Late File

May 26th, 2020

**AN TIME-LIMITED ORDINANCE TO AMEND CHAPTER 11 OF THE MUNICIPAL CODE REGARDING PARKS AND RECREATION IN RESPONSE TO THE COVID-19 PANDEMIC**

Be it ordained by the City Council of the City of Newburyport as follows:

***Add to Chapter 11, Subsection 11-7, a New Subsection C – “COVID19 Parks Permitting” to read as follows:***

In response to the COVID-19 pandemic, the City Council, in consultation with the Parks Commission, establishes a fee of $0/hour in certain cases defined as follows:

1. Recurring use of the following Parks:
   1. Cashman Park Ballfield
   2. Perkins Park Ballfield
   3. Cashman Park Soccer Field
   4. Cherry Hill Soccer Field Parcel A
   5. Cherry Hill Soccer Field Parcel B
   6. Bradley Fuller Park Infield
   7. Bradley Fuller Park North Field
   8. Woodman Park Multi-Use Field
   9. Cashman Park Tennis
   10. Perkins Park Tennis
   11. Bartlet Mall Basketball Courts
   12. Cashman Park Basketball Court
   13. G.W. Brown School Playground Basketball
   14. Perkins Park Basketball Courts
   15. Woodman Park Basketball Courts
   16. Atkinson Common, Lower, Founders Field
   17. Atkinson Common, Lower, Pepe Field
   18. Atkinson Common, Lower, Hawkes Field
   19. Atkinson Common Tennis
   20. Brown Square
   21. Atkinson Common, Upper
   22. Atkinson Common, Lower
   23. Atwood/Garrison Gardens
   24. Bartlett Mall (other than athletic fields or courts)
   25. Cashman Park (other than athletic fields or courts)
   26. Moseley Woods Pavilion
2. 5 or fewer weekdays in any given week
3. No more than 2 hrs. on any given day
4. No tents or structures of any kind, temporary or permanent, are permitted
5. Requests for usage on any weekend day may not be permitted under this subsection
6. No more than 20 participants maximum (subject to other laws and regulations promulgated by other entities)

Any permit being requested under this specific subsection shall be made to the Parks Commission or its designee, which shall render a decision on the application within 7 days, with an application that shall include the following at minimum:

1. Identification of the individual or organization
2. Primary contact with contact information (including physical mailing address, phone number, and the cellphone number of the primary contact)
3. A list of specific dates and time slot(s) requested
4. A description of the proposed use
5. A valid insurance binder with a minimum of $1M of coverage indicating that the City of Newburyport is an additional named insured without limitation or any other additional requirement.

For the purposes of clarity, this subsection alters fees and permitting in specific cases for a defined period of time overriding 11-5v, 11-7 (specifically Group C) but shall not be construed to alter, eliminate, or supersede any other aspect of Chapter 11 or any rules promulgated by the Parks Commission.

Applicants are on notice that these are requests for fee-free usage of public Parks which belong to the residents of Newburyport. The Parks Commission must weigh this against any permit application and across all permit applications. In addition, the Parks Commission must also be mindful of congestion as permit applications are processed.

The Parks Commission may, at its sole discretion, approve or deny permits. Any such grant is a revocable license and, as such, may be revoked by the Parks Commission upon a supermajority vote during a public meeting.

This section and any permits approved under it shall expire on August 31st, 2020 at 11:59 PM unless this subsection is extended by the City Council or unless any individual permit is revoked by the Parks Commission at any time.

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Sharif I. Zeid, Ward 1 City Councillor

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Joseph H. Devlin, At Large City Councillor