

**Town of Leyden Avery Field Recreation Area
LEASE AGREEMENT**

(Pending approval by Selectboard on 2023-08-28)

The Leyden Recreation Committee and the Town of Leyden Massachusetts Lessor, do hereby lease the following described premises: Real Estate situated on Brattleboro Road, Leyden, Massachusetts, known as The Avery Field Recreation Area.

The term of this lease is for a period of _____ day(s) on _____ commencing at 08:00 AM and ending at 10 PM.

Due to insurance liabilities and public health regulations, overnight use by the public is not allowed.

The Lessee shall pay to the Lessor rent at the rate of \$125.00 per day / \$200 for two consecutive days.

The Lessee shall use the leased premises only for the purpose of conducting Lessee's social gathering and agrees to abide by the Rules of Use (attached).

The Lessee acknowledges that no use shall be conducted in the leased premises which will be unlawful, improper, noisy or offensive, or contrary to any law or any municipal by-law.

HOLD HARMLESS CLAUSE: The Lessee shall indemnify and hold the Leyden Recreation Committee and the Town of Leyden, Leyden, Massachusetts harmless from any and all claims for damages to person or property on account of the use of the premises by the Lessee or any of its guests or agents.

Lessee further agrees that any alcoholic beverage made available by Lessee, its guests or agents, shall be provided at the risk of the Lessee, and Lessee shall and hereby does Indemnify and hold Lessor harmless from any and all claims, demands and actions arising therefrom.

Fee for Use required yes/no amount \$_____

Total amount due check/money order amount \$_____ (Check or money order made payable to Town of Leyden)

**Leyden Recreation Committee
Representative**

Lessee

PRINT NAME

PRINT NAME

SIGNATURE

SIGNATURE

TELEPHONE

RULES OF USE FOR AVERY FIELD RECREATION AREA

1. Liabilities

- A. If the area has been reserved, the leasing user has control of who may use the area. The area is closed to the general public for the duration of the lease period.
- B. User hereby assumes responsibility and liability for any and all injury or damage to the person or property of the user or others connected therewith, be they business or personal invites and further shall indemnify and hold the Town of Leyden harmless in the event of such injury or damage from any and all claims, awards, or attorney's fees.
- C. The user will abide by all County, Town, and other ordinances, rules of Board of Health, Police, and Fire Departments regarding public assemblies.
- D. The user shall be responsible for its own clean up immediately following the event. The user must leave the area in the same condition in which it was found. Trash must be removed and may be deposited in the dumpster located at the Town Offices.

- E. Electrical appliances may be used to prepare food inside the Field House, but open flame cooking (i.e. propane, sterno, candles) are not permitted inside the Field House.
2. Use of Water at Pavilion (Per Leyden Board of Health)
- A. The Pavilion gets its water from a well shared with The Leyden Town Offices. The well volume is not sufficient to supply a large or a continuous flow of water.
 - B. Water may be used ONLY for: drinking, cooking, restrooms and fire extinguishing.
 - C. Water may NOT be used for: recreational activities such as wading pools, sprinklers, slip & slides, dunk tanks or any activity that uses a large or continuous supply of water.
3. Cooking Fires (see Leyden Bonfire Policy on the Town website under Resources for additional guidelines.)
- A. Outdoor cooking fires are limited to the fire pit.
 - B. Outdoor cooking fires must be kept to a reasonable size and tended by someone who is 18 years or older.
 - C. Cutting of any standing timber is prohibited. Use of timber from the waste log pile and fallen wood is allowed.
 - D. Only natural wood or charcoal is allowed to be used for a cooking fire. Pallets, material with nails trash etc. are not allowed to be used.
 - E. Cooking fires must be completely extinguished (cool to the touch) not less than 30 minutes before leaving the site.
 - F. If fire conditions are hazardous, as determined by the Fire Dept. and Recreation Committee, the lessee will be notified the day of the event that cooking fires are not permitted.
4. General Rules
- A. Normal hours of use are 8:00 a.m. - 10:00 p.m.
 - B. If Town grills are used, the grills are to be cleaned after use.
 - C. If amplified music is used, the music shall be at an acceptable volume and shall not be used before 10:00 a.m. or after 10:00 p.m

- D. All food and other items provided by the user must be removed from the area immediately following the event. "If you brought it in, you take it out".

5. Alcohol

- A. Personal consumption of alcohol is permitted; however, if the user provides alcohol (i.e., open bar) or if alcohol is to be sold, the user must obtain a 1-day event liquor liability policy and a Town liquor permit. A copy of the liquor liability policy must be provided to the Municipal Assistant prior to the event. Failure to obtain a liquor liability may result in the cancellation of the event by the Town. Applicable State laws apply. [See Town Municipal Assistant for details.]
 - B. If alcohol is provided or sold, a police presence is required and is to be arranged at the user's expense with the Bernardston Police Chief.
6. Pets must be controlled by the owner at all times. You must clean up after your pet.