



TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MASSACHUSETTS 02035
Telephone - 508-543-1219 FAX - 508-543-6278

USE OF TOWN PROPERTY

The following policy and procedures shall govern the application and issuance of permits for the use of Town property by community groups or individuals for fundraising purposes and the use by commercial entities.

ELIGIBLE LOCATIONS

Town owned property which is not under the care, custody, and control of the Conservation Commission (for Conservation Land use guidelines, see Appendix) or which is, otherwise, determined by the body or officer with control over the property to be unsuitable for such private group/entity's use due to potential conflicts or inconsistencies with the property's dedicated municipal use.

AUTHORIZATIONS BY

Permits shall be authorized by the Town Manager or his/her designee upon staff review; including but not limited to the Police & Fire Chiefs, DPW Director, Director of Public Health, Building Commissioner and Planning Director, as appropriate to the event/location. Traditional use of recreational lands/properties shall only require authorization of the intended use by the Recreation Director (ex: sports).

ADMINISTRATIVE REQUIREMENTS

Applications for permits to use Town property shall be reviewed on a non-discriminatory basis in the sequence in which they are submitted to the Town. To the extent that public safety and event management considerations preclude the use of a particular area of Town property by multiple groups/organizations at the same time, priority shall be given to the applications based on date/time of submission.

A. Community Groups or Individuals

1. Only non-profit groups are eligible,
2. A Certificate of Liability or waiver is required,
3. A general admission fee to gain access to Town Property is not allowed unless otherwise authorized by the Town Manager as part of the permit application.
4. The possession and/or consumption of alcoholic beverages are generally not allowed on Town Property but may be authorized by the Board of Selectmen; subject to applicable licensing laws, regulations and such conditions as may be established by the Board of Selectmen.
5. No gambling devices are allowed at any time,

6. The applicant must execute a release of liability and indemnity agreement with the Town for use of its property which specifies the intended use.
7. Anyone who uses Town Property for an event is required to clean and restore the venue to its previously clean condition immediately following the conclusion of the event. Such action is necessary so that the general public's use can be resumed no less than the next following calendar day.
8. If there is a requirement for a custodian to be on premise for any event, the renter is responsible for the per hour cost (usually at the overtime rate) of the individual. In most instances a four-hour minimum for this individual's time is required. In addition, if there is a requirement for Police, Fire, or DPW personnel to be present during an event (as applicably determined by the Police Chief, Fire Chief or DPW Director), the renter is responsible for that cost as well.
9. Use of Town property will not be allowed between the hours of 9:00 pm and 9:00 am or before Noon on Sundays; unless otherwise authorized as part of the permit application.
10. The exact site/area of Town property requested for use must be clearly identified in the permit application submitted by the applicant.
11. No animals (except for licensed service animals), heavy equipment or heavy amusement devices are allowed on Town property unless otherwise approved by the Town Manager in the application.
12. The customary use of specific Town site/area(s) for municipal purposes will have first priority over any requested private use of that site/area(s). In addition, use of a Town site/area by a community group for fundraising activity must be consistent and not interfere with the primary public use of the property.
13. No activity will be approved by the Town unless the applicant provides timely notice of the request for use. This will allow the Town to perform an orderly staff review of the application. Typically, applicants should provide the Town with a minimum of two weeks of notice prior to the event date.

B. Commercial Entities

1. The organization must submit a written request to the Town Manager's Office, including proposed location(s), time(s), date(s), and an explanation of activities proposed for the Town site/area(s).
2. A Certificate of Insurance naming the Town as additionally insured or a signed Waiver of Liability is required as part of the application.

3. The applicant shall, unless otherwise waived by the Board of Selectmen, be required to pay a reasonable, stipulated fee to compensate the Town for anticipated costs and expenses related to the maintenance of public safety, clean-up of the property, traffic control (if necessary), etc. relative to the proposed event.
4. Alcoholic beverages are generally not allowed on Town Property but may be authorized by the Board of Selectmen; subject to applicable licensing laws, regulations, and such terms and conditions as are established by the Board.
5. No gambling devices are allowed at any time on Town property without compliance with applicable state and local licensing requirements and the express written consent of the Board of Selectmen.
6. Anyone who uses Town Property for an event is required to clean and restore the venue to its previously clean condition immediately following the conclusion of the event. Such action is necessary so that the general public's use can be resumed no less than the next following calendar day.
7. If there is a requirement for a custodian to be on premise for any event, the renter is responsible for the per hour cost (usually at the overtime rate) of the individual. In most instances a four-hour minimum for this individual's time is required. In addition, if there is a requirement for Police, Fire, or DPW personnel to be present during an event (as applicably determined by the Police Chief, Fire Chief or DPW Director), the renter is responsible for that cost as well.
8. The applicant shall not exceed the scope of any approved use or plan specified in its application without written approval from the Town Manager.
9. No activity will be approved on a Town-owned site/area unless the organization has provided the Town with timely notice of the requested use. This is to ensure that an orderly staff review of the application can be performed. Typically, applicants should provide the Town with at least two weeks of notice prior to the event date.
10. Use of Town property will not be allowed between the hours of 9:00 pm and 9:00 am or before Noon on Sundays; unless otherwise authorized as part of the permit application.
11. The exact site/area(s) of Town property requested for use must be clearly identified in the permit application submitted by the applicant.
12. No animals (except for licensed service animals) heavy equipment or heavy amusement devices are allowed on Town property unless otherwise approved by the Town Manager.

Fees- Generally, the Town of Foxborough will not charge local residents or businesses for the use of Town Property for incidental use. “Incidental Use” is defined as being and event that may occur annually or on a schedule that is generally not disruptive to the use of the property by the public.

Anyone who utilizes Town Property is obligated to leave the property in the same or better condition that was in prior to the event. If the Town determines that the property requires clean-up or repairs following an event, the applicant will be charged for the cost of returning the property to an acceptable condition. Any fees that are charged shall be paid within 30 days of a bill being issued or the bill will then be subject to penalties and interest. Failure of the applicant to pay any outstanding charges will then render the applicant ineligible for the use of any Town parcel until the outstanding charges have been resolved.

If the event requires certain inspections or a public safety detail(s), applicant is responsible for the cost of those services. During the application review process, any Department Head or the Chiefs of both the Police and Fire Departments will determine if any such actions are necessary.

The Town reserves the right to charge entities that are not based in Foxborough. Such fee(s) shall be determined by the Board of Selectmen and shall be paid prior to the event being held.

Non- Discrimination: The Town of Foxborough is an equal opportunity organization and will not allow discrimination or exclusion based upon age, ethnicity, ancestry, gender, national origin, disability, race, size, religion, sexual orientation, socioeconomic background, or any other status prohibited by applicable law. This Policy shall be implemented and enforced in strict conformity with this principle.

Adopted September 14, 2021

Board of Selectmen

APPENDIX

FOXBOROUGH CONSERVATION LAND REGULATIONS

Town Conservation Lands are a part of Foxborough's heritage. The following regulations have been established to encourage passive recreational use as well as to promote biodiversity, while maintaining these areas in their natural condition now, and for future generations.

The Conservation Commission ("Commission") and the Conservation Agent ("Agent") are tasked with maintaining, enhancing and/or conducting studies on conservation lands and are exempt from these Rules and Regulations.

1. Fires are strictly prohibited on Conservation Land, unless authorized in writing by the Commission, the Police Department and the Fire Department; please visit the Commission's website for details.
2. Conservation Lands are open from one-half hour before sunrise to one-half hour after sunset. Visitors should park in designated areas during open hours, however, Conservation Lands are closed between sunset and sunrise and their use is strictly prohibited without written permission from the Commission.
3. The operation of motor vehicles on any town property including, but not limited to, motorcycles, dirt bikes, ATVs, OHVs, and snowmobiles is strictly prohibited.
4. Group activities (10 or more individuals), including overnight camping by scouting groups, after dark activities, or other group use at any time, are expressly prohibited without written permission from the Commission. A completed "Request for Group Use of Foxborough Conservation Land" application, downloadable from the Commission's website, shall include the name and address of at least one responsible leader who will be present at all time, the total number of participants expected, and their intended activities. Group use permits will be issued at the discretion of the Commission. If approved, the completed Group Use application must be carried at all times during the event by the responsible leader.
5. No hunting, trapping, use of bow and arrow, or discharging of firearms is permitted within Conservation Lands, with the exception of a few Commission-approved hunting areas, in season, with a license, and in compliance with other applicable laws. All prospective hunters must visit the Conservation Office in Town Hall to (a) submit their name, address, and a copy of their current hunting license; (b) review all hunting rules with the Agent; and (c) obtain a paper copy of the Commission's approved hunting area maps showing hunting boundaries.
6. The installation / use of wildlife cameras on conservation land is prohibited, without written permission from the Commission or the Agent.

7. Swimming is not permitted within conservation lands and public nudity is prohibited.
8. Any visitor who possesses, owns, controls or brings any pet shall keep them leashed and under their control and shall remove and properly dispose of their pet's feces.
9. No person shall cut, break, remove, deface, defile or abuse any building, structure, fence, or sign.
10. No trails shall be marked or cut, no signs shall be erected, and no structures such as dams, lean-tos, forts, cabins, towers, or rafts shall be constructed on any conservation land, without written permission from the Commission.
11. No trees, shrubs, plants, flowers, fungi, and/or other flora shall be picked, removed, cut, defaced or otherwise damaged without written permission from the Commission or the Agent; nor shall any bird or animal be collected, willfully disturbed, or endangered.
12. The introduction of any non-native wildlife and/or plant species is strictly prohibited.
13. Littering and/or the dumping of any materials, including yard waste or other debris, are prohibited. Visitors must carry out what they carry in, particularly any pet feces.

The Commission reserves the right to amend these Regulations and to prohibit any inappropriate activities, not specifically listed above.

The foregoing Regulations shall be prominently posted on all conservation lands, published on the Town website, and shall be available to the public, and given to all individuals seeking use permits.

Adopted September 14, 2021

Board of Selectmen