



Hamburg Township Offices  
10405 Merrill Rd., P.O. Box 157  
Hamburg, MI 48139  
(810)231-1000  
[www.hamburg.mi.us](http://www.hamburg.mi.us)

## **Memorandum**

Date: February 13, 2023

To: Parks & Recreation Committee

From: Deby Henneman, Township Coordinator

Re: Livingston County Concert Band

We are in receipt of a Park Use Application from Livingston County Concert Band who would like to hold a free outdoor concert at Manly Bennett Park for our residents on Tuesday, July 25, 2022 at 7:00 p.m. The preliminary area being considered is East Park near the concession stand and utilizing the pavilion and grassy area. Plans are to be finalized with the Township Coordinator.

The time of year that the event is being proposed is generally slower for sports, and most seasons will be over. The event would be a proposed Blackout for the evening starting earlier in the day to include set up, and they will be given access to the concession stand in order for the band members to store their personal belongings. Last year's event went smoothly and along with the 70 members, there were about 30 people in attendance. I anticipate as this event is offered, the numbers will grow, so assistance with signage is something that should be anticipated each year.

Should the Parks committee recommend approval of the application from Livingston County Concert Band as submitted, I suggest the following contingencies: That fees be waived or reduced due to the nature of the event, that proof of insurance naming Hamburg Township as Additional Insured be provided, that the Clerk Department be provided all requested documents to their satisfaction, and that Concession sales, if any, be limited to pre-packaged foods and beverages, unless a licensed vendor is present and provides proper documents. My recommendation is that this event be considered as co-sponsored by the Township.



Hamburg Township Manly Bennett Park

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

Park Use Application

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): Livingston County Concert Band

Name of Event: Free Outdoor Concert

Type of Event: Free Outdoor Concert Park Use Category #: Select One

Applicant Name: Laura Hogan

Date(s) of Event: July 25, 2023 Time(s) of Event: 7:00 p.m.-dusk (setup at 6 p.m.)

Applicant Address: PO Box 774 Suite or Apt #:

Applicant City: Howell State: MI Zip: 48844

Contact Person (present during use): Laura Hogan

Contact's Affiliation with Applicant: LCCB Board President

Contact's Phone: 248-310-9241 Contact's E-Mail: livingstoncountyconcertband@gmail.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: Hartland Insurance

Certificate of Insurance must be provided by all applicants as outlined in Appendix B in the Park Facility Use Policy.

Policy #: A490494 Expiration Date: 9/1/2023

Limit of General Liability: See attached Occurrence Aggregate

Umbrella Coverage Limit (if any): Occurrence Aggregate

**Event Description:** *(any information that doesn't pertain to your event please indicate not applicable)*

Please describe the event you propose to host: LCCB performs free outdoor concerts on Tuesday evening  
throughout Livingston County during the summer months. We perform popular tunes, marches, and light  
summer music

Total Number of participants/spectators/guests anticipated during event: band -70, audience ? 100??

Average of participants/spectators/guests anticipated at any given time: same

Site of Proposed Event; include all areas of the parklands that will be used: \_\_\_\_\_

An area large enough to seat 70 band members and then space for audience members to sit.

*Include site plan drawing reflecting all areas of the Township Park and recreational facilities the event will effect*

Will there be camping and trailer facilities? If so, are overnight stays anticipated: NA

Number of Volunteers: NA Are Volunteers trained?: NA  
*Please attach copy of Volunteer Handbook if applicable*

Will tents be used?: NA If so, please indicate locations: NA

*Under no circumstances are tent stakes to be driven into asphalt surfaces. Tent locations must be pre-approved.*

Will admission be charged? If so, how much: No

Parking fee charged? If so, how much: No Valet service available? No

Will Food/Beverages be served? If so, types of food and name of persons serving: NA

*For anything other than pre-packaged foods, Concession Application, Health Department License and Products Liability coverage is required.*

Will there be Fireworks or any other pyrotechnic display? If so, describe: No

*Insurance requirements to be established during the event review process as stated in Appendix B of the Park Facility Use Policy.*

Will there be any animals present? If so, describe: Audience members may bring pets? It's open to the  
community and people passing by

*Pets are not allowed in Parkland during events. Service Dogs are allowed with proper certification.*

Will there be Amusement rides or games? If so, describe: NA

*Insurance requirements to be established during the event review process as stated in Appendix B of the Park Facility Use Policy.*

Will there be a need for vehicles to be used on Township grounds? If so, describe: Some of our members will need the ability to drop off large instruments close to where we set up, and older members dropped off

*Personal vehicles require proof of Auto Liability based on the description of use and areas needing to be accessed during event.*

Will there be a need for Emergency Responders over and above what is included in the Public Safety Fee? If so, describe: No

*Hamburg Township reserves the right to require private security and/or emergency responders be present during any event.*

Specific services required from the Township, if any: NA

Other information regarding your event that you feel may be helpful: We bring all our own chairs and stands and a portable speaker and microphone. We will need an electrical outlet for the speaker.

### Organized Sports and/or Sporting Events:

Please indicate type of sports event:  Regular Season (Games/Practices)  Sports Tournament  Other

If Tournament or other event, complete Event Description on Page 2 and provide additional details, if any:

NA

### ***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 information 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: SH

**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 compliance 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.

Initials: SH

Applicant's Signature: Sacera Hogan Date: 2/2/2023

Co-applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parks Coordinator: [Signature] Date: 2/13/23

**For office use only**

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Meeting Approval Dates: \_\_\_\_\_ Parks & Recreation \_\_\_\_\_ Public Safety \_\_\_\_\_ Township Board

Application has been (Circle one)  Approved  Denied

Hamburg Township Representative: \_\_\_\_\_

