

Warren County Board of Supervisors

RESOLUTION NO. 281 OF 2015

Resolution introduced by Supervisors Monroe, Merlino, Kenny and Dickinson

APPROVING THE CHARLES R. WOOD PARK USE PERMIT

RESOLVED, that the Warren County Board of Supervisors hereby approve the Charles R. Wood Park Use Permit as attached hereto.



**CHARLES R. WOOD PARK
USE PERMIT
(MUST BE SUBMITTED AT LEAST 90 DAYS PRIOR TO EVENT)**

DATE: _____

Name of Event: _____

Dates Requested: _____ Hours _____

Setup Days (if needed) _____ Hours _____

Organization: _____ For Profit Non-profit

Contact Person: _____ Phone No. _____

Address: _____

Phone No. at Event _____ E-mail: _____

Purpose of Use: _____

<p>Areas of Use Requested?</p> <p>Festival Space (FS) _____</p> <p>County Parking Lot (CL) _____</p> <p>Pappy's Playground (PP) _____</p> <p>Skate Park (SPA) _____</p> <p>Other (O) _____</p>

Will admission be charged? Y N Amount \$ _____ Estimated Attendance _____

Will alcoholic beverages be served at Event? _____ yes _____ no . **If yes, a resolution must be obtained from the Village of Lake George Board of Trustees at least sixty (60) days prior to the scheduled Event.** AND, any contractor, subcontractor or vendor selling alcoholic beverages must provide a copy of the current liquor license and an insurance policy specifically including coverage for liquor law liability in an amount of not less than Five Hundred Thousand Dollars (\$500,000) to the Village of Lake George and the County of Warren not less than thirty (30) days prior to the scheduled Event.

Will you need? (Check all that apply; additional fees may be applicable)

- Restrooms Porta-Johns Trash receptacles Trash collection
 Electricity Lighting Water Other _____

1. INSURANCE

a. The Permittee and all contractors, subcontractors and vendors associated with the permitted activities shall, to the fullest extent permitted by law, indemnify, hold harmless and defend Warren County and the Village of Lake George, its officers and/or employees against any and all losses, claims, notices of claim, actions, demands, damages, liabilities, expenses, penalties or judgments, including but not limited to attorney's fees and all other costs of defense, by reason of liability imposed by law or otherwise upon Warren County and the Village of Lake George, its officers and/or employees for damages arising from bodily injuries, including death, at any time resulting therefrom, sustained by any person or persons, including Permittee's employees, agents, representatives and/or invitees and all vendors, employees, agents, representatives and/or invitees or on account of damages to property, including loss of use thereof, arising from any acts or omissions on the part of Permittee, its employees, agents, representatives and/or invitees, and the acts or omissions the vendor of the permitted activities, its employees, agents, representatives and/or invitees. If such indemnity is made void or otherwise impaired by any law controlling the construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification to the fullest extent permitted by law. The indemnity provided by requirements contained herein shall be in addition to and not in limitation upon any rights of common law indemnity.

b. The Permittee shall furnish with this application a certificate of insurance showing liability insurance issued to and covering the Permittee as "named insured" and adding the County of Warren and the Village of Lake George as "additional insured" with respect to liability arising out of operations of the named insured or any employee, agent, representative or invitee thereof. Insurance coverage provided hereby for Warren County and the Village of Lake George shall be primary coverage, but only with respect to liability arising out of the Permittee operations. This limits of liability for use of the property for the permitted activities shall be not less than the amount of \$1,000,000 and the limits of liability for all other uses in such policy shall be not less than the aggregate amount of \$2,000,000 combined single limits for all damages arising out of bodily injury, including death and/or property damage. The certificate shall state that it will not be cancelled or non-renewed without 10 days notice to the Superintendent of the Department of Public Works. The enumeration in this permit of the kind and amount of insurance shall not abridge, diminish or affect the Permittee's legal responsibilities for the

consequences of accidents arising out of or resulting from the operations of the Permittee under the permit. Each contractor, subcontractor or vendor associated in any way with the permitted activities shall provide proof of insurance of the limits and the requirements specified herein and shall name Warren County and the Village of Lake George as an additional insured. Each such contractor, subcontractor or vendor shall supply the Superintendent of the Department of Public Works with an insurance certificate evidencing compliance with this paragraph not later than five (5) days prior to the first day of the Event.

Failure to obtain any insurance as required hereunder constitutes a material breach of this Use Permit and shall subject the Permittee to liability for damages, indemnification and all other legal remedies available to Warren County. The failure of Warren County or its Boards, officers and/or employees to object to the contents of any certificate of insurance or absence of the same shall not be deemed a waiver of any and all rights held by Warren County.

2. FACILITY USE FEES:

The following fees shall apply for the use of the property: \$_____ for this Event and delivered to the Superintendent of the Department of Public Works at least ten (10) days prior to the commencement of the Event.

3. DEPOSIT REQUIRED: \$ _____

4. DAMAGES/GARBAGE REMOVAL: The Permittee is responsible for clean-up and all clean-up costs and all costs for damage to the property arising out of acts or omissions of the Permittee, employees and/or invitees and for garbage removal. Upon inspection after the Event, the Superintendent of the Department of Public Works or his designee reserves the right to assess damage and/or cleanup costs and bill costs to Permittee.

5. HEALTH AND OTHER PERMITS: It is the responsibility of Permittee to be in compliance with the New York State or Local Health Department and Fire Codes and other laws or regulations as related to public gatherings with regard to Permittee's activities upon the property or that of its employees, agents, representatives and/or invitees and vendors.

6. PROPERTY USE:

- a. Permittee accept conditions of the property "as is".
- b. Cleanliness of the property is the responsibility of the Permittee.
- c. No other uses or activities are allowed other than the permitted activities expressly set forth herein.

7. SECURITY OF PROPERTY: The Permittee must provide security for the property during use. This includes overnight security for Events running more than one day.

8. SAFETY EQUIPMENT PROCEDURES: It is the responsibility of the Permittee to assure that safety equipment is worn and safety procedures adhered to as appropriate for the Event and as required by New York State Departments of Health and Labor and local Health and Fire Codes or other applicable laws or codes.

9. The County of Warren, upon order of the Superintendent of the Department of Public Works reserves the right to revoke or annul this permit at any time and at his discretion without a hearing or the necessity of showing cause.

10. All contractors, subcontractors or vendors hereby agree to, be bound by and subject to all terms, conditions and special conditions.

11. Permittee hereby acknowledges receipt of a copy of the Village of Lake George Code Chapter 148 and agrees to comply with said Code.

11. By signing below, the Permittee agrees to be bound by all terms, conditions and special conditions in this Use Permit.

12. This Use Permit shall only be effective if signed by the authorized officials of the Village of Lake George and Warren County or their duly authorized representatives.

SPECIAL CONDITIONS

