

10405 Merrill Road P.O. Box 157 Hamburg, MI 48139 (810) 231-1000 www.hamburg.mi.us

**TO:** Hamburg Township Board of Trustees

**FROM:** Deby Henneman, Township Coordinator

**DATE:** February 22, 2024

**AGENDA ITEM TOPIC:** Park Use Application – Hamburg Flyer's RC Club - 2024 Season (Annual)

Number of Supporting Documents: 1 Park Use Application

#### **Requested Action**

To recommend approval of the Park Use Application dated February 8, 2024 for Hamburg Flyer's RC Club's Use for 2024, from April 1, 2024 to April 1, 2025, contingent that the Clerk Department be provided all requested documents to their satisfaction, that use will not be allowed during Blackout Dates, and that fees be charged based on current fee schedule.

#### **Background**

Application has been received and includes seasonal use for all RC activities such as Buddy Box, educational seminars, and community education. Swap Meet and Airshow Events are covered under separate applications.

This application contemplates shared use of the Hamburg Flyer's Field, which also supports other flying activities such as model planes, and kites. All RC activity is monitored by this group on behalf of the Township and Liability for this activity is covered by their provided Insurance.

Any outside vendors brought on site must be approved by way of a Tent Permit Application and Fire Inspection.

The club's use will need to be scheduled around the approved Blackout dates, which have been distributed and are on the digital calendar found on our website.

This club is considered a Recognized Sports Group under the current fee schedule, and will be charged \$5.00 per resident, and \$10.00 per non-resident as a flat rate for their seasonal use. 2023 Roster included 20 Residents, 26 Non-Residents, for a total of \$360.00.

Parks and Recreation Committee approved this use at their February 20, 2024 meeting.



# Hamburg Township Manly Bennett Park Park Use Application

P.O. Box 157 10405 Merrill Road Hamburg, Michigan 48139-0157 (810) 231-1000 Office X-218 (810) 231-4295 Fax

## And Release of Liability & Indemnification Agreement

(Application must be submitted 60 days before requested use)

### Applicant Information:

Event Sponsor (or name if family or individual use): Hamburg Flyers RC	Club, Inc.
Name of Event: Hamburg Flyers RC Club, Inc.	
Type of Event: Aeronautics	Park Use Category #: 2 - Qualified User
Applicant Name: Hamburg Flyers RC Club, Inc.	
Date(s) of Event: April 16, 2029 thru April 14, 2025	Time(s) of Event:
Applicant Address: Manley Bennett Airport 10405 Merrill Rd.	Suite or Apt #:
Applicant City: Hamburg	State: MI Zip: 48139
Contact Person (present during use): Eugene Doncea	
Contact's Affiliation with Applicant: President	
Contact's Phone: 734-637-3571 Contact's	E-Mail: E8D68@aol.com
Event Co-applicant, if any:	
All Co-applicants must also sign all applications and waivers.  Co-applicant relationship to Applicant:	
Co-applicant's phone:	
Insurance Information:	
Insurance Carrier:	2599
Certificate of Insurance must be provided by all applicants as outlined in Appendix B in the Park Facility Use ITBD  Policy #:  Expir	ration Date: TBD 33131
Limit of Community Living TRD	ccurrence Aggregate
Umbrella Coverage Limit (if any):Oc	currence Aggregate

Event Description: (any information that	501(c)3 nonprofit activities. The purpose is to develop, educate
Please describe the event you propose to ho	ost:
	ical activities. This is to include, but not limited too, Buddy Box,
educational seminars, community education	n an awreness
Total Number of participants/spectators/gue	ests anticipated during event: 1-200 +/-
Average of participants/spectators/guests at	nticipated at any given time: 1-200 +/-
Site of Proposed Event; include all areas of Manley Bennett Airport	the parklands that will be used:
include site plan drawing reflecting all areas of the Towns	ship Park and recreational facilities the event will effect
	If so, are overnight stays anticipated: N/A
Number of Volunteers: 1-100 +/- Please attach copy of Volunteer Handbook if applicable	Are Volunteers trained?:
Will tents be used?:	70 1
Manley Bennett Airport	If so, please indicate locations:
Under no circumstances are tent stakes to be driven into a	sphalt surfaces. Tent locations must be pre-approved
Will admission be charged? If so, how muc	No
No.	
Parking fee charged? If so, how much:	Valet service available?
Will Food/Beverages be served? If so, type	TOD
or anything other than pre-packaged foods, Concession A	Application, Health Department License and Products Liability coverage is required.
Will there be Fireworks or any other pyrotec	TDD
nsurance requirements to be established during the event	review process as stated in Appendix B of the Park Facility Use Policy.
Vill there be any animals present? If so, des	Doroonal note
not at events	
not at events	gs are allowed with proper certification.
	No

Pers	onal vehicles require proof of Auto Liability based on the description of use and areas needing to be accessed during event.
Wi	I there be a need for Emergency Responders over and above what is included in the Public Safety Fee? If
des	cribe: No
Han	burg Township reserves the right to require private security and/or emergency responders be present during any event.
	cific services required from the Township, if any: Yes. Lawn and maintance service.
Oth	er information regarding your event that you feel may be helpful:
_	
	ganized Sports and/or Sporting Events:
Plea	se indicate type of sports event: Regular Season (Games/Practices) Sports Tournament Other
If To	ournament or other event, complete Event Description on Page 2 and provide additional details, if any:
1	14
1	

## Release of Liability & Indemnification Agreement

The approval of this park use request is contingent upon receipt of all requested information, review process of the Hamburg Township Parks & Recreation Committee, and approval of the Hamburg Township Board. The applicant may be required to provide additional information as is deemed necessary by the Parks & Recreation Committee and/or Township Board, and may be required to meet with the Parks Administrator and/or Parks Coordinator to supply additional info9rmation or to answer questions. If the Park Use Application is received less than 60 days prior to the requested event date, the Parks & recreation Committee and Township Board may process the application, however, the application fee may be increased in an amount to be determined by the Parks & Recreation Committee and/or the Township Board.

The undersigned acknowledges that he/she/they are authorized to sign this application on behalf of the applicant and that he/she/they have received a copy of all documents relating to the use of the park and recreational facilities including the Hamburg Township Park Facility Use Policy Rules and Regulations.

In further consideration of entering into this agreement, to the fullest extent permitted by law, the Applicant agrees to defend, pay on behalf of, indemnify, and hold harmless Hamburg Township, its elected and appointed officials, employees and volunteers, and others working on behalf of Hamburg Township against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from Hamburg Township, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of, or is in any way connected or associated with this contract.

The Applicant covenants and agrees that it will have a representative on the premises at all times to monitor the set-up, use and tear-down of the use and all activities related to thereto and under no circumstances shall the use of the park be granted or sublet to any other group or organization without the express written permission of the Hamburg Township Board of Trustees.

Any Applicant or group or entity co-hosting an event must provide a Certificate of Insurance naming Hamburg Township as an additional insured and proof of that coverage must be provided prior to the issuance of the permit for the event. The Applicant and/or co-host of any event must comply with all rules, regulations and policies of the Township pertaining to the said use and will be ultimately responsible for any and all damages to any Hamburg Township property resulting from the use, and shall otherwise restore the Township property to its previous condition.

Personal Property Damage Claims: The applicant hereby releases Hamburg Township, Its elected and appointed officials, employees and volunteers, and others working behalf of Hamburg Township, from any and all liability or responsibility to the applicant or anyone claiming through or under the applicant by way of subrogation or otherwise, for any loss or damage to applicant's property resulting from any incident, except damages resulting from the gross negligence of the Township, as it relates to the activities and uses contemplated by the application. It is understood by the applicant that all private property kept, stored or maintained in and on the Hamburg Township Park and recreational facilities shall be so kept, stored or maintained at the risk of the Applicant.

Initials: 5D

Public Health & Safety: The applicant hereby swears and attests that they have complied with all aspects and intent, of Background Checks and that they are in compliance3 with the Michigan Sports Concession Law, Acts 342 & 343, Public Acts of 2012, as referenced in the Park Facility Use Policy and outlined in Appendix A. The applicant understands that falsification of the above statement and/or failure to comply with these requirements may result in the suspension and/or revocation of the use of the Hamburg Township parkland facilities.

Applicant's Signature:  Co- applicant's Signature:  Parks Coordinator:	Date: 2/8/24  Date: 2/8/24  Date: 2/3 24
For office use of	nly
Comments:	
Meeting Approval Dates: 2 20 2 Parks & Recreation N	Public Safety Township Board
Application has been (Circle one) Approved	O Denied
Hamburg Township Representative:	



#### CERTIFICATE OF LIABILITY INSURANCE

4/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

	DUCER					CONTACT NAME:				
FN		ox 45279				PHONE (A/C, No, Ext): 402-861-7000 FAX (A/C, No):				
		NE 68145				E-MAIL ADDRESS:				
	-					INS	URER(S) AFFOR	DING COVERAGE		NAIC#
						INSURER A : Illinois U	nion Insuranc	e Company		27960
NSI	IRED					INSURER B:				
Academy of Model Aeronautics, Inc.				INSURER C:						
&/(	or Aff	iliated &/or Associated Chartere Chapters & Members Thereof	ea			INSURER D :				
		Memorial Drive				INSURER E :				
		IN 47302				INSURER F:				
0	VED	AGES CER	TIFIC	ATE	NUMBER: 1145832157	I III ON LITT		REVISION NUMBER:		
TINC	HIS IS	S TO CERTIFY THAT THE POLICIES TED. NOTWITHSTANDING ANY RE- FICATE MAY BE ISSUED OR MAY F ISIONS AND CONDITIONS OF SUCH I	QUIF	AIN.	NT, TERM OR CONDITION THE INSURANCE AFFORD	OF ANY CONTRACT DED BY THE POLICIES	OR OTHER I S DESCRIBEI PAID CLAIMS.	DOCUMENT WITH RESPEC	CT TO V	VHICH THIS
ISR		TYPE OF INSURANCE				POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A		COMMERCIAL GENERAL LIABILITY	Y	WVD	G22011534018	3/31/2023	3/31/2024	EACH OCCURRENCE	\$ 1,000	,000
i		CLAIMS-MADE X OCCUR			A STATE OF THE PARTY OF THE PAR	1000000		DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,0	
		CLAIMS-MADE [11] OCCUR						MED EXP (Any one person)	\$0	
	-							PERSONAL & ADV INJURY	\$ 1,000	.000
	-	ACCRECATE LIMIT ACCUSE DED.						GENERAL AGGREGATE	\$ 1,000	
	GEN	"L AGGREGATE LIMIT APPLIES PER: POLICY PRO- JECT X LOC						PRODUCTS - COMP/OP AGG	\$ 1,000	
	-							PRODUCTS - COMPTOP AGG	\$ 1,000	,000
_	1 1	OTHER:						COMBINED SINGLE LIMIT (Ea accident)	\$	
	AUT	OMOBILE LIABILITY						(Ea accident) BODILY INJURY (Per person)	\$	
	H	ANY AUTO OWNED SCHEDULED							-	
		AUTOS ONLY AUTOS						BODILY INJURY (Per accident) PROPERTY DAMAGE		
	1	AUTOS ONLY NON-OWNED AUTOS ONLY		0.10				(Per accident)	\$	
									\$	-
	1	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	\$	
		EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$	
		DED RETENTION\$						1050	5	
		WORKERS COMPENSATION						PER OTH-		
	ANYF	EMPLOYERS' LIABILITY PROPRIETOR/PARTNER/EXECUTIVE	N/A					E.L. EACH ACCIDENT	\$	
	OFF	OFFICER/MEMBEREXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Excess Liability						E.L. DISEASE - EA EMPLOYEE	\$	
	If ves						3/31/2024	E.L. DISEASE - POLICY LIMIT	\$	
					G22011546018	3/31/2023		Limits per Occ		0,000
	1 5							General Aggregate	\$4,00	0,000
la	mbur	ION OF OPERATIONS / LOCATIONS / VEHICL g Township is an additional insured Merrill Rd. Club: 1454 Hamburg Flye	, prir	nary	and non-contributing as re	ule, may be attached if mor espects to any addition	 e space is requir nal insured si	 ed) te owner. Location: Manle	ey W. Be	ennett Park
E	RTIF	ICATE HOLDER				CANCELLATION				
Hamburg Township PO Box 157 Hamburg MI 48139						SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE				