



City of Brea

**Facility Use
and
Allocation Policy**

July 2023

The Parks, Recreation and Human Services Commission is comprised of five active Brea residents who are interested in the parks, recreation and human services needs of the Brea community. Acting as an advisory body to the City Council, the Commission oversees, encourages and promotes a wide range of programs and services including pre-school age, youth and adult sports, fitness/wellness, seniors, special events, 14 parks, including Wildcatters Dog Park, the Olinda Oil Museum and Trail, The Tracks at Brea Trail, and two golf courses. The Commission acts as the eyes and ears of the community and strives to provide opportunities in which the community can come together for positive experiences and enhance the lives of each individual and family. The Commission meets at 5:30 p.m. on the fourth Wednesday of each month at the Brea Civic & Cultural Center. The public is invited and encouraged to attend.

This document sets forth the policies and procedures for the City of Brea to facilitate the allocation of all available athletic facilities/fields under its ownership and/or allocation control. This document will include the allocation of City of Brea athletic facilities/fields as well as coordinating group use of selected Brea Olinda Unified School District (BOUSD) facilities/fields.

Adopted by the City of Brea
Parks, Recreation, and Human Services Commission
July 26th, 2023

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I **Introduction**

The City of Brea Community Services Department coordinates the use and allocation of City parks, athletic facilities and fields as well as selected athletic facilities/fields of the Brea Olinda Unified School District. The City and Brea Olinda Unified School District work cooperatively to coordinate facility use in accordance with the **Facility Use and Allocation Policy** to ensure fair and equitable allocation to local organizations as well as the general public.

The Director of Community Services and/or his/her designated staff representative shall, at his/her sole discretion, provide the interpretation of the language in the **Facility Use and Allocation Policy**. In the event there is a need to make administrative changes to address facility use, City staff shall have authority to make the necessary revisions.

The Parks, Recreation and Human Services Commission shall evaluate the effectiveness of these policies and procedures and consider revisions as needed.

It is further understood that the City may charge fees to recover costs associated with the operation, maintenance, supervision or administration of the policies and procedures which govern the **Facility Use and Allocation Policy**.

II **Purpose**

The purpose of these guidelines is to establish regulations and processes to be followed that will preserve City assets and ensure fair and equitable use allocation of athletic facilities and fields to qualified organizations or individuals.

The intent of these guidelines is to achieve these goals utilizing the rules and regulations set forth herein, and when necessary, to meet with user groups in order to mediate and resolve requests for available facilities.

City staff reviews the field requests and allocates the fields equitably in accordance with these guidelines while encouraging optimum cooperation among all user groups.

III **Definitions**

Facility, Field, Basketball Court, or Park: Any facility, field, basketball court, park and/or other City or School District owned facility and adjoining, appurtenant area that is made available to users pursuant and/or subject to this Policy. "Facility" includes any City or District owned facility, field, basketball court or park, the Brea Community Center, and/or the Brea Municipal Plunge, including adjoining, appurtenant areas made available to users pursuant and/or subject to this Policy.

New User: Any organization that has not requested/and or utilized field use allocations in a 12-month period or takes a hiatus from their primary season preceding its submission of a **Letter of Intent** to the Parks Recreation and Human Services Commission, will be considered a new user. **New users** must adhere to the deadlines established herein in order

to be eligible for field allocations. An organization which changes only its name, but which otherwise is governed by substantially the same persons or entities and retains its non-profit status, shall not be considered a **new user**. A currently allocated organization which merges with another currently allocated organization shall not be considered a **new user**, provided the merger is recognized in writing by the Community Services Department. Splinter, spin-off or subsidiary organizations will be considered **new users** and must submit a **Letter of Intent** to the Parks, Recreation and Human Services Commission to form a new league or organization. Individual teams will not be considered to become new users. All **Letters of Intent** shall also include the new user's bylaws and official documentation from the IRS which demonstrates the organization's nonprofit status, at least one year prior to the estimated starting date for such new user and/or league, as well as documentation with criteria proving ability to meet Group B or C requirements listed on page 3. This will provide staff and the Parks, Recreation and Human Services Commission time necessary to study the impact of a new program on existing facilities. A decision on whether to approve or deny the organization's request for use allocation will be made by the Parks, Recreation and Human Services Commission.

Currently, there is a moratorium in effect regarding new user applications. During the specified moratorium period starting in July 2023 and continuing indefinitely, we will cease accepting new applicants, meaning that no new applications will be processed or considered during this time as outlined in this policy document. This document will be updated if the moratorium is decided to be released.

Letter of Intent: A letter written by a new organization addressed to the Parks, Recreation and Human Services Commission requesting to begin a new league and/or requesting the use of field space.

User, Group, Organization: Any otherwise qualified user, group or organization using or seeking to use any facility, and including, jointly and severally, all of each user's, group's and organization's members, directors, owners, managers, employees, agents, and participants.

Primary User: This is a Community Services Department qualified Group B (see Section VIII table) organization and as such has first priority for field use during the season in which they are classified as a **primary user**.

Secondary User: This is a Group B organization that requests field use out of season (see Section VIII table).

Resident: Any participant who lives or goes to school in Brea will be considered a Brea resident.

Participant: Any player up to and including 18-year-olds who are fully registered with the user organization. Non-players such as coaches, officials and staff shall not be included or counted as participants.

Subletting: To lease or allow another team, organization or individual, whether or not it is officially registered with the Community Services Department, to use a field or fields

allocated to a currently allocated organization without the Community Services Department's written approval.

Code of Conduct: All Group Classifications must file a City-approved **Code of Conduct** for participants, parents and coaches with the Community Services Department prior to the use of any facilities. The **Code of Conduct** shall outline the principles of sportsmanship, fair play and other ethical issues that relate to team sports. Groups without a code of conduct must adhere to the NYSCA code of ethics. (<https://www.nays.org/coaches/training/code-of-ethics>)

IV Priority Group Classifications

Group A: A group or organization participating in a City of Brea and Brea Olinda Unified School District sponsored or co-sponsored events. The City will have priority at City owned or operated facilities; the Brea Olinda Unified School District will have priority at Brea Olinda Unified School District owned or operated facilities.

Group B: A group or organization participating in a program, activity or event that is fully open to the public (open registration wherein all registrants shall be placed on a team) and is sponsored by a Brea-based, non-profit youth (18 years of age and under) organization. A minimum of 80% of the registrants/membership of the organization must qualify as Brea residents. In addition, a minimum of 60% of the registrants/members of each team within the organization must qualify as Brea residents; however, each organization may have ONE SINGLE 50% Brea resident/50% non-Brea resident team for each age group 14 years and above. Any additional teams for these age groups must be made up of 60% Brea residents.

Group C: A group or organization participating in a program, activity or event for youth participants (18 years of age or under) that is sponsored by a Brea-based, non-profit organization. A minimum of 80% of the membership of the organization must qualify as Brea residents. In addition, a minimum of 60% of the registrants/members of each team within the organization must qualify as Brea residents; however, each organization may have ONE SINGLE 50% Brea resident/50% non-Brea resident team for each age group 14 years and above. Any additional teams for these age groups must be made up of 60% Brea residents. Field usage for **Group C** organizations shall be subject to field rental rates and light rates.

Any organization that fails to comply with the applicable residency requirement listed above may, at the City's sole discretion, lose field use time and/or be required to pay rental and light fees for their field use. Failure to comply with residency requirements may also result in revocation of the organization's user group status.

Any organization that does not meet the requirements of Group B or Group C shall be subject to field rental and light rates, and may only rent once every six months. One rental may consist of two consecutive days at a maximum. All rentals are subject to availability.

Sports group organizations are not permitted to utilize City fields unless they have gone through the field rental process or are an approved Brea based non-profit group. See

Ordinance No. 1109, Section 12.00.120 Scheduled Use Sports Fields, Parks, Trails, and Recreational Facilities.

V Criteria to Qualify as a Brea Youth Organization (Group B)

1. Must have a written Charter.
2. Must have a Board of Directors.
3. Must have proof of current non-profit status from the Internal Revenue Service and State of California (ID number). Must be up to date and available by request.
4. Subject to the provisions applicable to Group B organizations, above, 80% of the registrants/membership of the organization must qualify as Brea residents.
5. Registration must be open to the public and all registrants shall be placed on a team.
6. Must file the fully executed City-approved "Code of Conduct" with the Community Services Department and must enforce the Code of Conduct for all parents, coaches and participants.
7. Subject to maintenance operations fees as approved by the Parks, Recreation, and Human Services Commission.

VI Reservation and Allocation Procedures

Each year, two (2) field allocation meetings will be held so user groups can work together to determine how fields are allocated for the fall and spring seasons. If user groups cannot come to an agreement on how fields are assigned, then City staff will determine field assignments and those assignments shall be final unless modified by written agreement of all current users. Each organization will also be required to submit the following information to the Community Services Department:

1. A complete list of the Board of Directors of the requesting organization including name(s), address(es), telephone number(s) and e-mail address(es).
2. An original Certificate of Insurance, with endorsement(s) evidencing a commercial general insurance policy with limits not less than \$1,000,000 per occurrence and \$2,000,000 general aggregate and protecting against injury and death to persons, and damages to property and waiving all rights of subrogation.
 - a. The required Certificate of Insurance and endorsement(s) must state that the City of Brea and the Brea Olinda Unified School District (if District facilities will be used) and City's and District's elected officials, and each of their appointed groups, committees, boards, officers, servants, employees, agents, volunteers, and contractors are additional insureds, and such insurance shall be primary to any insurance of the City and District."

Additionally, the cancellation paragraph must state: “Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail **30 days** written notice to the certificate holder named on this certificate.”

The required insurance shall otherwise be in such form and with such limits as required by the City.

- b. The original certificate and endorsement(s) (no copies) must be filed with the Community Services Department 30 days prior to usage of any fields or facilities.
3. Proof of current non-profit status from Internal Revenue Service and State of California (ID number).
4. A Master Calendar that must include at a minimum:
 - a. Dates field use begins;
 - b. Date league games begin;
 - c. Date field use ends;
 - d. Dates of tournaments hosted by league;
 - e. Dates of all-star practice and games;
 - f. Dates of all other organization activities which may require assistance by City staff or use of City facilities.

Failure to provide any or all of the information contained in Section VI may result in the loss of use of City or Brea Olinda Unified School District facilities for the period of time requested and/or future allocation periods.

VII Rosters and Maintenance Operation Fees

Each organization is required to provide the items listed below by April 1st for spring seasons and by November 1st for fall seasons:

1. Complete team rosters that contain the following for each player: name, address, zip code and school attending. The team roster must include the age division that team represents. The City may also request, as needed, that proof of residency be verified by providing a utility bill, school report card, or other approved documentation.
2. City established Maintenance and Operations fee, payable to the City of Brea, for each participant registered for spring/summer and fall/winter seasons. Groups are also responsible for paying fees for any late registrants.

All submissions must contain a coversheet to provide a summary of what is submitted.

Failure to submit any or all of the information in Section VII within the specified time may result in loss of field use and/or ball field light schedule. The City reserves the right to charge a 10% late fee in addition to Maintenance Operation Fees.

Any inaccurate documentation shall be considered falsifying of documents and will result in disciplinary action that may include, but is not limited to, loss of field space, probation, or revocation of user group status.

VIII Facility Priority Allocation

1. Generally, priority for field allocations is given first to official games, followed by field maintenance and then practices; however, the City may, at its sole discretion, change those priorities when deemed necessary.
2. In determining what sports are “in-season” for Primary Users, C.I.F. competition sport seasons will be used.

Usage	Fall/Winter	Spring/Summer
Primary User (in-season sport)	Football/Soccer/Basketball	Baseball/Softball
Secondary User	Baseball/Softball/Other as determined by PRHS	Football/Soccer/Basketball

3. The procedure for allocating fields for Priority Group Classifications will be in the following order (see Definitions).
 - a. Group A: City of Brea and/or Brea Olinda Unified School District use
 - b. Group B: Primary Users
 - c. Group B: Secondary Users
 - d. Group C: Primary Users
 - e. Group C: Secondary Users

IX Facility Assignment Verification

In the event there is a discrepancy as to which organization is assigned a respective location/field, the City-issued field assignments will provide as backup for City staff to settle any dispute. Each group is required to have a copy of their field assignments on-site in the event verification is needed. Groups or individuals may be asked to vacate the field if the documents cannot be furnished. Copies of city-issued field assignments will be provided to City of Brea Dispatch.

X Notice of Non-Use of Facilities

Any user group that has been allocated space and does not intend to use it regularly must notify the Community Services Department immediately so the field may be reallocated or opened for public use. Failure to do so will result in loss of field space and/or light use.

XI Use of Allocated Facilities by Other Groups, Teams or Individuals

User groups and/or teams that have been assigned City and/or Brea Olinda Unified School District athletic fields/facilities may not sublet and/or allow fields/facilities to be used by other groups, teams or individuals without written permission by the Community Services Department. The only exception is that individual teams within the same user group may “trade” field use time if agreed upon by both teams. All teams must participate in the respective charters current season’s league in order to utilize field time.

XII Rules and Regulations of Facility Usage

1. A responsible adult member of the user group must be present at all times during any use by that user group of City or Brea Olinda Unified School District facilities.
2. Games and practices may begin no earlier than 8 a.m. and must end no later than 10 p.m. at lighted facilities and dusk at non-lighted facilities unless written permission is received from the Community Services Department. Field preparation may not begin prior to 7:00 a.m.
3. User groups using lighted facilities are responsible for ensuring the proper use of the lights. All user groups shall make sure the lights are turned off when the fields are not being used. Lighting is handled by the Community Services Supervisor overseeing sports and the Public Works Department. User groups must contact either to have lights turned off.
4. During all allocation periods, Group B teams must participate in league play under their governing charter.
5. Group B may only host games for league or tournament play conducted by their governing charter.
6. Group B or C organizations are required to ensure that at least one of the individual teams participating in every scheduled game on the fields assigned is from their organization. Additionally, that team’s name and contact person must appear on the game schedule submitted to the Community Services Department. Tournaments hosted by a Group B, C or D organization and approved by the City shall be exempt from this rule.
 - a. The City reserves the right to bill user groups for hourly field and energy costs for tournament play.

- b. User groups may host two (2) tournaments per calendar year and must include these dates in their submitted schedule. The Community Services and Public Works Departments must approve each tournament prior to scheduling. Requests to host a tournament must be made at least two months prior to the desired date. In the event a user group wants to utilize field time that is allocated to another user group, they must obtain and possess written permission from the other user group. The allocated user group has first right of refusal in those instances.
7. Group B organizations may not charge participants or the general public any fee that is outside of the standard registration fee. This shall be considered using a City amenity for the purpose of conducting business, which is a violation of City Ordinance No. 1109 (see page 19).
8. Storage and/or Snack Shacks
 - a. At the City's sole discretion, storage permits may be issued to user groups based on the "in-season" guideline. User groups may be required to share with another scheduled user of the facility.
 - b. The City shall provide the existing structures. It is the user group's responsibility to provide any and all other equipment, i.e., storage racks, refrigerators, etc. If the group wishes to add such items, written permission must be obtained from the City prior to installation. Any item that is purchased by the City is considered as a one-time purchase and must remain at the facility to which it was originally allocated.
 - c. The City shall use reasonable efforts to maintain storage room and snack shack infrastructure such as repairs to lighting, electrical outlets, electrical breakers, water lines, sink plumbing, water heaters and cabinetry. Any appliances, including ice machines, that belong to the user groups are their responsibility to maintain and repair.
 - d. The City assumes no responsibility or liability for the loss or damage of any equipment and/or contents kept in the storage areas by the user groups, and any and all such risks are hereby expressly and completely assumed by each user group.
 - e. It is the user group's responsibility to ensure that the Public Works Department is provided three copies of keys to the storage and/or snack shack areas. The City will charge the user group to re-key the locks if the group fails to provide the Public Works Department with the three keys as required.
 - f. All storage and snack shack areas shall be kept neat and in a safe condition, with equipment and contents properly stored for safety. A clear path to electrical panels shall be maintained at all times.
 - g. The City reserves the right to determine what equipment and contents, including the quantity thereof, are appropriate and necessary for storage. In the event the City believes the equipment and/or contents contained in the storage or snack shack areas are excessive or inappropriate, the City shall notify the user group to remove and/or

reduce the contents immediately. Failure by the user group to do so may result in the City removing/reducing the contents at the user group's expense.

- h. No flammable materials, including but not limited to gasoline, diesel, oil-based paint, etc., are permitted within the storage or snack shack areas unless written permission is obtained from the Public Works Department.
 - i. Upon conclusion of seasonal play, all storage and snack shack areas must be cleaned and all equipment and contents shall be removed within fourteen (14) calendar days or a cleanup fee based on actual cost to the City in providing City employees or contractors to perform such removal will be charged. This fee shall also include an administrative overhead charge.
 - j. Batting cages or other areas in a field or facility may not be used as a storage facility.
 - k. The City may charge fees to user groups making use of snack shack areas in order to recover operating, utility and maintenance expenses. The amount of said fees shall be at the sole discretion of the Community Services Director.
9. Banners

User groups may display banners with written permission from the Community Services Department. Prior to obtaining permission, user groups must submit the following:

- a. The number of banners.
- b. The date the banners will first be displayed.
- c. The date the banners will be removed.
- d. The location(s) where the banners will be displayed.

The banner size cannot exceed 3 feet by 6 feet. Banners must be "stand alone," and may not be placed adjacent to one another to form a larger banner.

It is the responsibility of the user groups to make sure banners maintain a professional appearance at all times and must be removed by the agreed upon date.

Approved banner locations:

- Sports Park: Fields 1, 2, and 3-on back of dugouts and home run fences but not visible from Birch Street. Field 4-on east fence facing field. Field 5-on south fence facing field.
- Wildcatters Park: On home run fence and south fence along Santa Fe Road facing field.
- Arovista Park: On home run fences.
- Tamarack Park: On backstop and back of dugouts.

- Olinda Ranch Park: On south fence along Carbon Canyon Road facing field.
- Junior High Park and Country Hills Park: No banners allowed due to shared use with Brea Olinda Unified School District.

The City reserves the right to review and remove banners not in compliance with this Section or when deemed necessary for purposes of public safety.

10. Opening Day/Tournament Festivities: Each approved user group who is planning an opening day and/or tournament events must submit a layout plan to the Sports Supervisor within sixty (60) days of such event. This will provide the Sports Supervisor to work with the Fire Department and determine if the layout is acceptable for the park. In addition, the user group may be asked to work with the County's Health Department on food booths to make sure that all requirements are met per their guidelines. There shall be no use of third-party groups organizing these events as this violates **Ordinance No. _____**, 12.00.050, Section A (3). In addition, the user group shall not advertise any events until the Sports Supervisor has approved the event in writing.
11. Any group who violates the rules and regulations in this Section XII may be subject to disciplinary action that shall result in loss of field time and/or revocation of their user group status.

XIII Facility Maintenance

1. All maintenance including, but not limited to, field preparation, lining of the fields, marking of the fields, installation of goal posts, etc., will be performed by the user group assigned to the facility.
 - a. All lining/marketing of athletic fields must be done with chalk or water-based paint. Because chalking may be prohibited on some designated turfed areas, the user groups must check with the Public Works Department in order to know which fields prohibit use of chalk, and comply with all directions of the Department. Any chalk spilled outside the field must be cleaned up prior to leaving for the day.
 - b. The burning of fields with the use of weed killer, diesel fuel or any other like method is prohibited at all athletic fields.
2. Prior to dragging softball and baseball brick dust to prepare the fields, user groups must water down the brick dust to keep the dust to a minimum.
3. Each user group is responsible for maintaining the facility being free of any and all trash or debris and removing the same upon conclusion of facility use, regardless of who deposited the trash or debris.
4. User groups are required to immediately report any damage, acts of vandalism, dangerous conditions, and/or other safety concerns to the Public Works Department (714) 990-7691 (day), Community Services Department (714)990-7103 (day), or Brea PD Dispatch (714) 990-7773 (nights and weekends).

5. Motorized Cart Use

- a. Motorized carts approved in writing in advance by the City may be permitted on City parks for preparation of athletic fields.
- b. Carts must be operated by a licensed driver.
- c. Each user group is allowed to drag the fields with a motorized cart once a day; however, dragging the fields between games must be done by hand.
- d. Driving surfaces and routes will be determined by City staff.
- e. Failure to comply with any part of the motorized cart use policy shall result in the termination of the user group's permit to use a vehicle for field preparation for the remainder of the scheduled season.

6. Field Modifications

- a. Any requests to modify or improve City or Brea Olinda Unified School District facilities must be submitted for written approval to the City of Brea Community Services Department and may require review from the Parks, Recreation and Human Services Commission and/or the Brea Olinda Unified School District. Any such field must be restored to its original condition based on the agreement between the organization and the City. Agreements will be made via e-mail.
- b. No permanent structures or equipment shall be erected on City or Brea Olinda Unified School District facilities unless approved in writing by these bodies. Any structures or equipment that has been approved shall be dedicated for community use.
- c. User groups are not permitted to relocate bleachers at City park facilities.

7. Traffic and Parking

- a. The user group must ensure that participants and spectators utilize public parking areas to the greatest extent possible. In post-season or tournament play, the user shall provide at least one person to direct participants and spectators to designated parking areas.
- b. It is unlawful to drive, stop or park any vehicle in any public park or trail except in areas specifically designed as parking areas. The Community Services Department may authorize, by issuing a written permit, the use of other areas for parking either within or adjacent to the facility being used. In case of medical emergencies, vehicles may be allowed on the park for rescue purposes.
- c. The user groups are highly encouraged to partner with local, private businesses for additional parking.

8. Use of Public Address/Sound Amplification Systems

- a. Sound amplification may be allowed in fields, parks and facilities on a limited basis, such as tournaments and opening days. Any such sound amplification equipment use must be approved in advance by the City. An approved written activity permit is required prior to the use of any sound amplification equipment.
- b. Only persons 18 years and older are allowed to operate the public address system.
- c. All public address system use for athletic events will be limited to the game being played. Special announcements shall be kept to a minimum. In no case is play-by-play announcing permitted.
- d. The direction of the sound from the public address system speakers shall be directed toward spectators and/or bleacher areas at each facility only.

9. Field and Light Fees

- a. The hourly field and light use fees will be evaluated annually and will be adjusted accordingly.
- b. Group C (see Page 3) shall be charged a two (2) hour minimum hourly field and/or light fee for each use of a City and/or a Brea Olinda Unified School District facility, as applicable.

XIV Facility Closure and Inclement Weather Policy

1. Guidelines

- a. Brea Sports Park, Wildcatters, Arovista, Brea Junior High, Country Hills, Olinda Ranch and Tamarack Parks will be closed for a minimum of thirty (30) consecutive days throughout the year for rehabilitation. Dates for these thirty (30) consecutive day closures will be coordinated between Public Works, Community Services and the Brea Olinda Unified School District. User groups shall receive written notice at the field allocation meetings. Users are prohibited from entering or using any closed field.
- b. There shall be no use of City or Brea Olinda Unified School District athletic fields when facilities are deemed by City staff to be unplayable due to rain and/or other conditions beyond the City's/ Brea Olinda Unified School District's control.
- c. In addition to any other discipline provided for violation of this Policy, users shall be charged for all costs for the repair and/or replacement of the turf and/or irrigation systems due to a user group's failure to comply with any closure of the field/facility.

Repair/replacement costs shall be based on actual expenses and City and Brea Olinda Unified School District overhead. Failure to comply with the rain policy may also result in the termination of the user's facility use permit.

- d. Fields may be closed at the discretion of the Public Works Department and the Community Services Department. Closures shall be kept to a minimum when fields are in a playable condition. Priority shall be given to maintenance needs and the "rest" and renovation periods for all fields. Reasons for field closures include: Too muddy due to rain, irrigation leaks or an irrigation valve being stuck on, excessive surface unevenness due to vandalism, rodents, or improper use that cannot be repaired in one day.

2. Field Condition Hotline

- a. The City has a Field Condition Telephone Hotline to communicate field conditions due to rain and/or other conditions.
- b. The City's Parks Division of the Public Works Department will update the Field Condition Hotline, (714) 671-4437, by 2 p.m. Monday through Friday. The hotline will be updated at 7 a.m. and again at 2 p.m. on weekends as necessary.

XV Basketball Court Use

1. Brea Junior High School basketball courts may be rented by outside parties based on availability. All outdoor basketball courts located on City park sites are available on a first-come, first-served basis and can only be reserved by a Brea-based non-profit organization with sufficient liability insurance coverage. Non-Brea-based organizations are not permitted to utilize courts for practices and games (see Ordinance No. 1109, Section 12.00.120).
2. Brea Junior High School Basketball Court Priority Group Classifications

Group A: A group or organization participating in a City of Brea and Brea Olinda Unified School District sponsored or co-sponsored events. The City will have priority at City owned or operated facilities; the Brea Olinda Unified School District will have priority at Brea Olinda Unified School District owned or operated facilities.

Group B: A group or organization participating in a program, activity or event that is fully open to the public (open registration wherein all registrants are placed on a team) and is sponsored by a Brea-based non-profit youth (18 years of age and under) organization. A minimum of 80% of the registrants/membership of the organization must qualify as Brea residents. In addition, a minimum of 60% of the registrants/members of each team within the organization must qualify as Brea residents except each organization may have ONE SINGLE 50% Brea resident/50% non-Brea resident team for each age group 14 years and above. Any additional teams for these age groups must be made up of 60% Brea residents. Court usage shall be subject to adopted rental rates.

Group C: A group or organization participating in a program, activity or event that is for youth participants (18 years of age and under) that is sponsored by a Brea-based, non-profit organization. A minimum of 80% of the membership of the organization must qualify as Brea residents. In addition, a minimum of 60% of the registrants/members of each team within the organization must qualify as Brea residents, however, each organization may have ONE SINGLE 50% Brea resident/50% non-Brea resident team for each age group 14 years and above. Any additional teams for these age groups must be made up of 60% Brea residents. Court usage shall be subject to adopted rental rates.

Any organization that fails to comply with the applicable residency requirements listed above may, at the City's sole discretion, lose court use time and/or be required to pay rental fees for their court use. Failure to comply with residency requirements may also result in revocation of the organization's user group status.

3. Brea Junior High School Basketball Court Availability

- a. Monday to Friday, 5 to 10 p.m.
- b. Saturdays, Sundays and holidays 8 a.m. to 10 p.m.
- c. Courts 3, 4, 5, 6, and 7 are available for rental use. Courts 1 and 2 will remain open to the general public for drop-in use.

4. Fees

- a. The hourly court and light use fees will be evaluated annually and, if necessary, will be adjusted accordingly.
- b. All user groups shall be charged at least a two (2) hour minimum.
- c. Fees may be waived for priority Group B if paying maintenance operation fees.
- d. Fees and evidence of liability insurance must be submitted thirty (30) calendars days prior to scheduled use

XVI Brea Community Center Gymnasium (BCC)

The City of Brea Community Services Department shall coordinate the scheduled use of the Brea Community Center gymnasium facility and shall have sole authority and control of scheduling. Emphasis will be placed on balance among Brea-based, non-profit groups. The Department will make the facility available for rental to the general public for recreational programs and activities per approved rental fees and times.

XVII Priority Group Classifications for Brea Community Center Gymnasium Use

Group A: A group or organization participating in a City of Brea sponsored or co-sponsored events.

Group B: A group or organization participating in a program, activity, or event that is fully open to the public (open registration wherein all registrants are placed on a team) and is sponsored by a Brea-based, non-profit youth (18 years of age and under) organization. A minimum of 80% of the registrants/membership of the organization must qualify as Brea residents. In addition, a minimum of 60% of the registrants/members of each team within the organization must qualify as Brea residents except each organization may have ONE SINGLE 50% Brea resident/50% non-Brea resident team for each age group 14 years and above. Any additional teams for these age groups must be made up of 60% Brea residents. Court usage shall be subject to adopted rental rates.

Group C: A group or organization participating in a program, activity or event that is sponsored by a Brea-based, non-profit organization (18 years of age or under). A minimum of 80% of the membership of the organization must qualify as Brea residents. In addition, a minimum of 60% of the registrants/members of each team within the organization must qualify as Brea residents except each organization may have ONE SINGLE 50% Brea resident/50% non-Brea resident team for each age group 14 years and above. Any additional teams for these age groups must be made up of 60% Brea residents. Court usage shall be subject to adopted rental rates.

Any organization that fails to comply with the applicable residency requirements listed above may, at the City's sole discretion, lose court use time and/or be required to pay rental fees for their court use. Failure to comply with residency requirements may also result in revocation of the organization's user group status.

XVIII Reservation and Allocation Procedures for Brea Community Center Gymnasium Use

1. The procedure for allocating gymnasium use for Priority Group Classifications will be in the following order (see Definitions on Page 2).
 - a. Group A
 - b. Group B
 - c. Group C
2. Each organization requesting Brea Community Center gymnasium use will be required to submit the following information to the Community Services Department:
 - a. A formal request to the Community Services Supervisor in sports must be made by **October 1** for **January to July** use and by **April 1** for **August to December** use. **Exception:** Brea National Junior Basketball must submit all required information by **November 1**.
 - c. Evidence of liability insurance in compliance with Section VI.2 of this Policy.
 - d. Proof of current non-profit status from Internal Revenue Service and State of California (ID number).

- e. A Master Calendar that must include at a minimum:
 - a. Dates facility use begins;
 - b. Date league games begin;
 - c. Date facility use ends;
 - d. Dates of tournaments hosted by league;
 - e. Dates of all-star practice and games;
 - f. Dates of all other organization activities which may require assistance by City staff or use of City facilities.
- g. Failure to provide any or all of the information contained in Section XVIII may result in the loss of use of the Brea Community Center Gymnasium for the period of time requested.

XIX User Group Requirements for Brea Community Center Gymnasium Use

Each organization is required to provide the items listed below to the City seven (7) calendar days prior to opening day:

1. Complete team rosters that contain the following for each player: name, address, zip code and school attending. The team roster must include the age division that team represents. The City may also request, as needed, that proof of residency be verified by providing a utility bill, school report card, or other approved documentation.
2. City established Maintenance and Operations fee, payable to the City of Brea, for each participant registered for spring/summer and fall/winter seasons. Failure to submit the per-participant Maintenance and Operations fees by the due date shall result in the loss of gymnasium use and a 10% late fee.
3. Failure to submit any or all of the information in Section XVIII within the specified time may result in loss of court use at the Brea Community Center Gymnasium.

XX Rules and Regulations for Brea Community Center Gymnasium Use

1. The City reserves the right to revoke or terminate the use of the Brea Community Center gymnasium by an organization or individual for any violation of the City's policies and procedures and/or rules and regulations.
2. Organizations or individuals requesting use of the Brea Community Center gymnasium courts must submit a request at least fourteen (14) days in advance of the scheduled date of use. The City will generate a contract and when fully executed shall constitute an agreement between the user and the City of Brea once payment is received.

3. Individuals are not permitted to utilize the gymnasium for conducting business or otherwise engaging in any commercial activity. This is a violation of City Ordinance No. 1109 (see page 20).
4. The City reserves the right to cancel any rental in the event emergency shelter space is needed. In the case of this event, the user shall receive a refund.

XXI Fees for Brea Community Center Gymnasium Use

1. Hourly fees will be evaluated as necessary and will be adjusted accordingly.
2. All groups shall be charged a minimum of two (2) hours for the use of the Brea Community Center gymnasium.
3. Rental times are subject to availability.
4. An additional per-hour fee shall be added for hourly staff costs during those hours the Brea Community Center is closed to the general public and/or when there is extensive setup and takedown for the user group.
5. Payment for the cost of the facility rental is due fourteen (14) calendar days prior to scheduled use.
6. Any changes or additions to approved gymnasium rental requests must be submitted via email to the Community Services Department. The Community Services Department will provide a written approval or denial of any requested changes or additions.
7. All cancellations or postponements of reservations must be submitted in writing fourteen (14) calendar days prior to the scheduled use of the facility. Failure to meet the fourteen (14) calendar day deadline will result in the loss of 50% of the rental fee.

XXII Municipal Plunge Facility

The Brea Municipal Plunge is located at 440 South Walnut Street. The facility consists of a 25-meter pool, a 1-meter diving board, a small pool for non-swimming children, shower facilities and a patio area with tables and seating. The Brea Municipal Plunge is open from June 1 through Labor Day each year. For swim lessons, recreation swim and Plunge facility rental information, please email Plunge@cityofbrea.net.

1. Rental Information
 - a. Hourly fees will be evaluated annually and adjusted as needed.
 - b. The City requires a four (4) hour minimum payment for Plunge rentals based on availability. Additional costs may be added for City lifeguards and/or staff. The cost of lifeguards is based on current salaries and the number of lifeguards required for each rental.

- c. All Plunge rentals shall be made (14) calendar days in advance of use. The City shall generate a contract that, when fully executed, shall constitute an agreement between the User and the City of Brea after payment is received.
- d. All contracts must be signed by an authorized adult representative (at least 21 years of age) of the User organization or private party.
- e. Swim lessons and open swim will have priority over rentals. Rentals will be based on availability.
- f. No Flotation devices of any kind are permitted inside the pool (this includes life jackets)
- g. No goggles that cover the nose or mouth are permitted inside the pool.
- h. No alcoholic beverages are allowed at the facility.
- i. No glass bottles or containers are permitted at the facility.

XXIII General Park and Facility Rules and Requirements

The use of the City park picnic areas, the Amphitheater and the City Hall Park Gazebo are on a first-come, first-served basis.

1. Amplified sound is not permitted in City Parks, including the Arovista Amphitheater and City Hall Park Gazebo. Outlets are not powered and not for public use.
2. Bounce houses and generators are not allowed in City Parks.
3. Conducting any business is prohibited.
4. Alcoholic beverages are not allowed in City Parks.
5. Park hours vary and are as posted on site.
6. The City of Brea may close park facilities for any of the following reason, including but not limited to:
 - a. When the City is engaged in repair, maintenance and restoration of the facilities;
or
 - i. When usage would otherwise be damaging; and
 - ii. When deemed necessary to protect the public health or safety.

XXIV City of Brea Parks and Park Ordinance

A complete listing of City parks and their amenities can be found at <http://www.cityofbrea.net/index.aspx?NID=439>

All user groups are required to comply with Brea City Code Sections 12.00.010 through 12.00.175, as amended from time to time. User groups and interested individuals should refer to said Code sections for more information regarding park, trail and recreational facilities policies, rules and regulations.

The Brea City Code containing Brea City Code Sections 12.00.010 through 12.00.175 can be found by going to www.cityofbrea.net.

In the event of any conflict between any provision of this Policy and Chapter 12.00 of the Brea City Code, the provisions of Chapter 12.00 shall govern.

XXV Indemnification and Assumption of the Risk

By accepting allocation of use as to, and/or using any City or District owned facility, each user expressly accepts the facility in “AS-IS” condition, including all risks known and unknown, to the maximum extent permitted by law.

In consideration of being allocated use and otherwise permitted to use any field or facility in accordance with this Policy, and to the maximum extent permitted by law, each user agrees to indemnify, defend and hold harmless the City of Brea and the Brea Olinda Unified School District, and City’s and District’s elected officials, officers, employees, agents, contractors, and volunteers (“Indemnitees”), and pay any and all attorneys’ fees incurred by the Indemnitees, with respect to any and all liabilities, claims, suits or judgments which arise from or are connected with the user’s use of any such field or facility, excepting only those claims, suits or judgments arising out of the sole and active negligence or gross negligence, of any of the Indemnitees.

XXVI. Violations of this Policy

In addition to any specific discipline or sanctions specified herein, any user group, organization and/or member violating this Policy shall be subject to discipline and sanctions which may include, but is not limited to, revocation or modification of group status, denial of facility use, probation, and/or any other kind of limitation of use deemed appropriate, based on the severity and/or recurrence of the violation(s).

City staff and the Parks, Recreation and Human Services Commission will work collaboratively to determine the level of discipline for any violation of set policies and procedures. Correspondence will be conveyed via standard US mail or e-mail.

Any user aggrieved by the imposition of any sanction pursuant to this Section, may file a written request for a hearing or administrative review of the sanction with the Director of Community Services within ten (10) days of being notified of such sanction. The Director

shall cause an informal hearing or review to be conducted by a disinterested hearing officer. If a hearing is requested, it shall be scheduled to occur at a mutually convenient date and time, during normal business hours. The hearing officer's decision shall be final.