

BOROUGH OF MANASQUAN
Municipal Clerk's Office, 201 East Main Street
Manasquan, New Jersey 08736
732-223-0544 ext. 235

APPLICATION AND AGREEMENT FOR USE OF BEACHFRONT PROPERTY

Applicant: _____ Phone Number: _____

Address: _____ Zip: _____

Contact Person: _____ Phone Number: _____

E-Mail Address: _____

Date: _____ Time of Event: _____ No. of people anticipated to attend _____

Theme or Purpose of Event: _____

Exact Location of the Event: _____
(Attach Sketch)

Borough Manpower and Equipment Needs (See #5 of the Use of Beach Property Policy):

Exactly what is requested to be brought onto Borough Property _____

Non-Refundable Fee: _____ Deposit: _____

FEE SCHEDULE

Athletic, fund-raising and similar activities: \$150.00 non-refundable registration fee and \$400.00 Security Deposit or a fee determined by the Governing Body. If the application is approved by council an additional \$150 per event per day beyond day one of usage shall be submitted immediately upon notification.

Weddings, memorial services, religious services, celebrations: \$150.00 non-refundable registration fee. (revised 4/2015)

Note: The Fee and Deposit must be made at the time of the application. The cost of Borough Services (Police, DPW, and Beach Crew) will be deducted from the deposit and any balance will be returned to the applicant within 7 days of receipt of their request for its return. Cost exceeding the deposit will be billed at actual cost.

In kind Exchange: (See Ordinance 2005-07): _____

Signature of Authorized Representative: _____

I acknowledge that I have read the Borough Beach Policy, Procedures and Rules, Regulations and Laws provided to me by the Municipal Clerk's Office _____ (initial here)

Revised 4/2015

HOLD HARMLESS AND INDEMINIFICATION AGREEMENT

BETWEEN

BOROUGH OF MANASQUAN, a municipal corporation of the State of New Jersey, having offices at 201 East Main Street, Manasquan, NJ 08736

AND

Outside Organization utilizing Municipal Property or Facilities

Address (Not Post Office Box)

Telephone Number

Organization Type (Individual(s), Partnership, Corporation (Profit), Corporation (Not-for-Profit), Association, Limited Liability Company, Club, Public Entity)

In consideration of the use of municipal property or facilities on _____, 20____ the undersigned Outside Organization agrees to indemnify and hold harmless the Borough of Manasquan, its officers, agents and/or employees from any and all liability, claims, costs, including reasonable attorneys fees, arising out of the use of municipal property or facilities by this Outside Organization.

The undersigned understands and acknowledges that this hold harmless and indemnification agreement requires that Manasquan be indemnified from any losses or damages resulting from the acts or omissions from any guest, participant, visitor, or other person attending the event referred to in this agreement. This hold harmless and indemnification agreement shall also pertain to any claims due to Manasquan’s negligence. The undersigned further agrees to release any claim that they may now have or have in the future against Manasquan relating to the use of municipal property or facilities, including claims due to Manasquan’s negligence.

The undersigned further agrees to furnish Manasquan with a Certificate of Insurance naming the Borough of Manasquan as an insured party. The Certificate of Insurance must evidence the provision of general liability, bodily injury and property damage coverage with minimum limits of liability not less that \$500,000.

In order to induce Manasquan to accept this hold harmless and indemnification agreement, the following information concerning the intended use of municipal property or facilities is provided:

- a. The purpose of the event is _____

- b. The total number of persons anticipated to attend this event is _____
- c. Alcoholic beverages (will) or (will not) be served.
- d. Live entertainment (will) or (will not) be provided.
- e. Other _____

This agreement has been signed on this _____ day of _____, 20

By an authorized person of the Outside Organization sponsoring this event.

Witness:

Name of Outside Organization

Authorized Signature

INSURANCE DISCLOSURE STATEMENT

The Outside Organization acknowledges that Manasquan has disclosed that it does not maintain any regular or special insurance coverage for any Outside Organization (individual(s), partnership, corporation (profit), corporation (not for profit), association, Limited Liability Company, club, public entity, or similar entity) using municipal property or facilities. Manasquan's authorization to an Outside Organization to use its public property or facilities is merely an accommodation to the Outside Organization. The Outside Organization acknowledges that Manasquan does not maintain any regular or special insurance coverage relating to the event to be held by the Outside organization. The individual signing this agreement agrees to make all participants in the event aware of this disclosure.

BOROUGH OF MANASQUAN
USE OF BEACH PROPERTY

GENERAL POLICY

The Beach area is defined as east of and including the beachfront macadam.

The use of beach property may be allowed provided that it does not interfere with its primary purpose or interfere with an event that will benefit the community more broadly from its use.

The Borough may permit the use of its Beach property when such permission has been requested in writing and if it has been approved by the Governing Body for:

1. Uses and groups directly related to the Borough and the operation of the Borough;
2. Uses and organizations indirectly related to the Borough;
3. Departments or agencies of the municipal government;
4. Other governmental agencies;
5. Community organizations formed for charitable, civic, or educational purposes;
6. Other organizations or individuals at the discretion of the Governing Body.

Certain Beach Property may not be available for community use during holidays, vacation periods, or if it interferes with its cleaning or maintenance. The Borough has the right to cancel any authorization that conflicts with Borough needs.

The Borough shall require that all users of its beach property comply with the policies, procedures and ordinances of the Borough.

Authorization for use of Borough property shall not be considered as endorsement of or approval of the activity, person, group or organization.....nor the purposes they represent.

PROCEDURE

Organizations wishing to use the Borough's beach property must check the availability of the property with the Municipal Clerk and by filing an application with an application fee, requesting such date or dates at least two weeks prior to the next scheduled meeting of the Governing Body. Once the request form has been received it will be circulated to the appropriate departments to be signed off on. After approval or denial of the request is obtained, you will receive a call from the Clerk's office about the status of your application. If your application has been approved you will be instructed to provide proof of insurance and a Hold Harmless Agreement. Upon receipt of the insurance, your approval letter will be mailed to you. Keep the approval letter with you during the duration of the event. Unless specified on your application, no other activities will be permitted and no other beach areas will be available to

you. There will be no extension of your use of the requested area without an additional application. If you do not receive an approval letter, you will not be allowed to use the facility.

1. The application and application fee must be submitted to the Clerk's office two weeks prior to the next public meeting of the Governing Body. (See the Clerk for the schedule)
2. Proof of Insurance will be required at the limits set forth by the Borough's insurance carrier. (Information attached)
3. A Hold Harmless Agreement which will be provided to you by the Clerk's office must be completed and returned to the Clerk's office along with the Certificate of Insurance.
4. Special equipment, manpower, set up and clean up requests must be requested in writing with the original application. After approval of the event the applicant will be responsible to contact either the Police, Beach or Public Works Department to coordinate these requests. The applicant will be charged for these services in accordance with the fee schedule on the application and the cost will be deducted from their deposit or in some circumstances will be billed directly by the Finance Office. Any person or entity using municipal equipment must accept liability of any damage to or loss of such equipment that occurs while it is in use. Where rules so specify, no item or equipment may be used except by a qualified operator.

Manasquan Police Department - 732 223-1000
Manasquan Beach Department - 732 223-2514
Manasquan DPW - 732 223-0369
Manasquan Finance Office - 732 223-0544
Ext. 240

5. The applicant will be responsible to restore the property to the condition that it was in prior to its use. If the property is found to be in need of any Borough services, the cost of the service will be deducted from the applicant's deposit or they will be billed directly by the Finance Office.
6. Seven days after the completion of the event, the balance of the deposit may be obtained by requesting it from the Borough's Finance Office. Please call the above listed number for more information.

Failure to comply with this policy, procedures or ordinances will result in denial of the use of Borough property for future occasions.

APPLICABLE RULES, LAWS AND ORDINANCES:

Organizations using Borough property will take the necessary measures to comply with the following rules, laws and Borough ordinances. See full text on file in the Clerk's Office for complete information.

Borough Ordinance 3-3.1,
3-3.2, 12-4.3: No disrobing, dressing or undressing in public.

Borough Ordinance 3-2.1: No Alcoholic Beverages permitted on Borough property.

Borough Ordinance 12-4.9: No peddling or vending on the dedicated beachfront or beachfront macadam.

Borough Ordinance 12-4.10: No soliciting any business on the dedicated beachfront or beachfront macadam.

Borough Ordinance 12-4-11: No selling or distributing leaflets, circulars, pamphlets or other printed materials on the dedicated beachfront or beachfront macadam.

Borough Ordinance 12-2.1: During the beach season, anyone age 12 or over, must purchase and wear a beach badge while on the dedicated beachfront during operating hours.

N.J.S.A 8:24-8.12: Food Vendor Requirements - Clerk will provide on an as needed basis.

Borough Ordinance 12-6 Smoking prohibited except in permitted areas as indicated by posted signs.

All facility use must comply with state and local fire, health, safety and police regulations.

Date Adopted: March 20, 2006