

The Recreation and Park Commission for the Parish of East Baton Rouge ["BREC"] and the Baton Rouge Soccer Association ["BRSA"] have jointly implemented the below policies to administer use of BREC's soccer facilities on Burbank Boulevard and at Independence Park in Baton Rouge, Louisiana.

## **BREC-BATON ROUGE SOCCER ASSOCIATION FACILITY USE POLICY**

### HISTORY AND GENERAL POLICY PURPOSE

By virtue of that certain Cooperative Endeavor Agreement [the COOP I"] executed on or about April 18, 2006, by and between The Recreation and Park Commission for the Parish of East Baton Rouge ["BREC"] and the Baton Rouge Soccer Association ["BRSA"], the exclusive administration of soccer activities at both the Burbank Soccer Complex and the Independence Park facility [collectively the "Soccer Facilities"] was delegated unto BRSA. The COOP I further provides BRSA with priority usage rights over the Soccer Facilities as it respects the scheduling of BRSA's soccer activities. A second Cooperative Endeavor Agreement executed on or about April 10, 2007, by and between BREC and BRSA resulted in BRSA's funding a major portion of a significant expansion of the Burbank Soccer Complex.

Both BREC and BRSA have a vested interest to ensure use of the Soccer Facilities in a way that maximizes enjoyment for the benefit of citizens of East Baton Rouge Parish, but which minimizes excessive and destructive over-use of the Soccer Facilities, which consist of grass fields.

BREC and BRSA have developed this Field Usage Policy to provide a systematic method of scheduling use of the Soccer Facilities. This Field Usage Policy is also intended to protect the quality and playing condition of these grass fields in accordance with BREC's Turf Management Plan.

### **1. CLASSIFICATIONS ALLOWED TO USE SOCCER FACILITIES**

**Classification A:** BRSA shall have first priority for use of the Soccer Facilities, and reserves the right to cancel or reschedule any Field Usage Permits [as defined below] issued to any other organization or team at its sole and absolute discretion.

**Classification B:** High School Soccer Teams whose schools are physically located in East Baton Rouge Parish will receive second priority use of the Soccer Facilities. In the event a Classification B User desires to practice on the Soccer Facilities, it shall do so in accordance with the following procedures:

- Classification B Users shall disclose their requested practice times and fields on their Field Usage Permit, discussed and described in § 2 below.
- In the event Classification B Users' requested practice times are approved, before any practices take place, they shall pay to BRSA an administrative Practice Fee of \$300 per school per high school soccer season.

**Classification C:** This category will have third priority use of the Soccer Facilities and includes other soccer associations properly registered with the Louisiana Soccer Association ["LSA"], and based in

East Baton Rouge Parish. To be considered based in East Baton Rouge Parish, at least 51% of the Classification C User's players must reside within East Baton Rouge Parish. In addition, the User must be registered through the LSA.

**Classification D:** This category will have fourth priority use of the Soccer Facilities and includes any association and/or high school who does not otherwise meet the criteria established in Classification C, but whose association or teams are registered with the LSA and/or the LHSAA.

**Classification E:** This category will have fifth priority use of the Soccer Facilities behind all other above described classifications. Any other associations, teams, or citizens not affiliated with the LSA may use the Soccer Facilities with this classification, subject to the below described express conditions, satisfaction of which must, not less than 5 business days before the intended use, be presented to BRSA before use of the Soccer Facilities under this classification will be allowed:

- Classification E Users must present a Certificate of Insurance from a triple A rated insurance carrier evidencing that it/they has/have procured liability insurance covering any and all claims for personal injury [including death] and/or property damage which could occur at any of the Soccer Facilities;
- The above described Certificate of Insurance must further provide that a minimum of \$1,000,000 of insurance proceeds are available per occurrence to provide coverage for any such claims for personal injury [including death] and/or property damage;
- The above described insurance policies shall be primary to any other insurance which might apply to the use of the Soccer Facilities, and no coverage nor insurance proceeds shall be available from any policies provided either by BRSA or BREC, unless and until all remedies and insurance proceeds are exhausted from the insurance provider[s] engaged by the Classification E User to provide the coverage[s] herein required;
- BRSA, BREC, and any other municipal entity as required by law shall be named as additional insureds on any and all such applicable policies; and
- The above described Certificate of Insurance shall further state that the coverages described therein shall not be subject to cancellation without a minimum of 30 days written notice to both BREC and BRSA.

**2. PRACTICES/PERMITS.** With the exception of practices sanctioned or allowed by BRSA under Classification A, or as per accepted practices scheduled by Classification B Users, under no circumstances shall any practices by any team or organization be allowed at any of the Soccer Facilities. BRSA and its designees shall at all times have the ability, in its/their sole and absolute discretion, to dictate, regulate, and/or halt any practices at any of the Soccer Facilities. BRSA shall exercise this authority in accordance with BREC's Turf Management Plan, which has been implemented to protect the quality of the grass fields at the Soccer Facilities, and which minimizes excessive and destructive over-use of the Soccer Facilities.

Prior to any other use of the Soccer Facilities, a written permit form [the "Field Usage Permit"], attached as an exhibit to this policy, shall be submitted by the applicant and executed by a BRSA officer or other appropriately delegated individual. A Field Usage Permit shall not be required for any

practices, games, or tournaments sanctioned or scheduled through BRSA.

Field Usage Permit requests by all applicants must be submitted not less than 21 days prior to the date(s) requested and not more than six months in advance of the date(s) requested. Permits will be considered based on the classification of the organization, as outlined above in § 1.

Permit requests can be revoked or withdrawn by either party with 7 days written notice.

In addition to the above permitting provisions, Filed Usage Permit Applicants under Classifications D and E shall be required to procure approval from BREC for use of the Soccer Facilities, as may be applicable. Classification D and E Users are encouraged to consult with BREC early in the application process to ascertain any additional permitting requirements. Classification D and E Users are on notice that they may be required to pay additional maintenance fees to BREC in the event BREC policies so provide.

In addition, Permit Applicants under Classifications C, D and E shall be required to procure all appropriate approvals and clearances from the LSA with respect to background checks, as well as any other applicable LSA policies which govern and/or apply to soccer play.

By signing and submitting any Field Usage Permit, Users under Classifications C, D, and E declare, agree, and acknowledge that they do hereby indemnify, defend, and hold BRSA, BREC, and any other municipal entity as required by law [collectively the ["Indemnitees"]], as well as such Indemnitees' officers, directors, managers, and employees, harmless from any and all claims, demands, suits, proceedings, damages, costs, and/or expenses in any arising out of or in connection with any use of the Soccer Facilities as per an approved Field Usage Permit application.

Notwithstanding anything to the contrary as may be contained in this policy, with respect to the permitting processes described herein, BRSA, BREC and their designees shall possess the sole and absolute discretion and authority to cancel, re-schedule, and/or otherwise exercise full and complete dominion over the Soccer Facilities in a way that will protect the quality and sustainability of these grass fields. This dominion and control is an additional factor that may be cited in the denial of any prospective Field Usage Permit application.

### **3. PAYMENT OF FEES (Classifications B, C, D, & E)**

The Baton Rouge Soccer Association will charge fees to those associations/teams/citizens who fall within Classifications B, C, D, & E for all permitted uses of the Soccer Facilities. In addition to field use fees, additional charges as applicable shall be charged for i.) the use of lights (at the Burbank Complex) and/or ii.) a field supervisor as described below. All fees shall be paid by cash, credit card, or cashier's check.

Applicants requesting a Field Usage Permit will be required to pay the required fee at the time of the application. Should an application be denied, all fees will be promptly refunded within ten (10) business days. Field reservations will be on a per-game basis.

For Classifications B, C, D, & E, clubs, organizations or teams requesting the permit will be responsible for assigning officials and all costs associated with those officials. All officials assigned to permitted games must be USSF-registered with a current badge.

Applicants requesting a permit for a tournament may be required to pay 50% of the total fee at the time of the application. The balance will be due prior to the first date of use.

Refund of Fees: Refund of Field Usage Permit fees may be made for the following reasons:

- If BRSA determines that i.) play be halted due to weather conditions, ii.) the soccer fields are in an unplayable condition and/or iii.) the fields may be damaged due to field conditions, no play will be allowed and, at BRSA's sole and absolute discretion, a refund may be issued or BRSA may attempt to reschedule the games at the earliest possible date(s).
- If the permit applicant provides written notification of cancellation to BRSA at least 7 days prior to the date reserved. This does not apply to multiple-game/tournament permits.
- An applicant who wishes a refund for a multiple-game/tournament permit must provide a written notification of cancellation not less than one month prior to the dates requested.

#### 4. FEE SCHEDULE

##### Classification A

- Covered by BRSA membership dues.

##### Classification B [provided the Home Team is a Classification B User]

- \$100 per game for LHSAA scheduled games.
- \$60/game for lights per field as determined by BRSA.

##### Classification C

- \$7.50/player per game for Burbank Soccer Complex.
- \$5.00/per player per game for Independence Park.
- \$60/game for lights per field as determined by BRSA.
- \$20/hour for site supervisor (if necessary). *\* BRSA reserves the right to require a security/damage deposit.*

##### Classifications D & E

- \$10/player per game for Burbank Soccer Complex.
- \$7.50/per player per game for Independence Park.
- \$60/game for lights per field as determined by BRSA.
- \$20/hour for site supervisor (if necessary).  
*\* BRSA reserves the right to require a security/damage deposit.*

*\* Depending on the size of the request, BRSA reserves the right to assign a site supervisor(s). The Field Usage Permittee is responsible for paying \$20/hour for each required site supervisor. All permits requiring the use of lights must pay the hourly supervisor fee.*

For Classification C, the burden to provide proof of at least 51% East Baton Rouge Parish player residency, plus proper LSA registration, lies with the applicant, and shall be provided to BRSA not less than 10 business days before the first use. Absent such evidence, these users shall be deemed to be Classification D.

For Classification D, the burden to provide proof of affiliation with LSA lies with the applicant, and shall be provided to BRSA not less than 10 business days before the first use. Absent such evidence, these users shall be deemed to be Classification E.

## **5. RULES AND REGULATIONS**

All organizations that are granted a Field Usage Permit to use the Soccer Facilities must obey all rules and regulations established by BREC for use of the facilities. These rules and regulations can be found on the BREC website.

## **6. BREC TURF MANAGEMENT PLAN**

BREC and BRSA are developing a Turf Management Plan designed to prevent overuse of the playing surfaces. Once the fields have reached capacity as determined by the Plan, no additional games or other uses will be scheduled.

Following best research-based agronomic practices as determined by BREC's turf management professionals, the plan will be designed to allow adequate rest and recovery for all soccer playing surfaces. The plan will allow for BREC and/or BRSA to close fields for routine maintenance as well as for semi-annual upkeep. The plan will be designed to address the sustainability of the soccer playing fields.