

Hamburg Township Offices 10405 Merrill Rd., P.O. Box 157 Hamburg, MI 48139 (810)231-1000 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 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):	ston County Concert Band	
Name of Event:		
Type of Event: Free Outdoor Concert	Park Use Cate	egory #: Select One
Laura Hogan Applicant Name:		
Applicant Name:  Laura Hogan  Date(s) of Event:  PO Box 774	Time(s) of Event:	7:00 p.mdusk (setup at 6 p.m.)
Applicant Address: PO Box 774	Suite or Apt	#:
Applicant City: Howell		
Contact Person (present during use):		
Contact's Affiliation with Applicant:	President	
Contact's Phone: 248-310-9241	_ Contact's E-Mail:	ncountyconcertband@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		-0-
Certificate of Insurance must be provided by all applicants as outlined in Appendix B in the Policy #: A490494	ne Park Facility Use PolicyExpiration Date:	2009
Limit of General Liability: See attached		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  Please attach copy of Volunteer Handbook if applicable  Are Volunteers trained?: NA
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:
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:
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

Will there be a need for vehicles to be used on Township grounds? If so, describe:
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:
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:

## 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.

<u>Personal Property Damage Claims</u>: 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:

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.

	-	Init	ials: ##
Applicant's Signature: Xaee	ra Hoga	1 Date: 2/2	12033
Co- applicant's Signature:		Date:	<del></del>
Parks Coordinator:	100	Date: 013	23
	For office use	eonly	
Comments:			
Meeting Approval Dates:	Parks & Recreation	Public Safety	Township Board
Application has been (Circle one)	Approved	Denied	-
Hamburg Township Representativ	e:		



**DBRZUCHOWSKI** 

ACORD

### **CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY) 2/2/2023

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.

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).

PRODUCER Hartland Insurance Agency, Inc. PO Box 129 Hartland, MI 48353				PHONE (A/C, No, Ext): (810) 632-5161 224 (A/C, No):  E-MAIL ADDRESS: Deanna@hartlandinsurance.com					
	<b>,</b>						RDING COVERAGE		NAIC#
				INSL			ision of West Bend Mutual Ins C	ompany	15350
INSURED			INSL	INSURER B:					
	Livingston County Concert I	Band		INSL	INSURER C:				
	987 Oak Creek Drive	<b></b>			INSURER D:				
	South Lyon, MI 48178				JRER E :				
					INSURER F:				
CO	VERAGES CER	TIFIC	CATE	NUMBER:			REVISION NUMBER:		
IN CI	IIS IS TO CERTIFY THAT THE POLICIE DICATED. NOTWITHSTANDING ANY R ERTIFICATE MAY BE ISSUED OR MAY KCLUSIONS AND CONDITIONS OF SUCH	equi Per Poli	REME TAIN, CIES.	ENT, TERM OR CONDITION OF THE INSURANCE AFFORDED LIMITS SHOWN MAY HAVE BEE	ANY CONTRA BY THE POLIC N REDUCED BY	CT OR OTHER IES DESCRIB PAID CLAIMS.	DOCUMENT WITH RESPE	CT TO	WHICH THIS
INSR LTR	TYPE OF INSURANCE	addl Insd	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	(MM/DD/YYYY)	LIMIT	s	
Α	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	\$	1,000,000
	CLAIMS-MADE X OCCUR			A490494	9/1/2022	9/1/2023	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000
							MED EXP (Any one person)	\$	5,000
							PERSONAL & ADV INJURY	\$	1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$	2,000,000
	X POLICY PRO-						PRODUCTS - COMP/OP AGG	\$ \$	2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	s	
	ANY AUTO						BODILY INJURY (Per person)	\$	
	OWNED SCHEDULED AUTOS ONLY AUTOS				A. Carlotte		BODILY INJURY (Per accident)	s	
	HIRED NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$	
	AUTOS ONLY AUTOS ONLY				-		(i oi doordon)	s	
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	s	
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	s	
	DED RETENTION \$						NOORLONIE	s	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			-			PER OTH- STATUTE ER	Ť	
	AND EMPLOYERS' LIABILITY  ANY PROPRIETOR/PARTNER/EXECUTIVE						E.L. EACH ACCIDENT	s	
	OFFICER/MEMBER EXCLUDED?	N/A					E.L. DISEASE - EA EMPLOYEE	s	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	s	
	DESCRIPTION OF GPERATIONS DEGW				-		E.C. DIGENOL 1 GENERAL	Ť	
DES	CRIPTION OF OPERATIONS / LOCATIONS / VEHIC	ES (A	CORD	) 101, Additional Remarks Schedule, ma	ay be attached if mo	re space is requir	red)		
CE	RTIFICATE HOLDER			CA	NCELLATION				
Hamburg Township 10405 Merrill road Hamburg, MI 48139			S	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
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