

**A RESOLUTION BY
THE BOARD OF COMMISSIONERS OF
CHEROKEE COUNTY, GEORGIA REGARDING
THE ATHLETIC FIELD USE POLICY OF CHEROKEE COUNTY**

WHEREAS, Cherokee County owns and leases several parks throughout the county that include athletic fields,

WHEREAS, Cherokee County operates said parks through Cherokee Recreation & Parks,

AND WHEREAS, Cherokee County desires to allow for the orderly and efficient use of these fields by priority users while also allowing for the use of the fields by the general public when not reserved for scheduled activities,

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cherokee County that Cherokee County hereby establishes the following policies and procedures to ensure the safe and efficient use and the equitable availability of the athletic fields owned and operated by the county.

Section 1 – Field Use Policy

Reserved use of athletic fields is permitted by this policy and encouraged by Cherokee County. **Unreserved athletic fields will be available to the general public for open, unstructured or public recreation on a first come/first served basis during the normal operating hours of the park/ facility.**

Cherokee County reserves the right to modify these policies and procedures and to develop and enforce such additional rules and regulations as may be required for the protection of the parks, the individual athletic fields at the parks, the users and the patrons of the parks. Athletic fields may be defined as natural or synthetic surfaces including, but not limited to grass, dirt, turf, concrete, asphalt, etc. Athletic fields may be closed by the Cherokee Recreation & Parks Agency due to weather conditions, maintenance, to protect the public from unsafe conditions or to protect the fields from damage due to overuse. When reserved for use by a priority user, fields are not available to the general public.

Section 2 - Priority Users

Four priority categories of facility users are hereby created (Category 1 being the highest priority) and shall be considered in the allocation of athletic fields and scheduled time at all parks. Cherokee County reserves the right to set priorities based upon, but not limited to, the following: the number of participants, the residency of participants and the overall impact of the group or organization upon the established recreational needs of Cherokee County residents.

Category 1 - Cherokee County

“Cherokee County” shall include all of the following: activities and programs of Cherokee Recreation & Parks and events sponsored, co-sponsored or partnered with Cherokee Recreation & Parks.

Category 2 - Local Recreation Providers

A “Local Recreation Provider” is defined as an organization registered as a nonprofit corporation with the Georgia Secretary of State’s Office with a separate local Cherokee County governing board and by-laws for the primary purpose of providing and delivering recreation opportunities to the citizens of Cherokee County whether or not a fee is charged. To qualify as non-profit, the organization must meet all criteria

as identified by the Internal Revenue Service. Such groups include, but are not limited to; volunteer youth sports organizations, senior sports groups or the YMCA.

To qualify as a Local Recreation Provider, no less than eighty five percent (85%) of the participants MUST be residents of Cherokee County and have a minimum of 60 participants or 5 teams. Cherokee County staff may verify residency prior to the allocation of fields through rosters with participant names and addresses and/or individual participant utility bills/photo ID.

Category 3 – Local Civic, Faith Based and/or Educational Groups

“Local Civic, Faith Based and/or Educational Groups” shall include, but are not limited, to organizations as the Rotary Club, Lions Club, Cherokee County School District, private schools or home school groups located within Cherokee County boundaries.

Category 4 – Businesses, Other Contracted Organizations, Individuals or Groups

Any business, organization, club, individual or group that does not fall within the definitions of Category 1, 2 or 3, as defined above, shall be considered a Category 4 user under this Policy.

Section 3 - Athletic Field Reservations

An athletic field shall be considered reserved upon the payment of the prescribed fee and the issuance of a Facility Use Permit provided by Cherokee County. The Facility Use Permit shall include ALL of the following:

- The name of the organization reserving the athletic field.
- The name, address and phone number of the individual making the application and contact person for the permit.
- The specific athletic field(s) being reserved.
- The date of issuance.
- The date, time and duration of the permit.
- The specific fee or fees charged and schedule of payment.
- All conditions assigned to the permit over and above the requirements of this Policy.
- The signature of the Cherokee County Recreation and Parks Director or his designee.
- A signature of the permit applicant agreeing that the conditions, restrictions and waivers have been met or will be met in connection with the event for which the permit has been issued.

In the event of a cancellation of an activity by the Recreation and Parks Director or his designee due to weather conditions which make the activity impossible, or due to any Act of God beyond the control of the applicant/permit holder, 1) a credit may be given to the applicant/permit holder; 2) a refund may be requested from the Recreation and Parks Director or his designee; or 3) the event may be rescheduled at the earliest available date with no additional fees incurred.

Section 4 - Sales on Park Property

Cherokee County reserves to itself complete and exclusive rights to regulate the sale of all goods and services sold or conducted on park property. All commerce is expressly prohibited without the approval of Cherokee County. Vendors are subject to all business license and insurance requirements. In addition all vendors must successfully complete any applications and pay fees set forth by Cherokee County. Food concessions must be approved by Cherokee County and follow all Cherokee County Codes and Ordinances.

Section 5 – Fees and Charges

The most recent Schedule of Fees and Charges for the Use of Athletic Fields, as approved by the Cherokee Recreation & Parks Advisory Board, is attached hereto and incorporated herein as Exhibit "A". The Schedule of Fees and Charges for the Use of Athletic Fields may be amended from time to time by the Cherokee Recreation & Parks Advisory Board or the Board of Commissioners. Any such amended Schedule, when duly adopted by the Advisory Board or Board of Commissioners, shall be in full force and effect and shall be made available to the public at the office of the Director of Cherokee Recreation and Parks.

Section 6 – Athletic Field Use Rules

Reservation is for the designated athletic field and immediate surrounding area only. All other park attractions/amenities and facilities are open to the public (e.g., walking track, playground, restrooms, tennis courts).

In no event shall a tournament organizer require an individual to pay admission for Park access during an event. At the point of collection for any event admission fee, there shall be posted a sign stating that **"No fee is being charged to any person who is entering the park for purposes other than the event."**

Organizations and individuals are not permitted to sublease any portion of a Cherokee County park or athletic field without prior written consent from the Recreation and Parks Director or his designee.

In the event the organization is a youth athletic association, the association shall comply with the most current version of the Youth Athletic Associations Policy and Procedures Manual.

In the event the organization is conducting business in the park such as a tournament rental, the organization will be subject to all business license and insurance requirements.

In the event a Cherokee County program or function conflicts with an organization's use of the athletic field identified in the agreement, the Recreation and Parks program or function shall have priority and the conflict will be resolved by the organization's rescheduling its use of the athletic field.

All organizations and spectators shall follow all Cherokee County Park Rules. Please leave the park clean. Dispose of all waste in designated receptacles.

SO, RESOLVED by the Cherokee County Board of Commissioners this _____ day of _____, 2023:

Harry Johnston, Chairman

Steve West, Post 1

Richard Weatherby, Post 2

Benny Carter, Post 3

Corey Ragsdale, Post 4

ATTEST:

County Clerk

Exhibit A-Schedule of Fees and Charges for the Use of Athletic Fields/Facilities

As Adopted by the Cherokee County Recreation & Parks Advisory Board

User Group	<u>Baseball / Softball Field</u>	<u>Multipurpose Field</u>	<u>In-Line Hockey Rink</u>	<u>Basketball Gym Full Court</u>
Category 1				
Cherokee County	No Cost	No Cost	No Cost	No Cost
Category 2	\$45 per Day Lights Included	\$50 per Day Lights Included	\$25 per Day Lights Included	The Buzz Main Court: \$87.50 per hour (Min. 2 Hours) Hickory Flat Gym, WREC, The Buzz Side Courts: \$35.00 per hour
Local Civic, Faith Based, School Groups	\$45 per Day Lights Included	\$50 per Day Lights Included	\$25 per Day Lights Included	The Buzz Main Court: \$87.50 per hour (Min. 2 Hours) Hickory Flat Gym, WREC, The Buzz Side Courts: \$35.00 per hour
Category 4	\$200 per Day \$125 per $\frac{1}{2}$ Day (\leq 4 hours) \$35 per Hour (min. 2 hours) Lights Included	\$250 per Day \$150 per $\frac{1}{2}$ Day (\leq 4 hours) \$45 per Hour (min. 2 hours) Lights Included	\$110 per Day \$55 per $\frac{1}{2}$ Day (\leq 4 hours) \$20 per Hour (min. 2 hours) Lights Included	The Buzz Main Court: \$175 per hour (Min. 2 Hours) Hickory Flat Gym, WREC, The Buzz Side Courts: \$75 per hour

All field/facility rentals are subject to:

(1) Multipurpose Field Preparation

If a multipurpose field rental requires an initial sport specific set-up painting/stripping it is an additional \$250 per field.

(2) County Staff

Cherokee County reserves the right to assign and schedule county staff for any athletic field rentals that may require additional field maintenance, custodial services, and general maintenance. Examples include but are not limited to the rental of multiple fields, all-day or multi-day events. This is at the sole discretion of Cherokee County. When required, it will be at the cost of the group or individual renting the field(s). The cost will be \$25 per hour per staff person (minimum 4 hours). The number of staff assigned at each park will be determined by Cherokee County.

(3) Field Equipment Rental

If a field rental requires an initial setup and/or takedown of any temporary fencing it will be at the cost of the group or individual renting the field(s), the cost will be \$100 per field. If a field rental requires to use of portable baseball mounds it will be at the cost of the group or individual renting the field(s), the cost will be \$75 per field.

(4) Additional Supplies/ Amenities

Other fees and charges may be applied for the use of, but not limited to park amenities, supplies, etc.