



## USE OF THE EASTHAM WINDMILL GREEN AND BANDSTAND POLICY

### 1.0 Authority

The Board of Selectmen hereby adopts a set of guidelines for the use of the Town of Eastham's Windmill Green and Bandstand.

### 2.0 Purpose

It is the intention of the board of Selectmen of the town of Eastham to make the Windmill Green and Bandstand available to all qualified applicants as per the regulations described further in this policy.

### 3.0 Applicability

The policy shall apply to eligible individuals or organizations wishing to use the Windmill Green and/or the Bandstand for any event and/or program.

### 4.0 Definition

The Windmill Green and the Bandstand is the area known as the facility across from the Town Hall.

### 5.0 Responsibility

The Board of Selectmen or designee is responsible for ensuring that this policy is upheld and that policy guidelines are followed.

### 6.0 Standards/Rules and Regulations

#### 6.1 Eligibility

Eastham residents, Eastham based non-profits, and Town sponsored groups shall be eligible to apply to use the Windmill Green and/or the Bandstand.

Applications shall not be considered from groups or individuals who discriminate in their membership, programs or philosophy on the basis of sex, race, color, creed, national origin, disability, marital status, veteran status, age or sexual orientation.

Repeat use may be denied to groups or individuals who fail to abide by this and other policies, rules and regulations pertaining to the use of town property.

#### 6.2 Use of the Windmill Green/Bandstand shall be governed by the following rules and regulations:

- 6.2.1 Events shall be scheduled during daylight hours, and no event shall continue past 8:00 p.m. The applicant may set up the event after 4:00 p.m. the day previous to the event (when the area is available), and must have the Windmill Green cleaned up by noon of the day following the event. Event shall not exceed more than three (3) days.
- 6.2.2 The applicant is responsible for set up and clean up of the Windmill Green after the event, including the picking up of all litter, taking away of recyclable materials, and the removal of any display material and signage. The applicant is required to provide the necessary containers for recyclable materials. (Check with the town for a full list of recyclable items)
- 6.2.3 Signs, notices or other items may not be attached to any structure, tree or trash recycling bin on the Windmill Green. (Permits are required for signs)

- 6.2.4 No activity may charge a fee for the event. Items may be sold if permitted by the Board of Selectmen or their designee, and state and local license requirements are met.
- 6.2.5 The use or sale of alcoholic beverages is prohibited on the Windmill Green except by the express written permission of the Select Board. A One Day Liquor license must be applied for and approved - applications can be found on the website under the Town Clerk's page.
- 6.2.6 Pursuant to M.G.L. Ch 270, §22(j), and the Town of Eastham's policy Prohibiting Smoking in Workplaces and Public Places, Smoking is prohibited on the Windmill Green, a town owned park.
- 6.2.7 Motor Vehicles may be allowed on the Windmill Green if requested on the application and a \$25 per event fee is paid.
- 6.2.8 There shall be no discharge of firearms except for ceremonial purposes and as approved by the Police.
- 6.2.9 There shall be no fires permitted, with the exception of candles which may be held by individuals participating in ceremonies, such as weddings, etc. Candles may not be placed along or attached to any structure on the Windmill Green.
- 6.2.10 For any event utilizing the Bandstand, a single noise complaint shall be sufficient to permit the policy to order discontinuance of the noise portion of the event. A second complaint shall be sufficient for the police to order the end of the event and the clearing of the entire Windmill Green.
- 6.2.11 Amplified music shall only be allowed by special permission of the Board of Selectmen or their designee.
- 6.2.12 No additional lighting may be installed, on either a temporary or permanent basis, without the explicit approval of the Board of Selectmen.
- 6.2.13 Dogs are prohibited on the Windmill Green during events. All other times dogs are allowed on Windmill Green only on a leash.
- 6.2.14 The applicant must agree to indemnify and hold the Town of Eastham harmless against any and all claims which may be made against the Town for property damages and personal injuries sustained by any person including the user which may result from the use of said property by the user. The applicant must also furnish proof of general liability insurance naming the Town as additional insured. Liability Limits as follows: **Comprehensive General Liability-Bodily Injury-\$1,000,000 Aggregate**

## 7.0 Procedure

All applicants shall be required to complete and sign the Application for Use of the Windmill Green and/or Bandstand. Applications and fees must be turned into the Town designee no less than eight weeks prior to the requested event date. A \$500 refundable damage deposit check is required, and must be submitted 3 days before the event.

Should two (2) or more applicants request the same day(s), preference shall be given to events sponsored by the town.

## **7.1 Fee Schedule**

The following must be submitted and paid by the applicant at the time of application submittal:

1. A certification of current/valid insurance coverage.
2. A peddler's permit if anything is being sold on public property.
3. A \$500 refundable damage deposit check is required, and must be submitted 3 days before the event.
4. The appropriate use fees as follows:
  - a. **Eastham residents, Eastham based non-profits and Eastham Town Sponsored Events:**
    - \$100 per day use fee
    - \$25 per event fee if you intend to provide portable toilets
    - \$25 per event fee for vehicle access for set up and take down only (Vehicles travel in marked lanes only. Vehicles not being actively loaded or unloaded may not be parked on the Green)
    - \$25 per event fee if you intend to use/provide tents
  - b. **Non-profits(out of town):**
    - \$500 per day use fee
    - \$50 per event fee if you intend to provide portable toilets
    - \$50 per event fee for vehicle access for set up and take down only (Vehicles travel in marked lanes only. Vehicles not being actively loaded or unloaded may not be parked on the Green)
    - \$50 per event fee if you intend to use/provide tents
  - c. **Private for profit**
    - \$1,250 per day use fee
    - \$50 per event fee if you intend to provide portable toilets
    - \$50 per event fee for vehicle access for set up and take down only (Vehicles not being actively loaded or unloaded may not be parked on the Green)
    - \$250 per event fee if you intend to use/provide tents

**8.0 The Board of Selectmen or their designee reserves the right to reject any and all requests.**

## **9.0 Effective Date**

This policy is effective as of September 15, 2008.

- This policy was adopted by the board of Selectmen at a public meeting on September 15, 2008.*
- This policy was revised and adopted by the Board of Selectmen at a public meeting on January 4, 2016.*
- This policy was revised and adopted by the Board of Selectmen at a public meeting on April 18, 2017.*
- This policy was revised and adopted by the Select Board at a public meeting May 23, 2022.*