

Newburyport Waterfront Trust
USE PERMIT APPLICATION
Rates and Rules for Use of Boardwalk and
Waterfront Park (Market Landing Park, behind the Firehouse Center)

rev. February 22, 2005 ("ParkUsePermitApplication-rev2.doc")

An authorized Use Permit is required for any organized event, private or public, to be held in Market Landing Park (between the Firehouse Center and the River) or on or near the Boardwalk. The Newburyport Waterfront Trust, owner and manager of this area, has exclusive right to grant or deny Use Permits for this area.

Use pages 3-4 of this form to apply for the Use Permit. Because Use Permits are generally granted on a first-come, first-served basis, applications should be made as early as possible. Note that the Waterfront Trust reserves the right to not grant a Use Permit for any event if the event is considered inappropriate for this site, if the expected audience is considered too large for the site, if another event is already planned at the same or a near time, or for any other reason.

Schedule of Fees

Fees for use of the Park for all events are based on the length of the event (including setup and cleanup) and the anticipated number of participants/audience:

<u>Participant/Audience Size</u>	<u>0-3 hours</u>	<u>3-6 hours</u>	<u>full day</u>
Up to 50 people	\$100	\$150	\$300
51 to 200 people	\$200	\$300	\$600
201 to 500 people	\$300	\$450	\$900
501 to 1,000 people	\$400	\$600	\$1,200
1,001 to 3,000 people	\$500	\$750	\$1,500
3,001 to 5,000 people	\$600	\$900	\$1,800
over 5000 people	not allowed	not allowed	not allowed

Note that event planners, such as charitable nonprofit organizations, may apply for fee reductions, although the Waterfront Trust is under no obligation to grant such fee reductions. Application should be made in writing with a detailed explanation of the event, how it serves the public good, and the reason for requesting a fee reduction.

Note that the Waterfront Trust meets only once monthly, and therefore all applications for Use Permits and fee reductions must be made well in advance to allow adequate time for consideration. In some cases event planners may be invited to a Trust meeting to discuss a planned event or provide additional information.

A \$100 nonrefundable deposit must be submitted with the completed Use Permit application. If the Use Permit is not granted, this deposit will be returned to the applicant. If the Use Permit is granted, the remainder of the fee is due no later than 30 days before the event.

Newburyport Waterfront Trust
USE PERMIT APPLICATION
Rules and Restrictions for Use of Park and Boardwalk

1. A Use Permit is required for reserving an area of Market Landing Park (between the Firehouse and the River) or the Boardwalk for any organized private or public event.
2. Under normal circumstances, events are not allowed on the Boardwalk itself, unless granted by special exception, because of limited space and because the Boardwalk is a public walkway.
3. The Waterfront Trust reserves the right to not grant a Use Permit for any event for any reason if deemed inappropriate.
4. The Waterfront Trust will not discriminate against any applicant based on any criteria when considering whether to grant or not grant a Use Permit.
5. Amplified sound or music in any event may not continue after 9:30 PM.
6. No tents or awnings may be erected in the Park. (No poles or stakes can be put into the ground because of irrigation system hoses.)
7. Only lawn chairs with horizontal bottom pieces are allowed. (Straight chair legs may sink into the ground.)
8. Clean-up after the event by event organizers is required, including small items in the lawn such as cigarette butts. Except for very minor amounts of trash, which may be put in receptacles on site, trash must be removed from the area by event organizers rather than filling receptacles on site.
9. At its discretion, the Waterfront Trust may require a clean-up bond to be paid in advance, to be refunded after cleanup is complete.
10. No motorized vehicles are allowed on the boardwalk, Park walkways, or Park grounds. Any equipment to be delivered to the site must be hand-transported from the parking lots on either side of the Park.
11. All Newburyport City ordinances apply in the Park and on the Boardwalk, including excessive noise constituting disturbing the peace.
12. No alcohol is allowed in the Park or on the Boardwalk.
13. Participants in the event must not interfere with the normal use of other areas of the Park or Boardwalk by people not attending the event
14. Participants in the event must not harass or solicit from others using the Park or Boardwalk.
15. No selling of food or any merchandise of any sort is allowed in the Park or on the Boardwalk.
16. Fundraising by charitable nonprofit groups may be allowed by special permission to the extent it is described in the application and approved by the Waterfront Trust.
17. Except by special application and approval, no staging may be erected in the Park or on the Boardwalk. Event organizers are expected to use the existing granite stage for any performances.
18. The event may not block any of the brick walkways or any part of the Boardwalk.

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Complete this form in full (both sides) and return it with a check for the appropriate deposit to City Hall in an envelope addressed to Newburyport Waterfront Trust. Give this envelope to the City Clerk's office and ask them to put in the Waterfront Trust mailbox.

1. Applicant Information

Name of organization (if applicable): _____

Individual making application: _____

Address, email, and telephone numbers:

2. Date(s) of event: _____

Starting and ending times for event (include set-up and cleanup)

3. Describe in detail the area to be used (see previous rules and restrictions), and if appropriate include a sketch map showing the Park area to be used:

4. Describe the event in detail: _____

5. Number of participants: _____ Estimated audience/crowd size: _____

6. Fee (from page 1): _____

7. Is electricity required? _____ If yes, describe in detail: _____

8. Will equipment be placed on site (chairs, tables, etc.)? Note the rules and restrictions on the following page. Describe your plans in full: _____

9. For any large private event or any public event, describe measures that will be taken to ensure public safety. _____

Note that the Trust may require the applicant to secure advance approval from City officials and other public safety officials as appropriate.

10. For any large event, describe measures that will be taken to ensure that the crowd does not damage the grounds, flowerbeds, and so on.

11. Cleanup is required following any event. Large events and those open to the public typically result in significant amounts of trash spread over the area, and a plan must be in place in advance for adequate cleanup (including cigarette butts and small items). Describe your plan for cleanup: _____

Note: that trash bags may not be left on site or put in trash receptacles on the grounds; these trash cans are needed for routine Park and Boardwalk use.

Note: that in some cases the Trust may require a cleanup bond to be posted in advance, refundable after inspection of the grounds following cleanup.

12. Will the event be publicized or advertised? Describe plans: _____

Note that the Trust may modify the estimated crowd size for public events based on the publicity given the event, with the fee adjusted accordingly.

13. Will any pamphlets, handbills, advertising materials, or any other items be distributed at the event? Describe in detail. _____

14. Except for small events such as weddings, evidence of adequate insurance coverage is required for the event before the Use Permit will be granted. Describe here your insurance coverage, and attach a photocopy of the appropriate insurance rider to this application.

In signing below, you certify all foregoing statements are true to the best of your knowledge and that you agree to all the rules and restrictions listed here and on the previous pages.

Signature of applicant: _____
Date: _____
Deposit enclosed: _____