

ORDINANCE 10-28

ORDINANCE ESTABLISHING WESTFIELD PARKS DEPARTMENT 2011 POLICES, PROCEDURES, PERMITS AND FEES

WHEREAS, The City of Westfield, (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”); and,

WHEREAS, the City maintains park areas and trails for the benefit of the citizens of the greater Westfield area and is authorized to establish rules, restrictions, policies, procedures and fees for the orderly and responsible use and maintenance of those park areas and trails, and

WHEREAS, after consideration and study by the staff of the Westfield Parks Department the current rules, regulations, polices, procedures, permits and fees that are proposed are appropriate, reasonable and necessary for that orderly use of the park areas and trails.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

Section 1. That the Council now finds that the following changes, additions and deletions are appropriate and shall replace any and all conflicting provisions within the City of Westfield Policies and Procedures and the Westfield Code of Ordinances:

- a) PK 01-11 Special Events Policy.
- b) PK 02-11 Rules of Operation.
- c) PK 03-11 Tree Inspection Policy.
- d) PK 04-11 Geo-Caching Policy
- e) PK 05-11 2011 Fee Schedule.

All of which are attached hereto and incorporated herein.

Section 2. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All Ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed invalid shall not

operate to invalidate the remaining portions. All acts undertaken to adopt this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____ 2010.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

John Dippel

John Dippel

John Dippel

Steve Hoover

Steve Hoover

Steve Hoover

Bob Horkay

Bob Horkay

Bob Horkay

Ken Kingshill

Ken Kingshill

Ken Kingshill

Bob Smith

Bob Smith

Bob Smith

Thomas Smith

Thomas Smith

Thomas Smith

Rob Stokes

Rob Stokes

Rob Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 10-28 was delivered to the Mayor of Westfield

on the _____ day of _____, 2010, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-28

I hereby VETO ORDINANCE 10-28

this _____ day of _____, 2010.

this _____ day of _____, 2010.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy Gossard, Clerk Treasurer

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

Policy: PK 01-11
Policy Title: Westfield Parks & Recreation Special Event Policy
Policy Purpose: Establish Non-Park Special Event Protocol
Implementation Date: January 2, 2011
Revision Date: NA

CITY OF WESTFIELD
PARKS AND RECREATION DEPARTMENT
NON-CITY SPONSORED SPECIAL EVENT POLICY

A. Purpose and Intent

1. The Westfield Park and Recreation Department wishes to assist with bringing group events to the community that will contribute to Westfield's quality of life and add recreational opportunities. In the continuing effort by the City to provide the public with quality recreational choices in well maintained, clean, and safe parks, Westfield has developed the following standard operating procedures to review requests for Special Events to be held in the City Parks.
2. Park facilities may be made available for non park related uses when such uses are consistent with the City's Public Policy and the goals and mission of the Westfield Park Department and does not interfere with regular scheduled events in the park facilities. This policy does not include individual shelter rentals.

B. Uses

1. Insofar as practicable, priority shall be given to groups and individuals whose particular use is deemed to be of significant community interest and general value. The Park Director or his/her designee will review each request and reserves the right to refuse rental/use.
2. Applicants and his/her organization wishing to use the park facilities shall meet requirements as outlined in the Eligible User Groups as developed by the Park Department, which is revised periodically.

C. Consideration

1. Scheduling priority will be given according to the order indicated below with Group 1 having the first priority and Group 4 having the last. Scheduling will be on a first come – first served basis within a group. A Group 1 organization may bump a lower priority group with a one month or greater notification.
2. In order to recover some of our utility costs associated with special events a Special Event Utility Fee may be charged.
3. The Park Director reserves the right to waive rental fees.

4. Political parties that polled less than 10% of the entire vote cast in the State of Indiana in the last general election are not permitted to use the City Parks for Special Events.
5. Facilities generally are not to be used for commercial or personal gain. The Internal Revenue Service listing of non-profit organizations will be used as a guide. In certain instances that are uniquely suited to provide services or recreational opportunities to the community will be monitored so the sponsor does not have the ability to monopolize a program or service.
6. Should all or any part of the community be struck by a disaster, the City will cooperate with recognized state or federal agencies in the use of all park facilities without charge during the extreme emergencies. All events would be canceled at these times.
7. Special Events such as weddings or funerals shall be scheduled under exceptional conditions.
8. City employees wishing to host a special event other than a shelter rental for individual use will adhere to this same policy.

D. Process

1. Applicants and his/her organization wishing to use a park facility shall complete a **Permit for Special Event Use of Park Facilities** and submit it to the Park Administrative Office. Applicants shall comply with Rules of Park Operations set forth in – Ordinance 10-28 PK 02-11. Rental of facilities will be made to responsible adults representing a group or organization. A responsible adult is defined as a person at least 21 years of age who is financially responsible. All permits are subject to cancellation.

E. Eligible User Groups

Group 1: Direct City Related Activities E.g. City department meetings, classes, special events Or activity	No Rental Fee No Maintenance Fee No Public Safety Fee
Group 2: Joint City Sponsored Events E.g. DWNA, Township Park Department, And Hamilton County Park Departments, Schools and Education Foundation, Library	No Rental Fee No Maintenance Fee No Public Safety Fee
Group 3: Civic and Service Organizations & Not-for-Profits E.g. Scouts, 4-H Clubs, Youth Athletics, Youth Organizations	Rental Fee Maintenance Fee Public Safety Fee

Rotary, Lions, Kiwanis, Churches, Chamber of
Commerce, other Community Groups

(if necessary)

Group 4: Private Businesses, Organizations and
Citizens
Acceptable events will be determined by
Director

Rental Fee Charged
Maintenance Fee
Charged
Public Safety Fee
(If necessary)

F. Application Procedure

1. All requests should be made in writing on the **Permit for Special Event Use of Park Facilities** form (Exhibit B) and submitted to the Administration Office of the Westfield Park Department at a minimum of 30 days prior to the use.

Please note: if a large scale event is being proposed you may need as much as a year's preparation.

2. The Director will determine the merits of the application and availability of the location. A copy of the signed application will be given to the Westfield Fire Department and the Westfield Police Department for their comments regarding public safety and if any public safety fees will be charged.
3. The application must state the specific time and date of the event as well as all facility needs to be furnished by the City.
4. All rental, maintenance and public safety fees will be invoiced and due 30days from the invoice date. Renters agree to be responsible for any additional charges incurred or damages caused by renter's activities.
5. Permits granted are subject to cancellation at any time by the Director or his/her designee.
6. Holders of permits shall confine their use strictly to the specific area approved and will not be permitted to use any other space, equipment or apparatus unless it is approved in the application.
7. No Park Facility may be used for a special event without the presence of a City representative.

G. Insurance and liability

1. Any group using the Parks for any purpose must provide a certificate of insurance showing proof of liability insurance in the amount of \$100,000 property damage per occurrence and \$1,000,000 bodily injury per occurrence naming the City of Westfield as an additional insured.
2. The requesting party shall protect and hold harmless the City of Westfield and its **elected officials, employees, staff and representatives, and each of them, of and** from any and all claims, suits, liabilities, damages or causes of action of any kind, provided such person was acting in the discharge of his/her duties.

H. Rules and Regulations

1. Applicants shall comply with all Rules of Park Operations set forth in – Ordinance 10-28 PK 02-11. A copy is posted on the Park Department webpage.
2. The applicant and his/her organization shall be held strictly accountable for complying with the rules and regulations that govern use of the City Parks, and shall be responsible for damages, losses, or accidents, which might occur while the organization is using the site. If proper care is not exercised, the continued use of the City Parks may be denied.
3. The sponsoring organization must provide adequate supervision and must insure that parents, students and visitors use only the areas approved for rental/use. The organization will also provide all necessary supporting personnel such as medical personnel, parking attendants, set up and cleanup crews. A Public Safety fee may be charged if these services are deemed necessary.
4. Securing additional trash receptacles or having trash hauled away if park containers won't accommodate the needs of the event must be the sole responsibility of the user. Bagged trash (5 bag maximum) may be placed next to a park trash receptacle after an event for park staff to remove. Trash that is not disposed of properly or overfills a receptacle may result in a loss of deposit. The Park Administration will determine if the size of the event requires a rental of an outside dumpster. Dumpsters are to be placed in designated areas approved by the Park Administration.
5. If the special event will have attendance over 500 the sponsoring organization will be required to provide port-o-lets. The requirement is 1 port-o-let per 500 attendees. At least one in every 3 rented must be handicap accessible. Delivery must be at the latest date and time possible prior to the event and removed from Park property no later than 24 hours after the event. Westfield Parks Department takes no responsibility for any damage to port-o-lets. Port-o-lets are to be placed in designated areas approved by Park Administration. If port-o-lets require hoses for a water source, the vendor must supply.

6. Vehicles are not allowed on Park property that is not designated for parking. Deliveries or setup needing a vehicle to enter the park must be approved by the Park Administration.
7. The sponsoring organization is responsible for providing information if tents are being proposed. Locates must be done to prevent tapping irrigation, fiber or utilities.
8. Users are encouraged to exercise Universal Precautions and to have the necessary emergency first aid kits issued to their members. Public Safety is always provided if an emergency should arise.
9. A report of any personal injury must be submitted to the Park Administration Office by the person securing the permit within 24 hours after an injury.
10. Property damage must be reported immediately to the City representative on duty, and an itemized list of any property damage must be provided to the Park Administrative Office by the person securing the permit within 24 hours after any such damage.
11. No signs, displays, or materials may be attached, nailed or otherwise affixed to shelters, trees, buildings or existing signs. Temporary signage may be used for the event, once approval is given by the Community Development and the Park Department.
12. No Park fixtures may be moved without consent of the Director.
13. The use of special equipment such as but not limited to cooking equipment, musical instruments, public address systems and sports equipment will be reviewed per application.
14. Alcohol use is restricted and will be reviewed per application. All necessary licensing and insurance is required.
15. If the City determines the use of a Park facility is being diminished or compromised by the rental organization use will be terminated.
16. No group can monopolize more space and time than is needed to meet the needs of the approved event.
17. Failure to comply with the rules and regulation will be sufficient reason to cancel future privileges.
18. A refundable damage deposit of \$200 is required for all special events; if alcohol is served the deposit increases to \$600.

I. Fees and Charges

1. See Exhibit A.

Titled: CITY OF WESTFIELD PARKS AND RECREATION
DEPARTMENT SPECIAL EVENT FEES AND CHARGES

EXHIBIT A
CITY OF WESTFIELD
PARKS AND RECREATION DEPARTMENT
SPECIAL EVENT FEES AND CHARGES
2011

Asa Bales Park – North (205 W. Hoover Street) **\$150** for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: three shelters, fourteen picnic tables, large permanent grill, drinking fountain, restrooms, skate park, playground, large open grass field, lots of trees, creek, paved trails and paved parking lot (twenty spaces). Asa Bales North is located across the street from Westfield High School and next to the Westfield Middle School and Public Library and just two blocks from Freedom Trail Park.

Asa Bales Park – South (200 Camilla Court) **\$100** for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: playground, natural amphitheater, paved trail, lots of trees, creek, paved parking lot (eighteen spaces), and stone trail access from Union Street.

Hadley Park (100 W. Main Street) **\$40** for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Hadley Park is a small intimate space ideal for small weddings or small gatherings. It is located in the center of downtown Westfield. Amenities include: a portico, benches, memorial brick walkway, beautiful gardens, and trees. It is adjacent to Asa Bales Park.

Quaker Park (17501 Dartown Road) **\$150** for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: Shelters 2, 3 & 4, eighteen picnic tables, playground, splash park, basketball goals, Midland Trace Trail, which includes Born Learning Trail, drinking fountain, permanent grill, restrooms, paved parking (44 spaces), large open grass field, trees, and creek. Shelter #1 cannot be included in special event rentals.

Simon Moon Park (2710 E. 171st Street) **\$100** for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Anyone wanting to rent the shelter and use the Council Circle Fire Pit must apply as a special event. Amenities include: Shelter with six picnic tables, additional picnic tables on top of hill, sledding hill, Council Circle with Fire Pit, Fire Host (park staff), wood and fuel for fire, fire maintenance and extinguishing of fire, trail connection to Midland Trace Trail, 2-5 playground, 5-12 playground, drinking fountain, permanent grill, paved parking (eight spaces) and additional parking at the City Services Center.

Old Friend Cemetery Park (302 S. Union Street) **\$100** for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 1834 Historical Friends (Quaker) Cemetery in a beautiful serene setting in the heart of downtown Westfield, plaza, gazebo, Martha Doan Memorial Garden, stoned walkways, interpretive signage that shares Westfield's story, benches, drinking fountain, bike racks, adjacent to the Midland Trace Trail and Grand Junction Trail across the street.

Monon Trail - \$100 for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 12-foot paved asphalt trails with two-foot stone shoulders, drinking fountain, benches, Greyhound Pass Trail Head (1155 E. Greyhound Pass) with parking, bike racks and restrooms, connection to Carmel/Indy Monon Trail and the Midland Trace Trail.

Midland Trace Trail - \$100 for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: Three sections of the trail now open (Carey Road to Union Street; Oak Ridge Road to Quaker Park and Springmill Road toward Ditch); 12-foot paved asphalt trails with two-foot stone shoulders, drinking fountains, benches, bike racks, connections to Simon Moon Park, Old Friends Cemetery Park, Grand Junction Trail/Natalie Wheeler Trail, Downtown Westfield and Quaker Park; parking available at Simon Moon Park and Quaker Park.

Grand Junction Trail - \$100 for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 10-foot paved asphalt/brick trail with granite shoulder, benches, landscaping and bio-swales, leisure urban feeling; connections to Midland Trace Trail, Natalie Wheeler Trail, Old Friends Cemetery Park, Union Bible College, close proximity to Hadley Park and Asa Bales Park.

Natalie Wheeler Trail - \$100 for up to four (4) hours, \$20 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 12-foot paved asphalt trails, connecting to Grand Junction Trail, Cool Creek Park, future Cool Creek Trail extension and Liberty Park. Parking at Liberty Park and Cool Creek Park.

NOTE: A refundable damage deposit of \$200 is required for all special events; if alcohol is served, the deposit increases to \$600.

Rental fees include: Clean up prior to event, set up of additional trash receptacles (if needed), and trash removal after the event, any necessary furniture moving and on-site staff during event.

Policy PK 02-11

Policy Title: Rules of Operations

Policy Purpose: Set forth rules and regulations to be posted in Park facilities to keep park visitors safe

Implementation Date: January 2, 2011

Revision Date: NA

This policy has been created with the intent to set forth rules and regulations to assure Westfield parks, trails and facilities are safe and being used as intended. These rules will be posted in all parks so all that visit will have an understanding of appropriate use. These rules and regulations along with all applicable state, federal and local laws, including but not limited to, laws governing vandalism, nuisance, litter, animal control, alcohol and drugs will be enforced. Signage in the parks will read:

**CITY OF WESTFIELD
PARKS AND RECREATION DEPARTMENT
Rules of Operations**

All applicable state, federal and local laws, including but not limited to, laws governing vandalism, nuisance, litter, animal control, alcohol and drugs will be enforced.

The following rules are provided to supplement the laws and ensure a safe and nurturing experience while visiting Westfield Parks and Recreation Facilities. If you do not find answers to your questions under the following outline, please call the Park Administration Office at 317-804-3184 during regular business hours.

GENERAL RULES

1. **Park Hours:** Unless otherwise posted, all parks and trails are open from sunrise to sunset seven (7) days a week.
2. **Parking:** Parking is allowed in designated parking lots only. No one shall park in a parking space designated for the physically challenged without a handicap permit.
NO OVERNIGHT PARKING IS ALLOWED IN WESTFIELD CITY PARKS.
3. **Use of Vehicles:** It is strictly prohibited for any motorized vehicles; with the exception of motorized wheelchairs or official city vehicles being operated by City employees, to be operated within park boundaries. All vehicles shall be operated on roadways specifically designated for vehicular traffic.
4. **Shelter Rentals:** Shelters can be reserved for a fee. Reservations can be made on a first come first served basis by calling Customer Service at 317-804-3150 during regular business hours. Rental fees must be paid to confirm the reservation. For more information on facilities, please visit the Department webpage.
5. **Alcohol:** Use of alcohol in parks is prohibited. Special Event permits may be considered, and require filing liability and insurance documents with the Park Administration Office.
6. **Use of Fire:** Fires are only allowed in the designated charcoal grills at the shelters. Portable gas grills may be used in the shelter areas. Bonfires are prohibited. The use of

the Council Circle Fire Pit at Simon Moon Park must be approved through the Park Administration Office and have staff on site during use.

7. **Smoking:** All parks and trails are a smoke-free zone.
8. **Fireworks:** NO personal fireworks are allowed in Westfield City Parks.
9. **Camping:** Overnight camping is not allowed.
10. **Water Ways:** Use of water ways or ditches within the parks are for wildlife use only unless designated otherwise.
11. **Trash:** It is strictly prohibited for any person to deposit any refuse (as that term is defined by the Indiana Code) into a park or within a park refuse disposal receptacle, except for garbage defined as paper goods, food wrappers or food container used in the park.
12. **Animals:** Any animal in a park must be restrained by a leash or lead no longer than 6 feet, or under the physical control of the animal's owner or attending party. Pet owners must have and use a container or device for the holding of their pet's waste while they are in a park, on a trail or pathway. Violations will result in fines. Dog or other pets are not permitted on any athletic playing field, or children's playground area. Horses or ponies are not allowed to be brought into Westfield Parks. It is prohibited for any person to knowingly cause or directly abandon any animal in a Westfield City Park.
13. **Hunting:** To bring, carry or possess a firearm, or bow and arrow or to carry, possess or set a snare, trap, net or similar device or other weapon capable of capturing or harming any wild animal or bird in the parks or on the trails is prohibited.
14. **Firearms:** Firearms, missile propelling devices, ammunition, fireworks, bombs or other explosive devices, knives, paintball equipment or any other objects that can reasonably be considered a weapon, are strictly prohibited in any park for any reason. This prohibition does not apply to law enforcement officers as defined in Indiana Code.
15. **Vandalism:** It is strictly prohibited for any person to remove, destroy, break, injure, mutilate or deface in any way any structure, sign, fence, wall, trail, railing, bench, tree, shrub, plant, flower or any other property of Westfield City Parks. No person shall climb any tree; walk, stand or sit upon monuments or any other property not designated for that use.
16. **Inappropriate Behavior:** Public displays of affection and/or any sexual activity or nudity is not allowed in Westfield City Parks and is considered a felony. No person shall use profane or abusive language, or conduct oneself in a disorderly manner in Westfield City Parks.
17. **Special Events and/or Programs:** All special events must be coordinated through the Park Administration Office.
18. **Inflatables or Dunk Tanks:** Are not allowed.
19. **Music Entertainment:** It is prohibited to use radios, tape machines, CD Players, IPODS, live musical entertainment or amplification systems in a loud manner which will interfere with others using the park or the park neighbors.
20. **Soliciting/ Conducting Business:** It is prohibited for any person to solicit for or conduct any business or to sell or to offer to sell any parcel or service or solicit for charitable contributions in Westfield City Parks unless such person or business has been granted a permit. Applications should be made to the Park Administration Office.
21. **Trails:** No motorized vehicle, including golf carts, are allowed on any trails in the Westfield City Parks trail system, with the exception of motorized wheelchairs or official

city vehicles being operated by City employees. Ride, walk, run and skate on the RIGHT, except when passing. Cyclists are asked to announce and slow down when they are approaching a pedestrian on the trail and to observe all of the other rules of the road for cyclists. Do not disturb or harass wildlife. Observe additional trail rules as posted on/or along the trail corridors. Please remember the YIELD rules:

- a. **Bicycles yield to rollerbladers**
 - b. **Bicycles and rollerbladers yield to skateboarders**
 - c. **Bicycles, rollerbladers, skateboarders yield to runners**
 - d. **All yield to pedestrians**
22. **Skate Park: Use of this facility may cause injury or potential death. The City of Westfield is not responsible for injuries. Know your ability and participate at your own risk!** All rules stated above apply to the Skate Park. In addition, the following rules must be adhered to. For personal safety, safety equipment such as helmets, knee pads, elbow pads and wrist guards are recommended. Food and beverages are not permitted within the skate park. No pets are allowed in the skate park. The Park Department and the Police Department reserve the right to revoke the use of the skate park to individuals who violate the rules and regulations. We also maintain the right to close the skate park if there are persistent problems with rules or vandalism. There are no fees for the use of the skate park. Treat the park and others with respect.
23. **Splash Park:** Hours of operations are 10:00AM to 7:00PM. The season begins on Memorial Day Weekend and runs until late September, weather permitting. There are no fees for the use of the splash park. Parents are responsible for children's safety. Children using the splash park must be accompanied by an adult. Running in the splash park is prohibited. Children who are not restroom trained must wear a water diaper. Glass containers should not be used on or near the splash park. No pets are allowed in the splash park.
24. **Public Playground Safety Guidelines:** For your play enjoyment, please obey the following or you may cause injury to yourself or others around you. Play safely and be courteous of others:
- a. **No pets allowed**
 - b. **No bicycles, rollerblades, or skateboard use within the play area**
 - c. **Inspect play area before starting to play and remove litter**
 - d. **Children 7 and under should be accompanied by an adult**
 - e. **Note age-appropriate use on equipment**

CAUTION

- **Bare feet may cause injury**
- **Throwing sand or any other objects within play area may cause injury**
- **Playing on this equipment when wet may cause injury**

SWINGS

- **Hold on with both hands**
- **Standing on swings may cause injury**
- **Stop swinging before getting off**
- **Never swing or twist empty seats**
- **Stand clear of moving swings to avoid contact and possible injury**

SLIDES

- **Slide feet first only**

- **No running or walking up slide**
- CLIMBERS**
- **No pushing, running or shoving**

Violation of any of these rules can mean expulsion from the park.

There is a \$500 fine for damaging or defacing public property.

If you notice broken equipment or anything that requires immediate attention, please call the Park Administrative Office at 317-804-3184. We appreciate your cooperation.

Policy: PK 03-11

Policy Title: Tree Inspection Policy

Policy Purpose: Policy to ensure proper management and safety of public trees

Implementation Date: January 2, 2011

Revision Date: NA

CITY OF WESTFIELD PARKS AND RECREATION DEPARTMENT

TREE INSPECTION POLICY

Trees are a major asset as they add beauty to the City of Westfield properties (hereafter called City). Trees also save the community money by shading buildings, filtering air, slowing down water run-off and adding to the property values of individual homes. The City of Westfield also recognizes that if trees are not maintained, they can become a major detriment! It is for this reason that the City realizes a need for a Tree Risk Management policy.

TREE RISK MANAGEMENT POLICY

The City Tree Risk Management Policy

The City recognizes a need to inspect trees within its managed grounds. The City intends to inspect trees within its managed grounds pursuant to the policy attached.

To perform this function, the City has developed an active policy to maintain the safety of City managed grounds, keeping them free from potentially hazardous trees, by timely removal of any tree or tree part deemed hazardous. To assist in assessing the preamble that may arise from the condition of its trees, the Westfield Parks Department (WPD) proposes to train grounds and other pertinent staff members on the principles of Visual Tree Assessment (VTA).

Since the City has limited fiscal and human resources, the removal of high risk trees shall be done on a risk priority basis. The Westfield Parks Director will administer this policy and have the final determination in all matters concerning the mitigation measures to be taken for any tree deemed potentially hazardous.

The Westfield Parks Department Director further determines the following as a Standard of Care:

Oversight of Policy

The Westfield Parks Director in overseeing this policy directs WPD to have the day-to-day (or general) oversight of this policy. A report should be prepared for the Board of Public Works & Safety at their Spring Board meeting.

Objectives of Policy

The goal of this policy is to protect the residents, staff members, neighbors, students, visitors and general public from harm that might be caused by trees on the City's properties, rights-of-way, common areas, grounds and/or other managed properties.

To protect the woodland feel of the City's grounds this policy will strive to:

- Maintain the integrity of the woodland feel that provides beauty to City properties.
- Increase ecologic benefits to the community in the way of water retention, air cleansing, heat reduction and increased property values.
- Provide an excellent offset for some of the carbon usage that the City consumes.

It should be noted that this policy and standard of care is actually a formalizing of practices and procedures that have been taking place for many years, as the City has worked to provide a safe premise.

Means of Inspection

Due to the magnitude of the woodland element of the City grounds, this policy will be performed by the use of

- An internationally recognized technique called Visual Tree Assessment (VTA). The WPD proposes to train its grounds staff members in the elements of VTA so that they can better recognize trees that are structurally unsound and are in need of attention. WPD staff will be required to attend training in VTA prior to starting inspections.
- The City also desires a second level of expertise as it proposes to continue to work with a Registered Consulting Arborist, or the equivalent, to assist in assessing trees that are beyond individual staff members' level of expertise. This second level may include the use of, a climbing arborist assessment, drill test or other means as necessary and agreed upon by the WPD director.
- The WPD staff will use the following VTA outline and inspection document (exhibit 1):

Visual Tree Assessment (VTA) encompasses visual and physical assessment for each tree. Typically, the tree is identified, described, and, sometimes photographed. Findings of the assessment are noted with recommended next steps, such as maintenance, follow-up, monitoring or no action. Areas to be assessed for overall tree health and safety factors are:

1. The ground around the root flare (area where the roots are growing underground).
2. The root flare itself (sometimes looks like an "elephant's foot").
3. The hole or trunk of the tree (also sometimes called the stem).
4. The limb junctions (where limbs branch off of the trunk).
5. The scaffold branches (big limbs which make up the crown of the tree).
6. The branches (attached to scaffold branches).
7. Twigs and fruit that could cause slip and fall accidents.
8. Miscellaneous hazards, such as thorns, low hanging branch and line-of-sight conflicts that impede the safe flow of traffic.

Red Flags

A Visual Tree Assessment looks for:

1. *Obviously rotted, dead or decayed limbs, trunks or roots*
2. *Large holes in trunk*
3. *Broken limbs*
4. *Lightning damage*
5. *Storm damage*
6. *Insect infestation*
7. *Wind damage*
8. *Improper trimming or aberrant growth*
9. *Trees too close to the road*
10. *Line-of-sight obstructed by vegetation*

The City will be encouraged to provide additional information. To do this the City proposes to

- Educate future Park's board members, grounds staff, etc. to look for and report tree problems.
- Place a notice in city newsletters, "We are attempting to regularly inspect our trees so please feel free to alert the WPD if you see any tree that raises concern".
- Place a notice and the policy on the WPD website.

The WPD Director authorizes and recommends

- A twice annual window/or walking inspection by WPD staff with the intent to recognize trees of concern.
- A window/walking inspection following any major weather event.
- A bi-annual walking-window inspection by a Registered Consulting Arborist or equivalent.

Standard of Assessment

WPD proposes to use the following assessment scale so that trees may be dealt with on a fiscally responsible basis.

Scale

1. Excellent tree- requires no care
2. Good tree- requires little care
3. Fair tree- may require future attention
4. Poor tree- will require attention as time evolves
5. Trees needing mitigation
 - 5-a. ASAP- Needs immediate care.
 - 5-b. Needs further assessment by consulting arborist.
 - 5-c. Priority- needs care faster than maintenance schedule.
 - 5-d. Routine- can be done as part of annual maintenance.

WPD policy funding

Assessment scale 5 will be funded by the Park's Services Contractual budget. Trees with assessment value of 4 will be treated as funds allow.

Documentation of History of Care

The WPD director determines that this policy should be documented using WestPoint and by establishing a chronological tree inspection policy file in a Tree Inspection Policy (TIP) binder. The documentation should be a progressive file to show the **History of Care**. Documents to be kept are

- Copies of all invoices for work performed on the trees.
- Documentation of any grants concerning trees or care.
- All WPD staff efforts to inspect and/or mitigate potentially hazardous situations.
- Copies of letters sent, articles published or any other means to educate community.
- Any reports by outside consultants.
- Postings on Websites or in Utility Bills
- Any other notifications.

In case of an incident the WPD Director directs

- That the injured party be cared for in an appropriate manner.
- That photos be taken of the tree (or tree part) prior to removal from incident site.
- That an incident report be filled out in its entirety and turned into the Director immediately.

Media communication

Inquiries from the news media are given a high priority by the City of Westfield and should be directed to the Communications Division as quickly and efficiently as possible. Every effort should be made to ensure that all information which is transferred to the Communications Division is accurate. Responding to media inquiries will be the sole responsibility of the Communications Division and no comments should be made without the assistance or prior approval from the Communications Division.

Policy: PK 04-11

Policy Title: Westfield Geo-Caching Policy

Policy Purpose: Set forth rules and regulations regarding geo-caching in Westfield park facilities

Implementation Date: January 2, 2011

Revision Date: NA

City of Westfield Parks and Recreation Department Geo-Caching Policy

The purpose of this policy is to provide rules, regulations and guidance for the management of geo-caching activities on Westfield Parks and Recreation Department properties. Any person who participates is subject to all Westfield Parks and Recreation rules and regulations. Geo-caching is an activity that requires a permit so that the department staff can monitor the activity within park boundaries and prevent any detrimental impact on the parks themselves, as well as protect the safety of all park visitors.

Definitions:

1. Cache – term refers to a container that is used in association with the activity of geo-caching. The object usually contains such items as a logbook, pen, pencil, map and/ or trinkets.
2. Department – refers to Westfield Parks and Recreation Department.
3. Property – refers to any property owned, leased, or maintained by the Westfield Parks and Recreation Department.
4. Geo-caching – refers to a game pursued by global positioning systems (GPS) users. An individual or organization places a cache and shares its location on the internet. A participant in the game applies for GPS coordinates to locate the target cache or caches. When located, the participant records the find on the designated website such as www.geocaching.com. The game may provide that objects are traded at the cache.
5. Multi-cache – refers to containers that are located from the information received in another cache.
6. Virtual cache – refers to the target for geo-caching for which there is no container. The location itself is the cache. Objects are not traded at the site of a virtual cache.

Permit Application:

1. A person wishing to place a cache within one of the Department's properties must obtain an "official geo-caching permit" before placing the cache. A cache which has been placed without obtaining a permit from the Department will be removed and may be returned to the owner. If the owner cannot be reached, the cache will then be disposed of by the Department staff within one month of notification.
2. The Department administration is authorized to issue, condition, or deny any permit application.
3. The application may be obtained from and returned to the Department's Administration Office. (Exhibit A). Applications will be reviewed within one week of receipt.

4. Permits are good for two (2) years from issuing date.

General Prohibitions, Limitations and Requirements:

The following applies to the placement of any cache and/or any geo-caching activity:

1. A person must not violate any Department rules or regulations, or any local, state or federal laws.
2. Areas within parks that contain any of the following may not qualify for placement of geo-caches :
 - Areas containing environmentally sensitive ecosystems
 - Areas containing historical sites
 - Areas containing endangered flora or fauna
3. A person must not dig or otherwise disrupt the ground when placing a cache.
4. A person is allowed to apply for **one permit**, which will allow them to place **one cache** with the Department's properties.
5. The Department is not required to approve any multi-cache, but may approve a multi-cache with no more than four (4) stops within the multi-cache.
6. The maximum number of caches per Department properties is up to the discretion of the Department's administration.
7. The person who holds the permit must inspect the cache at least once every six months to ensure that it meets all permit criteria. During the inspection, the permit holder must remove any inappropriate items. These include, but are not limited to; food, alcohol, firearms, drugs, items not suitable for minors, or other items which may pose a danger to people or wildlife.
8. An official geo-caching permit expires two (2) years after the date of issue.

Permit Standards:

The Department administration shall exercise reasonable discretion in determining whether to issue, condition, or deny an application for an official geo-caching permit. In the exercise of discretion, the following factors and principles apply:

1. A cache cannot be approved for placement in any sensitive archaeological, historical or ecological area.
2. Any schedule resource management activity, such as prescribed burns and species eradication, shall be considered in evaluating a permit application.
3. A cache cannot be approved for placement in an area that could reasonably cause danger to a geo-caching participant or to any other person who visits a Department property.
4. The Department administration has the right to require a person requesting an official geo-caching permit to provide a photograph of the cache, the exact site and coordinates where the cache is placed, or both.
5. Any factor reasonably consistent with proper use and protection of the particular site.
6. A permit is required for a virtual cache so that the Department can monitor the area for detrimental impact and prevent against any virtual cache being placed within sensitive park areas.

Permit Suspension or Revocation and Site Reclamation:

1. The Department may suspend or revoke a geo-caching permit if a term is violated, or if the location of the cache is found to pose a threat to the safety of park visitors or the

surrounding environment. The Department shall make every attempt to notify the permit holder of the action, as well as any designated websites.

2. Upon the suspension, revocation or termination of a geo-caching permit, the permit holder is responsible for the removal of the cache, for the site restoration, and for any associated expenses.
3. The reason for the Department's actions shall be recorded on the permit. If the permit holder elects to relocate the cache, a new permit will need to be reviewed and issued.

**PERMIT FOR GEO-CACHING
WESTFIELD PARKS AND RECREATION DEPARTMENT**

(Exhibit A – PK 04-11)

Cache Owner/Maintainers Information:

Name: _____ **Address:** _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **E-mail:** _____

Cache Name as Listed on www.geocaching.com: _____

Physical Description of Container: _____

_____ **Official Geo-Cache Label** _____ **Water Resistant** _____ **Attached Photo to Permit/Application**

GPS Coordinates: Latitude: _____ **Longitude:** _____

Physical Description of the Area where the Cache is Located:

_____ I understand that caches not in compliance with terms of this permit will be removed from the property and this permit will be revoked for failure to comply.

_____ I understand that I am to monitor this cache at least once every six months and maintain it to comply with all rules and regulations set forth in the Geo-Caching Policy.

I certify that all the above information is correct to the best of my knowledge. I understand that I must know and follow all Westfield Parks and Recreation rules and regulations as well as the geo-caching policy (attached to this application). I agree to remove this cache or apply for a new permit within two (2) years of the permit approval date.

Applicant Signature

Date

Office Use
Date Received: _____ Review Date _____ Reviewed By _____ Notification Date _____
Approved/Denied _____ Reason for Denial _____
Permit Number _____ Permit Expiration Date _____

Policy: PK 05-11

Policy Title: Westfield Park & Recreation Fee Schedule Policy

Policy Purpose: To Establish Fees Associated with the Park Department

Implementation Date: January 2, 2011

Revision Date: NA

**City of Westfield
Parks and Recreation Department
Fee Schedule Policy**

The purpose of this policy is to provide clear, current and written fees for those items and services purchased or rented by persons at the Westfield Park Department. In addition the said fee schedule must be adopted and maintained for the benefit of the fiscal integrity of the Westfield Park Department.

Current Fees are Included in (Exhibit A)

**Exhibit A (PK 05-11)
Fee Schedule 2011**

Westfield Parks & Recreation

SHELTER RENTALS

All Park shelters are \$40.00 for 4 hours

FARM LAND RENTAL – OSBORNE PARK

\$115/acre for 20 acres

SPECIAL EVENT FEES – Accessed per event see Special Event Policy PK 01-11

Revised 12-13-10