SECTION 804 USE OF ADAMS FARM POLICY AND PROCEDURES

The purpose of the policy is to create a guideline for interested groups/parties for the use of the town owned property, "Adams Farm".

Any group/party interested in using the property at Adams Farm must first request approval from the Adams Farm Committee through the Board of Selectmen's office using the attached application. A copy of this application shall be forwarded by the Board of Selectmen to the appropriate Town officials. The applicant shall obtain approval from the Police and Fire Departments for comment. This request, accompanied by the recommendation of the Adams Farm Committee will be forwarded to the Board of Selectmen who shall have the final approval for any use. It shall be the responsibility of the Adams Farm Committee to keep a schedule and advise the Board of Selectmen on a quarterly basis of upcoming events.

Should the group/party desire approval for a series of uses or an annual or recurring use of the Adams Farm Property this must be stipulated within the application and upon receipt of the recommendation of the Adams Farm Committee the Board of Selectmen may grant series, and/or reoccurring use through onetime approval. The Board of Selectmen must approve all events/uses regardless of whether or not the applicant has received prior approval from the Board of Selectmen for an event/use. Please note: the Adams Farm Committee must make a recommendation to the Board of Selectmen whether to give approval for each event. It will be the responsibility of the Adams Farm Committee to inform the Board of Selectmen of the Committee's approval of prior use and to work with applicants to create a workable schedule.

It shall be the responsibility of any party seeking to use the property to adhere to the regulations for use of Adams Farm. The following uses are **strictly prohibited**:

1. Hunting and animal traps.
2. Unauthorized motorized vehicles, including but not limited to cars, trucks, tractors, 4-wheel-drive vehicles, any type of all-terrain vehicle, motor-cycles, trail bikes, or snowmobiles.
3. Alcoholic beverages and illegal substances of any type. However, a one-day Wine and Malt license may be issued by the Board of Selectmen through the process outline in the Board of Selectmen's Policies and Procedures Section 204, Town-Owned Parcels & Property Regulations.
4. Open fires, including grills and fire pits (unless granted permission by the Walpole Fire Department and, if applicable, the Board of Health).
5. Use of firearms, other weapons, explosives, or projectiles (unless approved by the Walpole Police Department).
6. Dumping and littering. **All trash must be removed from the site you are using.**
7. Disturbing, removing cutting, or otherwise causing damage to a natural feature, sign, trail, markers, poster, barrier, building or other property.
8. Damage to crops and/or fields used for agricultural purposes.
9. Camping (unless granted permission by appropriate Town officials).
10. Conduct which disturbs the tranquility of Adams Farm, our neighbors' privacy or enjoyment of this property by others and any illegal action

under the law of the Commonwealth of Massachusetts or Walpole By-laws.

Signage: All signs and trail markers posted for an event shall be completely removed after the event, including any stakes or posts used to support the sign. Signs shall be placed on the edge of any trail and not in the normal walking path.

The following uses are **permitted:**

1. Dogs must be leashed at all times. Ensure that your pet does not interfere with others' enjoyment of the property. Owners must pick up any waste left by their animals.
2. Mountain bikes are permitted on designated trails, except during March, April and/or in wet conditions when extensive deterioration of the trails can result. Group rides of 6 or more require written permission from the Walpole Board of Selectmen via the Adams Farm Committee.
3. Horseback riding is permitted. Group rides of 6 or more require written permission from the Walpole Board of Selectmen.
4. Any other organized group activities require written permission from the Walpole Board of Selectmen via the Adams Farm Committee.
5. Cross country skiing.

User groups interested in using the Adams Farm Barn/Pavilion must review and sign the User Group Sign-off Sheet. Upon approval the Barn/Pavilion may be reserved.

While in the woods, please adhere to posted instructions regarding private property.

Visitors are welcome, but on the understanding that they use the area at their own risk and that they will comply with all of the above regulations. Whosoever disregards or violates any of these regulations is hereby forbidden to remain upon these premises and is subject to arrest, a fine not to exceed $100.00, as well as civil liability for damages to property and imprisonment as provided by law. The Town of Walpole cannot assume responsibility for injuries or loss of personal property.

Thank you for your cooperation.

Adams Farm Usage Fee Schedule

Commercial: $500.00 per day

Non-profit fundraiser (where proceeds go to a charitable non-profit organization)**:** No Charge

Personal use for social functions (such as weddings; birthday, anniversary or graduation parties; etc.)**:**

Walpole Residents:	$100.00 per day
Non-Residents:	$200.00 per day

Usage fees go to the Adams Farm Gift Account.

Payment should be made at the time of application. Checks should be made out to the "Town of Walpole, Adams Farm Gift Account". Checks will not be cashed until the event is approved.

(revised 11/17/15)

Filing Process

Application in full must be filed with the Board of Selectmen's Office with a check for the usage fee **if applicable**.

It is strongly advised that you file your application no less than 6 weeks in advance of the date you wish to use the property as the application must be approved by both the Adams Farm Committee and the Board of Selectmen.

If there is no fee required, you may email the application to cberube@walpole-ma.gov.

TOWN OF WALPOLE
APPLICATION FOR USE OF ADAMS FARM PROPERTY

Name:_____Date: _____

Address:_____

Telephone Home:_____ Cell:_____ Work: _____

E-Mail: _____

Purpose: _____

_____

_____

which is to be used by _____
(Name of Organization)

_____
(Address of Organization)
on the _____day(s) of _____

_____month (s) between the hours of _____

at the following described place: _____
(Please provide a brief description of the location at Adams Farm to be utilized.)

What is the maximum number of people to attend? _____ Approximate # of Vehicles: _____

What is the age group of the people? _____

Fire Burning Permit needed: (please check) Yes _____ No_____

Approval by Fire Department: Granted _____ Not Granted _____

Fire Department Name/Rank/Date: _____

Will a police detail or other type of security be provided? _____

A Police Detail is required when Beer and/or Wine is being served during an event.

(Final determination of detail requirement is the decision of the Walpole Police Department.)

Is this request for an annual, reoccurring or series of uses? If so please explain: _____

_____

If cooking will be taking place during an event at Adams Farm, Board of Health Approval is required:

Applicable _____ Not Applicable _____

If applicable: BOH approved _____ BOH denied _____ Signed & Dated _____

Please Note: **Trash:** All trash must be removed from the site you are using.

Signage: All signs and trail markers posted for an event shall be completely removed after the event, including any stakes or posts used to support the sign. Signs shall be placed on the edge of any trail and not in the normal walking path.

Fees: **Commercial:** $500 per day _____

Resident: $100 per day _____

Non-resident: $200 per day _____

The signature below verifies the knowledge of and agreement to the rules and regulations for use of the Adams Farm property in the Town of Walpole.

_____ _____

Signature Date

**********Official Use Only Below Line**********

Recommendation of the Adams Farm Committee: Approved: _____ Denied: _____

Comments: _____

_____ _____

Signature (Adams Farm Committee Chair or Designee) Printed Name of Signatory

204-003: SPECIAL LICENSE REQUIRED IN ORDER TO SELL OR SERVE WINE AND/OR MALT BEVERAGES

1. All businesses, private individuals, and organizations holding events at town property must seek permission for the use of Town property and must file an application for a One-Day Special License pursuant to M.G.L. c. 138, Section 14 with the Licensing Board where Wine and/or Malt beverages are to be sold, tickets are to be sold, or an entrance fee is to be charged. The Town has the right to reject any requests to serve or sell wine or malt beverages on Town property. Special licenses for the sale of wines and/or malt beverages may be issued to a responsible manager of any indoor or outdoor activity (for profit or non-profit). Proof of an organization's non-profit status may be required. Approval by the Board of Selectmen under this section is necessary to avoid violation of Article XIII-Police Regulations Section 3 of the Town of Walpole Bylaws.

2. SPECIAL LICENSES IN GENERAL

Special licenses may be issued only to a natural person or a natural person in conjunction with a business, organization, charity or Town Department. The person named on the Special License *must* sign the application for the license. The person named on the license is responsible for management of the license and shall be on the premises for the entire event. The person named on the license shall be a United States citizen. It is essential that the licensee have control of the area in order to preclude service to underage persons, to intoxicated persons, etc. If the event takes place in an outside area, or outside a Town Facility, beer and wine may only be sold, served and consumed within the delineated area approved by the Board of Selectmen. This area must be enclosed by a fence, rope or other means to prevent patrons or members of the public from wandering in and out with alcoholic beverages of any kind.

3. PURCHASE FROM A WHOLESALER

For events that are required to obtain a One-Day Special License, all wine and malt beverages must be purchased by the license holder from an authorized source of alcohol, usually a licensed wholesaler in Massachusetts, as shown on a list for 1-Day licenses issued by the Alcoholic Beverages Control Commission, in compliance with 204 CMR 7.05. Alcohol may not be purchased out of state, from a caterer, or from a package store. The list of authorized sources of alcohol is available at the Selectmen's Office or through the State Alcoholic Beverages Control Commission.

4. ALCOHOL SERVICE

In all cases, where wine and/or malt is served or sold, it must be served by a caterer or bar service who has presented evidence of liquor liability insurance naming the Town of Walpole as additional insured. The liquor liability coverage shall be at a minimum of $1,000,000 per occurrence and $3,000,000 aggregate. The Town shall also require a certificate for General liability naming the Town of Walpole as additional insured on a per occurrence basis, $1,000,000 (bodily injury & property damage) liability limit and with an aggregate of $3,000,000. It will be at the Board of Selectmen's discretion as to whether higher limits on insurance are needed.

5. STORAGE OF ALCOHOL

No wine and/or malt beverages may be stored on any unlicensed premises. For special events covered under a One-Day Special License, alcohol must be delivered the day of the event and removed from the premises after the event at the expiration of the Special License. Under State Alcoholic Beverages Control Law, M.G.L. Chapter 138, Section 22, holders of a One-day Special License may not transport wine and/or malt beverages without a permit. A caterer may transport wine and/or malt beverages on behalf of a Special License holder only if that caterer has a current transport permit issued by the Alcoholic Beverages Control Commission.

6. POLICE DETAIL

All one (1) day wine and malt licenses granted on Town property require a minimum of one (1) police detail, to run from a minimum of one (1) hour before the start of the event, to one (1) hour after the end of the event. More officers and additional hours may be added at the discretion of the Board of Selectmen based on factors such as number of guests, location, date, time and type of event. Police detail is to be paid for by the applicant

7. POSTING

The licensee is required to post the Special License in a conspicuous location during the event.

8. HOURS

No special licensee may sell or deliver any alcoholic beverages between the hours of 1:00 a.m. and 8:00 a.m.

The hours during which sales or serving of wine or malt beverages may be made by a special license shall be fixed by the Board of Selectmen as Licensing Authority for the Town, but no special licensee may sell, serve, or deliver any alcoholic beverage before ll:00 a.m., Monday through Saturday, before 12:00 p.m. on Sundays, or between the hours of 1:00 a.m. and 8:00 a.m.

9. ISSUANCE, SUSPENSION, CANCELLATION, OR REVOCATION

The Board of Selectmen has the authority to refuse to issue or reissue a special license, if the licensee fails to comply with state or local regulations or any reasonable requirements of the local licensing authority.

The Board of Selectmen has the authority to suspend, cancel or revoke a special license, after a hearing, if the licensee fails to comply with state or local regulations or any reasonable requirements of the local licensing authority.

SPECIAL LICENSES
For Beer and Wine
ADAMS FARM
And other Town Property

1. Special Licenses are required if you keep, expose, sell or deliver any alcoholic beverages. They are issued to persons holding a function at a place that presently doesn't have a liquor license.

2. License is limited to Wine and Malt Licenses only. The License has to be made out in the name of the person having the function.

3. In all cases where wine and/or malt are served, it must be by a caterer or bar service. All persons involved in the service of liquor are required to attend a server training program and must be server-trained prior to serving any alcoholic beverages. Copies are to be on file in the Selectmen's Office. (TIP Certified)

4. A copy of the Worker's Compensation Affidavit must be filled out by the caterer/bar service and, if applicable, a copy of the Worker's Compensation Certificate of Liability Insurance submitted.

5. All Alcoholic beverages must be purchased from a licensed Massachusetts Wholesaler and must be removed after the function.

6. The Caterer/bar service must provide evidence of Liquor Liability insurance naming the Town of Walpole as additional insured. The coverage shall be at a minimum of $1,000,000 per occurrence and $3,000,000 aggregate.

7. The Town shall also require a certificate for General liability naming the Town of Walpole as additional insured on a per occurrence basis, $1,000,000 bodily, injury & property damage.

8. The wine/malt per the ABCC may not be delivered until the day of the event and must be removed the same day.

9. A police detail – minimum of (1) detail – must run from one hour before the start until one hour after the end of the event. The Board may request additional officers.

10. The Beer/Wine may not be served prior to 11 a.m. Monday - Saturday and noon on Sundays.

11. A sketch of the area showing where the bar will be located shall be provided, clearly indicating how the beer/wine will not be consumed outside the licensed area, whether that be a tent or segregated temporary fenced-in area on the town's property.

12. The fee is $35.00 for a Wine and Malt license.

13. Approval must be received from the Police Department for the function.

14. The license shall be posted in a conspicuous location during the event.

Town of Walpole
Application for One Day License

A Special License is a temporary license issued to a responsible party. The Board may issue a Wine & Malt License to any enterprise; however, only non-profit organizations may be issued a One Day All Alcoholic License. No more than 30 One Day Licenses may be issued to any person per calendar year. Special License holders ***MUST*** *purchase alcoholic beverages from an authorized source, usually a licensed wholesaler in Massachusetts, not from a package store and* ***CANNOT*** *accept donations of alcoholic beverages from anyone.*

Today's Date: _____ **Date of Event**: _____

The application is for:

☐ All Alcoholic Beverages: **$60.00** ☐ Wine & Malt Only: **$35.00**

Is this your first application? **YES/NO**

Name of Non-Profit Organization/or individual: _____

Address: _____

Telephone Number: ( ) _____ - _____ Email: _____

Name of Event Manager if applicable: _____

Name of Bartending Service if applicable: _____

Address: _____

Telephone Number: ( ) _____ - _____ Email: _____

Proof of TIP Certification: _____

EVENT INFORMATION:

Description: _____

Location: _____

Estimated Attendance: _____ Hours of Event: _____

Approved by Board _____

Restrictions: _____

Adams Farm Barn/Pavilion

User Group Sign-off Sheet

By reviewing and signing this agreement the organizer of an event at the Adams Farm Barn/Pavilion agrees to provide the following:

1. A Certificate of Insurance must be provided to the Town of Walpole prior to use. Smaller Groups must sign the attached waiver form that indemnifies the Town of Walpole.

2. Approximate number of vehicles expected to be parked for the event: _____

3. The event organizer agrees that additional Toilet Facilities must be provided by the organizers for attendees as required.

4. The event organizer agrees that he/she will be responsible for cleaning up and removal and disposing of trash that is left over from the event.

5. Approximate number of guests expected for event: _____

6. No grills or open fire pits are allowed during any events at the Adams Farm/Pavilion unless granted by the Fire Department.

Event Organizer Signature: _____

Telephone: _____

RELEASE FROM LIABILITY, INDEMNITY
AND HOLD HARMLESS AGREEMENT

I, _____, in consideration of my being allowed to _____

_____do forever

RELEASE, acquit, discharge and covenant to hold harmless the Town of Walpole, a municipal corporation of the Commonwealth of Massachusetts, and its successors, departments, officers, employees, servants, attorneys and agents, of and from any and all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation on account of in any way arising out of, directly or indirectly, all known and unknown personal injuries or property damage which I may now or hereafter have or may acquire, resulting or to result from said participation in the aforementioned activities. Furthermore, I hereby agree to protect the Town of Walpole and its successors, departments, officers, employees, servants, attorneys and agents against any claim for damages, compensation or otherwise arising out of or resulting from any injury to any party in connection with said participation in the aforementioned activities and to INDEMNIFY, reimburse or make good to the Town of Walpole or its successors, departments, officers, employees, servants and agents any loss or damage or costs, including attorneys' fees, which the Town of Walpole or its representatives may have to pay if any litigation arises from said participation in the aforementioned activities.

I hereby further covenant for myself, my successors and assigns not to sue the said Town of Walpole, its departments, officers, employees, servants, attorneys, and agents on account of any such claim, demand or liability.

Signed this _____ day of _____, 20____.

Applicant User: _____

Please print name: _____

Telephone: _____

(revised 5/16)