00 a.m. or after 10:00 p.m. is subject to charging an additional rental day.
12. All personal articles or decorations must be removed the day of the rental or they will be discarded. The Park will not be responsible for any articles left in the facility.
13. Inspections/walk-throughs with a park manager or Superintendent may be performed.
14. Temporary shelter structures are not allowed absent prior approval from the Parks Department.
15. In case of cancellation Warrick County Department of Parks & Recreation must be notified thirty (30) days in advance. Any deposit or fees may be deemed forfeited.
16. Do not use staples on tables.
17. In case of cancellation, Warrick County Department of Parks & Recreation must be notified thirty (30) days in advance. Any deposit may be deemed forfeited.

If any issues arise, damages occur, or any assistance is needed contact the office at 812-490-4FUN or the Park Manager at 812-589-5841.

RATES*

\$658.37 (includes \$600 rental fee, sales tax, and facility fee)

Additional \$50 for food truck access

***All Rentals are subject to Indiana Sales Tax a fee of 7% and a Facility Fee of 2.55%.**

INSURANCE REQUIREMENTS

ALL RENTALS

Lessee shall obtain and keep in effect during the term of the rental, commercial general liability insurance on an occurrence from covering Lessee and its activity and/or use of the Leased Premises and providing limits of not less than \$1,000,000.00 each occurrence bodily injury to any person or group for persons for property damage and \$2,000,000.00 general aggregate. Such policy shall name Warrick County Department of Parks and Recreation, its board members, officers, agents and employees as additional insured. **If alcohol is to be served or present then the Lessee must provide coverage which includes liability coverage.** A certificate or other acceptable proof of the requisite insurance shall be delivered to the Lessor prior to or at the time of final payment.

COMMERCIAL/PROFESSIONAL CATERERS

If a commercial/professional caterer is utilized by the lessee during the rental, the caterer must also provide a certificate or other acceptable proof of insurance, naming Warrick County Department of Parks & Recreation, its board members, officers, agents and employees as additional insured, providing limits of not less than \$1,000,000.00 each occurrence for bodily injury to any person or group of persons for property damage and \$2,000,000.00 general aggregate. If alcohol is to be served or provided by the caterer, then the caterer must provide insurance coverage which includes liquor liability coverage. If the caterer's insurance included the lessee as a named party insured for the entire event, then lessee's insurance requirements under this agreement will be satisfied by such insurance. A certificate or other acceptable proof of the requisite insurance shall be delivered to the Lessor prior to Caterer's entering upon the leased premises.

Such policy or policies of insurance shall name Warrick County Department of Parks & Recreation, its board members, officers, agents, and employees as additional insured.

Indiana Code 7.1-5-4. Service of setups-Abatement of practice as nuisance.

(a) It is unlawful for a person who owns or operates a private or public restaurant or place of public or private entertainment to permit another person to come into his establishment with an alcoholic beverage for sale or gift, or for consumption in the establishment by that person or another, or to serve a setup to a person who comes into his establishment. However, the provisions of this section shall not apply to the following.

- (1) A private room hired by a guest of a bona fide club or hotel that holds a retail permit.
- (2) A facility that is used in connection with the operation of a paved track of more than (2) two miles in length that is used primarily in the sport of auto racing.
- (3) An establishment operated in violation of this section hereby is declared to be a public nuisance and subject to abatement as other public nuisances are abated under the provisions of this title.

Indiana Code 7.1-5-8-6. Taking liquor into a restaurant or place of entertainment -- It is a Class C misdemeanor for a person to knowingly carry liquor into a place of public entertainment for the purpose of consuming it, displaying it, or selling, furnishing, or giving it away to another person on the premises, or for the purpose of having it served to himself or another person, then and there. It is a Class C misdemeanor to knowingly consume liquor brought into a public establishment in violation of this section.

I acknowledge that I have read the above stated sections of the Indiana law and agree to insure compliance therewith and have been advised that other sections of the Indiana Alcoholic "Beverage Code may be applicable to my rental of the above described property and agree to comply with all provisions of the Indiana law regarding alcoholic beverages if the same are to be used or consumed during the activity for which I am renting the premises.

In the event that the Warrick County Department of Parks and Recreation imitates action to collect any sums due under the terms of this agreement. Lessee agrees to pay all costs and expenses incurred by the Warrick County Department of Parks and Recreation, including attorney fees, for said collection efforts.

LESSEE DOES HEREBY RELEASE WARRICK COUNTY AND THE WARRICK COUNTY DEPARTMENT OF PARKS AND RECREATION FROM ANY LIABILITY FOR INJURY OR DAMAGE SUSTAINED BY LESSEE DURING LESSEE'S OCCUPANCY OF THE PREMISES HEREIN LEASED. LESSEE FURTHER AGREES TO INDEMNIFY AND HOLD HARMLESS WARRICK COUNTY AND THE WARRICK COUNTY DEPARTMENT OF PARKS AND RECREATION FROM ANY CLAIMS OF DAMAGE OR INJURY ASSERTED BY ANY INDIVIDUAL OCCUPYING THE PREMISES HEREIN LEASED BY THE LESSEE DURING LESSEE'S OCCUPANCY THEREOF. LESSEE FURTHER AGREES TO INDEMNIFY AND HOLD HARMLESS WARRICK COUNTY AND THE WARRICK COUNTY DEPARTMENT OF PARKS AND RECREATION FROM ANY AND ALL COSTS AND ATTORNEY FEES FOR DEFENDING ANY CLAIM AS MIGHT BE ASSERTED ARISING OUT OF LESSEE'S OCCUPANCY OF THE PREMISES AS HEREIN LEASED WHETHER SAID CLAIM BE BY LESSEE OR ANY INDIVIDUAL IN ATTENDANCE TO THE EVENT OF LESSEE.

I will not be having alcohol at my function. _____ Initials

I will be having alcohol at my function. _____ Initials

If you are having alcohol at your event, here is a list of what is required to have alcohol on the

premises: · Beer and Wine Permit

· One million dollar insurance liability with Warrick County Parks Department as the additional insured ·

Licensed Bartender

YOU MUST PROVIDE WARRICK COUNTY PARKS DEPARTMENT WITH COPIES OF ALL OF THE ABOVE ITEMS!

Park Rules:

Please read the attached copy of the Friedman Park rules before completing this agreement.

I have received and read the Friedman Park rules _____ Initials

If any issues arise, damages occur, or any assistance is needed contact the office at 812-490-4FUN or the Park Manager at 812-589-5841.

SIGNED _____ **DATE** _____

Phone Number _____ Copy of Application Received _____

Approval of Agreement: _____ (Superintendent/Park Manager)

FOR DEPARTMENT USE ONLY

Application Received By _____ Date _____ Time _____

Payment Received _____ Date _____ Balance _____ Date _____ Facility

Inspected By _____ Date _____ Time _____ Was Facility

found to be returned to original condition and clean. Yes _____ No _____

If no, explain _____

Friedman Park Policies and Rules

1. Use/Hours
 - a. Open on a year-round basis.
 - b. Park is open down to dark, unless the facility is rented, then no later than 10:00 PM.**
2. No Smoking
 - a. Friedman Park is a smoke free facility. Smoking is prohibited in the park.
3. Soliciting
 - a. No person shall canvas or solicit contributions on park land.
4. Vandalism
 - a. No person shall injure or damage any tree, plant, flower, or pull, cut, or dig up or in any manner, mutilate any of the trees, shrubs, flowers, vines or plants of any character in the park.
 - b. No person shall injure or otherwise cause damage to any park structure.
 - c. Anyone causing damages will be prosecuted
5. Beverages
 - a. No glass bottles or containers are allowed in the park at any time except by caterers for a properly permitted event
6. Alcohol
 - a. Permitted for individuals over 21 years of age.
 - b. All Indiana liquor laws are applicable and enforced.
 - c. If alcoholic beverages are served at any event using bulk containers or catering, the lessee must apply for a permit and provide a licensed bartender, proper insurance, and any and all permits for local and state governments. Lessee shall provide the business office with photocopies of any and all permits issued allowing the service of alcohol. Permits require 4 to 6 weeks to obtain.
7. Drugs
 - a. Narcotic drugs or controlled substances are strictly prohibited on park property.
8. Pets
 - a. All pets (dogs, cats, other) shall be under direct control of the owner by means of a leash. Pet owners must clean up after their pets. Pet owners who bring animals into the park shall have a plastic bag or other container to dispose of any feces of the animal.
9. Hunting
 - a. No person shall kill, trap or pursue with intent to trap any birds, waterfowl, or other animals in the park.
10. Fishing
 - a. Allowed only on the south side of the lake.**
 - b. Catch and release only.
 - c. Must have a valid fishing license.
11. Boating
 - a. No boating on the lake.**
12. Fireworks
 - a. No personal fireworks allowed. Only fireworks allowed must be part of an organized event properly approved through the Warrick County Parks Board.
13. Littering
 - a. No person shall drop, throw, or place rubbish in the park except in designated receptacles. Trash shall not be brought into the park for disposal.
14. Vehicles
 - a. No bicycle, motorcycle, scooter, automobile, truck or other vehicle shall be permitted except on any park road or path designated and provided for such purposes.
15. Swimming
 - a. Swimming and personal bathing is prohibited in the lake.**
16. Fires
 - a. No person shall make any fire except in fire pits provided for this purpose or in private portable grills.
 - b. Dispose of charcoal in a safe manner.
 - c. All fires should be cool to touch before leaving unattended.
17. Conduct
 - a. All persons are forbidden to use threatening, abusive, or indecent language or commit any indecent act or fight in the park.
 - b. Persons shall not create any loud noise or sounds that may disturb users or park neighbors.**
18. Permits
 - a. Special use of parkland for entertainment, demonstrations, or exhibitions requires written approval by the Warrick County Parks Department.
 - b. Insurance requirements must be met.
 - c. No admission may be charged for any function unless approved by the Warrick County Parks Department.
19. Facility rental
 - a. Park facilities, unless reserved or permitted by the Warrick County Parks Department shall be available on a first come, first served basis to groups of less than ten (10). Larger groups must reserve the facilities.
 - b. A schedule of rental fees will be maintained by the Warrick County Parks Department.
 - c. Rental agreements shall be required for persons reserving facilities that shall incorporate these rules.