

JACKSON TOWNSHIP BOARD OF TRUSTEES, STARK COUNTY, OHIO

RESOLUTION

RESOLUTION NO. 23-035

ADOPTED: 2-14-23

SUBJECT: Amended Park Rules and Regulations

The Board of Trustees of Jackson Township, Stark County, Ohio, met in regular session on the 14th day of February, 2023 with the following members present:

Todd J. Hawke
John E. Pizzino
Justin B. Hardesty

Trustee HAWKE moved for the adoption of the following resolution:

WHEREAS, the Park Rules and Regulations were last amended pursuant to Resolution 17-060, on April 25, 2017.

BE IT RESOLVED THAT pursuant to Ohio Revised Code Sections 504.04 (A)(1) and (2), 504.05, 505.261 and 511.32, we hereby amend, adopt and approve the attached Amended Park Rules and Regulations, effective 30 days from the enactment of this Resolution and request the Fiscal Officer publish the attached Notice of this Resolution.

BE IT FURTHER RESOLVED THAT we adopt the attached citation form required by Ohio Revised Code Sections 504.06 and 504.07, and that the within Resolution and Rules and Regulations replaces all prior adopted Rules and Regulations.

BE IT FURTHER RESOLVED THAT the Board of Trustees by a majority vote hereby dispense with the requirement that this resolution be read on two separate days, and authorize the adoption of a resolution upon its first reading.

Trustee PIZZINO seconded the motion and upon roll call the vote resulted as follows:

Mr. Hawke	<u>YES</u>
Mr. Pizzino	<u>YES</u>
Mr. Hardesty	<u>YES</u>

The foregoing is a true and correct counterpart of Resolution Number 23- 035, duly adopted on February 14, 2023 and filed with me as the Township Fiscal Officer on February 15, 2023.


Randy Gonzalez, Fiscal Officer

The foregoing resolution is approved as to form:


Michael B. Vaccaro, Law Director

NOTICE

Notice is hereby given that the Board of Trustees of Jackson Township, Stark County, Ohio, by Resolution No. 23-???, adopted the following resolution effective March 16, 2023:

BE IT RESOLVED THAT, pursuant to Ohio Revised Code Sections 504.04 (A)(1) and (2), 504.05, 505.261 and 511.32, we hereby amend, adopt and approve the Amended Park Rules and Regulations, effective 30 days from the enactment of this Resolution.

These Rules and Regulations may be found at www.jacksontwp.com.

Notice is further given that a complete text of the above resolution of the Jackson Township Board of Trustees may be obtained or inspected at the Office of the Township Fiscal Officer, 5735 Wales Avenue NW, Jackson Township, Ohio from 8:00 a.m. to 4:30 p.m., Monday through Friday. All other revisions, codifications, recodifications, or rearrangement of resolutions was done pursuant to ORC Chapter 504.

This advertisement is also posted on the state public notice web site (www.publicnoticesohio.com) established under section 125.182 of the Revised Code and on the Jackson Township web site (www.jacksontwp.com).

BY THE ORDER OF THE BOARD OF JACKSON TOWNSHIP TRUSTEES
STARK COUNTY, OHIO

Mary Smith, Legal Assistant, 5735 Wales Avenue NW, Massillon, OH 44646, 330-832-2918 ext. 2115, msmith@jacksontwp.com

Published in The Massillon Independent on February 20, 2023

NOTICE

Notice is hereby given that the Board of Trustees of Jackson Township, Stark County, Ohio, by Resolution No. 23-???, adopted the following resolution effective March 16, 2023:

BE IT RESOLVED THAT, pursuant to Ohio Revised Code Sections 504.04 (A)(1) and (2), 504.05, 505.261 and 511.32, we hereby amend, adopt and approve the Amended Park Rules and Regulations, effective 30 days from the enactment of this Resolution.

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BY THE ORDER OF THE BOARD OF JACKSON TOWNSHIP TRUSTEES
STARK COUNTY, OHIO

Mary Smith, Legal Assistant, 5735 Wales Avenue NW, Massillon, OH 44646, 330-832-2918 ext. 2115, msmith@jacksontwp.com

Published in The Massillon Independent on February 27, 2023

**Jackson Township Parks and Recreation Division
Park Rules and Regulations**

SECTION 101.01 - HOURS OF OPERATION

North Park is open from 6:00 a.m. to 10:00 p.m. from March 1 through November 30. Beginning December 1 through February 28 North Park is open sunrise to 8:00 p.m. No person is permitted in any area of North Park after these hours without the written permission of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee.

No person shall be present in any area of South Park, Crystal Springs Bridge Park, Edward & Mary Zink Park, Joseph E. Fisher Park, Kirk Schuring Park, Strausser Park or Stuhldreher Street Fields Park from one-half hour after sunset to one-half hour before sunrise without the written permission of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. The North Park Amphitheater is governed by a separate set of rules and regulations.

Exception:

South Park area for parking and restroom use for the purpose of evening baseball games at the school's varsity boys' baseball field, and baseball indoor practice facility will be permitted for the duration of game or practice set by the school.

SECTION 101.02 - INJURING OR CLIMBING UPON TREES, FENCES AND GATES, DIGGING UPON SOD OR GRASS, LITTERING, GLASS CONTAINERS

- A. No person shall injure, deface, disturb, remove or climb on any portion or property of the Parks including, but not limited to, any tree, flower, shrub, rock or other natural feature, fence, gate, building, sign or equipment.
- B. No person shall dig upon the sod or otherwise injure the grass in the Parks.
- C. No person shall deposit any litter or other refuse on any Park grounds.
- D. No glass bottles or containers are permitted on Park grounds.

SECTION 101.03 - INTERFERENCE WITH PARK EMPLOYEES

No person shall interfere with or interrupt the persons employed in the Parks for the improvement or management thereof.

SECTION 101.04 - ALCOHOLIC BEVERAGES

No person shall bring into, possess, carry, serve or drink alcoholic beverages including, but not limited to, beer, wine, liquor or beverages containing alcohol whatsoever in any area of the Parks except as authorized in writing by the Jackson Township Parks & Recreation Division and the Jackson Township Board of Trustees.

SECTION 101.05 - KINDLING OF FIRE

- A. No person shall kindle or authorize another to kindle a fire in any of the Parks except in such grills or devices provided by the Jackson Township Parks & Recreation Division. Portable grills may be approved with written permission from the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. The Jackson Township Fire Prevention Bureau must be notified of any portable grills in the Parks.
- B. No person shall leave any authorized fire unattended or empty the contents of any grill or device onto the ground before or after the fire has been extinguished.

SECTION 101.06 - FIREARMS

Unless authorized by State or Federal law, no person, unless in lawful possession of a duly issued Carry Permit or given written permission from the Jackson Township Board of Trustees, shall carry

or use firearms of any description or air rifle, slingshot, missile throwing device, within any area of the Parks, or discharge any firearms, fireworks, or explosive substances or air rifle in any Park area. This section does not apply to police officers of the Jackson Township Police Department or county, state and federal law enforcement officers.

SECTION 101.07 - HUNTING

No person shall hunt, pursue or trap game birds, game quadruped or fur bearing animals within the Parks.

SECTION 101.08 - DISPOSITION OF REFUSE OR LITTER

- A. No person shall dump rubbish, garbage, litter, refuse or debris of any kind within any area of the Parks except in such places and within such receptacles as are provided.
- B. Residents on private property or their employees shall not deposit rubbish, garbage, refuse or debris accruing from such residences and any refuse receptacles provided for Parks visitors on Parks land.
- C. Spring and fall clean-up of leaves, bundled branches (cut to three feet long), will be accepted in a designated area of the Park. No plastic bags, trash, bottles, cans, garbage or building materials will be accepted. Days & times of the clean-up will be set by the Jackson Township Board of Trustees.

SECTION 101.09 - GAMES, AMUSEMENT AND BUSINESS ACTIVITIES

- A. No person shall conduct any organized or scheduled game of chance or other gambling activity except as authorized by the Jackson Township Board of Trustees and in accordance with law.
- B. No person having charge or control of or connected with any Parks game or activity shall require persons witnessing such games or activity to pay any charge or admission to the Parks, to occupy seats in the grandstand, any shelter or other facility or field in the Parks unless such person is authorized to do so by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. However, nothing in this section shall prohibit the person in charge of such game or amusement from asking for voluntary donations from persons witnessing such games or amusement provided said person first obtains written permission from the Jackson Township Park Superintendent or Recreation Superintendent, or their designee to collect said voluntary contributions.
- C. No persons shall rent, sell, solicit or offer for sale, have in his possession with the intent to rent or sell, or expose for rent or sale any item or service in any area of the Parks except concessions and other business activities authorized by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee.

SECTION 101.10 - MOTOR VEHICLES, MOTORCYCLES, BICYCLES, SKATERS (IN-LINE OR OTHER), AND OTHER EQUIPMENT

- A. Motor vehicles, motorcycles, bicycles, and skaters (in-line or other) are required to travel paved roads and parking lots.
- B. No persons shall operate any motor vehicle or motorcycle or ride any bicycle or skate within any area of the Parks except over and upon roads, parking lots or other such facilities which are designated or posted for such purposes.
- C. No person shall operate any traction engine, steam-roller or commercial vehicle upon the roads or parking lots of the Parks, except such as are used by Jackson Township or Jackson Local School District in the repair and maintenance of the Parks.
- D. No person shall repair, wash, polish or clean any motor vehicle or motorcycle in any area of the Parks except for emergency purposes.

- E. Use of snowmobiles, ATV's, golf carts, or other off road motorized vehicles are prohibited in the Parks, unless authorized by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee, or Jackson Safety Services.
- F. Motorized wheelchairs are permitted.
- G. No person shall bring, erect, and/or operate inflatable bounce equipment, trampolines, tents, or similar devices.
- H. The Jackson Township Park Superintendent or Recreation Superintendent, or their designee may at his/her sole discretion require the restriction and/or closing of parking lots and roadways within the Jackson Park system from time-to-time.

SECTION 101.11 - HORSES

No person shall lead, ride or drive any horse upon any road, avenue or land in any area of the Parks without written permission from the Jackson Township Park Superintendent or Recreation Superintendent, or their designee.

SECTION 101.12 - GOLF

No person shall practice the game of golf in or upon any area of the Parks.

SECTION 101.13 – USE OF AIRCRAFT AND BALLOONS

No person shall voluntarily bring, operate, launch, land, or cause to be erected within or upon any park grounds a manned aircraft, hot air balloon, Chinese lanterns, parachute, hang glider, or other aerial device. Except, aircraft and other aerial devices may be operated within or upon park grounds for governmental purposes as determined by the Jackson Township Park Superintendent, Recreation Superintendent, Jackson Township Safety Forces, or their designee.

SECTION 101.14 - SIGNS, POSTERS

No person shall erect or post any placard, sign, notice, poster or billboard within the Parks without written permission from the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. A permit holder of a park facility may hang one banner or sign for the duration of their permitted activity that identifies the permit holder upon the written approval of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. The size (not more than 32 sq. ft.) and location (must not pose a safety hazard) of the signage will fall under the jurisdiction of the Jackson Township Parks & Recreation Division. The organization identifying sign must be removed at the end of the permitted activity, including all materials used to hang said banner, i.e., ties, hooks, etc. Drilling or nailing of any kind is prohibited on any park structure unless by written approval of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. No signs will reflect tobacco, alcohol, bars ads or be lewd or pornographic in nature as determined by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. Signs will remain the sole responsibility of the permit holder. The Parks and Recreation Division will remove any damaged banner, improperly secured banner, or improperly placed banner. No zoning permit is required.

SECTION 101.15 - DISORDERLY CONDUCT

No person shall, either by word or act, indulge in any noisy, boisterous, disorderly or indecent conduct; or in any manner disturb the peace or good order within the Parks; nor shall any person engage in any active game endangering other persons in the Parks; nor shall any person play at games of chance, drink alcoholic beverages, or to be intoxicated, or do any indecent, lascivious, lewd or improper act therein.

SECTION 101.16 – PETS

Pets are not permitted in the North Park, with the exception of special circumstances where written permission is obtained from the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. All pets, while on any other Park grounds, lots, streets, drives or any other Park facilities, shall be controlled by a leash connected with a person or fixed object. Do not leave pets unattended. Clean up after your pet if it defecates.

SECTION 101.17 - FISHING; USE OF NORTH POND, DECK & GAZEBO

- A. Fishing is allowed only in the North Park Pond during the hours the Park is open. No fishing is permitted from the gazebo. Unauthorized stocking or dumping of fish or bait is prohibited.
- B. No floatation devices permitted in the North Park Pond.
- C. Ice fishing and ice skating is prohibited unless posted safe by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee
- D. Rock throwing in any area of the Parks is prohibited.
- E. Swimming or wading in the North Park Pond is prohibited.
- F. Running, skating (in-line or other) or bicycles are prohibited on the deck.
- G. Hanging, standing or walking on railings, walls and pond rocks is also prohibited.

SECTION 101.18 - USE OF PARK FACILITIES; RECREATIONAL FIELDS/COURTS

All Park pavilions, recreational fields/courts, and facilities, are available for public use. The North Park Amphitheater is governed by a separate set of rules and regulations. The following applies to those who would like to reserve a pavilion, field/court, arrange a tournament, special event, or to those who interfere with the reserved use of facilities. The pavilion, field, concession stand reservation process, violations of park permits, and fundraising policies are incorporated herein. Those seeking to organize a tournament or special event within a park must also provide a detailed itinerary, site plan, proof of compliance with zoning, if applicable, and a certificate of liability insurance naming the Jackson Township Board of Trustees as an additional insured contemporaneously with a completed Field Request Form (see Exhibit A), if applicable. Non-profit organizations are required to provide the Jackson Township Parks and Recreation Division proof of non-profit status with their application.

All permits must be obtained through the Jackson Township Parks and Recreation Division. Residency and or domicile will be determined and verified by the Parks and Recreation Division. The purpose of a park facility or athletic field/court permit is to guarantee a permit holder's time, date and place for its activities, and to maximize the availability of park facilities or fields/courts for all.

No other person(s) shall use or interfere with the use of a facility or field/court that is being used by a permit holder, unless required by an emergency such as thunderstorm, lightning, wind, etc. Violations of permits cannot be tolerated. Behavior and conduct prohibited by these regulations, including section 101.14, shall also be considered a permit violation. **WARNING:** Events held contemporaneously and in proximity to an event at the Amphitheater could experience an increase in noise.

Submission of proof of liability insurance requirements and/or a release of claims may be required for pavilion events or recreational activities as determined by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee.

The Jackson Township Parks and Recreation Division will issue all use permits to organizations and individuals pursuant to the fee schedule (Exhibit B) approved by the Board of Trustee of Jackson Township. The fee schedule (Exhibit B) may be amended from time to time without formal amendment of all the rules and regulations herein.

- A. **PAVILIONS/CONCESSION STAND** - Completion of an application and the approval of the Jackson Township Park and Recreation Superintendent or designee is required to obtain a permit to reserve the North or South Park pavilions and the concession stand in the South Park. Pavilion/concession stand permits are issued on a first come, first served basis. Events at the North and South Park pavilions that could exceed 150 persons in attendance are prohibited, unless written authorization is granted by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. Use of pavilions and related public areas that exceed the maximum attendance levels shall require the permit holder to employ a Jackson Township Police officer(s) for events at either pavilion as determined by the Jackson Township Park Superintendent or Recreation Superintendent, or their designee, and the Chief of Police. **THE PERMIT HOLDER SHALL BE RESPONSIBLE FOR ALL TRASH PICK UP OR CLEAN UP AT THE PAVILION SITE.**

Jackson Township has full authority over the hours of operations for pavilion/concessions stands, products for sale, and number and location of sales for all games, tournaments, events, concerts and programming. Organizations associated with any game, tournaments, events, concerts and programming must follow these park rules and regulations. Participation of vendors is subject to approval by the Jackson Township Board of Trustees based on recommendation from the Park Superintendent or Recreation Superintendent, or their designee.

- B. **ATHLETIC FIELDS/COURTS** - Completion of Field Request Form (Exhibit A), and the approval of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee is required to obtain a permit to reserve any Park recreational field/court. Recreational fields/courts can only be used for their specified recreational use and are not available for any other activities or events. Permits for residents, resident not-for profit groups, non-residents, resident for-profit groups, organizations or companies will only be issued upon receipt of payment of the fee required by the fee schedule (Exhibit B). Payments are made to: Jackson Township Parks and Recreation Division. **THE PERMIT HOLDER SHALL BE RESPONSIBLE FOR ALL TRASH PICK UP AT THE RECREATIONAL FIELD SITE.**

Jackson Township reserves the right to alter schedules as needs arise, but in all cases will notify the league, tournament, team representative, permit holder or individual. Jackson Township will manage the athletic fields according to conditions, limit the number of games on any given field, and determine the amount of time required between games as is deemed necessary. Fields may be closed as conditions dictate based on the usage. A percentage of the gross receipts sold from concession efforts may be required, on a case by case basis, for large tournaments, concerts, events and other permitted uses.

Jackson Township Parks & Recreation programs, events, and resident athletic organizations have priority use of the fields. Parent athletic organizations are considered the township's largest athletic organizations in each respective sport, consisting of the greatest number of residents. Non-residents, for-profit groups, organizations or companies will be given consideration for athletic fields only after the local needs of the resident athletic organizations have been met. The Jackson Township Parks and Recreation Division will strive to schedule fields in a fair and equal manner.

A Township Resident is a person who resides in the geographical area of the Township, is a Township Employee, non-profit organization (501(c)(3), or is a for-profit organization domiciled in the geographical area of the Township. A list of current recognized Township Organizations (not-for-profit) is attached as Exhibit C. All Tournament field fees must be paid in full two (2) weeks prior to the tournament date. Tournament field fees will be credited towards the final

invoice following the event and will not be counted towards expenses incurred by the tournament such as, but not limited to, Police and EMS services.

SECTION 101.19 – FUNDRAISING

Fundraising projects may be permitted in the Parks with the written approval of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee. A percentage of the gross proceeds raised from fundraising efforts may be donated to the Jackson Township Parks and Recreation Division. The percentage will be based on a case-by-case basis and included as part of the fundraising agreement made between the Jackson Township Park Superintendent or Recreation Superintendent, and the permit holder. Written approval is contingent upon compliance with any zoning, health department or other regulatory body having jurisdiction over various aspects of a fundraising effort. For state audit purposes, the Jackson Township Fiscal Officer reserves the right to audit any group or individual's records relating to using Township facilities for fundraising. Written consent from all applicable agencies will be required before any fundraising activity can be conducted. Any agreements or approvals are subject to review by the Jackson Township Board of Trustees.

SECTION 101.20 - FINES AND PENALTIES

- A. Pursuant to Ohio Revised Code Sections 504.04(A)(1) and (2) and 504.05, any person who violates this resolution is subject to a written warning for the first violation, a fine of \$100.00 for the second violation, and a \$500.00 fine for each subsequent violation.
- B. It is the intent of these regulations that they are to be additional or supplemental to the existing criminal, traffic, and civil laws contained in the Ohio Revised Code. It is also the intent of these regulations that their adoption does not in any way modify or abrogate the authority of any police officer to conduct any activities while on any area of the Parks.

SECTION 101.21- SEVERABILITY

If any of the provisions in any of the sections of the above legislation should be rendered invalid or unenforceable by the enactment of the statutory law or by a court of competent jurisdiction within the time provided thereof or by any administrative or executive official having authority to rule in the matter, such legislation, decision, or ruling shall not affect the validity of the surviving portions of this legislation which shall remain in full force and effect as if such invalid portions thereof had not been included therein.

SECTION 101.22 – DONATIONS

Donations may be made to the Jackson Township Parks and Recreation Division, but are subject to acceptance or rejection by the Jackson Township Board of Trustees.

- A. Donated money will be accepted for general purposes within the Parks Division or for specified purposes, if agreed upon with the donor, as one-time supplements to the division's operating budget.
- B. Donations of equipment will be considered based on the program outcomes, division goals and needs. Each donation will be evaluated for usefulness and cost of potential replacement. Equipment will also be evaluated for safety, compatibility with existing equipment, and impact to adjacent property owners and community. Other factors not specifically listed herein may be considered by the township before acceptance or rejection.
- C. In-kind contributions and sponsorships for specific events will be treated in the same way as donated funds.
- D. Donated material will be evaluated by the Jackson Township Parks and Recreation Division prior to acceptance or rejection. Materials such as trees, topsoil, mulch, compost, baseball/softball mix, grass seeds, and fertilizer must meet the specifications for use in the park system and

approved by the Jackson Township Parks and Recreation Division. No memorial stones, headstones or plaques shall be permitted as a donation or accompany a donation of material or money.

- E. No one without Parks and Recreation Division approval and a Department of Agriculture public operator's license may apply any fertilizer or chemical to grounds owned or operated by the Jackson Township Board of Trustees.
- F. To make a donation, the following procedure shall be followed:
 - i. Submit a letter addressed to the Jackson Township Board of Trustees describing the donation and purpose.
 - ii. The donor must place a value on the donation. Donations of equipment and/or materials valued at \$500.00 or more will require the donor to meet with the Board of Trustees in a public work session. At the work session, the Donor shall present the donation and its desired use, purpose, and impact on the parks and community.
 - iii. The donor will be notified in writing of the acceptance or rejection of the donation.
 - iv. Acceptance of a donation will require the donor to coordinate with the Jackson Township Park Superintendent or Recreation Superintendent, or their designee with respect to delivery, installation, and any other factors the Township desires in regards to accepting the donation.

SECTION 101.23 – PARK BUILDINGS

For purposes of this section a park building includes any building or structure, fixed or temporary, located on property owned or leased by the Jackson Township Board of Trustees. The locking or securing of any park building and or structure, which is capable of being secured, shall be permitted as follows:

- A. No person, group, and/or organization shall lock or attempt to secure a park building without the approval of the Jackson Township Park Superintendent or Recreation Superintendent, or their designee.
- B. A person, group and/or organization granted permission to lock and/or secure a park building must provide the Jackson Township Park Superintendent or Recreation Superintendent, or their designee, a key, code or ability to access the structure at any time. Park Buildings shall be subject to inspection at any time by the Jackson Township Police, Fire and Parks Divisions.
- C. Failure to maintain a current key, code or ability to access a park building with the Jackson Township Park Superintendent or Recreation Superintendent, or their designee shall be grounds for immediate termination of use and access of the park building.
- D. Storage of materials inconsistent with laws of the State of Ohio, and Park Rules and Regulations, shall be grounds for immediate termination of use and access to the park building.
- E. No person, group and/or organization granted permission to lock and/or secure a park building shall modify, construct, build, add-on to the interior or exterior of the park building without written approval of the Jackson Township Board of Trustees.

Adopted: October 8, 1996

Revised: June 5, 1997, July 10, 2000, June 23, 2003, August 25, 2008, May 13, 2014, and April 25, 2017, February 14, 2023

Effective: March 16, 2023

EXHIBIT A

FIELD REQUEST FORM

PARKS AND RECREATION

Field Request Form

Name of Group/Organization: _____ 501(c)3: _____

Contact Information

Name: _____ Phone: _____

Address: _____ City: _____ Zip: _____

Email: _____

Insurance Carrier: _____ Policy Number: _____

Please provide liability insurance certificate naming the Board of Trustees of Jackson Township, Stark County, Ohio as additional insured.

Reservation Date(s) Requested: _____

Fields/Parks Location Requested: _____

Fields Requested: _____ Rental Times: _____ to _____

Base Distances: _____ Pitching Distances: _____ Base Distances: _____ Pitching Distances: _____

Base Distances: _____ Pitching Distances: _____ Base Distances: _____ Pitching Distances: _____

Field(s) are being used for: Tournament League Single Game Practice Other

Sanctioning body if applicable: _____

Will a Registration Fee be charged to players/teams: Yes No If yes, list amount: _____

How many teams are expected: _____ Estimated amount of spectators: _____

Vendors: Yes No Please indicate type of vendors requested in Event Description below if applicable.

Event Description:

Signature: _____ Date: _____

SOFTBALL/BASEBALL

FIELD RESERVATION TERMS & CONDITIONS

FIELD FEES

-For fee structure rates please refer to Exhibit B

The following requirements are either township or park codes/regulations. They are requirements that must be adhered to when using Jackson Township property or parks and are the responsibility of the permit holder. Please read them carefully so you are fully aware of what is expected of you and your organization.

INSURANCE REQUIREMENTS

You will be required to provide proof of insurance upon rental confirmation.

ADDITIONAL RULES/CONTRACT

Jackson Township Parks and Recreation reserves the right to update rules/guidelines and require additional contract(s) be signed prior to event(s). This could be done to stay in line with any changes/updates in local, state, or national due to the COVID-19 pandemic or any other reason.

SCHEDULES/FIELD ASSIGNMENTS

- Final schedules are due at least 5 days prior to the event.
- Start times: Games may not be scheduled to start before 8:00am
- Please make sure players are not warming up in the area when the field maintenance team is working on fields.

PERMIT HOLDER

Permit holders must be on site for their entire event. If a permit holder is not able to be on site at any point, they must contact a Jackson Township Parks and Recreation representative and designate a temporary replacement/contact person. Permit holders will provide JTPRD representatives with the designee name, contact number and primary location during the event.

3 DAY VENDOR PERMIT (ZONING PERMIT NEEDED)

Only tournament t-shirts can be sold without a permit. The sale of any additional merchandise will require a permit. Permit holders must notify Jackson Parks and Recreation at least 7 business days in advance of all vendors attending the event. Once approved by Jackson Parks and Recreation, the permit holder will receive vendor set-up instructions and their on-site location.

- It is the responsibility of the permit holder to ensure all vendors are aware of the event set-up and all rules and regulations which apply.
- Permit holders will be charged a fee of \$75 per vendor/per site attending the event.

ALCOHOL FREE

As in Section 101.04, Jackson Township Parks and Recreation Ordinances expressly prohibits the sale, consumption and distribution of alcoholic beverages in any township park. The Tournament director is responsible for enforcing the rule. Any violations are subject to additional fees and/or penalties.

DOG/PET POLICY

No dogs are permitted in any parts of North Park. Anyone bringing a pet in North Park will be asked to remove the pet from the park.

CONTINGENCY/EMERGENCY PLAN

This policy is for all JTPRD tournaments and/or special events and includes all weather related situations as well as any non-weather emergencies. Designated JTPRD personnel are required to enforce this policy. We ask that all permit holders cooperate and comply with personnel in the event this plan is executed. Tournament directors are responsible to reach out to the Parks and/or Recreation Superintendent.

FIELD CONDITIONS

Jackson Township Parks and Recreation staff will determine if fields are playable after rain/weather conditions. We reserve the right to postpone or cancel any event if it could, in the opinion of the township, damage any township facilities temporarily or permanently. Only Jackson Township Parks and Recreation employees may work on brooming or applying any drying agents to the field.

WEATHER CANCELLATIONS

If inclement weather forces the cancellation of the tournament prior to its start, no charges will occur. If 3 hours or less are used, a 3-hour fee will be applied to the bill. If more than 3 hours are used, it will be considered a full day rental.

REQUESTED ACCESS TO ADDITIONAL AMENITIES

Access and use of additional amenities will incur additional charges and require being set up prior to the rental.

- South Park concession stand is available upon request at an additional fee
- EXTRA MATERIAL: Additional field dry/turface needed will be billed at \$10/bag

RESTROOMS

Permit holder is responsible for keeping onsite restrooms free of vandalism during their event and not left a mess.

POST EVENT SITE EVALUATION

Please be respectful of the field/facility. Trash bins are located throughout the park. Permit holders not returning the park in the same condition as it was secured, before the event, shall be billed for repair or damages. Additional trash bags are provided and we ask that the tournament director replace any trash bags before they overflow.

WAIVER AND RELEASE OF ALL CLAIMS: I have read this form carefully, and am aware that by registering and participating in, or registering my minor child/ward for and allowing his or her participating in the Program or Activity conducted or sponsored by the Jackson Township Parks and Recreation Division (JTPRD). I am WAIVING and RELEASING all claims for myself and my minor child/ward arising out of or related to such registration and participation in any Activity or Program conducted or sponsored by the Jackson Township Parks and Recreation Division. In consideration of

the JTPRD accepting me and/or my minor child/ward as a participant in the Program or Activity, I hereby agree as follows:

____ **ACKNOWLEDGEMENT AND ASSUMPTION OF RISK OR INJURY AND LOSS:** I have fully informed myself of all of the details of the Program or Activity and have received satisfactory answers to all of my questions I have concerning the Program or Activity and the risks inherent in the Program or Activity and believe and represent that I and/or my minor child/ward have the necessary abilities, skills, and knowledge to safely participate in the Program or Activity. I recognize and acknowledge that the Program or Activity involves risks of bodily injury, death and property loss. I hereby agree to, and do, assume the full risk of any injuries, including death, and of any property loss and of all expenses, costs, damages and losses that I, or my minor child/ward on whose behalf I am signing, may sustain as a result of participating in any and all activities connected with or associated with the Program or Activity stated above.

____ **WAIVER AND RELEASE OF CLAIMS:** I hereby agree to, and do, waive release and relinquish all claims, demands, rights of action, damages, liabilities and controversies of every kind, known and unknown, present and future, that I, or my minor child/ward on whose behalf I am signing, may have against Jackson Township Parks and Recreation Division and its officers, agents, servants, employees, volunteers, coaches, or designees, insurers, related or affiliated individuals or entities, successors and assigns arising out of, connected with, or in any way related to my and/or my minor child/ward's participating in any Program or Activity.

____ **EMERGENCY CARE:** I authorize on behalf of me and/or my minor child/ward, JTPRD, by or through any of its officers, agents, servants, employees, volunteers, coaches, designees, or assigns, to obtain first aid or medical treatment at the nearest or most adequate facility or from emergency or medical personnel at its (their) discretion. I agree that JTPRD, through its officers, agents, servants, employees, volunteers, coaches, designees, or assigns may attempt to secure at its discretion any treatment it deems necessary for myself and/or my minor child/ward's immediate or emergency care and I agree that I will be fully responsible for payment for any and all such services or treatment rendered. I recognize: JTPRD does not employ trained emergency or medical professionals at Activities or Programs (except as required by law); and, JTPRD, its employees, volunteers, coaches, agents, and designees are not obligated to provide emergency or medical services of any sort.

____ **INDEMNITY AND DEFENSE:** I hereby further agree to indemnify and hold harmless and defend JTPRD and its officers, agents, servants, employees, volunteers, coaches, designees, insurers, related or affiliated individuals or entities, successors and assigns from any and all claims, lawsuits, demands, damages, liabilities, losses and expenses, including attorney's fees, costs, and administrative expenses, of every kind, known and unknown, present and future, arising out of, connected with, or in any way related to, me or my minor child/ward's participation in any Program or Activity.

____ I have read and fully understand the above **WAIVER & RELEASE OF ALL CLAIMS** and execute it of my own free will and without any reservation whatsoever.

____ **TERMINATION**

If the permit holder fails to maintain in full force and effect the terms of this agreement, then and in any such cases, immediately or at any time thereafter, the Division shall have the right to declare this agreement to be terminated. The Division also reserves the right to object to any and all operations, practices or activities of the applicant that in its sole opinion are unsafe, inappropriate, discriminate because of race, color, sex or national origin, or are contrary to the mission and philosophy of Jackson Township Parks and Recreation.

I have read and understand the conditions of this contract and as permit holder I agree to abide by them. I understand it is my responsibility to educate participants and/or spectators of the above rules, policies and procedures. Violation of JTPRD rules, policies and procedures will result in deposit forfeiture, fine to the permit applicant, and could jeopardize any future reservations.

Signature: _____

Date: _____

Jackson Township reserves the right to alter the above stated rules and regulations for any, and all field permits issued by Jackson Township Parks and Recreation.

EXHIBIT B

FEE SCHEDULE

I. Pavilion and Shelter Fees:

Picnic Pavilion	Township Resident / Township Business	Non- Resident / Non-Resident Organization Fee
All Shelters	\$0.00	\$10.00 per day

II. Baseball and Softball Fields:

Baseball/Softball Fields	Township Organization /Resident/ Township Employee Fee	Non- Resident / Non-Resident Organization Fee
Practice - Two (2) hour maximum	\$0.00 per field / per game	\$10.00 per field/per hour
Tournaments	a) One-time field preparation: \$150.00 per field/per day b) All day field preparation: \$300.00 per field/per day	a) One-time field preparation: \$150.00 per field/per day b) All day field preparation: \$300.00 per field/per day

III. Tennis and Pickleball Court Fees

Tennis/Pickleball Court	Township Organization /Resident/ Township Employee Fee	Non- Resident / Non-Resident Organization Fee
Tournament/Camp	\$0.00 per court/per day	\$10.00 per court/per day

EXHIBIT C



Jackson Baseball Association



Jackson Girls Basketball Association



Jackson Youth Basketball League



Jackson Youth Cheerleading



Jackson Youth Football Association



Jackson Boys Lacrosse



Jackson Girls Lacrosse

EXHIBIT C



Canton-Akron Soccer Club (CAK)



Jackson Fury Soccer Club



Northwest/Jackson Soccer League



Jackson Fast Pitch Association



Jackson Girls Softball League



Jackson Youth Wrestling

PARK RULES AND REGULATIONS CITATION

JACKSON TOWNSHIP LIMITED SELF-GOVERNMENT RESOLUTION NO. _____

Written Warning First Offense

\$100.00 fine for the first violation

\$500.00 fine for each subsequent violation

You are hereby cited for a violation of a Jackson Township, Stark County, Ohio resolution as follows:

Location of Violation _____ Date _____

Time _____ Officer _____ Viol. No. _____

Violation description _____

Resolution Number and Section _____ Fine: \$ _____

Name _____

Address _____

You are required to answer this violation citation within (14) days after service of the citation. The following answers can be made:

1. AN ADMISSION THAT YOU COMMITTED THE VIOLATION, BY PAYMENT OF THE FINE ARISING FROM THE VIOLATION, PAYABLE TO THE FISCAL OFFICER OF JACKSON TOWNSHIP.
2. A DENIAL THAT YOU COMMITTED THE VIOLATION. IF THE VIOLATION IS DENIED, YOU WILL BE AFFORDED A HEARING IN MASSILLON MUNICIPAL COURT.

Fines can be paid by mailing this citation along with a MONEY ORDER or CERTIFIED CHECK payable to the Jackson Township Fiscal Officer, 5735 Wales Avenue NW, Massillon, Ohio 44646 Phone: 330-832-5886. If you deny the violation, please circle No. 2 above and mail this violation citation to the above address. Citations may also be answered or paid in cash at the Office of the Township Fiscal Officer located at the above address during the hours of 8:00 a.m. - 4:30 p.m., Monday through Friday.

If the fine is not paid within (14) days of the service of this summons or you deny the violation, a hearing upon the violation will be scheduled in Massillon Municipal Court of which you will be notified. Attached ORC Section 504.07 describes the citation procedures and the procedures for any hearing conducted in Massillon Municipal Court.

I hereby affirm the facts contained herein.

Issuing Officer

SERVICE OF CITATION

The foregoing citation was served on _____ by:
(Date)

☐ Certified mail, return receipt requested, addressed to the person named above at the address shown (affix return receipt).

☐ Personal service by the undersigned on the person named.

☐ Residence service by the undersigned, by leaving a copy of the citation at the usual place of residence of the person named above, at the address shown, with some person of suitable age and discretion residing therein.

☐ Other: _____

Issuing Officer/Fiscal Officer

FISCAL OFFICER'S CERTIFICATE OF ACTION ON CITATION

The person named in the foregoing citation:

☐ Appeared before me on _____
(Date)

☐ By mail addressed to me received on _____
(Date)

And

☐ paid the fine.

☐ denied the violation.

OR

☐ Failed to answer the citation.

☐ Failed to pay the fine within fourteen days after service of the citation.

Randy Gonzalez, Fiscal Officer
Jackson Township Board of Trustees

Ohio Revised Section 504.07

Answer to Citation

(A)

(1) A person who is served with a citation pursuant to division (B) of section 504.06 of the Revised Code shall answer the charge by personal appearance before, or by mail addressed to, the township fiscal officer, who shall immediately notify the township law director. An answer shall be made within fourteen days after the citation is served upon the person and shall be in one of the following forms:

(a) An admission that the person committed the violation, by payment of any fine arising from the violation. Payment of a fine pursuant to division (A)(1)(a) of this section shall be payable to the fiscal officer of the township and deposited by the fiscal officer into the township general fund.

(b) A denial that the person committed the violation.

(2) Whenever a person pays a fine pursuant to division (A)(1)(a) of this section or whenever a person answers by denying the violation or does not submit payment of the fine within the time required by division (A)(1) of this section, the township fiscal officer shall notify the court having jurisdiction over the violation.

(B) If a person answers by denying the violation or does not submit payment of the fine within the time required by division (A)(1) of this section, the court having jurisdiction over the violation shall, upon receiving the notification required by division (A)(2) of this section, schedule a hearing on the violation and send notice of the date and time of the hearing to the person charged with the violation and to the township law director. If the person charged with the violation fails to appear for the scheduled hearing, the court may hold the person in contempt, or issue a summons or a warrant for the person's arrest pursuant to Criminal Rule 4. If the court issues a summons and the person charged with the violation fails to appear, the court may enter a default judgment against the person and require the person to pay the fine arising from the violation.

(C) The court shall hold the scheduled hearing in accordance with the Rules of Civil Procedure and the rules of the court, and shall determine whether the township has established, by a preponderance of the evidence, that the person committed the violation. If the court determines that the person committed the violation, it shall enter a judgment against the person requiring the person to pay the fine arising from the violation.

If the court determines that the township has not established, by a preponderance of the evidence, that the person committed the violation, the court shall enter judgment against the township whose resolution allegedly was violated, shall dismiss the charge of the violation against the person, and shall assess costs against the township.

(D) Payment of any judgment or default judgment entered against a person pursuant to this section shall be made to the clerk of the court that entered the judgment, within ten days after the date of entry. All money paid in satisfaction of a judgment or default judgment shall be disbursed by the clerk as required by law, and the clerk shall enter the fact of payment of the money and its disbursement

in the records of the court. If payment of a judgment or default judgment is not made within this time period, execution may be levied, and such other measures may be taken for its collection as are authorized for the collection of an unpaid money judgment in a civil action rendered in that court. The municipal or county court shall assess costs against the judgment debtor, to be paid upon satisfaction of the judgment.

(E) Any person against whom a judgment or default judgment is entered pursuant to this section and any township against which a judgment is entered pursuant to this section may appeal the judgment or default judgment to the court of appeals within whose territorial jurisdiction the resolution allegedly was violated. An appeal shall be made by filing a notice of appeal with the trial court and with the court of appeals within thirty days after the entry of judgment by the trial court and by the payment of reasonable costs as the court requires. Upon the filing of an appeal, the court shall schedule a hearing date and notify the parties of the date, time, and place of the hearing. The hearing shall be held by the court in accordance with the rules of the court. Service of a notice of appeal under this division does not stay enforcement and collection of the judgment or default judgment from which appeal is taken by the person unless the person who files the appeal posts bond with the trial court, in the amount of the judgment, plus court costs, at or before service of the notice of appeal.

Notwithstanding any other provision of law, the judgment on appeal of the court of appeals is final.

NOTICE TO COURT OF VIOLATION OF TOWNSHIP RESOLUTION

To Massillon Law Director:

Please be notified that the person named in the enclosed citation, within fourteen days after service of the citation:

- ☐ Paid the specified fine.
- ☐ Answered and denied the citation.
- ☐ Failed to answer the citation.
- ☐ Failed to pay the specified fine.

A copy of the township resolution described in the citation is attached.

The court is requested to commence proceedings on the citation pursuant to Ohio Revised Code Section 504.07.

Date

Randy Gonzalez
Fiscal Officer
Jackson Township Board of Trustees

cc: Massillon Clerk of Courts