

POLICY, PERMIT APPLICATION AND RELEASE FOR USE OF THE TOWN GREEN AND/OR THE BARON HUGO GAZEBO

POLICY

1. Applicants shall complete and then submit all pages of this application to the Town Administrator's Office.
2. Applications shall be submitted to the Town Administrator at least two (2) weeks in advance of the proposed use unless the nature of the proposed use prevents submittal within that time, in which case an application shall be submitted no less than three (3) business days before the proposed use.
3. A completed application does not constitute approval.
4. Applications shall be reviewed by the Town Administrator in consultation with the Police Department, Fire Department, Department of Public Works and the Director of the Board of Health to determine if any conditions are necessary to preserve public safety or public health.
5. The applicant may be charged for the cost to the Town of any Public Safety or Public Health precautions recommended by the Police Department, Fire Department, Department of Public Works or the Director of the Board of Health to preserve public safety or public health.
6. A fee of \$100 will be charged to all non-resident applicants for use of the Baron Hugo Gazebo. These monies will be deposited into the Baron Hugo Gazebo Fund and used for maintenance of the Baron Hugo Gazebo. Resident applicants may make a donation to the Baron Hugo Gazebo Fund. This section of the Policy shall not apply to use by the Town.
7. The Applicant may be required to provide additional information regarding its proposed use of the Town Green and/or the Baron Hugo Gazebo, including, but not limited to, an event site plan.
8. The Town Administrator may require the applicant to provide proof of insurance. In that event, the applicant will be required to provide proof of general commercial liability insurance in the amount of \$1,000,000.00 per occurrence, which insurance shall name the Town of Milton as an additional insured and provide coverage for the proposed use.
9. All Federal, State and Town of Milton laws, regulations and orders shall remain in full force and effect and shall not be altered in the event that a permit is granted.
10. All approvals must be voted by the Select Board, unless the timing of the application does not permit review of the application at a meeting of the Select Board prior to the date of the proposed use, in which case the application shall be subject to the approval of the Town Administrator.

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11. The Town Administrator may revoke or terminate a permit if the Applicant fails to comply with any or all of the conditions of the Applicant's permit or any Federal, State or Town of Milton laws, regulations or orders.
12. The Applicant and/or its designee must be on the premises during the entire duration of the event.
13. The Applicant shall be responsible for any damage to the Town Green, the Baron Hugo Gazebo or any adjacent Town property that occurs during the event.
14. A copy of an approved application must be present when using the Town Green or the Baron Hugo Gazebo.
15. Unless expressly permitted by the Select Board, in its sole discretion, use of the Town Green and/or the Baron Hugo Gazebo is not permitted before 9:00 A.M. or after dusk.
16. Approval or denial of an application for use of the Town Green and/or the Baron Hugo Gazebo shall not constitute or imply an endorsement, recommendation, opinion, or favoring by the Select Board, the Town Administrator or the Town of Milton of the proposed use in any way
17. This policy was adopted by the Select Board on September 16, 2020.

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APPLICATION

Applicant's Name: _____

Applicant's Address: _____

Applicant's Phone: _____

Description of proposed use: _____

(Please provide as much detail as possible.)

Proposed Event Date: _____

Proposed Event Start Time: _____

Proposed Event End Time: _____

Number of Guests and/or Attendees: _____

The Applicant certifies that he/she has read the foregoing policy and agrees to comply therewith, that all of the information provided in this application is true and correct, and that the applicant shall abide by any conditions of this permit.

Signature of Applicant: _____ Date: _____

Printed Name: _____ Printed Title: _____

-----For Completion by the Select Board/Town Administrator-----
Approved by:

Select Board / Town Administrator

Date

Conditions of Approval: _____

Use Charge(s): _____

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RELEASE AND INDEMNITY AGREEMENT

I, _____, of _____,
(Applicant Name) (Applicant Address)

in consideration of the grant of permission to use the Town Green and/or the Baron Hugo Gazebo located in front of the Milton Town Office Building at 525 Canton Ave, Milton, MA 02186 for the purpose of _____ on the date of _____,

(Description of event) (Date)

forever release, indemnify and hold harmless the Town of Milton, Massachusetts, and all of its officers, employees, boards, commissions and committees, including without limitation the Milton Select Board and the Town Administrator (the "Indemnities") from all claims, causes of action, costs, damage and liability of any kind, including without limitation death, personal injury, property damage and attorney's fees, including without limitation those related to COVID-19, which the Applicant now has or may have or hereafter may have against any of the Indemnities resulting from the Applicant's and or the Applicant's invitees' use of the Town Green and/or the Baron Hugo Gazebo. This provision is limited to claims for ordinary negligence, and shall not apply to claims for gross negligence or reckless or intentional conduct.

Signature of Applicant: _____ Date: _____

Printed Name: _____ Printed Title: _____