

## **CITYWIDE SPORTS FIELD USER AGREEMENT**

(SJMC 13.44.020). The Director of Parks, Recreation and Neighborhood Services shall have the right to deny use of a field or revoke a permit with cause to any person or organization at any time, and/or impose a penalty on any person or organization not complying with this policy and its rules and regulations.

1. This permit authorizes the holder the use of the field(s) for the indicated times as shown for sports activities only. All participants must exit the field area at the conclusion of the scheduled rental time. Permit does not allow use of any vacant areas of the park that are not designated for organized sports play.
2. Permit holders agree to support and enforce the rules, regulations, and procedures set forth in this policy and those of the City of San José and other regulatory bodies as appropriate. Any misuse of the field, failure to conform to field regulations, or violations of any other Federal, State or Local Law, rule, regulation, or ordinance shall be sufficient reason for immediate termination of permit. No refund will be granted.
3. Permit holders must be in possession of a printed copy of their Facility Use Permit at all times. Possession of an authorized permit gives you the right to ask any unauthorized user to vacate the field or tennis court. If the conflict is not resolved contact Citywide Sports (after business hours) at 408-690-2171 or the City of San José Police Department Non-Emergency (311) or 408-277-8900.
4. Permit holders are responsible for informing their participants of all of the field rules and must ensure the enforcement of these rules. Permit holders are also responsible for the conduct of all participants, spectators and others connected with the activity, including visiting teams and their spectators. Individual minors under of the age of 18 or groups of minors must be properly supervised by adults when using park facilities. Groups composed of minors must be supervised by one (1) adult for each ten (10) minors up to the age of 6 and one (1) adult for each fifteen (15) minors between the ages of 7 & 17 years, throughout the period of use on City of San José facilities.
5. After business hours contact Citywide Sports at 408-690-2171. If there is a non-emergency maintenance or field condition issue you may contact the Parks Concern line at 408-793-5510 or you may email them at [park.concerns@sanjoseca.gov](mailto:park.concerns@sanjoseca.gov).
6. Permit holders should call the Field Conditions Hotline at (408) 794-6532 to confirm the status of the fields. The hotline will be updated as conditions change.
7. The Department of Parks, Recreation, and Neighborhood Services is not responsible for accident, injury, or loss of individual property. Refer to the Save Harmless and Indemnification Agreement on your application.
8. Permits/reservations are not transferable, and all users will ensure that no unauthorized third party is granted permission to use the field or any portion thereof without City of San José approval.

9. In the event that cancellation of a confirmed reservation is necessary, it is the applicant's responsibility to provide immediate written notification of the intent to cancel. Cancellations will only be accepted from the original applicant.

10. Citywide Sports staff will make all decision regarding on field playability and safety during inclement weather conditions on use for that day by 2:00pm Monday - Friday or by 8:00am on Saturday and Sunday.

11. In the event that the Field Conditions Hotline has not been updated or is unavailable, groups are expected to make educated and responsible decisions regarding field conditions. Field use in inclement weather is prohibited if any of the following conditions exist: A steady rain is falling, Standing water, A lightening or electrical storm is occurring, water is standing on the field, squishy sound made or spongy feel when walking on the turf, have mud on the bottom of your shoes and/or footstep leaves an imprint in the turf, sod is removed easily with a cleat, refunds will not be issued for inclement weather.

12. Knowledge of a group playing on and damaging the turf will result in the immediate cancellation of that permit, and loss of future use and/or priority status. No refund will be granted. The City of San José reserves the right to revoke any permit(s) issued to the permit holder due to damage to the field caused by inappropriate behavior or activities by the individual or organization. If after an activity, additional maintenance is required the applicant will be charged accordingly.

13. City of San José staff shall have the right to enter all fields at any time for observation of activities.

14. There will be no construction, modification, or physical changes to any field or facility unless specific written permission is received from the City of San José. Marking lines for a game or event is the responsibility of the user unless a request is made to Citywide Sports for field prep service. Water soluble spray paint is the only permitted means of lining a field. No fields are permitted to be lined by means of Round Up, Dolomite or other herbicide, which can permanently burn lines into the field.

15. The City of San José encourages partnership and volunteerism to improve field quality and maintenance; however, in the absence of a written agreement, donations and /or contributions of time do not give any organizations priority at any facility. Groups wishing to make alterations to facilities must submit these improvement requests in advance to the City of San José in writing to the Director of PRNS. No groups will be allowed to make any alteration to any facility without first obtaining the City of San José's approval any and all alterations will be considered the property of the City of San José.

16. Equipment may be stored at certain fields during reserved periods with prior written approval from the Facility Reservation Unit. Equipment must be anchored at all times when they are located on the playing fields. When equipment is not being utilized for play, they must be secured off the playing fields in a pre-designated area and in a manner which will prevent tipping or create any hazardous condition that could cause injury to any person. The City of San José is not liable for accidents, injuries or loss of or damage to individuals or property. Should any equipment be left on site, be found not secured in a non-designated area and/or not locked up properly; the permitted group will be subject to a suspension and/or revocation of the permit. Please note that not all fields will accommodate equipment storage and that approval for storage is not a guarantee. Immediately following the conclusion of your league's playing season, all pre-approved equipment (goals, home run fences, etc.) must be removed.

17. Conduct warm-ups for a game in an area and manner that is not dangerous to spectators or that might interfere with the previous reservation group.

18. A safety zone for all sports activities must be set-up a minimum of 25 feet from walking paths, playground structures and picnic areas.

19. No person shall practice, carry on, conduct or solicit for any occupation, business or profession in any city park; or sell or offer for sale therein any service, merchandise, article, or anything whatsoever, unless pursuant to a contract with or permit issued by the City of San José. (Prior code 4402.17; Ords. 20787, 23170.)

20. All motor vehicles must park in marked stalls in the parking lots or legally on side streets, or be subject to citations by the City of San José Police Department. No vehicles are to be driven or parked on Park premises, drive on turf, grounds, playfields or paved walkways. Customers must carry or cart their belongings to and from parking lots. Any unauthorized vehicle on park property will be cited and towed. Only City of San José authorized vehicles are allowed on park grounds.

21. The following are not allowed in any City of San José Park:

- a) No person shall kindle or maintain in any City of San José park any outdoor cooking fire in any place other than in a stove, fireplace or barbecue pit MC 13.44.120
- b) No person shall ignite or smoke any tobacco or tobacco product, or any other material MC 13.44.130
- c) No person shall consume any intoxicating beverage in any area of any city park or facility MC 13.44.140
- d) No amplified sound is permitted in any park. MC 13.44.150
- e) No person shall operate in any park, any model airplane, boat, car, rocket or other device that is powered by a rocket motor, an internal combustion engine, or other power source MC 13.44.160
- f) No person shall hit any golf ball or use any golfing equipment in any city park MC 13.44.170
- g) No person shall bring into a city park or possess, use or discharge therein any of the following articles or instruments: Any firearm or ammunition, any explosive, dynamite cap or fireworks, air gun, pellet gun, spring gun, slingshot, crossbow, bow and arrow, any weapon or instrument by means of which any missile can be propelled, any instrument which can be loaded with blank cartridges, any kind of trapping device, any poisonous substance, any incendiary bomb or material, any smoke or stink bomb, any tear gas or other disabling chemical or agent, any inflammable liquid except motor vehicle fuel contained in the fuel tank of a vehicle, lantern or camp stove, and not more than one gallon of liquid fuel in a closed metal container, or any acid or caustic substance. MC 13.44.200
- h) Persons who willfully harass or interfere with any city employee(s) in the performance of their duties in a city park, or who by their conduct, or by threatening or profane language annoy, willfully molest or unreasonably interfere with the use of a city park by any other person, or who have committed a public offense in a city park or who operate any vessel in an unsafe manner or conduct themselves in an unsafe manner; shall leave the park upon request made by the director of the department of recreation, parks and community services, any recreation leader, ranger, park facility supervisor, park attendant, guard, or special officer authorized by city or the director, peace officer or reserve police officer. No person who has left the park premises after such a request shall reenter said park until after eight a.m. of the next day. MC 13.44.210
- i) No person shall urinate or defecate in public except when using a urinal, toilet or commode located in a bathroom, restroom or other structure enclosed from public view. MC 10.12.110
- j) Gambling on the Park premises is prohibited. Gambling shall be defined as any game of skill, chance or raffle, played with cards or any other device for money or any other representative item of value.

k) No advertising shall be exhibited without the written permission of the Director of Parks, Recreation, and Neighborhood Services. Requests shall be directed, in writing, to the Director of Parks, Recreation, and Neighborhood Services at least 90 days prior to the date of use.

l) No climbing of fences, backstops or buildings.

m) No batting practice against fences and backstops.

n) No portable lights

o) No dunk booths, trampolines or air jumpers (air jumpers are allowed at designated parks by permit only)

p) No egg toss or water balloon games

q) No helium balloons of any type, due to flight path of local airports (article 2.4, section 21650.1, Airport Manual

1. No person shall use an athletic field which is posted as being closed, whether the closure is for field maintenance, for excess rainfall, or if such use will render the property unfit, to be of a hazardous nature, potentially dangerous or damaging to property, or other reason. Removal and tampering with Field Closed signs is prohibited.

2. The City of San José reserves the right to cancel an approved reservation due to maintenance needs, overuse of facility, unsafe conditions, or due to a conflict with a City of San José event. In these cases, all attempts will be made to provide a minimum of 14 days advance notice and to provide an alternate location for the group's scheduled practice, game or activity. In the event of an emergency, when only short or no notice can be provided, groups must cooperate with the request to not use the facility or risk loss of current permit and denial of future use. If there are no alternate facilities available a full refund will be given for time lost.

3. The City of San José reserves the right to amend fees and charges as deemed necessary. Previously approved reservations will not be affected by new rates.

4. The Director of Parks, Recreation and Neighborhood Services shall have the authority to waive or modify these rules at his/her discretion. Any and all requests/variances shall be considered individually and shall not be automatically applied as a matter of precedent to past or future uses of a similar nature. Requests for waiver of any stated rule shall be directed in writing, to the Director of Parks, Recreation, and Neighborhood Services at least 90 days prior to the date of use.

5. To all Leland users: Due to the partnership with San José Unified School District, Leland field reservations are subject to change 60 days in advance. In these cases, the City of San José will make every attempt to find an alternate field location for the organization being displaced.

6. No person shall disobey or fail to observe any rule, regulation or lawful direction promulgated or made by the Director of the Department of Parks, Recreation and Neighborhood Services pursuant to the following authorization, of which reasonable notice has been given by appropriate sign or notice in a park. (Prior code 4401; Ords. 18841, 23170.)

7. The Director of the Department of Parks, Recreation and Neighborhood Services may exclude, remove or require to be removed from any City park any animal, vehicle, equipment, activity, thing or material, the use or presence of which therein is likely to: Cause an unreasonable risk of harm or danger to any person or damage to any real or personal property; Cause any unreasonable burden of maintenance or cleanup. No person shall fail to observe any rules or regulations made or lawful directions given by the director in the exercise of the above authority. (Prior code 4402.19; Ords. 18841, 23170.)

8. Unless authorized in writing by the Director of the Department of Parks, Recreation and Neighborhood Services to do so, no person shall: Drive any nail, screw, bolt or staple into, or attach any wire, rope or other fastening device to any tree or plant in any park of the City; Mark, deface, damage, displace or remove any building, bridge, table, chair, bench, fireplace, barrier, fence, railing, paving or paving material, water pipe or light, or any sign, notice or placard, whether temporary or permanent, or any cultural, natural or historic artifact, or monument stake, post or other boundary marker, or any other structure, equipment, facility or property, or part or appurtenance thereof whatsoever, in or from any park of the City; Cut or remove any sand, wood, turf, grass, gravel, stone or timber in or from any park of the City, or make any excavation by any tool, equipment, blasting or

by any other means in any park of the City; Paint, erect, mark, post or fasten on or to any tree, shrub, fence, wall, building, monument or other property in any park any poster, bill, advertisement, inscription, sign or display. The provisions of this subsection shall not apply to any such thing that is authorized or required to be so placed by the director; Take or operate a vehicle upon or over any lawn or landscaping in any park of the City. City will determine repair or replacement costs in event of damage. (Prior code 4402.6; Ords. 18841, 23170.)

FOR QUESTIONS REGARDING THE USE OF THIS SPORTS FIELD PLEASE CONTACT  
CITYWIDE SPORTS FACILITY RESERVATIONS 408-794-6527 or email  
fieldreservations@sanjoséca.gov

It is the responsibility of the league or group representatives, coaches, players, and spectators to acknowledge and understand the following rules & regulations regarding the use of any synthetic field surface in a City of San Jose facility:

- No Dogs or pets of any kind
  - No Food or beverages, including gum, seeds, nuts or sports drinks (water on non-breakable containers are permitted)
  - No Smoking, open flame or tobacco products of any kind
  - No Glass bottles or glass containers of any type
  - No playing golf
  - No folding chairs or any other type of outdoor furniture
  - No staking of sharp objects (including flags, shade structures and tents) into the turf
  - No marking, painting, taping or use of chalk on any surface
  - No substances that may stain the turf, such as ointments or sunscreen
  - No metal cleats or screw-in plastic cleats (footwear must be rubber cleats, turf shoes or running shoes)
  - No motorized vehicles, bicycles, strollers, skateboards, roller skates, roller blades
  - No throwing of discus, javelin or hammer
1. Coaches and/or adults (18 years+) shall be present at all times when the field is being used by authorized groups or teams.
  2. Teams and individuals must pick up and remove all litter from the field area after use.
  3. If something spills on the field that needs to be cleaned do NOT attempt to do so. Contact the school or the Sports Facility Reservation Office in such cases. Do NOT use heat, wire brushes, high pressure water sprays or other cleaners on the turf.
  4. Any device that may puncture the turf base field may NOT be used. Corner flags, pylons, goal anchors, team banners, chairs, and tents must be secured with weights (not stakes). High heels should NOT be worn on the turf field.
  5. Soccer and lacrosse goals are NOT to be left on the turf playing field. Goals must be carried and moved off the field after play. Do NOT drag goals on the turf.
  6. Only authorized light maintenance or service vehicles with pneumatic rubber tires or turf tires are allowed on the field.
  7. Hanging or climbing on the soccer goals or surrounding fencing is prohibited.
  8. Please do not pick or pull grass fibers or infill material on the field.
  9. For those facilities with synthetic TRACK surfaces, please NO cleats of any kind are allowed on the track. Athletes must enter/exit the field using the runners and/or mats located at the gate entrances.