



PARKS AND RECREATION COMMISSION MEETING

Thursday April 4, 2024 – 6:30 P.M.

Parks, Recreation & Cemetery Administrative Office

Meeting Room A

50 Officer Manny Familia Way Worcester, MA 01605

Or

If you choose to use the Microsoft Teams platform:

- 1) Go to www.teams.com
- 2) Enter Meeting ID# 276 872 939 878
- 3) Enter password: mKorKm

If you choose to attend via phone:

- 1) Call 1-469-998-7682
- 2) Enter Meeting ID#: 666 191 833#

If technological problems interrupt the virtual meeting component, the meeting will continue in-person.

AGENDA

1. Call to Order
2. Attendance (Roll Call)
3. Acceptance of the Minutes for February 29, 2024 (Hold)
4. To request a reasonable accommodation or interpretation or submit written comments or questions in advance of the meeting, please contact the Parks, Recreation & Cemetery Division by email at Parks@worcesterma.gov. Please note that interpretation requests must be received no later than 48 hours in advance of the meeting. Para solicitar una interpretacion razonable, o enviar comentarios o preguntas por escrito por favor comuniquese con la oficina de la Division de Parques, Recreo & Cementerio por correo electronico a Parks@worcesterma.gov. Por favor note que las solicitudes de interpretacion deberan ser enviadas 48 horas antes de la reunion.
5. Public Participation – Pursuant to Chapter 20 of the Acts of 2021 and in order to ensure active, public engagement, the City of Worcester currently allows for both in person and remote participation at the Parks & Recreation Commission meetings. To partake in the “Public Participation” section of this meeting, you may join us directly within the 50 Officer Manny Familia Way Meeting Room A, follow the information above to join via the Teams application or dial the direct line as indicated. If you would like to raise your hand when in the meeting as a call-in user you may dial *5.

6. Assistant Commissioners Report (See Report Topics Below)

7. Old Business

- Request of Andrew Serrato to speak to the Commission regarding the City of Worcester Parks System.
- Request of Commissioner Natalie Turner to discuss the care, maintenance, financial responsibility, and security of Newton Hill Parcel/Park
- Request of Geoffrey Killebrew to speak to the Commission on:
 - To discuss past and present rules and regulations regarding vending and busking in city parks?”
- Request of David Webb to speak to the Commission regarding “the commission take steps towards improving public participation such as publicizing in advance meetings where things that will determine public policies. Consider using existing methods such as using mailing lists or when announcing park name changes as well as new options”
- Request of David Webb to speak to the Commission regarding a “request that the parks department publicize park vending applications in the same way that other permits and applications are, using the municipal pages dedicated to this purposes.
As shown in the three attachments, multiple types of vendors appear when searching the city website, but park vendors are not one of them. They also do not appear in policies and procedures or permits and licensing.
Changing this would promote transparency and accessibility and encourage people to sign up to become park vendors. “
- Request of Matt Caranci to speak to the Commission regarding Busking/ Street Performers.

8. New Business:

Agenda items must be submitted (3) three business days before each Commission Meeting with subject line “Agenda Item” to Parks@worcesterma.gov

- Request of Abby Hoshcouer to discuss the possible implementation of a free library at Elm Park.
- Request of the Green Hill Park Coalition to speak to the Commission on Green Hill Park survey results and National Trails Day Event
- Request of Geoffrey Killebrew to speak to the Commission on the following items:
 - Asking the Parks Department to amend the regulation which requires vendors and buskers to be out of parks at sunset to 9pm regardless of the season
 - Asking the Parks Department to amend the season to be a vendor extended to 12/31 annually
 - Asking the Parks Department to amend change the current practice to allow more than one vendor at a park per season



- Request of the Parks & Recreation Commission to establish a framework for its meeting to allow for better public comment and Commission discussion.
 - Include public comment period on agenda (time allocation)
 - Include petitioner comment period on agenda (time allocation)
 - Include a new section for tabled items & implementation date
- Request of Commissioner Eric Stratton to discuss the use of dogs in parks for control of geese to include the following questions
 - Is this something that requires approval from the Parks Commission? If not, can he kindly provide information as to why?
 - How is the city verifying training of the dogs?
 - Liability if the dogs kill a goose or cause other harm/damage? (IIRC these are birds protected under the Migratory Bird Treaty Act with exceptions for hunting, which this is not)
 - Is someone in purchasing required to vet the bidders' qualifications
- Request of David Webb to speak to the Commission about removing the rule regarding drones from parks rules as it is unenforceable, and there is no FAA regulation as referenced in the rule.
- Request of David Webb to have the parks department Publicize requirements to get on parks agenda as.
 - At least 72hours in advance
 - Via email
 - To "Parks@worcesterma.gov"
 - With subject of "Agenda Item"
 - Reply satisfactorily to any followup requests sent by the Parks Commission

9. Tabled Items:

10. Date of Next Meeting:

- April 25, 2024
- May 23, 2024
- June 13, 2024
- September 19, 2024
- October 10, 2024
- November 21, 2024
- December 19, 2024
- January 9, 2025
- February 6, 2025 (Sports Permit Meeting)
- February 27, 2025 (Event Permit Meeting)
- March 20, 2025
- April 10, 2025
- May 8, 2025
- June 12, 2025

11. Meeting Adjourned (Roll Call)

Richford, Melissa

From: Abby Hoosh [REDACTED]
Sent: Tuesday, February 20, 2024 2:57 PM
To: Parks
Subject: Elm Park Free Library Project
Attachments: Free Library.pptx

Caution: This email came from outside the City of Worcester. Do not click on links or open attachments unless you are sure you recognize the sender and you know the contents are safe.

Department of Park and Recreation,

My name is Abby Hoshcouer and I had previously contacted the park and recreation department of the Worcester City Hall regarding the possibility of donating a free library for Elm Park. I was then informed to send in an official presentation to be used at the monthly meeting to further discuss this possibility. I have attached the presentation to this email and additionally will describe some key points of possible concern.

Accessibility: One issue mentioned for previous installations of similar projects was the issue of accessibility for those in wheelchairs. For the design presented legs have been implemented that make the total height of the library about 3.2 feet. The average wheelchair height is 3 feet thus allowing the wheelchair to have full view and access to the library without assistance. The installation location has also been chosen near the playground which has a set path that the library can be put near so no terrain would hinder the wheelchair accessibility.

Irrigation: Another consideration was for the irrigation around the park. With the leg implementation, this avoids digging into the ground of the park and interrupting the irrigation.

Weather: In terms of weather the materials used for this have been suggested by companies who have implemented similar libraries and have been known to stand against weather such as rain, snow, etc.. To further lengthen the longevity of the library the original location has been chosen to be underneath an existing structure with a roof to further protect the library, and if not deemed suitable should still withstand all weather conditions.

Theft: Because the purpose of the library is a cycle of taking and placing books theft of books is not possible because it is the purpose of the library. Given that the structure is of no value and has nothing of worth a part of it the possibility of it being stolen is a low concern. Protections can be implemented if it is a concern with a lock and chain to a neighboring structure so it can not be moved easily.

Damages: This while unavoidable can be monitored. With vandalism, periodic check-ins can be scheduled and if there is vandalism of paint or broken parts, these can be rebuilt and put back out or painted over.

Free Library

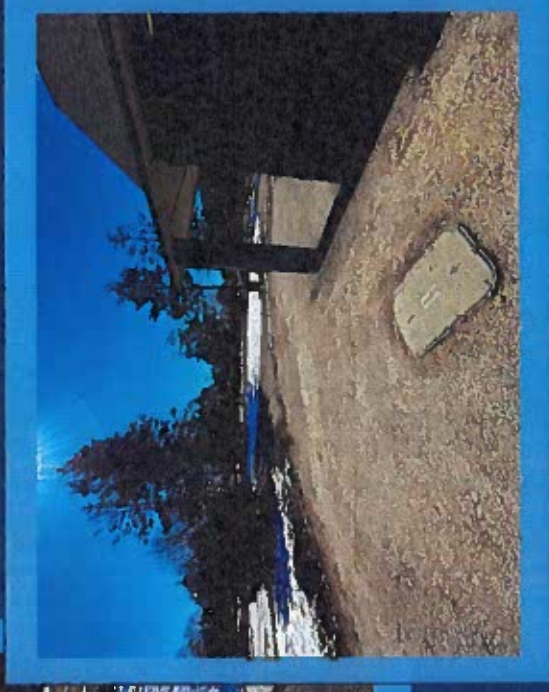
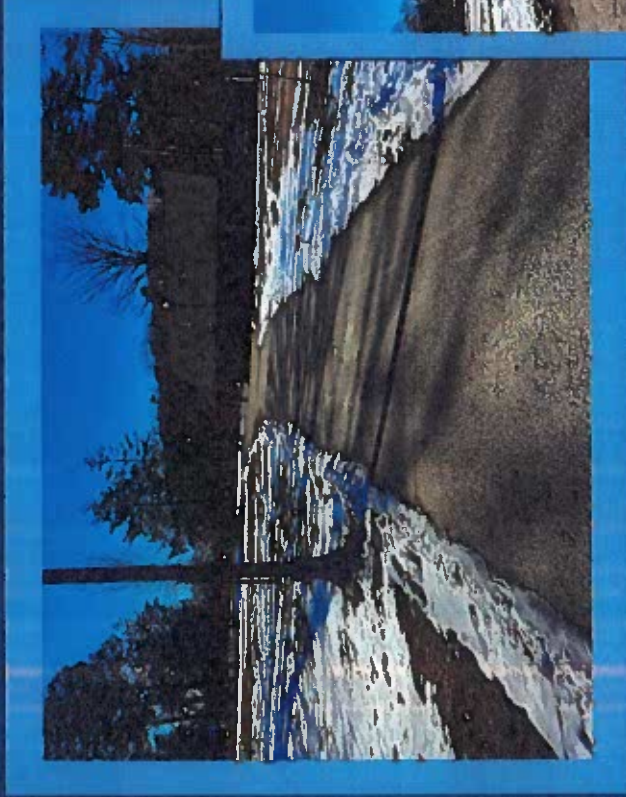


Height: 38.5 inches / 3.2 feet



Location

Best position would be a high foot traffic area with the desired demographic which would thus be near the playground area



GREEN HILL PARK SURVEY RESULTS

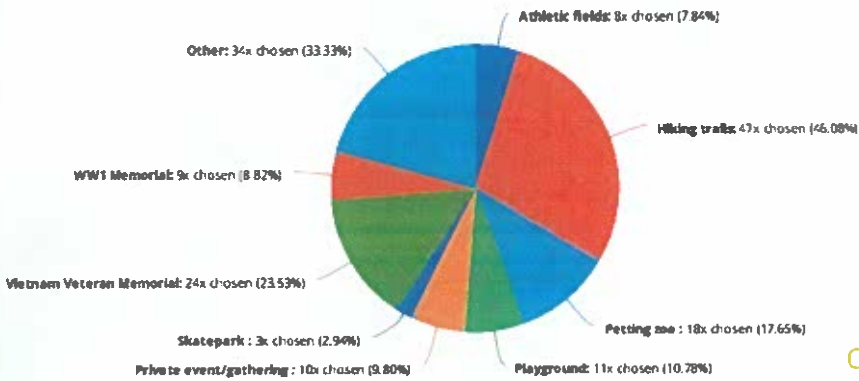
November 29th, 2023

5 Key Takeaway's

- 1. Great Visitor Experience:** Enthusiastic park-goers seek tranquil moments through leisurely walks, invigorating hikes, and cherished family time amidst nature's beauty. Oasis away from the city – in the middle of the city.
- 2. Access To Bathrooms Are Much Needed:** Across all text responses, the overwhelming consensus highlights the crucial need to enhance and provide better access to restroom facilities.
- 3. Top 5 Desired Enhancements:** Beyond restroom upgrades, the top 5 enhancements desired by visitors include engaging community programs/events, expanded paved walking/biking paths, the introduction of food trucks, additional kid-friendly areas, and the establishment of a dedicated dog park.
- 4. Maintenance Is Great, But Trash Is A Problem:** The overall response to maintenance efforts was positive. However, the central maintenance challenge involves effective waste management, addressing issues such as trash, broken glass, and dog waste.
- 5. Make The Park More Accessible To Community:** The community's desire for increased accessibility stood out as the most frequently mentioned aspect in the additional thoughts and feedback section.

ABOUT THE PARK VISITOR

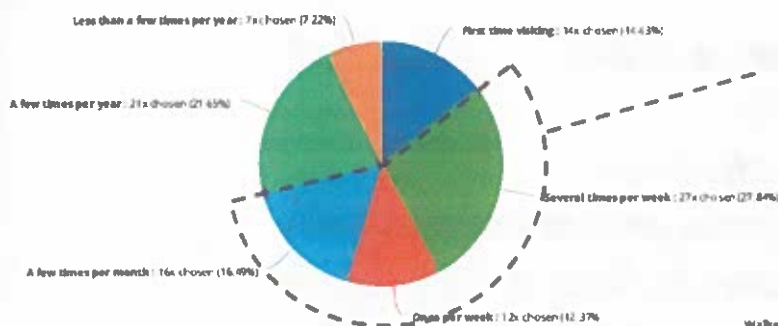
Where And Why People Go To The Park



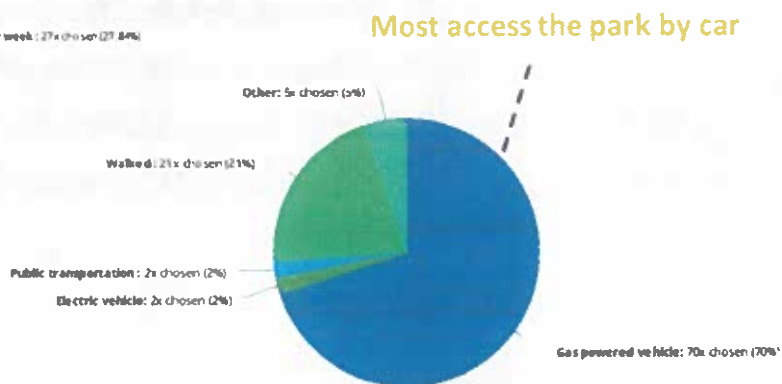
Other Category

- Walk, run, dog walking (13)
- Sit and enjoy quiet, nature & pond (11)
- Meet and hang out with family (4)

How They Got There and How Often They Come

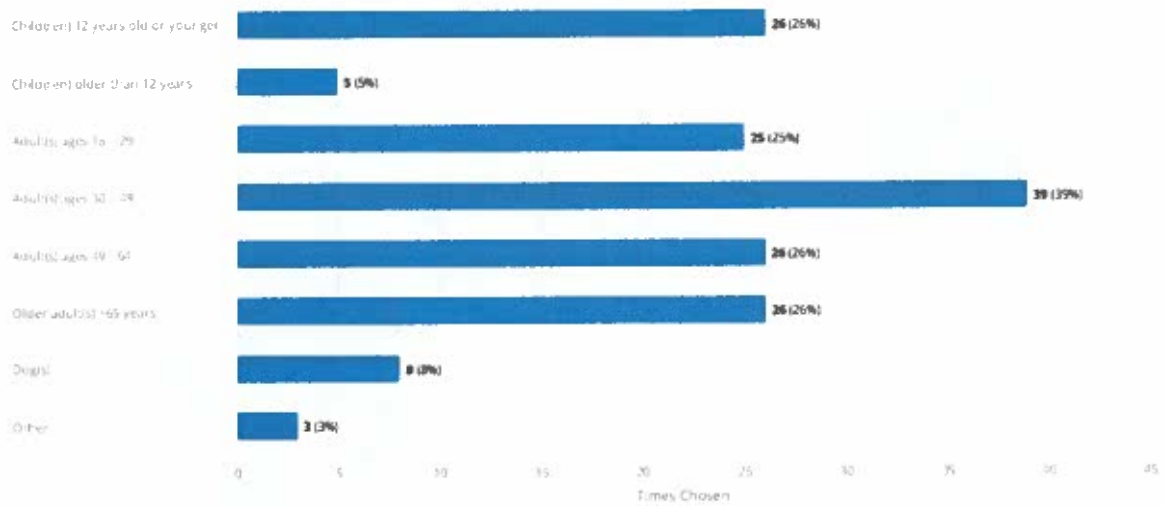


Over 50% of those surveyed are regular visitors of the park



Most access the park by car

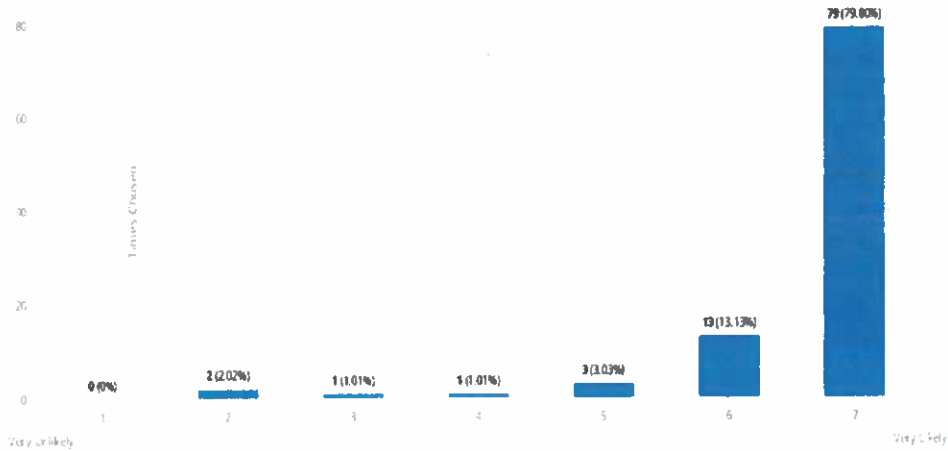
Visitor Age Demographic



FEEDBACK ABOUT THE PARK

How Likely to Recommend the Park

Number of responses: 99



Over **92%** gave a rating of a 6 or higher (out of 7) for likely to recommend the park

What Would Make Them Even More Excited?

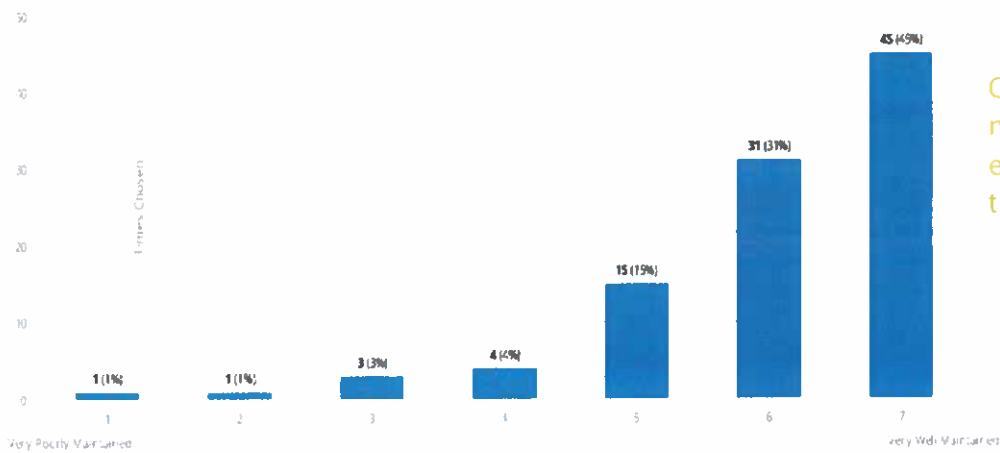
Top 5

1. Access to **bathrooms and drinkable water**
2. **Community events and programs**
3. **Paved walking and biking paths**
4. **Food trucks**
5. Expanded **playground(s) and/or splash pad** for kids

Other Notables

1. **Dog Park**
2. **More trash receptacles**
3. **Benches** replaced and spread throughout the park
4. Rental / check out opportunities (bike, kayak, sporting equipment for kids)
5. Expanded **gardens, arboretums and natural landscapes**

How Do You Find the Maintenance at the Park



Overall, people notice the maintenance crew and the effort they undertake to keep the park maintained

Concerns Regarding Park Maintenance

- 1. Waste Management:**
 - Litter, glass, and dog waste are key concerns.
 - 2. Trail Upkeep:**
 - Addressing poison ivy and ticks.
 - Improving maintenance for accessibility, especially for older or less mobile individuals.
 - 3. Landscaping Transparency:**
 - Ensuring careful planting and providing clear reasons for clearing vegetation.
 - 4. Infrastructure Challenges:**
 - Navigational difficulties due to icy sidewalks and patched infrastructure.
 - 5. Safety Hazards:**
 - Identifying and addressing exposed hazards such as metal posts.
 - 6. Sprinkler System Care:**
 - Ensuring proper maintenance for effective sprinkler functionality.
- **Additional Non-Maintenance Feedback**
 - Bathrooms
 - Additional security to enforce park rules (litter, atv's, drug use)

Additional Feedback

- **Enhancing Park Accessibility:**

- Improving overall accessibility to the park for all community members
- Ensure park amenities has a focus that caters to individuals facing challenges.

- **Traffic Management:**

- Addressing the speed and volume of cars using the park as a cut-through.
- Implementing measures such as opening parking lots during peak times to manage volume
- Redistributing park attractions for a more balanced distribution throughout the space.

- **Increased Bathroom Facilities:**

- Need I say more on this topic?

WHAT'S NEXT?

How Can We Use This Information?

- Provides this committee with an understanding of what would motivate park goers to become a 'Friend' of GHP (i.e., where membership dollars go)
- Provide material to the city and to the parks and recreation department for the planning purposes
- Work together with the city to prioritize and help bring to fruition
- Continue to look for grants and additional opportunities to organize community gatherings, event and programs (like movie in the park - Thanks Yahaira/Deb)
- Decide what we can and should do for low / no cost to help bring some of these to the park?

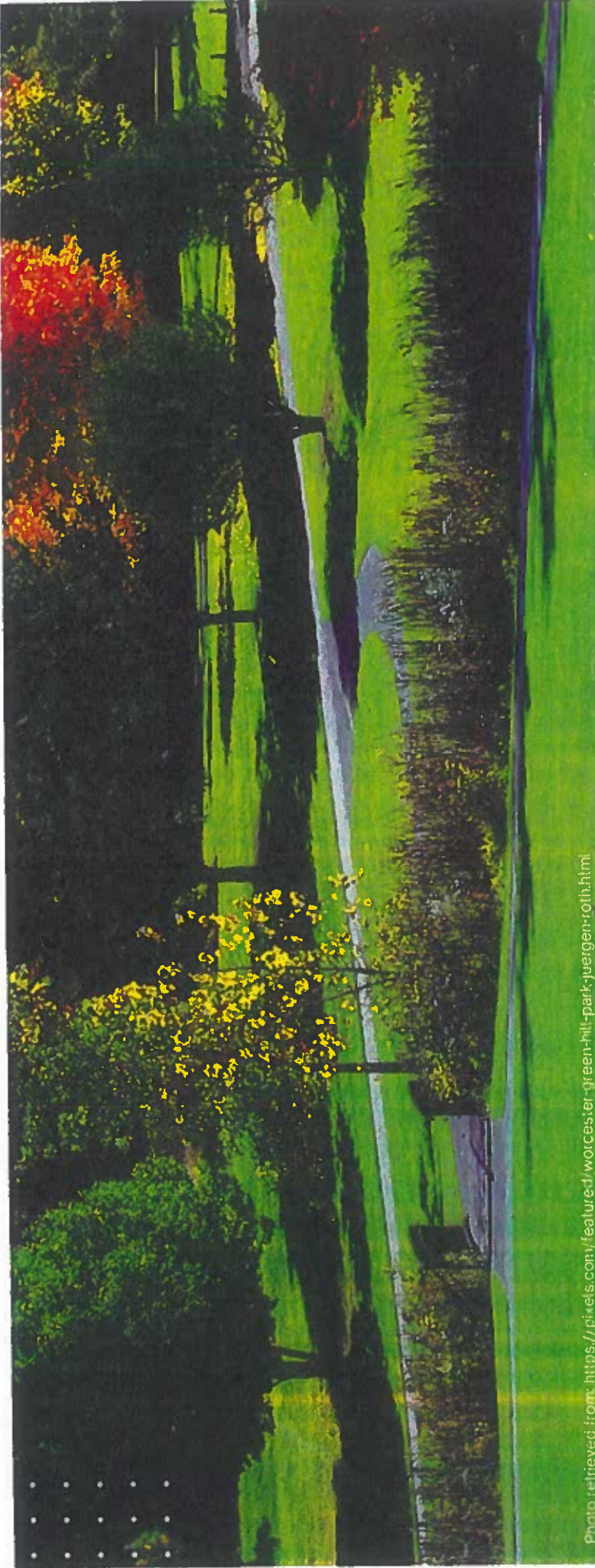


Photo retrieved from: <https://pic-eis.com/featured/worcester-green-hill-park-juergen-roth.html>

NATIONAL TRAILS DAY

FUN AT THE HILL

JUNE 1, 2024

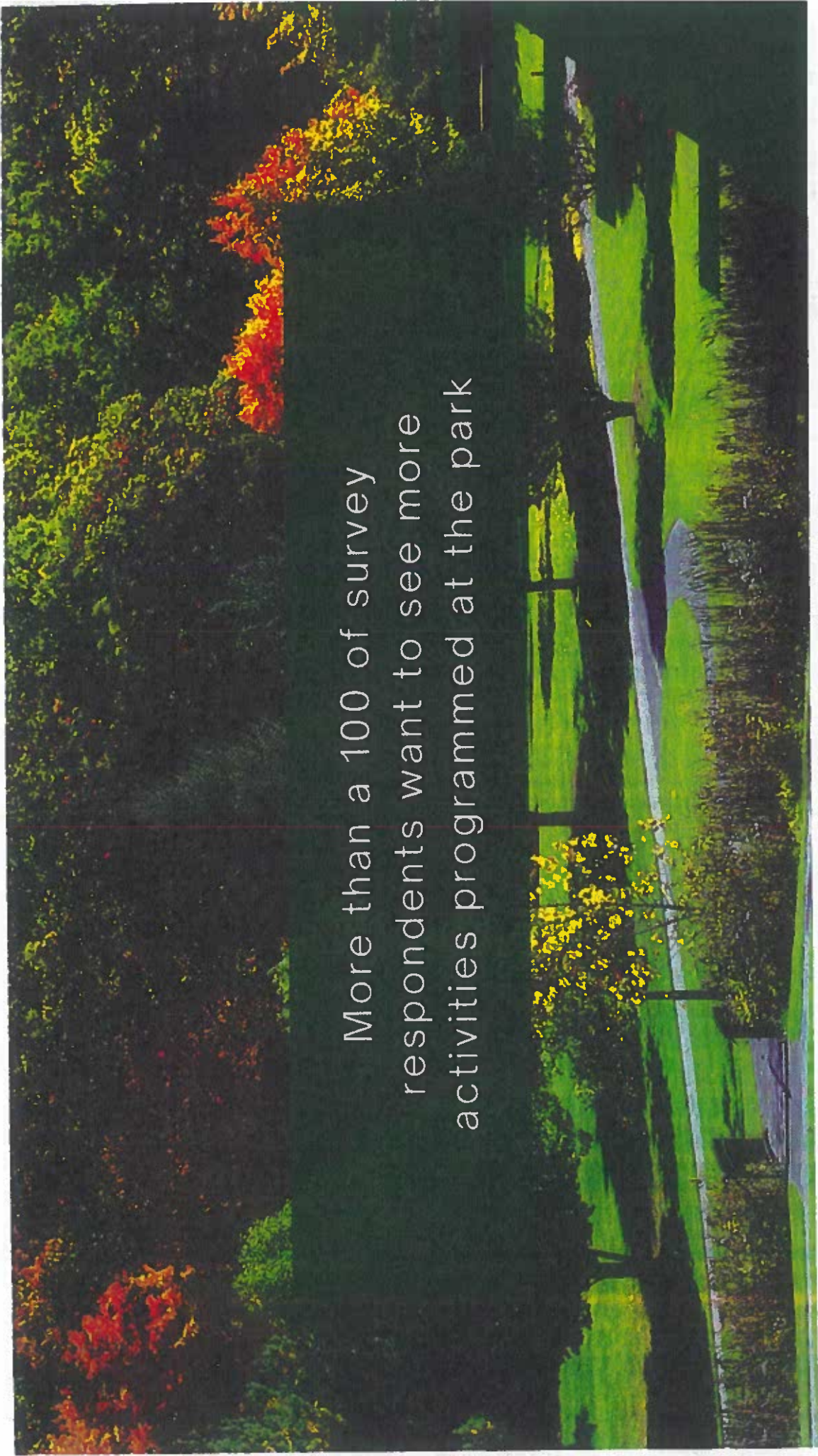


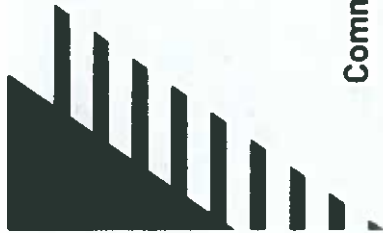
Content

01	Overview
02	Objectives
03	Timeline
04	Collaborators
05	Target Audience
06	Program
07	DPW&P



More than a 100 of survey
respondents want to see more
activities programmed at the park





TOP 5 TAKEAWAYS

FROM THE GHPC SURVEY RESULTS

Community Events
& Programs



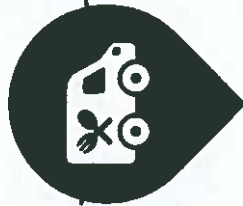
More playground areas &
splash pads



Access to restrooms



Food trucks



More paved
walking/biking paths



Objectives

Objective 01

Celebrate National Trails Day to bring awareness of the trail network available in the Green Hill Park.

Objective 02

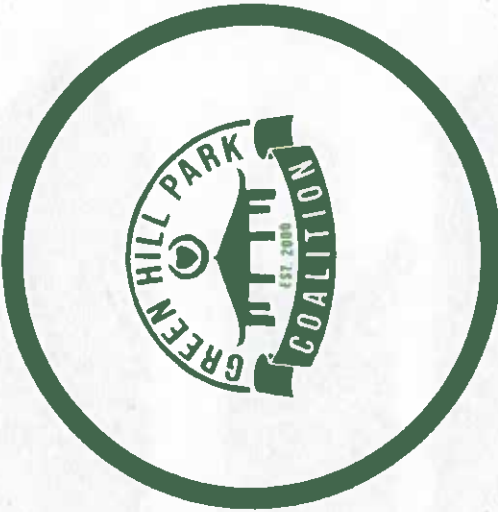
Introduce families and the general public to the amenities available in the Green Hill Park.

Objective 03

Generate visitors and increase GHPC membership base.

Objective 04

Provide free safe entertainment for families and the general public as indicated in the GHPC survey results.



Overview

The GHPC received an award of \$2,500 from the Massachusetts Cultural Council (MAC) to celebrate National Trails Day at the Green Hill Park in Worcester.

01

GHPC submitted a proposal to MAC for the Festivals and Program Grant in June 2023

02

Approval from DPW&P, finalize program with collaborators, permits and vendor agreements

03

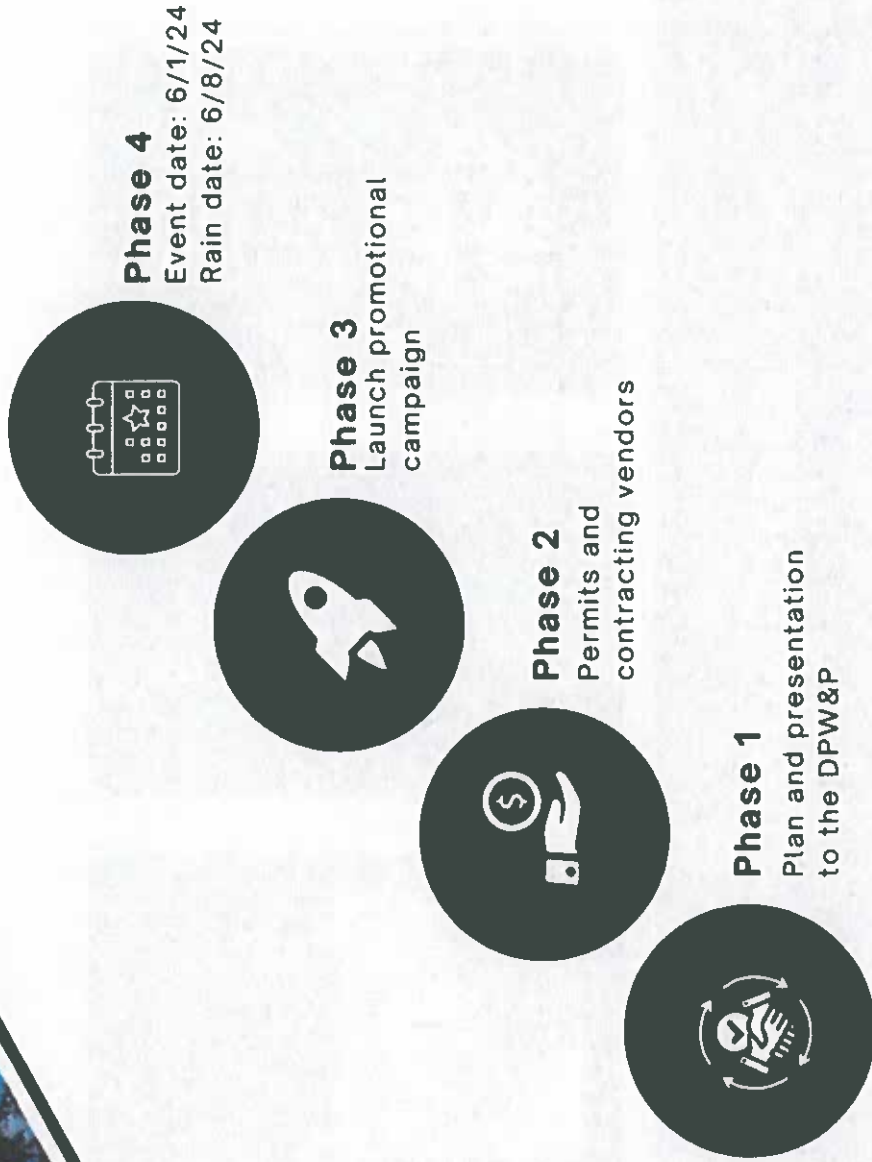
Advertise event in social media channels, website, newsletter, printed press, and email.

04

National Trails Day
Event planned for June 1, 2024
Rain date: June 8, 2024.



Timeline



Current Collaborators




Greater
Worcester Land
Trust



Worcester
Garden Club



Regional
Environmental
Council



Creative Hub
Worcester



Target Audience

Target Audience #1



Families that visit the petting zoo, playgrounds, and athletic fields

Target Audience #2



Individuals interested in gardening

Target Audience #3

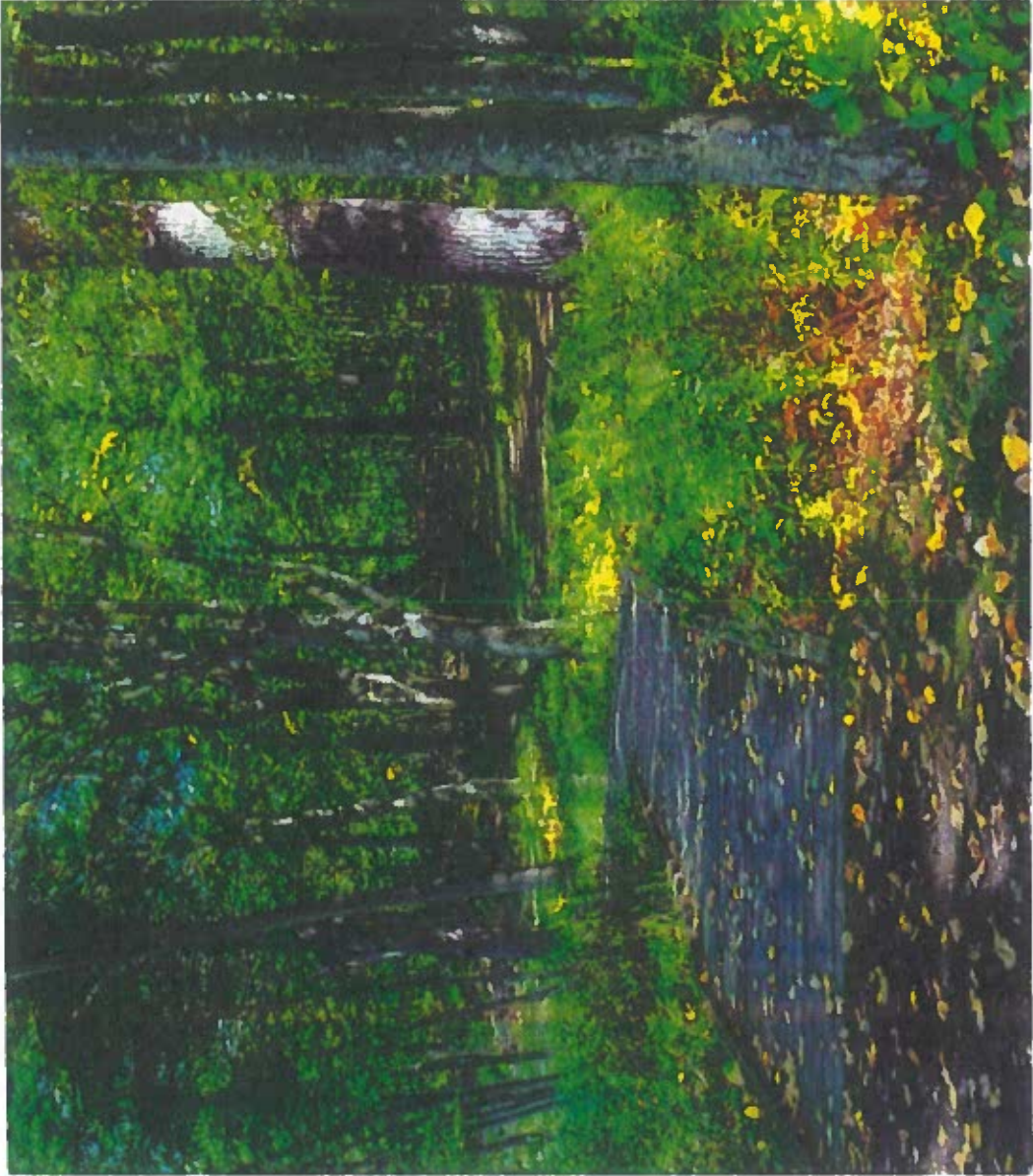


Individuals interested in nature walks, bird watching and contact with nature

Program

- 01** Guided walking trails sponsored by the Greater Worcester Land Trust.
- 02** Gardening 101 sponsored by the Worcester Garden Club.
- 03** Art activities provided by the Worcester Creative Hub - Art Van.
- 04** Movie at the park provided by the Boston Audio Rentals / Swank Motion Pictures.





Hiking

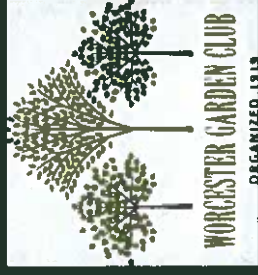


- GHPC volunteers in collaboration with the GWLT will provide guided walking tours through the park's trail network.



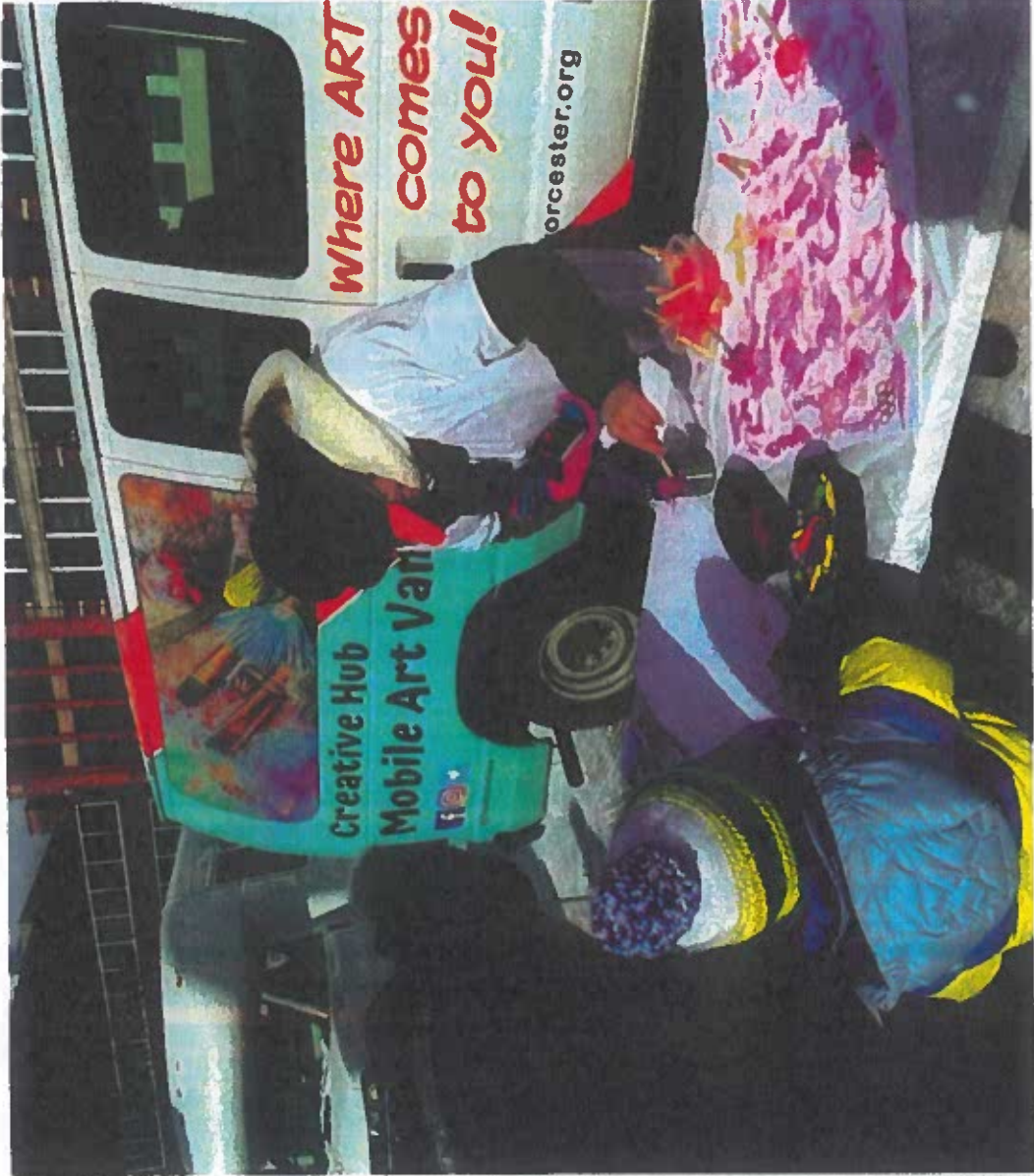


Gardening



- The WGC will provide gardening tips to the public and will highlight plantings in the Arboretum and Veterans Memorial.





Art Van



- Budgeted funds for contracting the Mobile Art Van for 3 hours.
- The Mobile Art Van can be easily booked online.

<https://creativehubworchester.org/mobile-art-van>

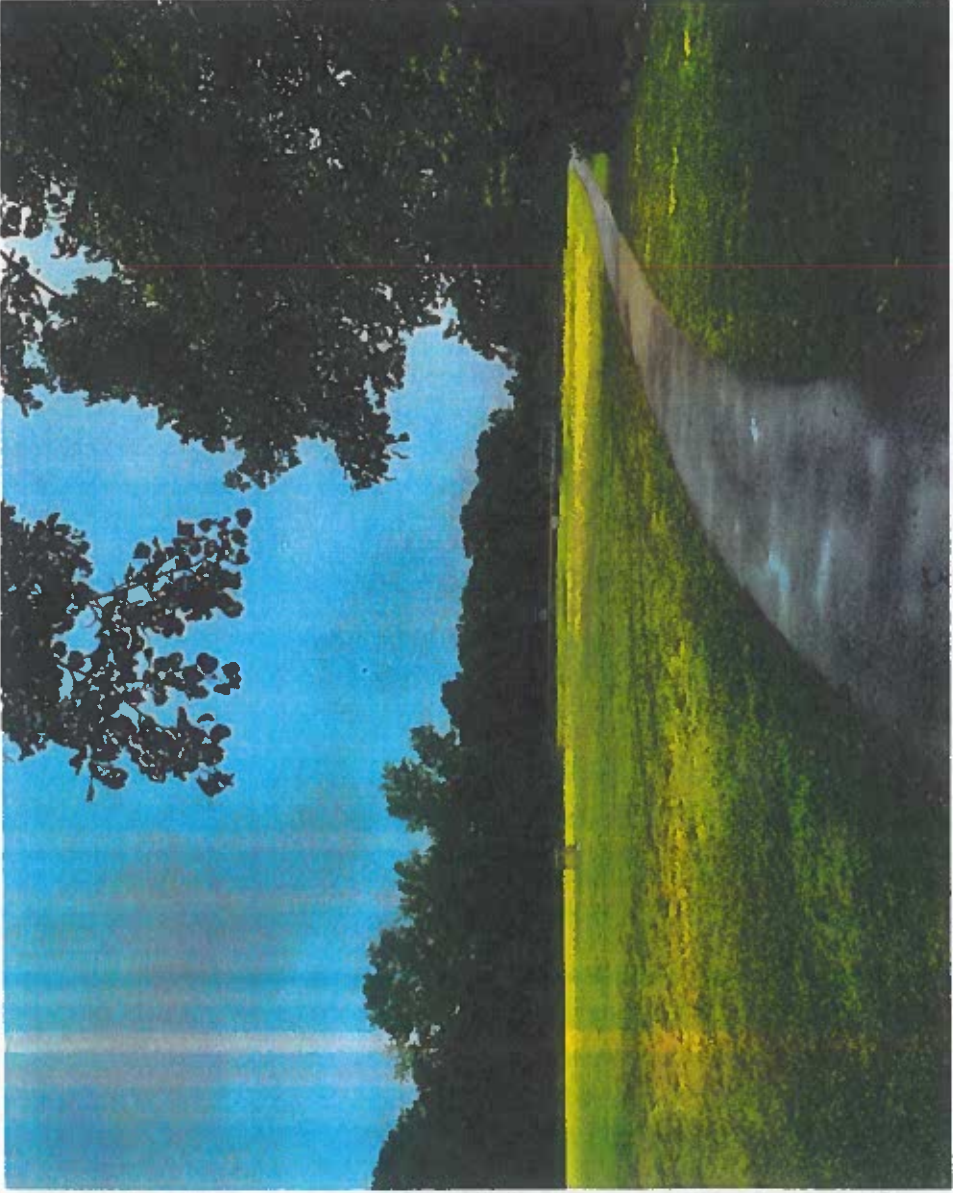




Movie

- Nature-themed movie
- Set up and equipment provided by Boston Audio Rentals
<https://bostonaudiorentals.com>
- Movie licensing provided by Swank Movie Licensing
<https://www.swank.com/movie-licensing-usa>





Where?

- Location for movie screening
- Access to parking and ADA parking spaces
- Flat surface
- Paved walking path
- Close to the playground
- Close walk to the restrooms
- Access to electricity

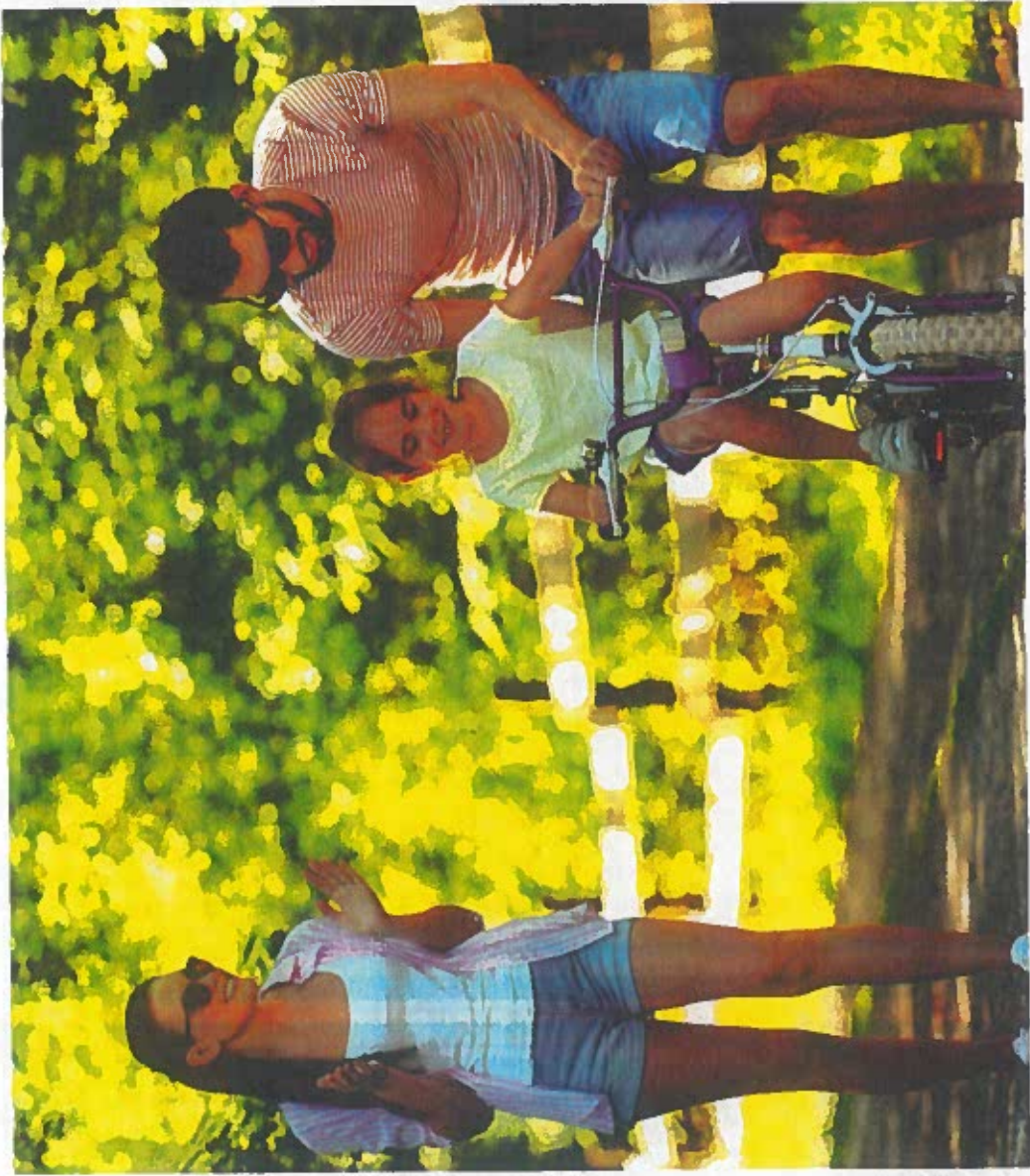




Other Potential Activities

- Canoeing sponsored by MassAudubon
- Face painting
- Sidewalk chalk painting
- Guided walking tour in collaboration with the American Chestnut Foundation
- Tables with information
- MassBike sponsored Bicycle Safety talks
- MassBike Learn How to Ride Lessons
- Food trucks
- Worcester Police Band AMPP





Bicycle Safety 101

- MassBike has years of experience in bicycle safety workshops.
- Provide resources and materials
- Same instruction offered to Safe Route to School
- Use the facilities of the petting zoo to learn how to bike safety lessons.
- Topics range from how to wear a helmet, fixing a flat tire, choosing a bike, e-bike fundamentals, rules of the road, among other topics.

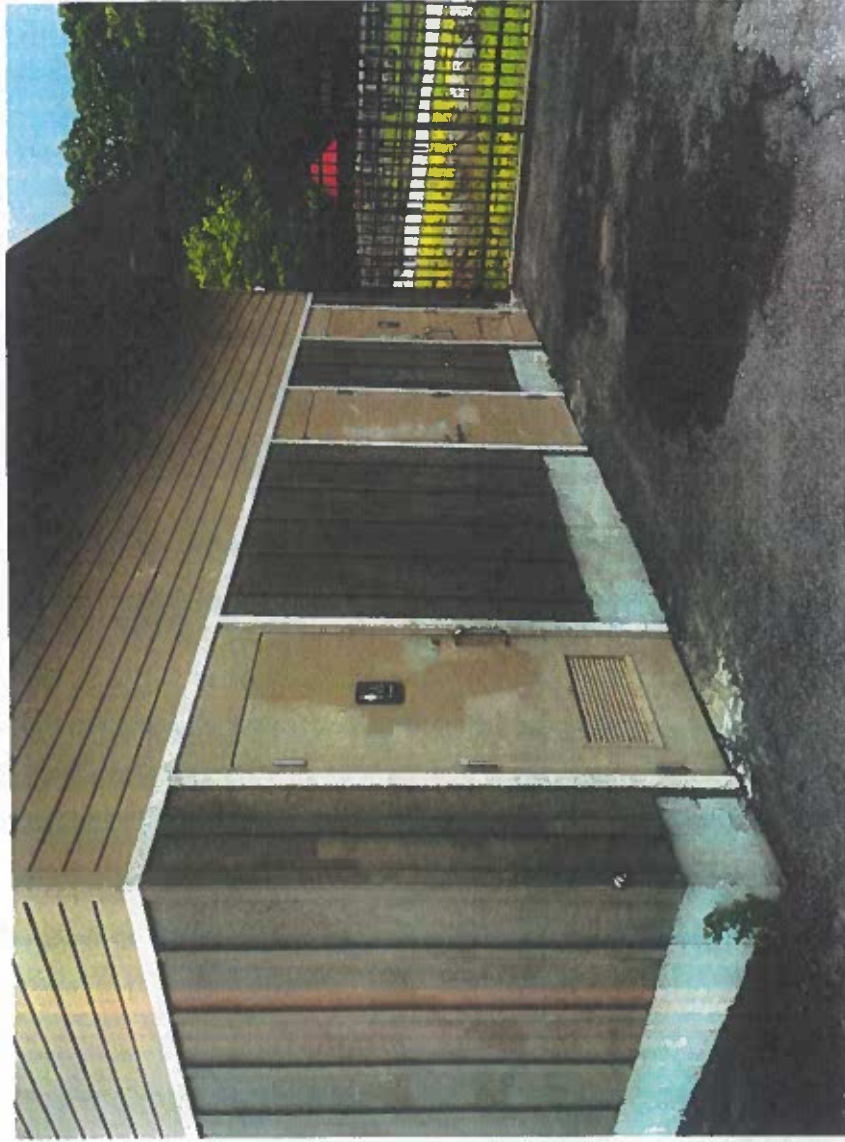




Food Trucks

- There are no stores close to the park or vending machines available for drinks or snacks
- Designate an specific area for three to 4 food trucks
- The offerings can range from ice cream, juice kart, hot dogs, tacos, hamburgers, kebabs
- Responsible to clean their area once the event is complete





Accessibility

- Key aspect of the proposal
- Bathrooms should be open and available to the public
- ADA parking spaces
- In-ear monitors
- Paved walking path



DPW & P

The GHPC budgeted \$300 for park personnel to cover extra hours of work.

The GHPC has budget allocated for liability insurance - \$200

Bathrooms should remain open extra hours for the benefit of the public.

Petting zoo should remain open extra hours for the benefit of the public. Currently the farm closes at 2pm.

Parking by the baseball field should be opened for the vendors to set up equipment. Also, for more ADA parking spaces.

Permits:

- Permit to hold an event.
- Permit to allow food trucks to sell food in the park's premises.
- Permit for electric generator, other equipment.
- Permit to use petting zoo area for biking lessons.



THANK YOU

🌐 www.greenparkcoalition.org

📍 PO Box 323
Worcester, MA 01613



Paw-patrol: Worcester seeking dogs to chase geese from parks

By Emily Spatz, 3 days ago

“Geese never get used to our dogs, which will become clear when you see our results!”



Matthew J. Lee/Globe Staff

Worcester is hiring this summer for what is probably a dog’s dream job.

The city is looking for four-legged pups to chase away some very well-known park visitors: Canada geese. But not just your average dog and human handler can take on the serious task of providing “geese control services” — trained, experienced pups will take to specified parks on a set schedule to chase away the birds.

Canada geese can be a public health hazard

Despite their massive population today, Canada geese were hunted to near extinction in North America in the early 1900s, leading to a federal law prohibiting hunting them and

other migratory birds outside of specified seasons.

But since then, the Canada geese population has boomed, and finding a way to disperse these birds is a problem for municipalities.

Besides being annoying, Canada geese can pose sanitary and health problems for citizens. The birds can produce a half pound to a pound and a half of waste each day, which can quickly contaminate nearby water, compromising human health and increasing algae growth in ponds and lakes, according to the state's Division of Fisheries and Wildlife.

Worcester has been using dogs for over a decade

Worcester first determined that it had problems with geese in 2006, according to Michael Berberian, the principal sanitary inspector for the city. First, it put up signs telling the public not to feed the birds and started a process called "egg addling."

Egg addling involves covering goose eggs with corn oil to prevent them from hatching, Berberian said. When the eggs don't hatch, geese aren't likely to return to the same area to nest.

The city intensified its efforts in 2010 when they hired a company to ward off geese using dogs for the first time. The combination of all these tactics has produced results, Berberian said.

"So far, we've had some success," Berberian said. "We've reduced the geese population, and it's very, very beneficial for the citizens of Worcester."

The current company contracted to work for Worcester, called Taking Flight Geese Control, has border collies "on staff" to help with the hazing duties.

"[Border collies] are herding dogs, so they don't hurt the animal, they just chase them off the beaches or from the water," Berberian said.

A job for professionals

Keeping the chase harmless is a crucial part of the work, according to city documents. Whoever gets picked for the job needs to have “demonstrated experience in humane hazing of non-migratory geese,” the city’s bid document states.

The wellbeing and safety of the dogs is also a top priority. Dogs will only work during daylight hours and can take a rain-check during hazardous weather conditions, according to documents.

Using dogs to chase away geese is cheaper and more effective than other control methods like chemicals, Taking Flight Goose Control says on its website.

“Geese never get used to our dogs, which will become clear when you see our results!” the company’s website reads.

The dogs will start their work at the beginning of June — before the geese start molting — and will frequent nine parks in the city, including Elm Park, Institute Park, and Green Hill Park. Each park will be visited up to three days per week, and every location will be visited over the weekend.

The contract will be awarded to the lowest bidder, Berberian said, and will possibly be renewed for another two to three years.

“We want to make sure when the dogs go out that they’re safe, and the company’s reputable,” Berberian said. “It’s not just someone coming with a dog.”



State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet

Federal Aviation Administration
Office of the Chief Counsel

United States Department of Transportation
Office of the General Counsel

July 14, 2023

SUMMARY

The general balance between Federal and state authority in the context of aviation regulation is well established. The Federal Aviation Administration (“FAA”) has the exclusive authority to regulate aviation safety and the efficient use of the airspace by aircraft. Attempts by state and local governments to regulate in those fields are preempted.¹ Outside those fields, the States are generally free to regulate—even by enacting laws that are aimed at or affect aviation—as long as their laws do not conflict with FAA regulations or relate to the prices, routes, or services of commercial air carriers.

Despite important differences between manned aircraft and unmanned aircraft systems (“UAS”), the basic preemption framework described above is fully applicable to UAS. That means:

- *States and local governments may not regulate in the fields of aviation safety or airspace efficiency but generally may regulate outside those fields. A state or local law is preempted if it is aimed at aviation safety or the efficient use of the airspace. But a law seeking to advance other objectives is generally not covered by field preemption unless it impairs the reasonable use by UAS of the airspace.*

¹ Federal preemption refers to the power of Congress, derived from the Supremacy Clause of the United States Constitution, to promulgate laws that are the supreme law of the land. Under Supreme Court precedent, Federal law can preempt state law in two ways: Federal law can either *expressly preempt* state law when a Federal statute or regulation contains explicit preemptive language, or it can *impliedly preempt* state law (through *field* or *conflict* preemption) when its structure and purpose implicitly reflect Congress’ preemptive intent.

- *A state or local law will be preempted if it conflicts with FAA regulations.* A law is preempted if it makes it impossible to comply with FAA regulations or frustrates the purposes and objectives of such regulations.
- *State or local laws affecting commercial UAS operators are more likely to be preempted than laws affecting non-commercial UAS operators.* The Airline Deregulation Act preempts any state or local law that directly references the prices, routes, or services of a UAS operator with economic authority to provide interstate transportation, or that has a significant impact on such prices, routes, or services. Thus, even laws that would be permissible in the context of recreational UAS users may be preempted as applied to commercial UAS operators.

BACKGROUND

This document, which updates and replaces the FAA's *State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet* (Dec. 17, 2015), is intended to provide essential information about the Federal regulatory framework for use by States and localities when considering enacting laws affecting UAS.² State and local restrictions affecting UAS operations should be consistent with the extensive Federal statutory and regulatory framework pertaining to control of the airspace, air traffic control, aviation safety, navigational facilities, and the regulation of aircraft noise at its source.

Successive FAA reauthorization acts have each emphasized the Congressionally-mandated priority that the FAA integrate UAS into the national airspace.

State and local jurisdictions continue to explore the regulation of UAS. Since 2013, at least 44 States have enacted laws relating to UAS, addressing issues such as privacy, delivery of prison contraband, firefighting, law enforcement use of UAS, and UAS registration. However, some jurisdictions have enacted or are considering laws that raise preemption issues, such as regulation of UAS operations (prohibiting UAS operations over the jurisdiction; addressing flight altitude, safety, and/or maintaining visual line of sight), a law providing for UAS interdiction/neutralization, and a law that would have created trespass liability for anyone operating UAS less than 350 feet above real property without the express permission of the property owner.

Since 2015, the FAA's Office of the Chief Counsel has fielded many questions from state officials and legislators, local jurisdictions (mayors, county executives, police departments, correctional facilities, etc.), industry associations, and private individuals concerning the regulation of UAS.

² While this document only addresses UAS, it is based on principles that apply to airspace and aviation more generally. Accordingly, many of the principles in this fact sheet are likely to ultimately apply to Advanced Air Mobility (AAM) operations and other emerging aviation activities. The FAA and DOT intend to develop a similar fact sheet for AAM operations.

THE FEDERAL FRAMEWORK IN AVIATION

Congress has vested the FAA with the authority to regulate the areas of airspace use, management, and efficiency; air traffic control; safety; navigational facilities; and aircraft noise at its source. Congress directed the FAA to prescribe air traffic regulations (including safe altitudes), and rules for protecting individuals and property on the ground, using the navigable airspace efficiently, and preventing collision between aircraft and other aircraft including airborne objects. A citizen of the United States has a statutory public right of transit through the navigable airspace. To ensure the maintenance of a safe and sound air transportation system, the FAA has exclusive regulatory authority over matters pertaining to aviation safety and the efficient use of the airspace.

In 2012, Congress provided the FAA with a statutory mandate to develop a comprehensive plan to safely accelerate the integration of UAS into the national airspace. In subsequent legislation, Congress directed the FAA to develop a means for remote identification of UAS and mitigation of threats posed by errant or hostile UAS, to continue development with the National Aeronautics and Space Administration (“NASA”) of a UAS traffic management system, and to address other UAS-related matters.³

In response to Congress’ direction, the FAA has promulgated several UAS-related rules and is developing additional rulemakings.⁴ Congress created a statutory *Exception for Limited Recreational Operations of Unmanned Aircraft* to allow those flying UAS purely for personal enjoyment to operate without having to comply with 14 CFR part 107. People flying under this statutory exception are required to comply with all rules for recreational flyers.

Presented below are general principles of Federal law as they relate to aviation safety and the efficiency of the airspace, and examples of state and local laws that would most likely raise preemption issues, and those that would most likely not.⁵ The FAA’s Office of the Chief Counsel is available to discuss specific questions.

³ See, e.g., 49 U.S.C. § 46320 (prohibiting interference with wildfire suppression, law enforcement, or emergency response efforts by operation of unmanned aircraft); FAA Reauthorization Act of 2018, Pub. L. 115-254, § 363, 132 Stat. 3186, 3308 (prohibiting a person from operating a UAS that is equipped or armed with a dangerous weapon).

⁴ See 14 C.F.R. part 107 (*Small Unmanned Aircraft Systems*); 14 C.F.R. part 89 (*Remote Identification of Unmanned Aircraft*), see also 87 Fed. Reg. 55,685 (Sept. 12, 2022), *Notification of Enforcement Policy Regarding Production Requirements for Standard Remote Identification Unmanned Aircraft*; 14 C.F.R. part 48 (*Registration and Marking Requirements for Small Unmanned Aircraft*); and 14 C.F.R. § 107.39 and subpart D (*Operations Over Human Beings*), and 86 Fed. Reg. 4,314 (Jan. 15, 2021), *Final Rule, Operation of Small Unmanned Aircraft Systems Over People*.

⁵ Congress has exclusively authorized the Departments of Defense, Energy, Justice, and Homeland Security to engage in limited UAS detection and mitigation activities to counter UAS presenting a credible threat to covered facilities or assets. Because no other entities have been granted that authority, it is important that state, local, tribal and territorial (SLTT) and private sector entities without such statutory authority (including SLTT law enforcement organizations, SLTT governments, and owners and operators

FIELD PREEMPTION – BASIC PRINCIPLES

- Federal statutes give the FAA comprehensive and exclusive authority to regulate aviation safety and the efficient use of the airspace, and the FAA has issued a complex set of regulations in these areas. States may not regulate in those fields.
- State and local governments may not adopt FAA regulatory requirements and then enforce them as state or local regulations. The courts have held that where Congress occupies an entire field, even complementary state regulation is impermissible. Field preemption reflects a congressional decision to foreclose any state regulation in the area, even if it is parallel to Federal standards.
- The FAA has exclusive authority to regulate aviation safety and airspace efficiency with respect to UAS operations at any altitude. Field preemption does not depend on the altitude of the operations affected by a state law.
- The FAA has exclusive authority to regulate airspace efficiency for UAS at low altitudes as it does for manned aircraft at higher altitudes. The FAA has not set minimum altitudes for UAS and in fact, requires UAS to operate only at low altitudes (generally not to exceed 400 feet above ground level).
- The FAA has exclusive jurisdiction over certain regulatory fields, not over certain airspace. Thus, while the “navigable airspace” extends to the ground, that does not mean that States are powerless to regulate UAS operations if they are not acting to regulate aviation safety or airspace efficiency. It is well established in the context of manned aircraft that Federal law does not preempt altogether any state regulation purporting to reach into the navigable airspace; the same is true with respect to UAS.

CONFLICT PREEMPTION – BASIC PRINCIPLES

- State laws are subject to conflict preemption when compliance with both Federal and state regulations is impossible, or when the state law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.
- Even if a state law regulates outside the fields of aviation safety and airspace efficiency and is therefore not covered by field preemption, it may still be preempted if it conflicts with one or more FAA regulations.
- Note that field preemption analysis and conflict preemption analysis may often lead to the same result. For example, a ban on UAS operations above an entire city or over a broad swath of facilities would very likely be preempted not only as an intrusion into the field of airspace efficiency (*i.e.*, field preemption), but also as an obstacle to the FAA’s exercise of its airspace authority (*i.e.*, conflict preemption).

of critical infrastructure, stadiums, outdoor entertainment venues, airports, and other key sites) understand that federal laws may prevent, limit, or penalize the sale, possession, or use of UAS detection and mitigation capabilities. See https://www.faa.gov/uas/resources/c_uas.

EXPRESS PREEMPTION UNDER THE AIRLINE DEREGULATION ACT OF 1978 – BASIC PRINCIPLES CONCERNING AIR CARRIERS

- State laws are subject to express preemption under the Airline Deregulation Act of 1978 (“ADA”) if they “relate to” the prices, routes, and services of an air carrier that has been given economic authority by the Department of Transportation (“DOT”) to provide interstate or foreign air transportation.
- A state law is “related to” air carrier prices, routes, and services—and therefore preempted—when it directly references such prices, routes, or services or has a “significant impact” on such prices, routes, or services.
- State laws may be preempted as applied to certain commercial UAS operators even if they would not be preempted as applied to other UAS operators.

EXAMPLES OF STATE AND LOCAL LAWS ADDRESSING UAS THAT WOULD BE SUBJECT TO FEDERAL PREEMPTION⁶

- State laws aimed at regulating aviation safety or airspace efficiency. For example, laws:
 - Regulating UAS operations or restricting flight altitude or flight paths in order to protect the safety of individuals and property on the ground or aircraft passengers, or in order to ensure the efficient use of the airspace by UAS and/or other aircraft;
 - Implementing UAS traffic control systems;
 - Designating “highways” or “routes” for UAS;
 - Selling or leasing UAS-related air rights above roadways;
 - Regulating UAS markings;
 - Establishing a licensing scheme for UAS pilots;
 - Requiring air safety education or training;
 - Imposing requirements for the safe manufacturing of UAS; or
 - Mandating safety-related equipment such as geo-fencing. Courts have found that state regulation pertaining to mandatory training and equipment requirements related to aviation safety is not consistent with the Federal regulatory framework.
- Certain state or local laws aimed at other objectives that impair the reasonable use by UAS of the airspace.
 - If a law seeks to advance non-safety or efficiency objectives but affects where UAS may operate in the air, the question of whether the law is preempted will depend primarily on whether the law negatively impacts safety and on how much of an impact the law has on the ability of UAS to use or traverse the airspace.

⁶ The 2015 Fact Sheet listed examples of laws “for which consultation with the FAA is recommended.” Some have interpreted this language as suggesting that the FAA did not believe that state and local UAS laws were subject to field preemption. That is not the case: as noted above, state and local governments are barred from regulating in the fields of aviation safety and airspace efficiency. The FAA remains open to consulting with state and local governments that are trying to determine whether particular laws fall within the preempted fields, but any such consultations will not modify the scope of preemption and do not contemplate “co-regulation” of UAS safety or airspace matters with the States.

- For example, a privacy-related ban on UAS operations over an entire city would very likely be preempted because it would completely prohibit UAS from using or traversing the airspace above the city and impede the FAA’s and Congress’s ability to safely and effectively integrate UAS into the national airspace.⁷ In contrast, a privacy-related restriction applied to the lower altitudes over facilities where people could likely have an expectation of privacy—such as parks or schools—would more likely be permissible because of its lesser impact. Similarly, tailored security-related restrictions over open-air water treatment facilities or certain types of critical infrastructure would more likely be permissible where the restrictions were limited to the lower altitudes and still permitted UAS overflight (e.g., by commercial package delivery UAS) at higher altitudes.⁸

EXAMPLES OF STATE AND LOCAL LAWS ADDRESSING UAS THAT WOULD LIKELY NOT BE SUBJECT TO FIELD OR CONFLICT PREEMPTION⁹

- Laws aimed at objectives other than aviation safety or airspace efficiency that do not impair the reasonable use by UAS of the airspace.
 - Such laws could include those concerning land use or zoning; harassment of individuals or groups; privacy; voyeurism; trespass on property; the exercise of other police powers; reckless endangerment; emergency medical services; search and rescue; law enforcement use of facial recognition; delivery of prison contraband; wildfire suppression;¹⁰ criminal mischief; transfer or delivery of controlled substances; taking photographs or videos with respect to particular facilities (e.g., water treatment facilities; prisons; oil refineries; chemical facilities; railroad facilities; amusement parks; energy production, transmission, and distribution facilities; and any system or asset described by title 42 of the United States Code, § 5195c(e)); requirements for police to obtain a warrant prior to using a UAS for surveillance; protection of wildlife; using UAS for hunting or fishing, or to interfere with or harass an individual who is hunting or fishing; and law enforcement operations.

⁷ See, e.g., *Singer v. City of Newton*, 284 F. Supp. 3d 125, 131-132 (D. Mass. 2017) (holding that the city’s prohibition of UAS operations below 400 feet (1) over any private property without the express permission of the property owner, and (2) over public property without prior permission from the city worked in tandem to “create an essential ban on drone use within the limits of Newton ... thwart[ing] not only the FAA’s objectives, but also those of Congress for the FAA to integrate drones into the national airspace.”).

⁸ Under 14 C.F.R. § 107.51, *Operating limitations for small unmanned aircraft*, the altitude of UAS cannot be higher than 400 feet above ground level, unless the UAS is (1) flown within a 400-foot radius of a structure; and (2) does not fly higher than 400 feet above the structure’s immediate uppermost limit.

⁹ As noted above, the ADA may preempt certain state or local laws as applied to air carriers—i.e., commercial UAS operators with economic authorization to provide interstate transportation—even if they would not be preempted with respect to other UAS users.

¹⁰ States and localities are encouraged to coordinate with their Law Enforcement Assistance Program (“LEAP”) agent.

- Such laws are not covered by field preemption even if they have some effect on where UAS may operate in the air, as long as they do not impair the reasonable use by UAS of the airspace.
- Many of these state and local concerns are already addressed by laws that regulate ground-based conduct not involving UAS, and such laws often can be applied to UAS. Restrictions on *how* UAS are utilized (*i.e.*, conduct) instead of *where* they may operate in the airspace would more likely be consistent with Federal preemption principles.
- Laws regulating the location of UAS takeoff and landing areas. It is well established that States have a valid interest in choosing where aircraft may operate on the ground. Laws designating takeoff and landing locations have no direct effect on where UAS may operate in the air.
- Laws that prohibit, restrict, or sanction operations by UAS in the immediate reaches of property to the extent that such operations substantially interfere with the property owner's actual use and enjoyment of the property.
- State and local policies concerning where a UAS operator can be located while conducting operations.
- UAS registration requirements that are ministerial and do not directly or indirectly regulate aviation safety or the efficient use of the airspace.

ENFORCEMENT MATTERS

- Federal aviation statutes authorize the FAA to initiate legal enforcement action, including certificate actions and imposing civil penalties, for violations of FAA statutory or regulatory requirements. Federal aviation statutes do not authorize the FAA to delegate its formal enforcement functions to state or local governments.
- The FAA has continuously conducted outreach efforts with Federal, state, and local law enforcement on UAS operations. Additionally, the FAA has the Law Enforcement Assistance Program ("LEAP"), which provides, as appropriate, aviation-related support and education to law enforcement agencies.
- The FAA realizes that public safety agencies, such as law enforcement, are well-positioned to deter, detect, and investigate unauthorized or unsafe UAS operations. These also have an important role in protecting the public from unsafe and unauthorized UAS operations.
https://www.faa.gov/uas/public_safety_gov
- Unauthorized operations can cause potential hazards to people and property both in the air and on the ground. The FAA's *Drone Response Playbook for Public Safety* (Sept. 2020) is a resource for public safety officials who conduct investigations into drone operations. The *Playbook* can help determine the difference between authorized and unauthorized drone operations and what actions public safety agencies may take. The *Playbook* is available at https://www.faa.gov/sites/faa.gov/files/uas/public_safety_gov/public_safety_toolkit/Public_Safety_Drone_Playbook.pdf.

CONTACT INFORMATION FOR QUESTIONS

The FAA's Office of the Chief Counsel, Aviation Litigation Division (AGC-300), is available to answer questions about the principles set forth in this fact sheet and to discuss with you the intersection of Federal, state, and local regulation of aviation, generally, and UAS operations, specifically. You may contact the Aviation Litigation Division at 9-AGC300-Preemptionquestions@faa.gov or by mail addressed to: Federal Aviation Administration, Aviation Litigation Division (AGC-300), Office of the Chief Counsel, Ninth Floor, 800 Independence Avenue, S.W., Washington, D.C. 20591.

Responding to your inquiry CS34008: local park department restricting airspace

From UAS Support Center <9-avs-uassc@faa.gov>

To d@vidwebb.com

Date Thursday, March 21st, 2024 at 11:52 AM

There is no such FAA restriction.

The FAA exclusively regulates airspace for purposes of aircraft safety and airspace efficiency. Any remote pilot has a right to use the National Airspace System, provided the pilot adheres to all applicable Federal rules and regulations. Laws traditionally related to State and local police power – including land use, zoning, privacy, trespass, and law enforcement operations – generally are not subject to Federal regulation. State and local governments generally have the authority to designate and regulate aircraft landing areas, which involves land use and zoning. Please see the attached State and Local Regulation of UAS Fact Sheet for further information.

----- Original Message -----

From: No-reply@FAA.gov [9-avs-no-reply-uas@faa.gov]

Sent: 3/21/2024, 11:34 AM

To: d@vidwebb.com

Subject: Thank you for your inquiry: CS34008



**Federal Aviation
Administration**

Thank you for contacting the FAA UAS Support Center. You should expect a response from us within 2 business days.

Case Reference Number:

CS34008

Date Created:

3/21/2024

Tell Us About Yourself:

Commercial Operators

Inquiry Subject:

local park department restricting airspace

Inquiry:

To whom it may concern,

At the last parks and recreation meeting the director of recreation informed the public of a rule against flying drones in city parks without receiving a permit from them, as well as prohibited remote control cars and boats. When clarification was sought, they said it was an FAA guideline that prohibited "flying 500 feet over public spaces".

As I understand it, my local parks department may not restrict airspace. Would you please provide clarity on this matter?

Thank you

This is an automated email. Please do not reply as this inbox is not monitored.

Thank you,



FAA UAS Support Center
844 FLY MY UA | 844-359-6982

[Send us](#) your questions!

[Stay current](#) on all things drone

[Learn about](#) TRUST

[Twitter](#) | [Facebook](#)

Steve Farrow / SAIC

FAA Unmanned Aircraft Systems (UAS) Integration
UAS Support and Outreach Team
Email: UASHelp@faa.gov

330.50 KB 1 file attached

State-Local Regulation-of-Unmanned-Aircraft-Systems-Fact-Sheet_updated.pdf 330.50 KB

Re: Clarity on Park Department issued drone permits

From d@vidwebb.com <d@vidwebb.com>
To tomainoj<TomainoJ@worcesterma.gov>
CC Antonelli, Robert C. Jr., Parks Asst. Comm.<AntonelliR@worcesterma.gov>, Parks<Parks@worcesterma.gov>, Peterson, Amy<PetersonA@worcesterma.gov>
BCC Geoffrey Killebrew<famjameventgroup@gmail.com>
Date Thursday, March 21st, 2024 at 1:13 PM

Attached, please find confirmation from the Federal Aviation Administration that no such regulation exists to support the rule presented by Jeff Tomaino at the last parks and recreation commission meeting.

Furthermore, they confirm what I informed him at the meeting - State and local governments generally have the authority to designate and regulate aircraft landing areas, which involves land use and zoning.

Can I expect the city manager to fix this through an ordinance as he did with the unconstitutional Busking policies that were implemented at the same time as these drone rules?

If not, I will be bringing this documentation to the parks commission to request a revision reflecting the actual limitations of their authority.

I look forward to hearing how the city administration and parks department would like to proceed, now that we have actual clarity on the matter.

David

I respond to most emails within 72 hours
You may also text me at 774-314-9322
Or schedule coffee/lunch with me at cal.com/DavidWebb

Sent from Proton Mail mobile

----- Original Message -----

On Mar 4, 2024, 8:42 AM, Tomaino, Jeffrey <TomainoJ@worcesterma.gov> wrote:

107.39 Operation over human beings & 107.45 Operation in prohibited or restricted areas are from the FAA.

Any additional questions regarding park policy, rules, and regulation, my recommendation would be to contact the Assistant Commissioner of Parks.

Thank you

Jeff

Jeff Tomaino, CPRP, CPO

Parks & Recreation Coordinator

City of Worcester Department of Public Works & Parks

50 Officer Manny Familia Way, Worcester MA 01605

(508) 799-1190 Office

(508) 799-1293 Fax

www.worcesterma.gov



From: David Webb <d@vidwebb.com>
Sent: Saturday, March 2, 2024 9:05 PM
To: Tomaino, Jeffrey <TomainoJ@worcesterma.gov>
Subject: Re: Clarity on Park Department issued drone permits

Caution: This email came from outside the City of Worcester. Do not click on links or open attachments unless you are sure you recognize the sender and you know the contents are safe.

As I reread, I'd like to ask what you are citing in regards to "humans are in parks" from the model aviation club "Academy of Model Aeronautics"....?

Is this the website of the organizations you're quoting?

<https://www.modelaircraft.org/>

I was not aware we had any space in worcester designated for model spaceships, and to be honest believed that required permitting from the fire department.

I certainly don't think the AMA you're referencing has any say over where worcester residents can fly their drones - probably even less than you.

Again, if I'm mistaken please cite. kinda looks like you're making things up as you go and then quoting bullshit when called out on it. Just like Antonelli. Does anyone at the parks department not do this?

Personal email of David Webb

I respond to most emails within 72 hours

You may also text me at 774-314-9322

Sent from Proton Mail mobile

----- Original Message -----

On Mar 1, 2024, 5:28 PM, David Webb <d@vidwebb.com> wrote:

Thank you for these resources, I had to read some of them the night before taking my Part 107 certification a few years ago, which is how I knew you were incorrect during the meeting.

I recognize you guys may be used to making up rules and have them enforceable because you wrote them, but as I understand it you are not the "controlling agency" of any airspace and Worcester parks as such are not FAA "prohibited or restricted areas."

If you can provide anything to the contrary, I would appreciate it.

Otherwise I will be recommending that you update the rules and regulations to reflect the actual limitations of your authority.

David

----- Original Message -----

On Mar 1, 2024, 4:28 PM, Tomaino, Jeffrey <TomainoJ@worcesterma.gov> wrote:

Mr. Webb,

I would recommend contacting the FAA for specific details. No Drones in Parks have been approved by the Parks & Recreation Commission and its stated in the Parks Rules & Regulations. Please read below. "Humans are in Parks." & Parks are not Academy of Model Aeronautics (AMA) Sanction Sites.

[eCFR :: 14 CFR Part 107 -- Small Unmanned Aircraft Systems \(FAR Part 107\)](#)

[Drone Laws in Massachusetts - \[Updated January 3, 2024\] \(drone-laws.com\)](#)

107.39 Operation over human beings.

No person may operate a small unmanned aircraft over a human being unless—

- (a) That human being is directly participating in the operation of the small unmanned aircraft;
- (b) That human being is located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft; or

(c) The operation meets the requirements of at least one of the operational categories specified in subpart D of this part.

107.45 Operation in prohibited or restricted areas.

No person may operate a small unmanned aircraft in prohibited or restricted areas unless that person has permission from the using or controlling agency, as appropriate.

Sincerely,

Jeff

Jeff Tomaino, CPRP, CPO

Parks & Recreation Coordinator

City of Worcester Department of Public Works & Parks

50 Officer Manny Familla Way, Worcester MA 01605

(508) 799-1190 Office

(508) 799-1293 Fax

www.worcesterma.gov



From: David Webb <d@vidwebb.com>

Sent: Friday, March 1, 2024 3:40 PM

To: Tomaino, Jeffrey <TomainoJ@worcesterma.gov>

Cc: Antonelli, Robert C. Jr., Parks Asst. Comm. <AntonelliR@worcesterma.gov>; City Manager <CityManager@worcesterma.gov>

Subject: Re: Clarity on Park Department issued drone permits

Hello,

To further clarify, as I understand it 400 feet is the height people can fly without FAA approval.

What FAA regulation were you citing?

I may be mistaken but do not believe there is any language that limits flight above "public spaces" as you stated to attendees of special events meeting.

----- Original Message -----

On Mar 1, 2024, 2:33 PM, Tomaino, Jeffrey <TomainoJ@worcesterma.gov> wrote:

Caution: This email came from outside the City of Worcester. Do not click on links or open attachments unless you are sure you recognize the sender and you know the contents are safe.

Mr. Webb,

I provided answers to your questions below. (In-red)

During the meeting, on the DPW and Parks Division Policy slide, you stated that "It's a federal aviation regulation, if you were to do an event say a wedding you can get a permit the person that's gonna be filming could come into the park and figure something out about filming with drones in the park"

For your reference,

[https://urldefense.com/v3/https://play.champds.com/worcesterma/event/2158/s/3644_!!LFBebJl1XF97oal!JckZkz-J6Jtm5YOICKcQMdlvPRn_L_stC1f6hVHLgGeWC4FOCXnfsfq1y9dozBPi8_DLX3awll13Umg0\\$](https://urldefense.com/v3/https://play.champds.com/worcesterma/event/2158/s/3644_!!LFBebJl1XF97oal!JckZkz-J6Jtm5YOICKcQMdlvPRn_L_stC1f6hVHLgGeWC4FOCXnfsfq1y9dozBPi8_DLX3awll13Umg0$)

My questions on this matter are

1. Has the park department received a drone permit application request in the past? No, not to my knowledge. Maybe, for example, the drone used at the Winter Festival 2. What FAA regulation were you citing regarding not being able to fly "500 feet above public spaces?" Correction- 400 feet, <https://www.faa.gov/uas>
2. What is the cost of this permit? No cost. Is this written anywhere other than your response to this email? Parks Rules & Regulations.
3. Is there a permit application process? If requested, the requester would complete a special events permit and provide their proof of insurance. Is it publicized anywhere? Parks Rules & Regulations.

Thank you,

David

Sincerely,

Jeff

Jeff Tomaino, CPRP, CPO

Parks & Recreation Coordinator

City of Worcester Department of Public Works & Parks

50 Officer Manny Familia Way, Worcester MA 01605

(508) 799-1190 Office

(508) 799-1293 Fax

www.worcesterma.gov



836.97 KB 2 files attached

Screenshot_2024-03-21-13-03-16-18_c3025e5ce50ffdc2876b487a5468618d.jpg 506.40 KB

State-Local_Regulation-of-Unmanned-Aircraft-Systems-Fact-Sheet_updated (1).pdf 330.57 KB

ASSISTANT COMMISSIONER'S REPORT:

1. General:

- Request of the Downtown Bid & City of Worcester to serve alcohol on Worcester Common for Movies on the Worcester Common on multiple dates.
- Request of the Downtown Bid & City of Worcester to serve alcohol on Worcester Common for the Out to Lunch & Farmers Market on the Worcester Common on multiple dates
- Request of the Food Truck Festival of America to serve alcohol on Worcester Common for their 12th Annual Food Truck & Craft Beer Festival on June 7, 2024
- Make the following change to the rules and regulations:
 - From: #35 Drones (UAS) and other aircraft: Drones, other unmanned aerial vehicles including remote control aircraft, and aircraft in general cannot be flown in the City of Worcester Public Parks or open spaces; unless under special permission from the City of Worcester, Commission of the Department of Public Works & Parks, or his designee, and with an issued approved parks permit. Please refer to the Federal Aviation Administration (FAA) Rules & Regulations.
To: #35 Drones (UAS) and other aircraft: Drones and other unmanned aerial vehicles including remote control aircraft shall not take off or land in City of Worcester Public Parks or open spaces; unless under special permission (permit) from the City of Worcester, Department of Public Works & Parks. All operators must adhere to all Federal Aviation Administration (FAA) Rules & Regulations for all flying regulations & requirements.
 - From: Itinerant musicians, street performers, buskers are not allowed without a permit from the Parks & Recreation Commission as identified in the City of Worcester Ordinance Chapter 12, Section 26 (h)(6) of the Revised Ordinances of 2008 -Part One- as Amended Through July 18, 2023, of the City of Worcester. No person shall act or perform as an itinerant musician on any public street or private way shown in the official map of the city, or in any public park, playground, or the Worcester Common. Without submitting a permit request and the written permission of the Parks & Recreation Commission.
 - To: Itinerant musicians, street performers, buskers are to abide by the city or Worcester Ordinance Chapter 12, section 26(h) of the revised ordinances of 2008 relative to itinerant musicians as amended.



- Grant Applications –
 - Outdoor Recreation Legacy Partnership Grant – Tacoma St Playground - Awarded
 - Land & Water Conservation Fund Grant – University Park - Awarded
 - Land & Water Conservation Fund Grant – Great Brook Valley – Awarded (Update)
 - PARC & LAND Grant Program – Sever Street – Awarded
 - Commonwealth of Massachusetts Grant Award for NA
- Economic Development Initiatives –
 - NA
- Cultural Events-
 - NA
- Park Vandalism & Graffiti – NA
- Donations –
 - NA
- Capital Improvement Programs
 - Apricot Street Playground - NA
 - Ball Property - NA
 - Banis Street Playground - NA
 - Beaver Brook Park - NA
 - Bell Pond – NA
 - Bennett Field – NA
 - Betty Price Playground – NA
 - Blackstone Gateway Park – NA
 - Blithwood Park – NA
 - Boynton Park – NA
 - Burncoat Park – NA
 - Burncoat Playground – NA
 - Cascades Park – NA
 - Castle Park – NA
 - Coal Mine Brook – NA
 - Common – NA
 - Coes Park (Knife) – NA
 - Stearns Tavern
 - Playground
 - Coes Pond – NA
 - Columbus Park –
 - NA
 - Cookson Park – NA

 - Cristoforo Columbo (East Park) –
 - NA
 - Crompton Park – NA
 - Dodge Park – NA
 - Elm Park – NA
 - Newton Hill - NA
 - Fairmont Park – NA

- Farber Field – NA
- Grant Square – NA
- Great Brook Valley Playground – NA
- Green Hill Park Renovation – NA
 - Green Hill Farm
 - Community Gardens
 - WWI
- Greenwood Park – NA
- Hadwen Park – NA
- Harrington Field – NA
- Harry Sherry Field (S. Worcester) - NA
- Holland Rink - NA
- Holmes Field - NA
- Indian Hill Park – NA
- Indian Lake Beach – NA
- Institute Park – NA
 - Walkway Design
 - Salisbury Pond - NA
- Kendrick Field – NA
- Knights of Columbus – NA
- Korean War Memorial – NA
- Lake Park – NA
- Lake View Playground – NA
- Logan Field – NA
- Morgan Landing – NA
- Mulcahy Field – Update
- Oakland Heights Playground – NA
- Providence Street Playground – NA
- Ramshorn Island – NA
- Rockwood Field – NA
- Salisbury Park (Bancroft Tower) – NA
- Shale Street Playground – NA
- Shore Park – NA
- Spillane Field – NA
- South Worcester Park - NA
- Tacoma Street Playground – NA
- TY Cobb – NA
- University Park – NA
- Vernon Hill – NA
- Wetherall Estates (Duffy Field) – NA
- 149 West Boylston Drive - NA
- Winslow & Pleasant – NA
- Aquatic Master Plan – NA
- Open Space and Recreation Plan – NA
- North Lake Ave Linear Park – NA
- Community Development Block Grant – NA
- Art-in-the-Park – Request to keep Artwork in Elm Park - NA
- Dog Park, Licensing & Control of Dogs – NA
- Rectangular Field Development – NA
- Park Monument Review – NA



- Misc. items:
 - Keep Worcester Clean –
 - NA
 - City Council Orders –
 - NA
 - City Council Petitions –
 - NA
 - Forestry Operations –
 - Tree City USA - NA
 - ALB (Asian Longhorned Beetle)
 - EAB (Emerald Ash Borer)
 - Arbor Day – April 26, 2024
 - Budget – Operational & Capital - NA
 - Parks, Recreation & Cemetery Division – NA
 - Capital Improvement Program – NA
 - City Five Point Financial Plan – NA
 - City Auditor Communications - NA
 - Summer Youth Employment Program – Update
 - Aquatics – NA
 - Christian’s Law – NA
 - Recreation Worcester - NA
 - Holiday Tree – NA
 - Worcester Common Ice-Skating Rink - NA
 - Waterfowl in Park – NA
 - Out-to-Lunch – NA
 - Trash – NA
 - ESCo – NA
 - Park Permits –
 - NA
 - Access/ ADA – NA
 - Mobile Concession/ Food Truck - NA
 - ATV – Recreational Vehicle – NA
 - Veterans Memorials - NA
 - Misc. Information –
 - NA
- Golf Course:
 - Fees & Policies - NA
 - Golf Course Donations - NA

PARKS AND RECREATION COMMISSION MEETING

Thursday April 4, 2024 – 6:30 P.M.

Parks, Recreation & Cemetery Administrative Office

Meeting Room A

50 Officer Manny Familia Way Worcester, MA 01605

Or

Virtual with Teams

ASSISTANT COMMISSIONER'S REPORT

GENERAL



The City of
WORCESTER
Department of Public Works & Parks

Public Participation – Pursuant to Chapter 20 of the Acts of 2021 and in order to ensure active, public engagement, the City of Worcester currently allows for both in person and remote participation at the Parks & Recreation Commission meetings. To participate in the "Public Participation" section of this meeting, you may join us directly within the 50 Officer Manny Familia Way - Meeting Room A, follow the information above to join via the WebEx application or dial the direct line as indicated. If you would like to raise your hand when in the meeting as a call-in user you may dial *3.

Topics to include: Requests to serve alcohol at the Worcester Common

The DPW & Parks, Parks & Recreation Division has received a request/request to serve alcoholic beverages at the Worcester Common as part of a special event. We are cordially inviting you to attend this meeting, as this presentation will be followed by an open public discussion/question and comments period to allow the Parks and Recreation Commission to better understand and ascertain the impact to the neighbors, citizens and organizations that currently use the facility.

Parks & Recreation Commission Meeting
Date: April 4, 2024 Time: 6:30 PM
In person Meeting
Meeting Room A—50 Officer Manny Familia Way, Worcester, MA

INVITE

For Virtual: Go to www.teams.com
Click the "join" button on the top right side of the screen
Enter Meeting ID#: 276 872 939 878
Enter Passcode: mKorKm
If you choose to call for audio only:
Call 1-469-998-7682
Phone conference ID#: 666 191 833#

The City of Worcester does not discriminate on the basis of disability. The Parks, Recreation and Cemetery Division will provide auxiliary aids and services, written materials in alternative formats, and reasonable modifications in policies and procedures to persons with disabilities upon advance request. Please contact the Parks Division at parks@worcesterma.gov or phone (508) 799-1190 or the City ADA Coordinator at disabilities@worcesterma.gov.



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Topics to include: Requests to serve alcohol at the Worcester Common

The DPW & Parks, Parks & Recreation Division has received a request/request to serve alcoholic beverages at the Worcester Common as part of a special event. We are cordially inviting you to attend this meeting, as this presentation will be followed by an open public discussion/question and comments period to allow the Parks and Recreation Commission to better understand and ascertain the impact to the neighbors, citizens and organizations that currently use the facility.

Parks & Recreation Commission Meeting
Date: April 4, 2024 Time: 6:30 PM
In person Meeting
Meeting Room A—50 Officer Manny Familia Way, Worcester, MA

INVITE

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**City Of Worcester, DPW and Parks
Parks, Recreation and Cemetery Division
50 Skyline Drive
Worcester, Massachusetts 01605-2898**

PLEASE
PLACE
STAMP
HERE

**City Of Worcester, DPW and Parks
Parks, Recreation and Cemetery Division
50 Skyline Drive
Worcester, Massachusetts 01605-2898**

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2024 PERMIT APPLICATION FOR EVENT IN A PARK

Name of Requested Facility: Worcester Common Oval Today's Date: 2/8/2024
 Name of Your Organization: City of Worcester Website: worcesterma.gov
 Name of Applicant: Yaffa Fain Email: FainY@worcesterma.gov
 Residential Address of Applicant: 455 Main Street City: Worcester State: MA Zip: 01608
 Primary Phone #: [REDACTED] Alternate Phone #: 508-799-1400 ext 31415
 Event Date: 6/20, 7/18, 8/15, 9/19, 10/17 Rain Date: 8/22 Event Start Time: 6PM Event End Time: 10PM
 Set up Date & time: 3PM-6PM Breakdown Date & Time: 10PM-11PM
 Staffing will be determined by the needs of each organization; it will vary by event, and it will be determined by Parks Administration.

Please allow up to 30 days for permit to be processed

Describe event in detail: Public Movie Screening for community, with pre-activities and food vendors

DAY OF EVENT CONTACT PERSON (IF DIFFERENT FROM ABOVE APPLICANT)

Contact Name: Victoria Mariano Email: Victoria@downtownworcester.org
 Cell Phone#: [REDACTED]

Are you advertising/promoting this event? Yes No How are you advertising/promoting? press release, social media, ads, print

Have you ever had a similar permit? Yes No Estimated amount of people to attend: 250 / week

Will you be charging admissions or selling any items at this event? (You may need a Hawker & Peddlers license) Yes No

Are you a non-profit organization with a 501C3? Yes No (Please provide copy of certificate) ID# _____

Liability Insurance Policy Number _____ (Please supply a copy of the binder/COI)

Permit Guidelines

1. **Permits:** All permit applications must be filled out completely and must have a down payment of \$125.00 to hold date. Groups of 15 or more are required to obtain a permit.
2. **Outstanding balances:** Any permit holder with an outstanding balance must pay off in full before putting a deposit down for new permit. Down payments are non-refundable
3. **Events:** All events charging admission will need to submit a full proposal to the Parks & Recreation Commission a minimum of 3 months prior to the event date. The proposal is to include all event details, and meet requirements as set forth by the Parks & Recreation Commission. A Special Events application may need to be completed and submitted to the Special Events Committee. All new events, as well as large scale events, will need to submit a proposal 3 months in advance and go in front of the Parks & Recreation Commission for the first 3 years of the events occurrence.
4. **Confetti:** Confetti/rice/artificial flower pedals are not allowed at any park due to environment impact, safety of wildlife, and the debris that is left. A fine may be assigned to those who disregard this rule.
5. **Staff needs and fees:** The City of Worcester DPW & Parks, Parks & Recreation Division requires staff at all event/permits for the duration of the event including event set up and breakdown times, this and other requirements will be determined on a case-by-case basis. Staff fees will apply at \$60 per hour with a minimum of 4 hours, per staff assigned. A non-refundable down payment of \$125.00 will be required at the time the application is submitted to reserve the date. Fees will vary based on event types, needs for additional staff, electricity, hours, trash pickup fee, and magnitude of event. Final payment will be due at least one (1) month prior to the event day. Payments made less than one month prior will have to submit a certified payment such as a bank check or a money order. Collective bargaining agreement requires us to give all staff assigned an 8 hr. shift a 30-minute lunch and (2) 15-minute breaks.
6. **Refunds:** Refunds will NOT be given unless is not cancelled in writing within the required timeframe. Down payments are non-refundable. A 48-hour written cancellation notice is required to avoid additional fees; emails will be accepted as a written form of notification. Weekend cancellation notices must be received by 10:00am on the Friday prior to your event and must be confirmed and approved by DPW & Parks – Parks & Recreation Division staff. Confirmation/approval is deemed confirmed when the event representative receives a written confirmation/email from the Parks Administration. A full fee will be charged to those who do not cancel on time. Rain dates are available at the time of request, not after and will only be honored if cancelled and rescheduled in a timely manner according to this policy. An email sent to parks@worcesterma.gov will also be accepted as a written cancellation with a follow up call to 508-799-1190.
7. **Special Events:** Some organizations will be required to contact the Special Events Committee based on the location and the scale of the event. Please call 508-799-1400. It is your responsibility to obtain all necessary permits from other City divisions as applicable to your event and submit copies to Parks Administration along with your completed application. A Parks Permit will not be issued until all necessary permits are obtained (e.g., Tent Permit, Food Permits, Sound Permits, Entertainment License, etc.). If an admission fee is being charged, you may need a permit from License Commission.
8. **Liability Insurance:** The City of Worcester DPW & Park, Parks & Recreation Division requires that the undersigned submit proof of liability insurance with a minimum of \$1 Million in Commercial General Liability and a policy endorsement which indemnifies and holds harmless the City of Worcester. Some events may require a higher Limit of Insurance. The City of Worcester is not responsible for any accidents or damages to people or property resulting from the issuance of this permit.
9. **Alcohol:** Alcoholic Beverages are not allowed in City parks (See Item 27 on the rules and regulations). No person shall drink any alcoholic beverage as defined in Chapter 138, Section 1, or the Massachusetts General Laws while on, in, or upon any facility under the jurisdiction of the DPW & Parks – Parks, Recreation & Cemetery Division, (Exception: Worcester Common).
10. **Smoking:** Smoking of any sort at any of the City of Worcester Parks and Open Spaces, as per city ordinance, is not allowed.
11. **Facility Clean-up:** Cleanup of park at completion of event is required. All trash must be removed within the time started on the breakdown date and time section of the permit. The City of Worcester DPW & Parks are not responsible for anything left in the park and all items will be disposed of. The park must be left clean, clear of portable toilets, dumpsters, fencing or

any material used for a specific event. Park must be left readily available for other park users. The City of Worcester DPW & Parks reserves the right to charge permit applicant for any cost of trash cleanup and removal from the site.

12. **Parking:** Vehicles are prohibited from parking or traveling in any grass areas or any sidewalks or on the Worcester Common. You will be required to submit an alternative parking plan for those facilities that do not have parking lots. Illegal parking, such as but not limited to, parking on sidewalks or grass areas will not be allowed, Parks Security will enforce. Event holder is responsible to notify and inform event participants/spectator of legal parking options.
13. **Water:** October 1st of each year, all seasonal water services will be shut down. This includes all seasonal restrooms, concessions, and irrigations.
14. **Drones:** No Drones, radio control vehicles/devices (Land, Air or Water) without a permit issued by the Parks Administration.
15. **Administration:** The City of Worcester DPW & Parks, Parks & Recreation Division reserves the right to minimize, reschedule or cancel use of facility based on renovations, maintenance, weather conditions or emergency situations.
16. **Transferring of permits:** There shall be **NO** transferring of permits from one permittee to another.
17. **Beaches/Water bodies:** Events held at beach facilities or public waterways may require compliance with "Christian's Law". Personal flotation devices/US Coast Guard certified Life Jackets for beach facilities. The permittee shall be responsible for meeting and exceeding all requirements of "Christian's Law" which includes the following:
 - a. Provide a properly sized and snug fitting type I, II, or III PFD to all minor children determined to be either a non-swimmer or an at-risk swimmer.
 - b. Ensure that all minors are swim tested at the first swimming session.
 - c. Allow parents or legal guardians to provide their own fitting personal flotation device (PFD) to their child if they choose.

*A Copy of this State law is available on the City of Worcester website and at the Parks Office. *

18. **Set-up map:** Please submit a set up map showing location of tents, tables, chairs, grill etc. You may use a Google maps aerial view of the location, or you may hand draw your own set up map.
19. **Review Policy:** All permits will be reviewed by Parks Division for opportunities & challenges after completion of event, to enhance and make all events better. We look forward to enhancing and helping all events become better.
20. **Responsibility:** All permit holders are responsible for the park/site through the duration of their event. If policy holder doesn't abide by or follow the parks rules and regulations, then they will need to go in front of the Parks Commission.
21. DPW & Parks, Parks, Recreation & Cemetery Division reserves the right to revise the rules, regulations, policies and procedures at any time and to rule on a situation not specifically covered in this application or other City documents

Below is a list of phone numbers for your assistance in the permit process:

Special Events Committee: 455 Main Street508-799-1400
License Commission – Flea Markets/selling of items/serving alcohol – 455 Main Street.....508-799-1400
Parks Security.....508-612-1121

PARKS & RECREATION

EVENT FEES & CHARGES POLICY 2024

EVENT PERMITS:

1. Individuals or groups (This permit is for a location, in a specific park at a set time as approved based on submitted application.)
2. Application fee \$250.00/UPTO FOUR (4) HOURS/PARK.
3. A 50% discount will be given to City of Worcester Residents and nonprofit organization off their application fee, once verification is submitted (Discount does not apply to staff cost, For-profit organizations, or Non-Residents).
4. Trash removal/disposal fee will start at \$400.00 and will increase based on the size of the event. This fee does not include facility clean up. A minimum of \$240.00 will be charged for trash picked up throughout the facility depending on event size. Additional fees will apply if trash is left and not taken if you specified on the permit you where removing your own trash. **There will be NO discounts given for this fee**
5. Electrical fee \$30.00 per hour of electric use, if the electrician is needed the fee will be an additional \$60.00 per hour minimum of 4 hours. **There will be NO discounts given for this fee**
6. Staff fees will apply to events as deemed necessary by the DPW & Parks, Parks, Recreation & Cemetery Division at a rate of \$60.00 per hour, minimum of 4 hours per, per staff assigned. **There will be NO discounts given for this fee.**

SPECIAL EVENTS/FUNCTIONS: Organizations/groups/individuals requesting a permit for events will be charged fees as determined on an individual basis (Staff, utilities or needs as required by Department) based on Departmental and Parks & Recreation Commission requirements.

PORTABLE STAGE FEE: The fee for delivery, setup, breakdown, and pickup of the portable stage within the City of Worcester is \$960.00. **There will be NO discounts given for this fee**

ADMINISTRATIVE CHARGE: An Administrative fee of \$125.00 will be charged for any changes made to a permit that has been finalized.

REFUND POLICY: City of Worcester Department of Public Works & Park, Parks, Recreation & Cemetery Division will not refund any permits due to weather conditions. All will be determined on an individual basis. The City of Worcester will work with event organizers to set rain dates at the time the application is submitted.

FEE STRUCTURE: \$125.00 Non-refundable down payment will be required at the time of request. Fees will be applied to each individual event as per each individual's/organization's needs. Filing false information to the City of Worcester DPW & Parks, Parks, Recreation & Cemetery Division could result in loss of permit, the organization, individual/group will be required to attend a Parks & Recreation Commission meeting to justify the alleged filing and would consequently need approval from the Parks & Recreation Commission for future requests. A 2% Late fee will be assessed to all individual/organizations each month if the invoice is not paid within 45 days of the invoice date.

A map of your event layout must be submitted with application*

Please draw your event set up in the box below or submit on a separate paper

Parks Division

This section must be completed by permit requester and the Parks Division ONLY

Yes No If the event is located at the Common: Are you requesting to serve alcohol?
(Approval from the Parks & Recreation Commission will be required as well as an approval from the License Commission)

Yes No Will you be cleaning and removing your trash? (Submit plan in writing, dumpsters will not be allowed overnight.)

Yes No Will you be requesting the Parks Division to remove and dispose of your trash? (A fee will apply for removal/disposal of trash, this fee may increase based on the amount of trash and size of event. This fee doesn't include facility clean up. It is only for removing trash from one location and disposing of it. Permit holder will be charged an additional fees if we have to remove the trash if no is checked off). **There will be NO discounts given for this fee**

Yes No Will you be utilizing the restrooms at this facility? (If available, some locations do NOT have restrooms.)
*Bathrooms for the Common permits will need to have page 6 filled out

Yes No Will you be requesting the use of our electricity?
(Not all locations have access to electricity. There is a cost to use the electricity. If our electrician is required for electrical hook up, it will be an additional amount, min. of 4 hours per day) If electricity is available, all special events that need more than the one (1) standard plug, will need to have our electrician onsite for duration of entire event. **There will be NO discounts given for this fee**

*If using a multi-media/sound company, please provide name & phone number: Digital Fall Out - 413-923-7590

*Any equipment or safety equipment must be supplied by the event organizer and or the company used for planning event (electric cords, electrical jackets, cones, etc.)

Yes No Will you be using tables and chairs? The city does not supply tables or chairs, please show location on set up map.

Yes No Will there be any inflatable games/bouncy houses?
(All devices must be **stake-less**, and approval will be based on current public health guidance. Company: _____)

Yes No Will you be using any banners? (Cost of banner install is determined by equipment/ staff needed)

Yes No Are you requesting the use of our portable metal stage?
(The size is 24' x 24', it can also be used open halfway with a back. This stage is not accessible.). **There will be NO discounts given for this fee.**

How many vehicles are you planning on parking? 1 (Will need a parking plan for the event)

Yes No Do you need a vehicle to load/unload for this event (there is a 10-minute unload/load time fame)?

How many vehicles 5

Reason for vehicle:

Activity vendors and production company need to set up, as well as vendors driving to the event.

Notes from Parks Division:

Name of Parks Employee (Please Print): _____

Official Parks Employee Signature: _____ Date: _____

Police Department

This section must be completed by the Police Department ONLY

Anyone requesting a Park Permit will need to notify the Police Department Off-Duty Office and have them complete and sign below in reference to Police Supervision and/or Sound Permits. The Police will determine the need for Police Supervision, if any, and the number of officers required. There is no exception to this requirement. Police Department – Off Duty Police and Sound Permits – 9-11 Lincoln Square - 508-799-8686

wpdpaydetailofficeemailist@worcesterma.gov

____ Yes ____ No Are you having amplified sound (Microphones, speakers, blowhorns, radios, sound system)?

____ Yes ____ No Will this event require Police Supervision? If Yes, number of Officers: _____

____ Yes ____ No Does the event require a Sound Permit?

____ Yes ____ No Has a Sound Permit been obtained? (A copy of the permit must be attached)

Notes from Police Department:

Name of Police Officer (Please Print): _____

Official Police Officer Signature: _____ Date: _____

EMS

This section must be completed by the EMS ONLY

Anyone requesting a Park Permit will need to notify the Police Department Off-Duty Office and have them complete and sign below in reference to Police Supervision and/or Sound Permits. The Police will determine the need for Police Supervision, if any, and the number of officers required. There is no exception to this requirement. EMS 508-421-5728

____ Yes ____ No Will you have EMS services available? (This is not mandatory, but maybe recommended)

Notes from EMS:

Name of EMS (Please Print): _____

Official EMS Signature: _____ Date: _____

Inspectional Services-Food Division

This section must be completed by permit requester and Inspectional Services Food Division ONLY

Anyone requesting a Park Permit will need complete this and then go to Inspectional Services-Food Division and have them sign below in reference to food. The Inspectional Services-Food Division will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services-Food Division. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-8539

Yes No Will you be serving food?

Copy of the food permit will be required by Parks. Oil will not be allowed to be disposed of in sewer drains, a disposal plan must be submitted with the application.

Yes No Will you be having food trucks?

*All food trucks must have the proper permits

Notes from Inspectional Services:

Name of Inspectional Services Food Employee: _____

Official of Inspectional Services Food Signature: _____ Date: _____

Inspectional Services-Housing Division

This section must be completed by permit requester and Inspectional Services- Housing Division ONLY

Anyone requesting a Park Permit will need to notify Inspectional Services- Housing Division and have them complete and sign below in reference to portable restrooms. The Inspectional Services will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-8539

Yes No Will you be renting portable restrooms? (Events with estimated 100-300 attendees need to have a minimum of one (1) ADA portable)

* Please provide information on company: _____

* All events with portable restroom must have a minimum of 1 accessible unit in each cluster

* Each accessible unit must be placed with entrance facing an accessible surface/walkway.

* Must get permit from Inspectional Service- Housing Division

Notes from Inspectional Services:

Name of Inspectional Services Housing Employee (Please Print): _____

Official Inspectional Services Housing Employee Signature: _____ Date: _____

Inspectional Services-Building Division

This section must be completed by permit requester and Inspectional Services-Buildings Division ONLY

Anyone requesting a Park Permit will need complete this and then go to Inspectional Services – Buildings and have them sign below in reference to generators and tents. The Inspectional Services-Buildings Division will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-1198

Yes No Will you be using Tents? (All tents must be stake-less.)

A permit may be required from Inspectional Services for tents that are larger than 20' x20', Size of Tents: 10x10 Number of Tents: 8 Tent Company Name: Ez-Up

Inspectional services will reach out to the Parks Office if letter is needed for the bigger tents

Notes from Inspectional Services:

Name of Inspectional Services Building Employee (Please Print): _____

Official Inspectional Services Building Employee Signature: _____ Date: _____

Fire Prevention Department

This section must be completed by permit requester and Fire Prevention

Anyone requesting a Park Permit will need to notify the Fire Prevention Department and have them complete and sign below in reference to grills and generators. The Inspectional Services will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Fire prevention 25 Meade Street 508-799-1822

____ Yes No Will you be using Grills? What size Grill? _____ How many grills? _____

(A permit from the Fire Department may be required if using propane grills. If using a charcoal grill, it is your responsibility to remove all charcoal and its debris from the park.)

*For any grill you must have a 20 BC fire extinguisher on site.

* The Worcester Fire Department may limit the quantity of LP-Gas that may be stored under a permit, such as during special events, where unusual conditions exist. Additional requirements may be included that are within the intent and purpose of 527 CMR Table 1.12.8.50 and 527 CMR 69.

Yes _____ No Will you be using a generator?

*Will need a permit from Fire Prevention (no matter the size of the generator)

*Application to keep, store, manufacture, and/or handle flammable and/or combustible liquids, per Massachusetts Comprehensive Fire Safety Code, 527 CMR 1.00: Ch.66 (Flammable & Combustible Liquids), section 66.1.5. The scope of 527 CMR 1.00 includes, but is not limited to, the following in accordance with M.G.L. c. 22D and M.G.L. c. 148 and as prescribed by M.G.L. c. 143 § 96.

*Fire Prevention follows NFPA 96 Section 17.5.2.1 for generators at events

Notes from Fire Department:

Name of Fire Prevention Employee (Please Print): _____

Official Fire Prevention Employee Signature: _____ Date: _____

Public Facilities

This section must be completed by permit requester and the Public Facilities ONLY

This section pertains to any permits for the front of City Hall, the Plaza, and the Garage

Yes No Will you be cleaning and removing your trash? (Submit plan in writing, dumpsters will not be allowed overnight.)

Yes No Will you be utilizing the restrooms inside the facility? (There is a cleaning fee of _____ per event)

Yes No Will you be renting portable restrooms?

* Please provide information on company: _____.

* All events with portable restroom must have a minimum of 1 accessible unit in each cluster

* Each accessible unit must be placed with entrance facing an accessible surface/walkway.

Yes No Will you be requesting the use of our electricity?

(Not all locations have access to electricity. Cost is \$30 per hour. If our electrician is required for electrical hook up, it will cost an additional \$60 per hour, min. of 4 hours per day a) All special events will need to have our electrician onsite for duration of whole event.

*If using a multi-media/sound company, please provide name & phone number: Digital Fall Out - 413-923-7590

*Any equipment or safety equipment must be supplied by the event organizer and or the company used for planning event (electric cords, electrical jackets, cones, etc.)

Notes from Public Facilities:

Name of Public Facilities Employee (Please Print): _____

Official Public Facilities Employee Signature: _____ Date: _____

City of Worcester – Department of Public Works & Parks – Parks, Recreation & Cemetery Division Rules & Regulations

The DPW & Parks – Parks, Recreation & Cemetery Division of the City of Worcester, by virtue of the authority delegated to it under chapter 45 of the General Laws of Massachusetts and every other power thereto enabling, hereby makes and publishes the following rules and regulations which shall not only be limited to the following and DPW & Parks – Parks, but Recreation & Cemetery Division reserves the right to make additional changes or expansions without notice at any given time.

Within the limit of lands under the management of the City of Worcester – Department of Public Works and Parks, Parks, Recreation & Cemetery Division, it shall be unlawful for any person/organization:

1. No group outing/picnics will be guaranteed in any park, playground, or beach under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division unless a written permit from the DPW & Parks, Parks, Recreation & Cemetery Division has been obtained.
2. Permit request for fields will only be issued between 9:00AM and 3:30 PM, Monday – Friday (Non-Holidays business days). There will be no refunds or credits issued for any reason, no information will be given, nor permit will be issued over the telephone. The City of Worcester DPW & Parks, Parks, Recreation & Cemetery Division has a fee schedule, policies, rules, and regulations governing all parks. The DPW & Parks, Parks, Recreation and Cemetery Division reserves the right to deny permits to those individuals and organizations that have in the past shown disregard for the policies, rules & regulations.
3. Groups of 15 or more are required to obtain a permit
4. All event permit holders have the right to use the vendors/concessionaires of their choice. Daily vendor/concessionaire that have been assigned a park cannot vend unless written permission is given to the Parks office from the event permit holder.
5. To use permit given for something other than for the designated event/vending/sport specified on application.
6. Failure to have all proper permits submitted prior to the event may be fined and may incur additional cost that may occur.
7. To destroy, or misuse park property, or to injure or climb trees, lawns, shrubs, plants in any park, playground, beach, or other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
8. The use of but not limited to confetti, rice, artificial flowers, paint, etc. are not allowed at any park due to environmental impact, safety of wildlife, and the debris that is left. A fine and cleanup cost may be assigned to those who disregard this rule.
9. To deface, remove or destroy any sign or notice or protective device placed in a park, playground, and or beach.
10. To commit any unlawful act of violence or disturbance toward other people or to disturb the animals, birds, fish etc. or commit any act of nuisance in any park, playground, beach area, recreation area or facility.
11. To obstruct, hinder, or impede the movement/work of employees of the DPW & Parks – Parks, Recreation & Cemetery Division.
12. To fail to comply in any public park (including boundary road thereof) or other public place (including any parkway) under the control of the DPW & Parks – Parks, Recreation & Cemetery Division any reasonable direction given by any police officer or by any DPW & Parks – Parks, Recreation & Cemetery Division employee or contained in any notice posted by the DPW & Parks – Parks, Recreation & Cemetery Division.
13. To throw, deposit or leave any rubbish or litter in any park, playground, or beach area, except in container placed for such purpose. Household trash, hazardous waste, debris, or any other material cannot be thrown/dumped into any park or park container violates the City of Worcester Ordinance, Chapter eight of the Revised Ordinances of 2008, Section 6A.
14. To feed waterfowl & animals is prohibited in any park, playground, or beach. Chapter fifteen- Fines and Penalties of the City of Worcester Ordinance.
15. To play golf or to practice it with putter or other club or stick of any kind upon or within any public park, playground, or beach except in those areas purposely set aside for this activity or in conjunction with any organized city recreation program.
16. To take any animal into any park, playground, or beach in violation of the City of Worcester ordinance.
17. To operate a phonogram, bullhorns, radio, loudspeaker, amplifier, or otherwise create noise at a level that violates the City Noise Ordinance, Part I, Chapter 9, Section 1A, of the Revised Ordinances of 2008 Part One – as Amended Through July 18, 2023 of the City of Worcester. Any phonogram, bullhorn, radio, speaker, loudspeaker, or amplifier in any of the City of Worcester Public Parks, playgrounds, playing fields, or public property or building shall not be plainly audible at a distance of 50 feet or more from said Public Park, playground, playing field, public property or building a permit/permits from the City of Worcester will be required
18. To sell or offer for sale any goods or ware, to do any advertising of any nature, to make a fire unless approved by the DPW & Parks, Parks, Recreation & Cemetery Division. To play a game or chance for money or other item in value or to distribute or advertise Tobacco, alcohol, medication, drugs, or pornographic material.
19. To discharge or have any firearms in any park, playground, or beach, except with a permit for those areas specifically authorized by the DPW & Parks, Parks, Recreation & Cemetery Division.
20. To commit any trespass in any public park, playground, or beach within the city between the hours of 10:00 PM and 5:00 AM, or other set times except with a written permit from the DPW & Park, Parks, Recreation & Cemetery Division. A trespass shall be any unauthorized entry in, upon, or across any property under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
21. To drive any Commercial vehicle into any park except on business of the DPW & Parks, Parks, Recreation & Cemetery Division, or to give driving instruction to any person in any type of vehicle in any park or to learn to drive any vehicle in any park, or to drive or propel any automobile, motorcycle, motor bicycle, bicycle, or other motor vehicle (except on regular park roads) or to repair cars in a park, or to park any car on any road except in areas designated for parking or to park any vehicle along any roadway or to park any unauthorized automobile after dark, or to clean/wax any vehicle. Such vehicles will be towed at owner's expense.
22. To drive or propel any motorized vehicle in any park, playground, or beach except on regular roads. To drive any vehicle upon any sidewalk of any boundary road or public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division except in accordance with a written event permit and staff supervision from DPW & Parks, Parks, Recreation & Cemetery Division. Only city vehicles and DPW & Parks, Parks, Recreation & Cemetery vehicles are allowed access inside park.

23. To erect a booth, tent, sleeping tent, sleeping bag, inflatable rides, stall, camper, motor home or other structures or to sleep/camp or lodge in any park, playground, without the written permit of the DPW & Parks, Parks, Recreation & Cemetery Division, or to use a tent unless stake-less and/or without the written permission of the DPW & Parks, Parks, Recreation & Cemetery Division.
24. To play any active ball games in any park, playground, or beach except in areas set aside for such games.
25. To place any snow or ice removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division. Chapter fifteen- Fines and Penalties of the City of Worcester Ordinance.
26. To place any leaves or debris removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division.
27. **Alcoholic Beverages:** To possess, sell or drink any alcoholic beverages as define in Chapter 138 Section 1 of the Massachusetts General Laws while on, in, or upon any park, playground, or beach or other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division. Except on Worcester Common as approved by the Worcester Parks & Recreation Commission and with a special liquor permit in addition to the DPW & Parks, Parks, Recreation & Cemetery Division permit.
28. It is unlawful and not allowed, to smoke in any public, park, playground, or beach as per the City of Worcester Ordinance.
29. To use or possess illegal drugs while in or upon any park, playground or beach, or any other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
30. To roller blade, roller skate, skateboard, or ride a bike in any designated park area unless specially identified for this purpose.
31. To boat/float on a flotation device, motorized watercraft, or winter snow/ice vehicles (snowmobiles, etc.) are not allowed on or in any body of water (ice or snow covered) within a public park unless specifically authorized by a written permit issued by the City of Worcester, DPW & Parks, Parks, Recreation & Cemetery Division. No boats, flotation devices except US Coast Guard approved life jackets. No motorized watercrafts shall be launched within 150' of any public beach.
32. To ice skate on any body of water within a public park except those water bodies designated for such use. Those designated for such use are Elm Park (3 meres) and University Park Pond. At all sites the ice must be declare safe by the DPW & Parks, Parks, Recreation & Cemetery Division.
33. The DPW & Parks, Parks, Recreation & Cemetery Division shall first approve any field, facility, or structure improvements, desired to be made by any organizations permitted to use a public park.
34. In the event of inclement weather conditions on a given date, DPW & Parks, Parks, Recreation & Cemetery Division may rescind a permit and restrict the use of any field or park at their determination such use will have a negative long-term effect on the facility.
35. Drones (UAS) and other aircraft: Drones, other unmanned aerial vehicles including remote control aircraft, and aircraft in general cannot be flown in the City of Worcester Public Parks or open spaces; unless under special permission from the City of Worcester, Commission of the Department of Public Works & Parks, or his designee, and with an issued approved parks permit. Please refer to the Federal Aviation Administration (FAA) Rules & Regulations.
36. All vending/concessions must abide by the vending/ concession rules, the City of Worcester Ordinance and the Parks, Recreation, & Cemetery Division Rules and Regulations. Failure to follow all ordinances, rules and regulations may result in fines and could have vending/concession permit revoked.
37. All vending/concessions must have been approved by the standard city process and have an official vending/concession permit.
38. Any sport league or organization hosting, managing, or operating a sports tournament, must submit a Sports Tournament Permit Application for this particular event.
39. Itinerant musicians, street performers, buskers are not allowed without a permit from the Parks & Recreation Commission as identified in the City of Worcester Ordinance Chapter 12, Section 26 (h)(6) of the Revised Ordinances of 2008 -Part One- as Amended Through July 18, 2023 of the City of Worcester. No person shall act or perform as an itinerant musician on any public street or private way shown in the official map of the city, or in any public park, playground, or the Worcester Common. Without submitting a permit request and the written permission of the Parks & Recreation Commission.
40. All Parks & Recreation Commission agenda items must be submitted a minimum of 3 (three) business days before each meeting to the parks@worcesterma.gov email.
41. **Additional policy for the use of the Common:** To commit any trespass between the hours of 10:00 PM and 5:00 AM, except with a written permit from the DPW& Parks, Parks, Recreation & Cemetery Division. A trespass shall be any unauthorized entry in, upon, or across the Common during these hours; Common may be used only as a walk through. No active leisure activities are permitted on the Common, including but not limited to bicycle riding, skateboarding, roller blading, roller skating, Frisbee, unless a written parks permit is obtained through the DPW & Parks, Parks, Recreation & Cemetery Division.
42. **Closing Hours:** Parks shall be closed to the public between the hours of 10:00 PM and 5:00 AM or as posted except if authorized in a written permit from the DPW & Parks, Parks, Recreation & Cemetery Division.
43. **Waiver right:** The DPW & Parks, Parks, Recreation & Cemetery Division reserves the right to waive and/or limit these rules at any time if in the best interest of the City of Worcester.

Any person violating any of the above rules shall for each offense be punished by a fine not more than \$200.00 plus any additional cost to the City of Worcester

The above Rules and regulations have been approved by the Parks & Recreation Commission

AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER

Human Rights Policy. It is the policy of the City to assure that every individual shall have equal access to and benefit from all public services, accommodations, and employment opportunities to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals of the city. It is clear that behavior which denies equal treatment to any of our citizens as a result of their race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, disability, or source of income undermines civil order and deprives persons of the benefits of a free and open society. Nothing in this section shall be constructed as supporting or advocating any particular religious view or lifestyle. To the contrary, it is the intention of this section that all persons be treated fairly and equally, and it is the expressed intent of this ordinance to bring about the elimination of prejudice, intolerance, bigotry, discrimination, and the disorder occasioned thereby.

The undersigned guarantees that the rules and regulations of the DPW & Parks - Parks, Recreation & Cemetery Division will be strictly observed.

The undersigned agrees to indemnify and hold harmless the City of Worcester, DPW & Parks, Parks, Recreation and Cemetery Division from and against any and all claims, suits or any person or property arising out of the above named facilities by any participant, spectator or other person affiliated with the undersigned becomes aware of an unsafe condition at or on the facilities, and continues to perform at or on the Facilities, without first notifying the DPW & Parks, Parks, Recreation & Cemetery Division of the unsafe condition and giving a reasonable time to correct said unsafe condition.

- THE UNDERSIGNED SHALL SUBMIT PROOF OF INSURANCE, WITH THE SIGNING OF THIS PERMIT OR FILING OF THIS APPLICATION, WITH THE CITY OF WORCESTER AS AN ADDITIONAL INSURED.
- CLEAN UP WILL BE THE RESPONSIBILITY OF THE GROUP USING SAID FACILITIES, INCLUDING REFUSE FROM SPECTATORS AND PARTICIPANTS. ALL REFUSE SHALL BE BAGGED AND REMOVED FROM SITE.
- NO CHANGE OF ENTERTAINMENT WITHOUT PRIOR APPROVAL WILL BE PERMITTED.

I understand the information above and have received all the Rules and Regulations and take responsibility for ensuring the organizations compliance with these rules and terms. If I leave this organization, I will inform my predecessor of this information. I am, through my signature able to bond the organization stated in this application to the rules and regulations of the DPW & Parks - Parks, Recreation & Cemetery Division.

PENALTIES: Any person violating any of the above rules shall for each offence be punished by a fine not more than \$200.00 (General Laws Chapter 45, Sect. 24, Amended May 20, 1977). Violators also risk permanent revocation of current and future DPW & Parks - Parks, Recreation & Cemetery Division facility permits.

I agree to abide by all the Parks rules and regulations, all City Ordinances, policies and procures.

Signature of Applicant/ Representative: _____

Date: 2/8/24

PRINT NAME OF APPLICANT/REPRESENTATIVE: Yaffa Fain DATE: 2/8/24

SIGNATURE OF APPLICANT/ REPRESENTATIVE: _____



Black square – Portable inflatable movie screen

Orange squares – Kids activities and tented vendors

Yellow square – Food Trucks/food booths



2024 PERMIT APPLICATION FOR EVENT IN A PARK

Name of Requested Facility: Worcester Common Oval Today's Date: 2/8/2024
 Name of Your Organization: Downtown Worcester BID Website: www.worcesterma.gov
 Name of Applicant: Yaffa Fain Email: FainY@worcesterma.gov
 Residential Address of Applicant: 455 Main Street City: Worcester State: MA Zip: 01608
 Primary Phone #: [REDACTED] Alternate Phone #: 508-799-1400 ext 31415
 Event Date: 7/11, 7/18, 7/25, 8/1, 8/8, 8/15 Rain Date: 8/22, 8/29 Event Start Time: 11AM Event End Time: 2PM
 Set up Date & time: 8AM-11AM Breakdown Date & Time: 2PM-3:30PM
 Staffing will be determined by the needs of each organization; it will vary by event, and it will be determined by Parks Administration.

Please allow up to 30 days for permit to be processed

Describe event in detail: 2024 Out to Lunch Festival & Farmers' Market- musical performances with food, crafts, vendors, and activities

DAY OF EVENT CONTACT PERSON (IF DIFFERENT FROM ABOVE APPLICANT)

Contact Name: Victoria Mariano Email: Victoria@downtownworcester.org
 Cell Phone#: [REDACTED]

Are you advertising/promoting this event? Yes No How are you advertising/promoting? press release, social media, ads, print

Have you ever had a similar permit? Yes No Estimated amount of people to attend: 500 / week

Will you be charging admissions or selling any items at this event? (You may need a Hawker & Peddlers license) Yes No

Are you a non-profit organization with a 501C3? Yes No (Please provide copy of certificate) ID# _____

Liability Insurance Policy Number _____ (Please supply a copy of the binder/COI)

Permit Guidelines

1. **Permits:** All permit applications must be filled out completely and must have a down payment of \$125.00 to hold date. Groups of 15 or more are required to obtain a permit.
2. **Outstanding balances:** Any permit holder with an outstanding balance must pay off in full before putting a deposit down for new permit. Down payments are non-refundable
3. **Events:** All events charging admission will need to submit a full proposal to the Parks & Recreation Commission a minimum of 3 months prior to the event date. The proposal is to include all event details, and meet requirements as set forth by the Parks & Recreation Commission. A Special Events application may need to be completed and submitted to the Special Events Committee. All new events, as well as large scale events, will need to submit a proposal 3 months in advance and go in front of the Parks & Recreation Commission for the first 3 years of the events occurrence.
4. **Confetti:** Confetti/rice/artificial flower pedals are not allowed at any park due to environment impact, safety of wildlife, and the debris that is left. A fine may be assigned to those who disregard this rule.
5. **Staff needs and fees:** The City of Worcester DPW & Parks, Parks & Recreation Division requires staff at all event/permits for the duration of the event including event set up and breakdown times, this and other requirements will be determined on a case-by-case basis. Staff fees will apply at \$60 per hour with a minimum of 4 hours, per staff assigned. A non-refundable down payment of \$125.00 will be required at the time the application is submitted to reserve the date. Fees will vary based on event types, needs for additional staff, electricity, hours, trash pickup fee, and magnitude of event. Final payment will be due at least one (1) month prior to the event day. Payments made less than one month prior will have to submit a certified payment such as a bank check or a money order. Collective bargaining agreement requires us to give all staff assigned an 8 hr. shift a 30-minute lunch and (2) 15-minute breaks.
6. **Refunds:** Refunds will NOT be given unless is not cancelled in writing within the required timeframe. Down payments are non-refundable. A 48-hour written cancellation notice is required to avoid additional fees; emails will be accepted as a written form of notification. Weekend cancellation notices must be received by 10:00am on the Friday prior to your event and must be confirmed and approved by DPW & Parks – Parks & Recreation Division staff. Confirmation/approval is deemed confirmed when the event representative receives a written confirmation/email from the Parks Administration. A full fee will be charged to those who do not cancel on time. Rain dates are available at the time of request, not after and will only be honored if cancelled and rescheduled in a timely manner according to this policy. An email sent to parks@worcesterma.gov will also be accepted as a written cancellation with a follow up call to 508-799-1190.
7. **Special Events:** Some organizations will be required to contact the Special Events Committee based on the location and the scale of the event. Please call 508-799-1400. It is your responsibility to obtain all necessary permits from other City divisions as applicable to your event and submit copies to Parks Administration along with your completed application. A Parks Permit will not be issued until all necessary permits are obtained (e.g., Tent Permit, Food Permits, Sound Permits, Entertainment License, etc.). If an admission fee is being charged, you may need a permit from License Commission.
8. **Liability Insurance:** The City of Worcester DPW & Park, Parks & Recreation Division requires that the undersigned submit proof of liability insurance with a minimum of \$1 Million in Commercial General Liability and a policy endorsement which indemnifies and holds harmless the City of Worcester. Some events may require a higher Limit of Insurance. The City of Worcester is not responsible for any accidents or damages to people or property resulting from the issuance of this permit.
9. **Alcohol:** Alcoholic Beverages are not allowed in City parks (See Item 27 on the rules and regulations). No person shall drink any alcoholic beverage as defined in Chapter 138, Section 1, or the Massachusetts General Laws while on, in, or upon any facility under the jurisdiction of the DPW & Parks – Parks, Recreation & Cemetery Division, (Exception: Worcester Common).
10. **Smoking:** Smoking of any sort at any of the City of Worcester Parks and Open Spaces, as per city ordinance, is not allowed.
11. **Facility Clean-up:** Cleanup of park at completion of event is required. All trash must be removed within the time started on the breakdown date and time section of the permit. The City of Worcester DPW & Parks are not responsible for anything left in the park and all items will be disposed of. The park must be left clean, clear of portable toilets, dumpsters, fencing or

any material used for a specific event. Park must be left readily available for other park users. The City of Worcester DPW & Parks reserves the right to charge permit applicant for any cost of trash cleanup and removal from the site.

12. **Parking:** Vehicles are prohibited from parking or traveling in any grass areas or any sidewalks or on the Worcester Common. You will be required to submit an alternative parking plan for those facilities that do not have parking lots. Illegal parking, such as but not limited to, parking on sidewalks or grass areas will not be allowed, Parks Security will enforce. Event holder is responsible to notify and inform event participants/spectator of legal parking options.
13. **Water:** October 1st of each year, all seasonal water services will be shut down. This includes all seasonal restrooms, concessions, and irrigations.
14. **Drones:** No Drones, radio control vehicles/devices (Land, Air or Water) without a permit issued by the Parks Administration.
15. **Administration:** The City of Worcester DPW & Parks, Parks & Recreation Division reserves the right to minimize, reschedule or cancel use of facility based on renovations, maintenance, weather conditions or emergency situations.
16. **Transferring of permits:** There shall be **NO** transferring of permits from one permittee to another.
17. **Beaches/Water bodies:** Events held at beach facilities or public waterways may require compliance with "Christian's Law". Personal flotation devices/US Coast Guard certified Life Jackets for beach facilities. The permittee shall be responsible for meeting and exceeding all requirements of "Christian's Law" which includes the following:
 - a. Provide a properly sized and snug fitting type I, II, or III PFD to all minor children determined to be either a non-swimmer or an at-risk swimmer.
 - b. Ensure that all minors are swim tested at the first swimming session.
 - c. Allow parents or legal guardians to provide their own fitting personal flotation device (PFD) to their child if they choose.

*A Copy of this State law is available on the City of Worcester website and at the Parks Office. *

18. **Set-up map:** Please submit a set up map showing location of tents, tables, chairs, grill etc. You may use a Google maps aerial view of the location, or you may hand draw your own set up map.
19. **Review Policy:** All permits will be reviewed by Parks Division for opportunities & challenges after completion of event, to enhance and make all events better. We look forward to enhancing and helping all events become better.
20. **Responsibility:** All permit holders are responsible for the park/site through the duration of their event. If policy holder doesn't abide by or follow the parks rules and regulations, then they will need to go in front of the Parks Commission.
21. DPW & Parks, Parks, Recreation & Cemetery Division reserves the right to revise the rules, regulations, policies and procedures at any time and to rule on a situation not specifically covered in this application or other City documents

Below is a list of phone numbers for your assistance in the permit process:

Special Events Committee: 455 Main Street508-799-1400
License Commission – Flea Markets/selling of items/serving alcohol – 455 Main Street.....508-799-1400
Parks Security.....508-612-1121

PARKS & RECREATION

EVENT FEES & CHARGES POLICY 2024

EVENT PERMITS:

1. Individuals or groups (This permit is for a location, in a specific park at a set time as approved based on submitted application.)
2. Application fee \$250.00/UPTO FOUR (4) HOURS/PARK.
3. A 50% discount will be given to City of Worcester Residents and nonprofit organization off their application fee, once verification is submitted (Discount does not apply to staff cost, For-profit organizations, or Non-Residents).
4. Trash removal/disposal fee will start at \$400.00 and will increase based on the size of the event. This fee does not include facility clean up. A minimum of \$240.00 will be charged for trash picked up throughout the facility depending on event size. Additional fees will apply if trash is left and not taken if you specified on the permit you where removing your own trash. **There will be NO discounts given for this fee**
5. Electrical fee \$30.00 per hour of electric use, if the electrician is needed the fee will be an additional \$60.00 per hour minimum of 4 hours. **There will be NO discounts given for this fee**
6. Staff fees will apply to events as deemed necessary by the DPW & Parks, Parks, Recreation & Cemetery Division at a rate of \$60.00 per hour, minimum of 4 hours per, per staff assigned. **There will be NO discounts given for this fee.**

SPECIAL EVENTS/FUNCTIONS: Organizations/groups/individuals requesting a permit for events will be charged fees as determined on an individual basis (Staff, utilities or needs as required by Department) based on Departmental and Parks & Recreation Commission requirements.

PORTABLE STAGE FEE: The fee for delivery, setup, breakdown, and pickup of the portable stage within the City of Worcester is \$960.00. **There will be NO discounts given for this fee**

ADMINISTRATIVE CHARGE: An Administrative fee of \$125.00 will be charged for any changes made to a permit that has been finalized.

REFUND POLICY: City of Worcester Department of Public Works & Park, Parks, Recreation & Cemetery Division will not refund any permits due to weather conditions. All will be determined on an individual basis. The City of Worcester will work with event organizers to set rain dates at the time the application is submitted.

FEE STRUCTURE: \$125.00 Non-refundable down payment will be required at the time of request. Fees will be applied to each individual event as per each individual's/organization's needs. Filing false information to the City of Worcester DPW & Parks, Parks, Recreation & Cemetery Division could result in loss of permit, the organization, individual/group will be required to attend a Parks & Recreation Commission meeting to justify the alleged filing and would consequently need approval from the Parks & Recreation Commission for future requests. A 2% Late fee will be assessed to all individual/organizations each month if the invoice is not paid within 45 days of the invoice date.

A map of your event layout must be submitted with application*

Please draw your event set up in the box below or submit on a separate paper

Parks Division

This section must be completed by permit requester and the Parks Division ONLY

Yes No If the event is located at the Common: Are you requesting to serve alcohol?
(Approval from the Parks & Recreation Commission will be required as well as an approval from the License Commission)

Yes No Will you be cleaning and removing your trash? (Submit plan in writing, dumpsters will not be allowed overnight.)

Yes No Will you be requesting the Parks Division to remove and dispose of your trash? (A fee will apply for removal/disposal of trash, this fee may increase based on the amount of trash and size of event. This fee doesn't include facility clean up. It is only for removing trash from one location and disposing of it. Permit holder will be charged an additional fees if we have to remove the trash if no is checked off). **There will be NO discounts given for this fee**

Yes No Will you be utilizing the restrooms at this facility? (If available, some locations do NOT have restrooms.)
*Bathrooms for the Common permits will need to have page 6 filled out

Yes No Will you be requesting the use of our electricity?
(Not all locations have access to electricity. There is a cost to use the electricity. If our electrician is required for electrical hook up, it will be an additional amount, min. of 4 hours per day) If electricity is available, all special events that need more than the one (1) standard plug, will need to have our electrician onsite for duration of entire event. **There will be NO discounts given for this fee**
*If using a multi-media/sound company, please provide name & phone number: Immedia 508-688-9892
*Any equipment or safety equipment must be supplied by the event organizer and or the company used for planning event (electric cords, electrical jackets, cones, etc.)

Yes No Will you be using tables and chairs? The city does not supply tables or chairs, please show location on set up map.

Yes No Will there be any inflatable games/bouncy houses?
(All devices must be **stake-less**, and approval will be based on current public health guidance. Company: _____

Yes No Will you be using any banners? (Cost of banner install is determined by equipment/ staff needed)

Yes No Are you requesting the use of our portable metal stage?
(The size is 24' x 24', it can also be used open halfway with a back. This stage is not accessible.). **There will be NO discounts given for this fee.**

How many vehicles are you planning on parking? 3 (Will need a parking plan for the event)

Yes No Do you need a vehicle to load/unload for this event (there is a 10-minute unload/load time fame)?
How many vehicles 30
Reason for vehicle:
Musicians and Production company need to set up, as well as vendors driving to the event.

Notes from Parks Division:

Name of Parks Employee (Please Print): _____

Official Parks Employee Signature: _____ Date: _____

Police Department

This section must be completed by the Police Department ONLY

Anyone requesting a Park Permit will need to notify the Police Department Off-Duty Office and have them complete and sign below in reference to Police Supervision and/or Sound Permits. The Police will determine the need for Police Supervision, if any, and the number of officers required. There is no exception to this requirement. Police Department – Off Duty Police and Sound Permits – 9-11 Lincoln Square - 508-799-8686

wpdpaydetailofficeemallist@worcesterma.gov

____ Yes ____ No Are you having amplified sound (Microphones, speakers, blowhorns, radios, sound system)?

____ Yes ____ No Will this event require Police Supervision? If Yes, number of Officers: _____

____ Yes ____ No Does the event require a Sound Permit?

____ Yes ____ No Has a Sound Permit been obtained? (A copy of the permit must be attached)

Notes from Police Department:

Name of Police Officer (Please Print): _____

Official Police Officer Signature: _____ Date: _____

EMS

This section must be completed by the EMS ONLY

Anyone requesting a Park Permit will need to notify the Police Department Off-Duty Office and have them complete and sign below in reference to Police Supervision and/or Sound Permits. The Police will determine the need for Police Supervision, if any, and the number of officers required. There is no exception to this requirement. EMS 508-421-5728

____ Yes ____ No Will you have EMS services available? (This is not mandatory, but maybe recommended)

Notes from EMS:

Name of EMS (Please Print): _____

Official EMS Signature: _____ Date: _____

Inspectional Services-Food Division

This section must be completed by permit requester and Inspectional Services Food Division ONLY

Anyone requesting a Park Permit will need complete this and then go to Inspectional Services-Food Division and have them sign below in reference to food. The Inspectional Services-Food Division will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services-Food Division. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-8539

Yes No Will you be serving food?

Copy of the food permit will be required by Parks. Oil will not be allowed to be disposed of in sewer drains, a disposal plan must be submitted with the application.

Yes No Will you be having food trucks?

*All food trucks must have the proper permits

Notes from Inspectional Services:

Name of Inspectional Services Food Employee: _____

Official of Inspectional Services Food Signature: _____ Date: _____

Inspectional Services-Housing Division

This section must be completed by permit requester and Inspectional Services- Housing Division ONLY

Anyone requesting a Park Permit will need to notify Inspectional Services- Housing Division and have them complete and sign below in reference to portable restrooms. The Inspectional Services will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-8539

Yes No Will you be renting portable restrooms? (Events with estimated 100-300 attendees need to have a minimum of one (1) ADA portable)

* Please provide information on company: _____

* All events with portable restroom must have a minimum of 1 accessible unit in each cluster

* Each accessible unit must be placed with entrance facing an accessible surface/walkway.

* Must get permit from Inspectional Service- Housing Division

Notes from Inspectional Services:

Name of Inspectional Services Housing Employee (Please Print): _____

Official Inspectional Services Housing Employee Signature: _____ Date: _____

Inspectional Services-Building Division

This section must be completed by permit requester and Inspectional Services-Buildings Division ONLY

Anyone requesting a Park Permit will need complete this and then go to Inspectional Services – Buildings and have them sign below in reference to generators and tents. The Inspectional Services-Buildings Division will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-1198

Yes No Will you be using Tents? (All tents must be stake-less.)

A permit may be required from Inspectional Services for tents that are larger than 20' x20', Size of Tents: 10x10 Number of Tents: 45 Tent Company Name: Ez-Up

Inspectional services will reach out to the Parks Office if letter is needed for the bigger tents

Notes from Inspectional Services:

Name of Inspectional Services Building Employee (Please Print): _____

Official Inspectional Services Building Employee Signature: _____ Date: _____

Fire Prevention Department

This section must be completed by permit requester and Fire Prevention

Anyone requesting a Park Permit will need to notify the Fire Prevention Department and have them complete and sign below in reference to grills and generators. The Inspectional Services will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Fire prevention 25 Meade Street 508-799-1822

Yes _____ No _____ Will you be using Grills? What size Grill? _____ How many grills? _____
(A permit from the Fire Department may be required if using propane grills. If using a charcoal grill, it is your responsibility to remove all charcoal and its debris from the park.)

*For any grill you must have a 20 BC fire extinguisher on site.

* The Worcester Fire Department may limit the quantity of LP-Gas that may be stored under a permit, such as during special events, where unusual conditions exist. Additional requirements may be included that are within the intent and purpose of 527 CMR Table 1.12.8.50 and 527 CMR 69.

Yes _____ No _____ Will you be using a generator?

*Will need a permit from Fire Prevention (no matter the size of the generator)

*Application to keep, store, manufacture, and/or handle flammable and/or combustible liquids, per Massachusetts Comprehensive Fire Safety Code, 527 CMR 1.00: Ch.66 (Flammable & Combustible Liquids), section 66.1.5. The scope of 527 CMR 1.00 includes, but is not limited to, the following in accordance with M.G.L. c. 22D and M.G.L. c. 148 and as prescribed by M.G.L. c. 143 § 96.

*Fire Prevention follows NFPA 96 Section 17.5.2.1 for generators at events

Notes from Fire Department:

Name of Fire Prevention Employee (Please Print): _____

Official Fire Prevention Employee Signature: _____ Date: _____

Public Facilities

This section must be completed by permit requester and the Public Facilities ONLY

This section pertains to any permits for the front of City Hall, the Plaza, and the Garage

Yes No Will you be cleaning and removing your trash? (Submit plan in writing, dumpsters will not be allowed overnight.)

Yes No Will you be utilizing the restrooms inside the facility? (There is a cleaning fee of _____ per event)

Yes No Will you be renting portable restrooms?

* Please provide information on company: _____.

* All events with portable restroom must have a minimum of 1 accessible unit in each cluster

* Each accessible unit must be placed with entrance facing an accessible surface/walkway.

Yes No Will you be requesting the use of our electricity?

(Not all locations have access to electricity. Cost is \$30 per hour. If our electrician is required for electrical hook up, it will cost an additional \$60 per hour, min. of 4 hours per day a) All special events will need to have our electrician onsite for duration of whole event.

*If using a multi-media/sound company, please provide name & phone number: Immedia - 508-688-9892

*Any equipment or safety equipment must be supplied by the event organizer and or the company used for planning event (electric cords, electrical jackets, cones, etc.)

Notes from Public Facilities:

Name of Public Facilities Employee (Please Print): _____

Official Public Facilities Employee Signature: _____ Date: _____

City of Worcester – Department of Public Works & Parks – Parks, Recreation & Cemetery Division Rules & Regulations

The DPW & Parks – Parks, Recreation & Cemetery Division of the City of Worcester, by virtue of the authority delegated to it under chapter 45 of the General Laws of Massachusetts and every other power thereto enabling, hereby makes and publishes the following rules and regulations which shall not only be limited to the following and DPW & Parks – Parks, but Recreation & Cemetery Division reserves the right to make additional changes or expansions without notice at any given time.

Within the limit of lands under the management of the City of Worcester – Department of Public Works and Parks, Parks, Recreation & Cemetery Division, it shall be unlawful for any person/organization:

1. No group outing/picnics will be guaranteed in any park, playground, or beach under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division unless a written permit from the DPW & Parks, Parks, Recreation & Cemetery Division has been obtained.
2. Permit request for fields will only be issued between 9:00AM and 3:30 PM, Monday – Friday (Non-Holidays business days). There will be no refunds or credits issued for any reason, no information will be given, nor permit will be issued over the telephone. The City of Worcester DPW & Parks, Parks, Recreation & Cemetery Division has a fee schedule, policies, rules, and regulations governing all parks. The DPW & Parks, Parks, Recreation and Cemetery Division reserves the right to deny permits to those individuals and organizations that have in the past shown disregard for the policies, rules & regulations.
3. Groups of 15 or more are required to obtain a permit
4. All event permit holders have the right to use the vendors/concessionaires of their choice. Daily vendor/concessionaire that have been assigned a park cannot vend unless written permission is given to the Parks office from the event permit holder.
5. To use permit given for something other than for the designated event/vending/sport specified on application.
6. Failure to have all proper permits submitted prior to the event may be fined and may incur additional cost that may occur.
7. To destroy, or misuse park property, or to injure or climb trees, lawns, shrubs, plants in any park, playground, beach, or other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
8. The use of but not limited to confetti, rice, artificial flowers, paint, etc. are not allowed at any park due to environmental impact, safety of wildlife, and the debris that is left. A fine and cleanup cost may be assigned to those who disregard this rule.
9. To deface, remove or destroy any sign or notice or protective device placed in a park, playground, and or beach.
10. To commit any unlawful act of violence or disturbance toward other people or to disturb the animals, birds, fish etc. or commit any act of nuisance in any park, playground, beach area, recreation area or facility.
11. To obstruct, hinder, or impede the movement/work of employees of the DPW & Parks – Parks, Recreation & Cemetery Division.
12. To fail to comply in any public park (including boundary road thereof) or other public place (including any parkway) under the control of the DPW & Parks – Parks, Recreation & Cemetery Division any reasonable direction given by any police officer or by any DPW & Parks – Parks, Recreation & Cemetery Division employee or contained in any notice posted by the DPW & Parks – Parks, Recreation & Cemetery Division.
13. To throw, deposit or leave any rubbish or litter in any park, playground, or beach area, except in container placed for such purpose. Household trash, hazardous waste, debris, or any other material cannot be thrown/dumped into any park or park container violates the City of Worcester Ordinance, Chapter eight of the Revised Ordinances of 2008, Section 6A.
14. To feed waterfowl & animals is prohibited in any park, playground, or beach. Chapter fifteen- Fines and Penalties of the City of Worcester Ordinance.
15. To play golf or to practice it with putter or other club or stick of any kind upon or within any public park, playground, or beach except in those areas purposely set aside for this activity or in conjunction with any organized city recreation program.
16. To take any animal into any park, playground, or beach in violation of the City of Worcester ordinance.
17. To operate a phonogram, bullhorns, radio, loudspeaker, amplifier, or otherwise create noise at a level that violates the City Noise Ordinance, Part I, Chapter 9, Section 1A, of the Revised Ordinances of 2008 Part One – as Amended Through July 18, 2023 of the City of Worcester. Any phonogram, bullhorn, radio, speaker, loudspeaker, or amplifier in any of the City of Worcester Public Parks, playgrounds, playing fields, or public property or building shall not be plainly audible at a distance of 50 feet or more from said Public Park, playground, playing field, public property or building a permit/permits from the City of Worcester will be required.
18. To sell or offer for sale any goods or ware, to do any advertising of any nature, to make a fire unless approved by the DPW & Parks, Parks, Recreation & Cemetery Division. To play a game or chance for money or other item in value or to distribute or advertise Tobacco, alcohol, medication, drugs, or pornographic material.
19. To discharge or have any firearms in any park, playground, or beach, except with a permit for those areas specifically authorized by the DPW & Parks, Parks, Recreation & Cemetery Division.
20. To commit any trespass in any public park, playground, or beach within the city between the hours of 10:00 PM and 5:00 AM, or other set times except with a written permit from the DPW & Park, Parks, Recreation & Cemetery Division. A trespass shall be any unauthorized entry in, upon, or across any property under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
21. To drive any Commercial vehicle into any park except on business of the DPW & Parks, Parks, Recreation & Cemetery Division, or to give driving instruction to any person in any type of vehicle in any park or to learn to drive any vehicle in any park, or to drive or propel any automobile, motorcycle, motor bicycle, bicycle, or other motor vehicle (except on regular park roads) or to repair cars in a park, or to park any car on any road except in areas designated for parking or to park any vehicle along any roadway or to park any unauthorized automobile after dark, or to clean/wax any vehicle. Such vehicles will be towed at owner's expense.
22. To drive or propel any motorized vehicle in any park, playground, or beach except on regular roads. To drive any vehicle upon any sidewalk of any boundary road or public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division except in accordance with a written event permit and staff supervision from DPW & Parks, Parks, Recreation & Cemetery Division. Only city vehicles and DPW & Parks, Parks, Recreation & Cemetery vehicles are allowed access inside park.

23. To erect a booth, tent, sleeping tent, sleeping bag, inflatable rides, stall, camper, motor home or other structures or to sleep/camp or lodge in any park, playground, without the written permit of the DPW & Parks, Parks, Recreation & Cemetery Division, or to use a tent unless stake-less and/or without the written permission of the DPW & Parks, Parks, Recreation & Cemetery Division.
24. To play any active ball games in any park, playground, or beach except in areas set aside for such games.
25. To place any snow or ice removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division. Chapter fifteen- Fines and Penalties of the City of Worcester Ordinance.
26. To place any leaves or debris removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division.
27. **Alcoholic Beverages:** To possess, sell or drink any alcoholic beverages as define in Chapter 138 Section 1 of the Massachusetts General Laws while on, in, or upon any park, playground, or beach or other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division. Except on Worcester Common as approved by the Worcester Parks & Recreation Commission and with a special liquor permit in addition to the DPW & Parks, Parks, Recreation & Cemetery Division permit.
28. It is unlawful and not allowed, to smoke in any public, park, playground, or beach as per the City of Worcester Ordinance.
29. To use or possess illegal drugs while in or upon any park, playground or beach, or any other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
30. To roller blade, roller skate, skateboard, or ride a bike in any designated park area unless specially identified for this purpose.
31. To boat/float on a flotation device, motorized watercraft, or winter snow/ice vehicles (snowmobiles, etc.) are not allowed on or in any body of water (ice or snow covered) within a public park unless specifically authorized by a written permit issued by the City of Worcester, DPW & Parks, Parks, Recreation & Cemetery Division. No boats, flotation devices except US Coast Guard approved life jackets. No motorized watercrafts shall be launched within 150' of any public beach.
32. To ice skate on any body of water within a public park except those water bodies designated for such use. Those designated for such use are Elm Park (3 meres) and University Park Pond. At all sites the ice must be declare safe by the DPW & Parks, Parks, Recreation & Cemetery Division.
33. The DPW & Parks, Parks, Recreation & Cemetery Division shall first approve any field, facility, or structure improvements, desired to be made by any organizations permitted to use a public park.
34. In the event of inclement weather conditions on a given date, DPW & Parks, Parks, Recreation & Cemetery Division may rescind a permit and restrict the use of any field or park at their determination such use will have a negative long-term effect on the facility.
35. Drones (UAS) and other aircraft: Drones, other unmanned aerial vehicles including remote control aircraft, and aircraft in general cannot be flown in the City of Worcester Public Parks or open spaces; unless under special permission from the City of Worcester, Commission of the Department of Public Works & Parks, or his designee, and with an issued approved parks permit. Please refer to the Federal Aviation Administration (FAA) Rules & Regulations.
36. All vending/concessions must abide by the vending/ concession rules, the City of Worcester Ordinance and the Parks, Recreation, & Cemetery Division Rules and Regulations. Failure to follow all ordinances, rules and regulations may result in fines and could have vending/concession permit revoked.
37. All vending/concessions must have been approved by the standard city process and have an official vending/concession permit.
38. Any sport league or organization hosting, managing, or operating a sports tournament, must submit a Sports Tournament Permit Application for this particular event.
39. Itinerant musicians, street performers, buskers are not allowed without a permit from the Parks & Recreation Commission as identified in the City of Worcester Ordinance Chapter 12, Section 26 (h)(6) of the Revised Ordinances of 2008 -Part One- as Amended Through July 18, 2023 of the City of Worcester. No person shall act or perform as an itinerant musician on any public street or private way shown in the official map of the city, or in any public park, playground, or the Worcester Common. Without submitting a permit request and the written permission of the Parks & Recreation Commission.
40. All Parks & Recreation Commission agenda items must be submitted a minimum of 3 (three) business days before each meeting to the parks@worcesterma.gov email.
41. **Additional policy for the use of the Common:** To commit any trespass between the hours of 10:00 PM and 5:00 AM, except with a written permit from the DPW& Parks, Parks, Recreation & Cemetery Division. A trespass shall be any unauthorized entry in, upon, or across the Common during these hours; Common may be used only as a walk through. No active leisure activities are permitted on the Common, including but not limited to bicycle riding, skateboarding, roller blading, roller skating, Frisbee, unless a written parks permit is obtained through the DPW & Parks, Parks, Recreation & Cemetery Division.
42. **Closing Hours:** Parks shall be closed to the public between the hours of 10:00 PM and 5:00 AM or as posted except if authorized in a written permit from the DPW & Parks, Parks, Recreation & Cemetery Division.
43. **Waiver right:** The DPW & Parks, Parks, Recreation & Cemetery Division reserves the right to waive and/or limit these rules at any time if in the best interest of the City of Worcester.

Any person violating any of the above rules shall for each offense be punished by a fine not more than \$200.00 plus any additional cost to the City of Worcester

The above Rules and regulations have been approved by the Parks & Recreation Commission

AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER

Human Rights Policy. It is the policy of the City to assure that every individual shall have equal access to and benefit from all public services, accommodations, and employment opportunities to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals of the city. It is clear that behavior which denies equal treatment to any of our citizens as a result of their race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, disability, or source of income undermines civil order and deprives persons of the benefits of a free and open society. Nothing in this section shall be constructed as supporting or advocating any particular religious view or lifestyle. To the contrary, it is the intention of this section that all persons be treated fairly and equally, and it is the expressed intent of this ordinance to bring about the elimination of prejudice, intolerance, bigotry, discrimination, and the disorder occasioned thereby.

The undersigned guarantees that the rules and regulations of the DPW & Parks - Parks, Recreation & Cemetery Division will be strictly observed.

The undersigned agrees to indemnify and hold harmless the City of Worcester, DPW & Parks, Parks, Recreation and Cemetery Division from and against any and all claims, suits or any person or property arising out of the above named facilities by any participant, spectator or other person affiliated with the undersigned becomes aware of an unsafe condition at or on the facilities, and continues to perform at or on the Facilities, without first notifying the DPW & Parks, Parks, Recreation & Cemetery Division of the unsafe condition and giving a reasonable time to correct said unsafe condition.

- THE UNDERSIGNED SHALL SUBMIT PROOF OF INSURANCE, WITH THE SIGNING OF THIS PERMIT OR FILING OF THIS APPLICATION, WITH THE CITY OF WORCESTER AS AN ADDITIONAL INSURED.
- CLEAN UP WILL BE THE RESPONSIBILITY OF THE GROUP USING SAID FACILITIES, INCLUDING REFUSE FROM SPECTATORS AND PARTICIPANTS. ALL REFUSE SHALL BE BAGGED AND REMOVED FROM SITE.
- NO CHANGE OF ENTERTAINMENT WITHOUT PRIOR APPROVAL WILL BE PERMITTED.

I understand the information above and have received all the Rules and Regulations and take responsibility for ensuring the organizations compliance with these rules and terms. If I leave this organization, I will inform my predecessor of this information. I am, through my signature able to bond the organization stated in this application to the rules and regulations of the DPW & Parks - Parks, Recreation & Cemetery Division.

PENALTIES: Any person violating any of the above rules shall for each offence be punished by a fine not more than \$200.00 (General Laws Chapter 45, Sect. 24, Amended May 20, 1977). Violators also risk permanent revocation of current and future DPW & Parks - Parks, Recreation & Cemetery Division facility permits.

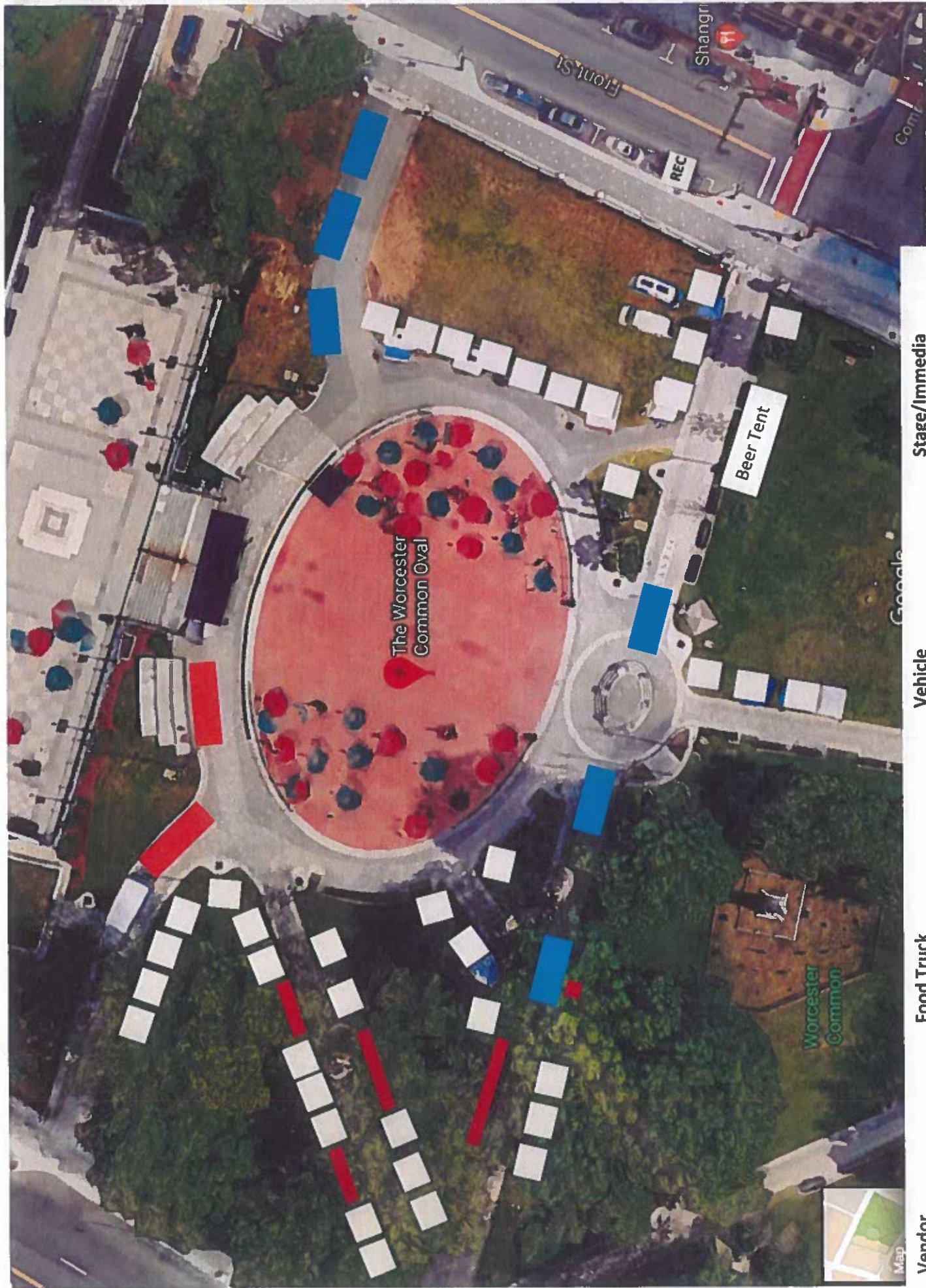
I agree to abide by all the Parks rules and regulations, all City Ordinances, policies and procures.

Signature of Applicant/ Representative: _____ Date: 2/8/24

PRINT NAME OF APPLICANT/REPRESENTATIVE: Yaffa Fain DATE: 2/8/24

SIGNATURE OF APPLICANT/ REPRESENTATIVE: _____

Out to Lunch Festival and Farmers' Market 2024 Tentative Event Map



Vendor



Food Truck



Vehicle



Stage/Immedia





2024 PERMIT APPLICATION FOR EVENT IN A PARK

Name of Requested Facility: Worcester Commons Today's Date: 1/16/24
 Name of Your Organization: Food Truck Festivals of America Website: ftfofamerica.com
 Name of Applicant: Anthony Pepe Email: anthony@ftfofamerica.com
 Residential Address of Applicant: 247 Washington St, Ste 21 City: Stoughton State: MA Zip: 02072
 Primary Phone #: [REDACTED] Alternate Phone #: [REDACTED]
 Event Date: 6/8/24 Rain Date: N/A Event Start Time: 11am Event End Time: 5pm
 Set up Date & time: 6/7/24 3pm Breakdown Date & Time: 6/8/24 7pm
 Staffing will be determined by the needs of each organization; it will vary by event, and it will be determined by Parks Administration.

Please allow up to 30 days for permit to be processed

Describe event in detail: 12th Annual Worcester Food Truck & Craft Beer Festival
With 25 food trucks & 25 craft beers and an artisan market

DAY OF EVENT CONTACT PERSON (IF DIFFERENT FROM ABOVE APPLICANT)

Contact Name: Michelle Buckley Email: mish@ftfofamerica.com
 Cell Phone#: [REDACTED] or [REDACTED]

Are you advertising/promoting this event? Yes No How are you advertising/promoting? Social media/radio

Have you ever had a similar permit? Yes No Estimated amount of people to attend: 3000

Will you be charging admissions or selling any items at this event? (You may need a Hawker & Peddlers license) Yes No

Are you a non-profit organization with a 501C3? Yes No (Please provide copy of certificate) ID# Lupus Foundation
is nonprofit who
get our liquor
license for past
11 years

Liability Insurance Policy Number _____ (Please supply a copy of the binder/COI)

Permit Guidelines

1. **Permits:** All permit applications must be filled out completely and must have a down payment of \$125.00 to hold date. Groups of 15 or more are required to obtain a permit.
2. **Outstanding balances:** Any permit holder with an outstanding balance must pay off in full before putting a deposit down for new permit. Down payments are non-refundable
3. **Events:** All events charging admission will need to submit a full proposal to the Parks & Recreation Commission a minimum of 3 months prior to the event date. The proposal is to include all event details, and meet requirements as set forth by the Parks & Recreation Commission. A Special Events application may need to be completed and submitted to the Special Events Committee. All new events, as well as large scale events, will need to submit a proposal 3 months in advance and go in front of the Parks & Recreation Commission for the first 3 years of the events occurrence.
4. **Confetti:** Confetti/rice/artificial flower pedals are not allowed at any park due to environment impact, safety of wildlife, and the debris that is left. A fine may be assigned to those who disregard this rule.
5. **Staff needs and fees:** The City of Worcester DPW & Parks, Parks & Recreation Division requires staff at all event/permits for the duration of the event including event set up and breakdown times, this ~~staff~~ ~~requirements~~ will be determined on a case-by-case basis. Staff fees will apply at \$60 per hour with a minimum of 4 hours, per staff assigned. A non-refundable down payment of \$125.00 will be required at the time the application is submitted to reserve the date. Fees will vary based on event types, needs for additional staff, electricity, hours, trash pickup fee, and magnitude of event. Final payment will be due at least one (1) month prior to the event day. Payments made less than one month prior will have to submit a certified payment such as a bank check or a money order. Collective bargaining agreement requires us to give all staff assigned an 8 hr. shift a 30-minute lunch and (2) 15-minute breaks.
6. **Refunds:** Refunds will NOT be given unless is not cancelled in writing within the required timeframe. Down payments are non-refundable. A 48-hour written cancellation notice is required to avoid additional fees; emails will be accepted as a written form of notification. Weekend cancellation notices must be received by 10:00am on the Friday prior to your event and must be confirmed and approved by DPW & Parks – Parks & Recreation Division staff. Confirmation/approval is deemed confirmed when the event representative receives a written confirmation/email from the Parks Administration. A full fee will be charged to those who do not cancel on time. Rain dates are available at the time of request, not after and will only be honored if cancelled and rescheduled in a timely manner according to this policy. An email sent to parks@worcesterma.gov will also be accepted as a written cancellation with a follow up call to 508-799-1190.
7. **Special Events:** Some organizations will be required to contact the Special Events Committee based on the location and the scale of the event. Please call 508-799-1400. It is your responsibility to obtain all necessary permits from other City divisions as applicable to your event and submit copies to Parks Administration along with your completed application. A Parks Permit will not be issued until all necessary permits are obtained (e.g., Tent Permit, Food Permits, Sound Permits, Entertainment License, etc.). If an admission fee is being charged, you may need a permit from License Commission.
8. **Liability Insurance:** The City of Worcester DPW & Park, Parks & Recreation Division requires that the undersigned submit proof of liability insurance with a minimum of \$1 Million in Commercial General Liability and a policy endorsement which indemnifies and holds harmless the City of Worcester. Some events may require a higher Limit of Insurance. The City of Worcester is not responsible for any accidents or damages to people or property resulting from the issuance of this permit.
9. **Alcohol:** Alcoholic Beverages are not allowed in City parks (See Item 27 on the rules and regulations). No person shall drink any alcoholic beverage as defined in Chapter 138, Section 1, or the Massachusetts General Laws while on, in, or upon any facility under the jurisdiction of the DPW & Parks – Parks, Recreation & Cemetery Division, (Exception: Worcester Common).
10. **Smoking:** Smoking of any sort at any of the City of Worcester Parks and Open Spaces, as per city ordinance, is not allowed.
11. **Facility Clean-up:** Cleanup of park at completion of event is required. All trash must be removed within the time started on the breakdown date and time section of the permit. The City of Worcester DPW & Parks are not responsible for anything left in the park and all items will be disposed of. The park must be left clean, clear of portable toilets, dumpsters, fencing or

any material used for a specific event. Park must be left readily available for other park users. The City of Worcester DPW & Parks reserves the right to charge permit applicant for any cost of trash cleanup and removal from the site.

12. **Parking:** Vehicles are prohibited from parking or traveling in any grass areas or any sidewalks or on the Worcester Common. You will be required to submit an alternative parking plan for those facilities that do not have parking lots. Illegal parking, such as but not limited to, parking on sidewalks or grass areas will not be allowed, Parks Security will enforce. Event holder is responsible to notify and inform event participants/spectator of legal parking options.
13. **Water:** October 1st of each year, all seasonal water services will be shut down. This includes all seasonal restrooms, concessions, and irrigations.
14. **Drones:** No Drones, radio control vehicles/devices (Land, Air or Water) without a permit issued by the Parks Administration.
15. **Administration:** The City of Worcester DPW & Parks, Parks & Recreation Division reserves the right to minimize, reschedule or cancel use of facility based on renovations, maintenance, weather conditions or emergency situations.
16. **Transferring of permits:** There shall be **NO** transferring of permits from one permittee to another.
17. **Beaches/Water bodies:** Events held at beach facilities or public waterways may require compliance with "Christian's Law". Personal flotation devices/US Coast Guard certified Life Jackets for beach facilities. The permittee shall be responsible for meeting and exceeding all requirements of "Christian's Law" which includes the following:
 - a. Provide a properly sized and snug fitting type I, II, or III PFD to all minor children determined to be either a non-swimmer or an at-risk swimmer.
 - b. Ensure that all minors are swim tested at the first swimming session.
 - c. Allow parents or legal guardians to provide their own fitting personal flotation device (PFD) to their child if they choose.

*A Copy of this State law is available on the City of Worcester website and at the Parks Office. *

18. **Set-up map:** Please submit a set up map showing location of tents, tables, chairs, grill etc. You may use a Google maps aerial view of the location, or you may hand draw your own set up map.
19. **Review Policy:** All permits will be reviewed by Parks Division for opportunities & challenges after completion of event, to enhance and make all events better. We look forward to enhancing and helping all events become better.
20. **Responsibility:** All permit holders are responsible for the park/site through the duration of their event. If policy holder doesn't abide by or follow the parks rules and regulations, then they will need to go in front of the Parks Commission.
21. DPW & Parks, Parks, Recreation & Cemetery Division reserves the right to revise the rules, regulations, policies and procedures at any time and to rule on a situation not specifically covered in this application or other City documents

Below is a list of phone numbers for your assistance in the permit process:

Special Events Committee: 455 Main Street508-799-1400
License Commission – Flea Markets/selling of items/serving alcohol – 455 Main Street.....508-799-1400
Parks Security.....508-612-1121

PARKS & RECREATION

EVENT FEES & CHARGES POLICY 2024

EVENT PERMITS:

1. Individuals or groups (This permit is for a location, in a specific park at a set time as approved based on submitted application.)
2. Application fee \$250.00/UPTO FOUR (4) HOURS/PARK.
3. A 50% discount will be given to City of Worcester Residents and nonprofit organization off their application fee, once verification is submitted (Discount does not apply to staff cost, For-profit organizations, or Non-Residents).
4. Trash removal/disposal fee will start at \$400.00 and will increase based on the size of the event. This fee does not include facility clean up. A minimum of \$240.00 will be charged for trash picked up throughout the facility depending on event size. Additional fees will apply if trash is left and not taken if you specified on the permit you where removing your own trash. **There will be NO discounts given for this fee**
5. Electrical fee \$30.00 per hour of electric use, if the electrician is needed the fee will be an additional \$60.00 per hour minimum of 4 hours. **There will be NO discounts given for this fee**
6. Staff fees will apply to events as deemed necessary by the DPW & Parks, Parks, Recreation & Cemetery Division at a rate of \$60.00 per hour, minimum of 4 hours per, per staff assigned. **There will be NO discounts given for this fee.**

SPECIAL EVENTS/FUNCTIONS: Organizations/groups/individuals requesting a permit for events will be charged fees as determined on an individual basis (Staff, utilities or needs as required by Department) based on Departmental and Parks & Recreation Commission requirements.

PORTABLE STAGE FEE: The fee for delivery, setup, breakdown, and pickup of the portable stage within the City of Worcester is \$960.00. **There will be NO discounts given for this fee**

ADMINISTRATIVE CHARGE: An Administrative fee of \$125.00 will be charged for any changes made to a permit that has been finalized.

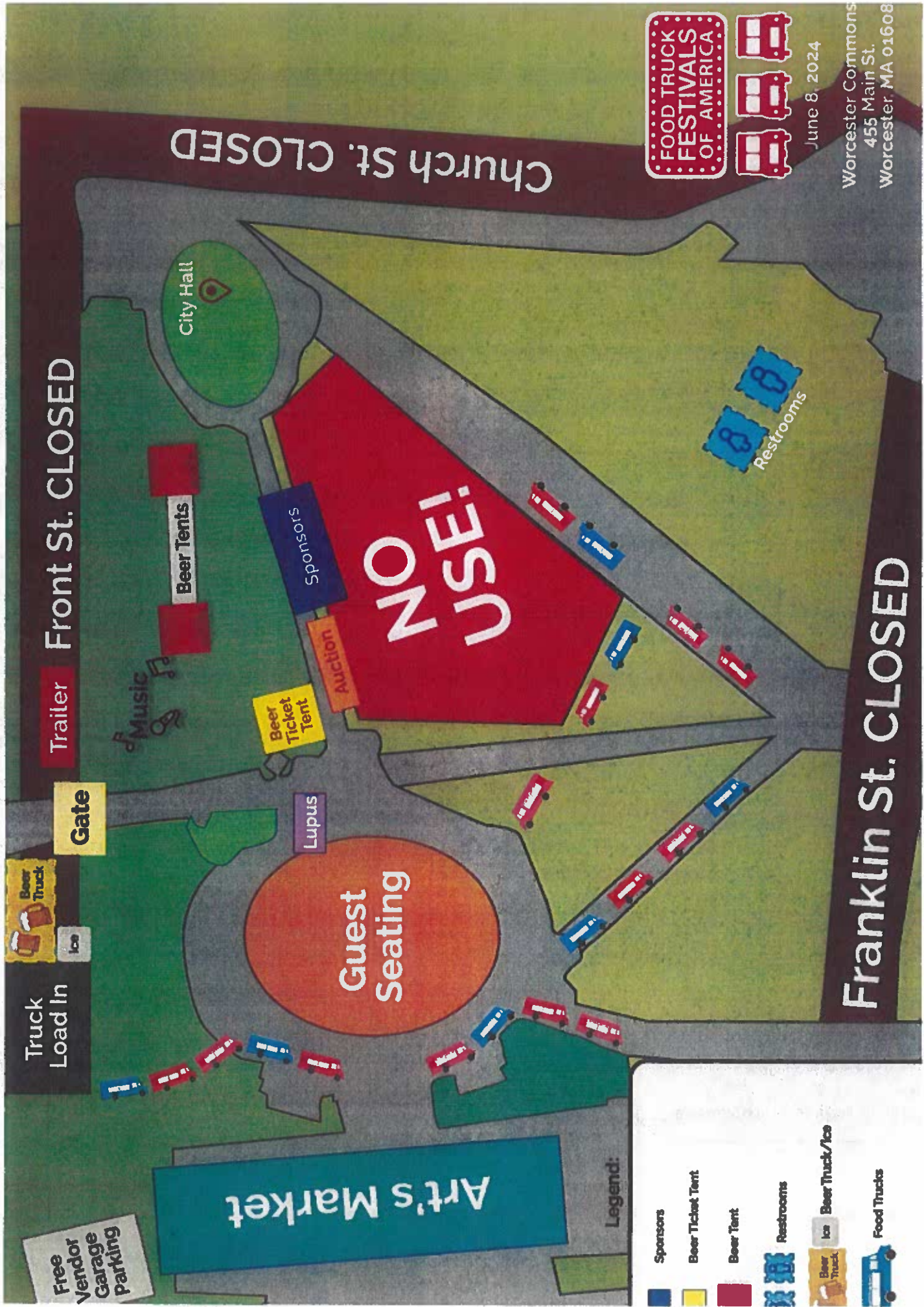
REFUND POLICY: City of Worcester Department of Public Works & Park, Parks, Recreation & Cemetery Division will not refund any permits due to weather conditions. All will be determined on an individual basis. The City of Worcester will work with event organizers to set rain dates at the time the application is submitted.

FEE STRUCTURE: \$125.00 Non-refundable down payment will be required at the time of request. Fees will be applied to each individual event as per each individual's/organization's needs. Filing false information to the City of Worcester DPW & Parks, Parks, Recreation & Cemetery Division could result in loss of permit, the organization, individual/group will be required to attend a Parks & Recreation Commission meeting to justify the alleged filing and would consequently need approval from the Parks & Recreation Commission for future requests. A 2% Late fee will be assessed to all individual/organizations each month if the invoice is not paid within 45 days of the invoice date.

A map of your event layout must be submitted with application*

Please draw your event set up in the box below or submit on a separate paper

See map



FOOD TRUCK
FESTIVALS
OF AMERICA



June 8, 2024
Worcester Commons
455 Main St.
Worcester, MA 01608

Trailer Front St. CLOSED

Franklin St. CLOSED

Church St. CLOSED

City Hall

Restrooms

NO USE!

Spponsors

Auction

Beer Ticket Tent

Music

Beer Tents

Guest Seating

Lupus

Gate








Beer Truck

Ice

Truck Load In

Art's Market

Legend:

-  Sponsors
-  Beer Ticket Tent
-  Beer Tent
-  Restrooms
-  Beer Truck
-  Ice Beer Truck/Ice
-  Food Trucks

Free Vendor Garage Parking

Parks Division

This section must be completed by permit requester and the Parks Division ONLY

Yes No If the event is located at the Common: Are you requesting to serve alcohol?
(Approval from the Parks & Recreation Commission will be required as well as an approval from the License Commission)

Yes No Will you be cleaning and removing your trash? (Submit plan in writing, dumpsters will not be allowed overnight.)

Yes No Will you be requesting the Parks Division to remove and dispose of your trash? (A fee will apply for removal/disposal of trash, this fee may increase based on the amount of trash and size of event. This fee doesn't include facility clean up. It is only for removing trash from one location and disposing of it. Permit holder will be charged an additional fees if we have to remove the trash if no is checked off). **There will be NO discounts given for this fee**

Yes No Will you be utilizing the restrooms at this facility? (If available, some locations do NOT have restrooms.)
*Bathrooms for the Common permits will need to have page 6 filled out

Yes No Will you be requesting the use of our electricity?
(Not all locations have access to electricity. There is a cost to use the electricity. If our electrician is required for electrical hook up, it will be an additional amount, min. of 4 hours per day) If electricity is available, all special events that need more than the one (1) standard plug, will need to have our electrician onsite for duration of entire event. **There will be NO discounts given for this fee**
*If using a multi-media/sound company, please provide name & phone number: _____
*Any equipment or safety equipment must be supplied by the event organizer and or the company used for planning event (electric cords, electrical jackets, cones, etc.)

Yes No Will you be using tables and chairs? The city does not supply tables or chairs, please show location on set up map.

Yes No Will there be any inflatable games/bouncy houses?
(All devices must be stake-less, and approval will be based on current public health guidance. Company: _____)

Yes No Will you be using any banners? (Cost of banner install is determined by equipment/ staff needed)

Yes No Are you requesting the use of our portable metal stage?
(The size is 24' x 24', it can also be used open halfway with a back. This stage is not accessible.). **There will be NO discounts given for this fee.**

How many vehicles are you planning on parking? _____ (Will need a parking plan for the event)

Yes No Do you need a vehicle to load/unload for this event (there is a 10-minute unload/load time fame)?

How many vehicles _____

Reason for vehicle: _____

Notes from Parks Division:

Name of Parks Employee (Please Print): Melissa Richford

Official Parks Employee Signature: Melissa Richford Date: 2/13/24

Police Department

This section must be completed by the Police Department ONLY

Anyone requesting a Park Permit will need to notify the Police Department Off-Duty Office and have them complete and sign below in reference to Police Supervision and/or Sound Permits. The Police will determine the need for Police Supervision, if any, and the number of officers required. There is no exception to this requirement. Police Department – Off Duty Police and Sound Permits – 9-11 Lincoln Square - 508-799-8686

wdpaydetailofficeemailist@worcesterma.gov

Yes No Are you having amplified sound (Microphones, speakers, blowhorns, radios, sound system)?

Yes No Will this event require Police Supervision? If Yes, number of Officers: 3-4

Yes No Does the event require a Sound Permit?

Yes No Has a Sound Permit been obtained? (A copy of the permit must be attached) - *we will be getting this*

Notes from Police Department:

Name of Police Officer (Please Print): _____

Official Police Officer Signature: _____

Date: _____

EMS

This section must be completed by the EMS ONLY

Anyone requesting a Park Permit will need to notify the Police Department Off-Duty Office and have them complete and sign below in reference to Police Supervision and/or Sound Permits. The Police will determine the need for Police Supervision, if any, and the number of officers required. There is no exception to this requirement. EMS 508-421-5728

Yes No Will you have EMS services available? (This is not mandatory, but maybe recommended)

We will call 911 in an emergency

Notes from EMS:

Name of EMS (Please Print): _____

Official EMS Signature: _____

Date: _____

Inspectional Services-Food Division

This section must be completed by permit requester and Inspectional Services Food Division ONLY

Anyone requesting a Park Permit will need complete this and then go to Inspectional Services-Food Division and have them sign below in reference to food. The Inspectional Services-Food Division will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services-Food Division. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-8539

Yes No Will you be serving food?

Copy of the food permit will be required by Parks. Oil will not be allowed to be disposed of in sewer drains, a disposal plan must be submitted with the application.

Yes No Will you be having food trucks?

*All food trucks must have the proper permits

Notes from Inspectional Services:

Name of Inspectional Services Food Employee: _____

Official of Inspectional Services Food Signature: _____ Date: _____

Inspectional Services-Housing Division

This section must be completed by permit requester and Inspectional Services- Housing Division ONLY

Anyone requesting a Park Permit will need to notify Inspectional Services- Housing Division and have them complete and sign below in reference to portable restrooms. The Inspectional Services will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-8539

Yes No Will you be renting portable restrooms? (Events with estimated 100-300 attendees need to have a minimum of one (1) ADA portable)

* Please provide information on company: United Site Services

* All events with portable restroom must have a minimum of 1 accessible unit in each cluster

* Each accessible unit must be placed with entrance facing an accessible surface/walkway.

* Must get permit from Inspectional Service- Housing Division

Notes from Inspectional Services:

Name of Inspectional Services Housing Employee (Please Print): _____

Official Inspectional Services Housing Employee Signature: _____ Date: _____

Inspectional Services-Building Division

This section must be completed by permit requester and Inspectional Services-Buildings Division ONLY

Anyone requesting a Park Permit will need complete this and then go to Inspectional Services – Buildings and have them sign below in reference to generators and tents. The Inspectional Services-Buildings Division will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Inspectional Services 25 Meade Street 508-799-1198

Yes No Will you be using Tents? (All tents must be stake-less.)

A permit may be required from Inspectional Services for tents that are larger than 20' x20', Size of Tents: 10x10 Number of Tents: 8-10 Tent Company Name: using our own

Inspectional services will reach out to the Parks Office if letter is needed for the bigger tents

Notes from Inspectional Services:

Name of Inspectional Services Building Employee (Please Print): _____

Official Inspectional Services Building Employee Signature: _____ Date: _____

Fire Prevention Department

This section must be completed by permit requester and Fire Prevention

Anyone requesting a Park Permit will need to notify the Fire Prevention Department and have them complete and sign below in reference to grills and generators. The Inspectional Services will determine the need for any permits. The Parks Division will need copies of all permits given by Inspectional Services. There is no exception to this requirement. Fire prevention 25 Meade Street 508-799-1822

Yes No Will you be using Grills? What size Grill? _____ How many grills? _____ *food trucks will contact fire if using grills*

(A permit from the Fire Department may be required if using propane grills. If using a charcoal grill, it is your responsibility to remove all charcoal and its debris from the park.)

*For any grill you must have a 20 BC fire extinguisher on site.

* The Worcester Fire Department may limit the quantity of LP-Gas that may be stored under a permit, such as during special events, where unusual conditions exist. Additional requirements may be included that are within the intent and purpose of 527 CMR Table 1.12.8.50 and 527 CMR 69.

Yes No Will you be using a generator? - *Food trucks might have generator on truck*

*Will need a permit from Fire Prevention (no matter the size of the generator)

*Application to keep, store, manufacture, and/or handle flammable and/or combustible liquids, per Massachusetts Comprehensive Fire Safety Code, 527 CMR 1.00: Ch.66 (Flammable & Combustible Liquids), section 66.1.5. The scope of 527 CMR 1.00 includes, but is not limited to, the following in accordance with M.G.L. c. 22D and M.G.L. c. 148 and as prescribed by M.G.L. c. 143 § 96.

*Fire Prevention follows NFPA 96 Section 17.5.2.1 for generators at events

Notes from Fire Department:

Name of Fire Prevention Employee (Please Print): _____

Official Fire Prevention Employee Signature: _____ Date: _____

Public Facilities

This section must be completed by permit requester and the Public Facilities ONLY

This section pertains to any permits for the front of City Hall, the Plaza, and the Garage

Yes No Will you be cleaning and removing your trash? (Submit plan in writing, dumpsters will not be allowed overnight.)

Yes No Will you be utilizing the restrooms inside the facility? (There is a cleaning fee of _____ per event)

Yes No Will you be renting portable restrooms?
* Please provide information on company: United Site Services
* All events with portable restroom must have a minimum of 1 accessible unit in each cluster
* Each accessible unit must be placed with entrance facing an accessible surface/walkway.

Yes No Will you be requesting the use of our electricity?
(Not all locations have access to electricity. Cost is \$30 per hour. If our electrician is required for electrical hook up, it will cost an additional \$60 per hour, min. of 4 hours per day a) All special events will need to have our electrician onsite for duration of whole event.
*If using a multi-media/sound company, please provide name & phone number: _____
*Any equipment or safety equipment must be supplied by the event organizer and or the company used for planning event (electric cords, electrical jackets, cones, etc.)

Notes from Public Facilities:

Name of Public Facilities Employee (Please Print): _____

Official Public Facilities Employee Signature: _____ Date: _____

City of Worcester – Department of Public Works & Parks – Parks, Recreation & Cemetery Division Rules & Regulations

The DPW & Parks – Parks, Recreation & Cemetery Division of the City of Worcester, by virtue of the authority delegated to it under chapter 45 of the General Laws of Massachusetts and every other power thereto enabling, hereby makes and publishes the following rules and regulations which shall not only be limited to the following and DPW & Parks – Parks, but Recreation & Cemetery Division reserves the right to make additional changes or expansions without notice at any given time.

Within the limit of lands under the management of the City of Worcester – Department of Public Works and Parks, Parks, Recreation & Cemetery Division, it shall be unlawful for any person/organization:

1. No group outing/picnics will be guaranteed in any park, playground, or beach under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division unless a written permit from the DPW & Parks, Parks, Recreation & Cemetery Division has been obtained.
2. Permit request for fields will only be issued between 9:00AM and 3:30 PM, Monday – Friday (Non-Holidays business days). There will be no refunds or credits issued for any reason, no information will be given, nor permit will be issued over the telephone. The City of Worcester DPW & Parks, Parks, Recreation & Cemetery Division has a fee schedule, policies, rules, and regulations governing all parks. The DPW & Parks, Parks, Recreation and Cemetery Division reserves the right to deny permits to those individuals and organizations that have in the past shown disregard for the policies, rules & regulations.
3. Groups of 15 or more are required to obtain a permit
4. All event permit holders have the right to use the vendors/concessionaires of their choice. Daily vendor/concessionaire that have been assigned a park cannot vend unless written permission is given to the Parks office from the event permit holder.
5. To use permit given for something other than for the designated event/vending/sport specified on application.
6. Failure to have all proper permits submitted prior to the event may be fined and may incur additional cost that may occur.
7. To destroy, or misuse park property, or to injure or climb trees, lawns, shrubs, plants in any park, playground, beach, or other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
8. The use of but not limited to confetti, rice, artificial flowers, paint, etc. are not allowed at any park due to environmental impact, safety of wildlife, and the debris that is left. A fine and cleanup cost may be assigned to those who disregard this rule.
9. To deface, remove or destroy any sign or notice or protective device placed in a park, playground, and or beach.
10. To commit any unlawful act of violence or disturbance toward other people or to disturb the animals, birds, fish etc. or commit any act of nuisance in any park, playground, beach area, recreation area or facility.
11. To obstruct, hinder, or impede the movement/work of employees of the DPW & Parks – Parks, Recreation & Cemetery Division.
12. To fail to comply in any public park (including boundary road thereof) or other public place (including any parkway) under the control of the DPW & Parks – Parks, Recreation & Cemetery Division any reasonable direction given by any police officer or by any DPW & Parks – Parks, Recreation & Cemetery Division employee or contained in any notice posted by the DPW & Parks – Parks, Recreation & Cemetery Division.
13. To throw, deposit or leave any rubbish or litter in any park, playground, or beach area, except in container placed for such purpose. Household trash, hazardous waste, debris, or any other material cannot be thrown/dumped into any park or park container violates the City of Worcester Ordinance, Chapter eight of the Revised Ordinances of 2008, Section 6A.
14. To feed waterfowl & animals is prohibited in any park, playground, or beach. Chapter fifteen- Fines and Penalties of the City of Worcester Ordinance.
15. To play golf or to practice it with putter or other club or stick of any kind upon or within any public park, playground, or beach except in those areas purposely set aside for this activity or in conjunction with any organized city recreation program.
16. To take any animal into any park, playground, or beach in violation of the City of Worcester ordinance.
17. To operate a phonogram, bullhorns, radio, loudspeaker, amplifier, or otherwise create noise at a level that violates the City Noise Ordinance, Part I, Chapter 9, Section 1A, of the Revised Ordinances of 2008 Part One – as Amended Through July 18, 2023 of the City of Worcester. Any phonogram, bullhorn, radio, speaker, loudspeaker, or amplifier in any of the City of Worcester Public Parks, playgrounds, playing fields, or public property or building shall not be plainly audible at a distance of 50 feet or more from said Public Park, playground, playing field, public property or building a permit/permits from the City of Worcester will be required.
18. To sell or offer for sale any goods or ware, to do any advertising of any nature, to make a fire unless approved by the DPW & Parks, Parks, Recreation & Cemetery Division. To play a game or chance for money or other item in value or to distribute or advertise Tobacco, alcohol, medication, drugs, or pornographic material.
19. To discharge or have any firearms in any park, playground, or beach, except with a permit for those areas specifically authorized by the DPW & Parks, Parks, Recreation & Cemetery Division.
20. To commit any trespass in any public park, playground, or beach within the city between the hours of 10:00 PM and 5:00 AM, or other set times except with a written permit from the DPW & Park, Parks, Recreation & Cemetery Division. A trespass shall be any unauthorized entry in, upon, or across any property under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
21. To drive any Commercial vehicle into any park except on business of the DPW & Parks, Parks, Recreation & Cemetery Division, or to give driving instruction to any person in any type of vehicle in any park or to learn to drive any vehicle in any park, or to drive or propel any automobile, motorcycle, motor bicycle, bicycle, or other motor vehicle (except on regular park roads) or to repair cars in a park, or to park any car on any road except in areas designated for parking or to park any vehicle along any roadway or to park any unauthorized automobile after dark, or to clean/wax any vehicle. Such vehicles will be towed at owner's expense.
22. To drive or propel any motorized vehicle in any park, playground, or beach except on regular roads. To drive any vehicle upon any sidewalk of any boundary road or public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division except in accordance with a written event permit and staff supervision from DPW & Parks, Parks, Recreation & Cemetery Division. Only city vehicles and DPW & Parks, Parks, Recreation & Cemetery vehicles are allowed access inside park.

23. To erect a booth, tent, sleeping tent, sleeping bag, inflatable rides, stall, camper, motor home or other structures or to sleep/camp or lodge in any park, playground, without the written permit of the DPW & Parks, Parks, Recreation & Cemetery Division, or to use a tent unless stake-less and/or without the written permission of the DPW & Parks, Parks, Recreation & Cemetery Division.
24. To play any active ball games in any park, playground, or beach except in areas set aside for such games.
25. To place any snow or ice removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division. Chapter fifteen- Fines and Penalties of the City of Worcester Ordinance.
26. To place any leaves or debris removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the DPW & Parks, Parks, Recreation & Cemetery Division.
27. **Alcoholic Beverages:** To possess, sell or drink any alcoholic beverages as define in Chapter 138 Section 1 of the Massachusetts General Laws while on, in, or upon any park, playground, or beach or other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division. Except on Worcester Common as approved by the Worcester Parks & Recreation Commission and with a special liquor permit in addition to the DPW & Parks, Parks, Recreation & Cemetery Division permit.
28. It is unlawful and not allowed, to smoke in any public, park, playground, or beach as per the City of Worcester Ordinance.
29. To use or possess illegal drugs while in or upon any park, playground or beach, or any other areas under the jurisdiction of the DPW & Parks, Parks, Recreation & Cemetery Division.
30. To roller blade, roller skate, skateboard, or ride a bike in any designated park area unless specially identified for this purpose.
31. To boat/float on a flotation device, motorized watercraft, or winter snow/ice vehicles (snowmobiles, etc.) are not allowed on or in any body of water (ice or snow covered) within a public park unless specifically authorized by a written permit issued by the City of Worcester, DPW & Parks, Parks, Recreation & Cemetery Division. No boats, flotation devices except US Coast Guard approved life jackets. No motorized watercrafts shall be launched within 150' of any public beach.
32. To ice skate on any body of water within a public park except those water bodies designated for such use. Those designated for such use are Elm Park (3 meres) and University Park Pond. At all sites the ice must be declare safe by the DPW & Parks, Parks, Recreation & Cemetery Division.
33. The DPW & Parks, Parks, Recreation & Cemetery Division shall first approve any field, facility, or structure improvements, desired to be made by any organizations permitted to use a public park.
34. In the event of inclement weather conditions on a given date, DPW & Parks, Parks, Recreation & Cemetery Division may rescind a permit and restrict the use of any field or park at their determination such use will have a negative long-term effect on the facility.
35. Drones (UAS) and other aircraft: Drones, other unmanned aerial vehicles including remote control aircraft, and aircraft in general cannot be flown in the City of Worcester Public Parks or open spaces; unless under special permission from the City of Worcester, Commission of the Department of Public Works & Parks, or his designee, and with an issued approved parks permit. Please refer to the Federal Aviation Administration (FAA) Rules & Regulations.
36. All vending/concessions must abide by the vending/ concession rules, the City of Worcester Ordinance and the Parks, Recreation, & Cemetery Division Rules and Regulations. Failure to follow all ordinances, rules and regulations may result in fines and could have vending/concession permit revoked.
37. All vending/concessions must have been approved by the standard city process and have an official vending/concession permit.
38. Any sport league or organization hosting, managing, or operating a sports tournament, must submit a Sports Tournament Permit Application for this particular event.
39. Itinerant musicians, street performers, buskers are not allowed without a permit from the Parks & Recreation Commission as identified in the City of Worcester Ordinance Chapter 12, Section 26 (h)(6) of the Revised Ordinances of 2008 -Part One- as Amended Through July 18, 2023 of the City of Worcester. No person shall act or perform as an itinerant musician on any public street or private way shown in the official map of the city, or in any public park, playground, or the Worcester Common. Without submitting a permit request and the written permission of the Parks & Recreation Commission.
40. All Parks & Recreation Commission agenda items must be submitted a minimum of 3 (three) business days before each meeting to the parks@worcesterma.gov email.
41. **Additional policy for the use of the Common:** To commit any trespass between the hours of 10:00 PM and 5:00 AM, except with a written permit from the DPW& Parks, Parks, Recreation & Cemetery Division. A trespass shall be any unauthorized entry in, upon, or across the Common during these hours; Common may be used only as a walk through. No active leisure activities are permitted on the Common, including but not limited to bicycle riding, skateboarding, roller blading, roller skating, Frisbee, unless a written parks permit is obtained through the DPW & Parks, Parks, Recreation & Cemetery Division.
42. **Closing Hours:** Parks shall be closed to the public between the hours of 10:00 PM and 5:00 AM or as posted except if authorized in a written permit from the DPW & Parks, Parks, Recreation & Cemetery Division.
43. **Waiver right:** The DPW & Parks, Parks, Recreation & Cemetery Division reserves the right to waive and/or limit these rules at any time if in the best interest of the City of Worcester.

Any person violating any of the above rules shall for each offense be punished by a fine not more than \$200.00 plus any additional cost to the City of Worcester

The above Rules and regulations have been approved by the Parks & Recreation Commission

AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER

Human Rights Policy. It is the policy of the City to assure that every individual shall have equal access to and benefit from all public services accommodations, and employment opportunities to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals of the city. It is clear that behavior which denies equal treatment to any of our citizens as a result of their race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, disability, or source of income undermines civil order and deprives persons of the benefits of a free and open society. Nothing in this section shall be constructed as supporting or advocating any particular religious view or lifestyle. To the contrary, it is the intention of this section that all persons be treated fairly and equally, and it is the expressed intent of this ordinance to bring about the elimination of prejudice, intolerance, bigotry, discrimination, and the disorder occasioned thereby.

The undersigned guarantees that the rules and regulations of the DPW & Parks - Parks, Recreation & Cemetery Division will be strictly observed.


The undersigned agrees to indemnify and hold harmless the City of Worcester, DPW & Parks, Parks, Recreation and Cemetery Division from and against any and all claims, suits or any person or property arising out of the above named facilities by any participant, spectator or other person affiliated with the undersigned becomes aware of an unsafe condition at or on the facilities, and continues to perform at or on the Facilities, without first notifying the DPW & Parks, Parks, Recreation & Cemetery Division of the unsafe condition and giving a reasonable time to correct said unsafe condition.

- THE UNDERSIGNED SHALL SUBMIT PROOF OF INSURANCE, WITH THE SIGNING OF THIS PERMIT OR FILING OF THIS APPLICATION, WITH THE CITY OF WORCESTER AS AN ADDITIONAL INSURED.
- CLEAN UP WILL BE THE RESPONSIBILITY OF THE GROUP USING SAID FACILITIES, INCLUDING REFUSE FROM SPECTATORS AND PARTICIPANTS. ALL REFUSE SHALL BE BAGGED AND REMOVED FROM SITE.
- NO CHANGE OF ENTERTAINMENT WITHOUT PRIOR APPROVAL WILL BE PERMITTED.

I understand the information above and have received all the Rules and Regulations and take responsibility for ensuring the organizations compliance with these rules and terms. If I leave this organization, I will inform my predecessor of this information. I am, through my signature able to bond the organization stated in this application to the rules and regulations of the DPW & Parks - Parks, Recreation & Cemetery Division.

PENALTIES: Any person violating any of the above rules shall for each offence be punished by a fine not more than \$200.00 (General Laws Chapter 45, Sect. 24, Amended May 20, 1977). Violators also risk permanent revocation of current and future DPW & Parks - Parks, Recreation & Cemetery Division facility permits.

I agree to abide by all the Parks rules and regulations, all City Ordinances, policies and procures.

Signature of Applicant/ Representative:  Date: 1/16/24

PRINT NAME OF APPLICANT/REPRESENTATIVE: Anthony Pepe DATE: 1/16/24

SIGNATURE OF APPLICANT/ REPRESENTATIVE: 

WORCESTER LICENSE COMMISSION



Special (One – Day) License Multiple Event – Application Request Application Guide

Planning & Regulatory Services Division • 455 Main St., Room 404, Worcester, MA 01608 • Phone: 508-799-1400 ext. 31440
Office Hours: 8:30 a.m. – 5:00 p.m.

STEP 1: Obtain application from the City's website: www.worcesterma.gov (Quick Find → Forms), or contact the Division of Planning & Regulatory Services.

STEP 2: THE FOLLOWING ITEMS MUST BE INCLUDED OR YOUR APPLICATION WILL NOT BE ACCEPTED. PLEASE CHECK EACH BOX TO ENSURE THAT YOU HAVE ALL REQUIRED ITEMS.

- One (1) copy of application.
- Letter of permission to have alcohol on the premises from the owner of the location where event will be held.
- Complete all columns in Table 1 for each event at which alcohol will be either stored or served. Alcohol must be purchased from a Licensed Wholesaler. A list is attached of approved wholesalers.
- A management and security plan:
 - shall be included for each scheduled event by reference number found in Table 1:
 - shall include the reason for your request, a description of the security measures that will be used and include a plan showing the location where alcohol will be served.
- A check made out to the City of Worcester for the entire amount of the application fee:
- Fee: \$100 per day (max of 30 events per applicant per year).
 - Amendments that reduce the number of events, or change an event date are free of charge.
 - Amendments that provide for additional events are required to pay the fee.
- Copy of Server Training Certificate for each person who will be serving alcohol.
- Any change regarding the information you provide in this application requires an amendment to this special license.

STEP 3: File and appear before the License Commission.

- ◇ File your application at the Division of Planning & Regulatory Services (see above for location times)
- ◇ You will be notified of the date of the License Commission meeting at which your application will be heard.
- ◇ Initial application and amendments must be filed at least 30 days prior to any regularly scheduled License Commission meeting. **It is highly recommend that you file at least 60 days prior to event in order to make sure your application has time to be reviewed by all the appropriate departments. Please refer to the License Commission's meeting schedule and application filing deadlines for details.**

If you plan to have entertainment at your event you are required to file a separate entertainment application.

WORCESTER LICENSE COMMISSION



**Special (One – Day) License
Multiple Event – Application Request**

Planning & Regulatory Services Division • 455 Main St., Room 404, Worcester, MA 01608 • Phone: 508-799-1400 ext. 31440
Office Hours: 8:30 a.m. – 5:00 p.m.

APPLICANT INFORMATION:

NAME OF APPLICANT:

Beverly Goodell

NAME OF BUSINESS/PERSON HOLDING THE EVENT:

Lupus Foundation New England

APPLICANT PHONE #:

508) 713-5199

APPLICANT EMAIL:

bgoodell@lupusne.org

IMPORTANT NOTICES & REQUIREMENTS:

- A special license cannot cover any portion of a premise currently licensed.
- The Local Licensing Authorities may issue a special license for the sale of wines and/or malt beverages to any enterprise, however special licenses for the sale of all alcoholic beverages may be issued only to non-profit organizations.
- All liquor that is not used during event must be returned to wholesaler. It is illegal to store liquor on premises to be used for future events unless indicated in your application (for example the day before an event).
- The License Commission shall, at its discretion, establish requirements for police coverage for each event.
- Special license holders cannot purchase alcoholic beverages from a package store and cannot accept donations of alcoholic beverages from anyone.
- Any change regarding the information you provide in this application requires an amendment to the special license.

CERTIFICATION:

I Beverly Goodell hereby certify that the person applying for this license does not have a pending section twelve liquor application before the License Commission and that I will comply with M.G.L c.138 and the License Commission's Rules and Regulations relative to the sale and delivery of alcoholic beverages.

Signature of

B Goodell

1-11-24

Applicant(s):

Date:

Table 1: Event Date, Times and Name of Wholesaler (please complete for all events with alcohol).

In the table below please indicate the name and address of the authorized wholesalers found on the attached list you will purchase alcohol from. All applicants *must* purchase alcoholic beverages from a licensed wholesaler found on the attached list. Events cannot occur more than one-year from date of application.

Reference Number	Event Location (Address)	Date(s) Alcohol Stored ¹	Date Alcohol Served	Hours Alcohol Served	Est. Number of People Expected	Name of Licensed Wholesaler
1	455 main st Worcester Common	6/8/24	6/8/24	11a-5p		Craft collective
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						

¹ To allow for proper delivery, storage and disposal of all alcoholic beverages purchased please apply for all dates alcohol will be on the premises. This extension will ensure that one-day licenses comply with all storage requirements under M.G.L. c. 138. License fees will only be charged for day of actual event

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Table 1 (cont.): Event Date, Times and Name of Wholesaler (please complete for all events with alcohol). In the table below please indicate the name and address of the authorized wholesalers found on the attached list you will purchase alcohol from. All applicants *must* purchase alcoholic beverages from a licensed wholesaler found on the attached list. Events cannot occur more than one-year from date of application.

Reference Number	Event Location (Address)	Date(s) Alcohol Stored ²	Date Alcohol Served	Hours Alcohol Served	Est. Number of People Expected	Name of Licensed Wholesaler
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						

² To allow for proper delivery, storage and disposal of all alcoholic beverages purchased please apply for all dates alcohol will be on the premises. This extension will ensure that one-day licensees comply with all storage requirements under M.G.L. c. 138. License fees will only be charged for day of actual event.

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[Remainder of page intentionally left blank]

Eric D. Batista
City Manager



February 2, 2024

Worcester License Commission
25 Meade Street, 2nd Floor
Worcester, MA 01610

Attn: License Commission

The purpose of this letter is to give permission to the Food Truck Festivals of America to serve beer/alcohol on the Worcester Common during their annual Worcester event on Saturday, June 8, 2024.

Should you have any further questions, please contact my office at (508) 799-1175 or citymanager@worcesterma.gov.

Respectfully,

Eric D. Batista
City Manager

**Application for One-Day Liquor License for
12th Annual Worcester Food Truck & Craft Beer Festival
June 8, 2024**

We will be hiring private security to manage the beer tent and check IDs at the tent and check IDs at the tent as well as at the entry to the festival. We check IDs of each guest and those that will be drinking are given a wristband which reads "Over 21".

As we have done in the past, we will be selling beer tickets to guests. Each ticket can be redeemed for one beer inside the tent. Guest drinking will be restricted to inside the festival grounds and they will not be allowed to remove alcoholic beverages from within the festival.

Please let us know if you need any additional information regarding security and set up.

CONFIDENTIAL



TO: ALL CONCERNED
FROM: The FTFA Team
DATE: February 2, 2024

RE: SECURITY PLAN - WORCESTER LICENSING BOARD

Hours of Operation:

WHAT: 12th Annual Worcester Food Truck & Craft Beer Festival
WHERE: City Hall Common - 455 Main Street, Worcester, MA
WHEN: Saturday, June 8, 2024 11 am to 5 pm - Last call 4:30 pm

Distributor: Craft Collective will provide the beer and servers for our event.

Security: I.D. Checks will happen at the front gate. I.D. Checkers will ensure everyone drinking will be 21 or older. They will then issue a wristband that reads FTFA 21+. All servers from Craft Collective know to only serve those with a wristband. Wristbands are non-transferable.

Flow & Control: This event is for all ages, a family friendly event. Food Truck Festivals of America is looking for free roaming beer throughout the event (no cornered off area) Our main entrance/exit will be the only point of normal entry and exit. Personnel will be posted at the main entrance/exit with a mechanical counter. This person's sole responsibility will be to keep an accurate count of people entering and leaving the area. All the other exits with the exception of the main exit/entrance point will be designated as emergency exits only.

Beer will be served out of one main beer area - see site plan

Police: FTFA is in the process of hiring the 3 Worcester police officers for detail the day of the event.

Anthony Pepe
Executive Producer
Food Truck Festivals of America
[REDACTED]

Eric D. Batista
City Manager



Attachment for Item # 11.15 A

March 12, 2024

TO THE WORCESTER CITY COUNCIL

COUNCILORS:

The enclosed proposed amendment to the itinerant musician ordinance, Chapter 12, § 26(h), as received from Michael E. Traynor, City Solicitor, is forwarded for the consideration of your Honorable Body.

In recent weeks, an updated permit application was uploaded to the City's website restricting busking in public parks to three parks and requiring itinerant musicians, also known as buskers, to obtain a \$50 permit to perform that would be good for two weeks.

The application caught people's attention, and the incorrect impression that all buskers needed a \$50 permit every two weeks to busk anywhere in the City spread. The updated permit was subsequently put on hold and my office considered what the regulations around busking should be.

Coming from a family of musicians and being a drummer myself, I know firsthand the value the arts bring to a community. I understand buskers contribute to the vibrancy and culture of the city. We should be doing everything we can – within reason – to embrace and uplift the arts in our community.

As such, I am proposing an amendment to the itinerant musician ordinance to provide buskers greater, less regulated access to the city's parks, playgrounds, and the Worcester Common, while also providing reasonable protection to other users of those spaces during their permitted activities.

Office of City Manager Eric D. Batista
City Hall, 455 Main Street, Worcester, MA 01608

Eric D. Batista
City Manager



Specifically, as proposed, buskers will no longer need to obtain the written permission of the Parks & Recreation Commission to busk in a public park, playground, or the Worcester Common. They will, however, need to perform their activity at a distance of over one hundred (100) feet from another entity's permitted activity in those spaces.

The proposed ordinance also deletes the requirement that a street performer's sign can be no larger than twelve inches by eighteen inches.

Accompanying the proposed ordinance, the solicitor also included the red line version of the current ordinance showing the changes.

Community members shouldn't have to jump through hoops to do something to *contribute to the community*. It is my hope that amending this ordinance will remove some of those hoops.

Respectfully submitted,

Eric D. Batista
City Manager



To: Eric D. Batista, City Manager
From: Michael E. Traynor, City Solicitor
Date: March 12, 2024
Re: Itinerant Musician Ordinance

Per your request, I enclose a proposed ordinance to amend Chapter 12, § 26(h) regulating itinerant musicians.

The proposed ordinance removes the requirement that an itinerant musician must receive the written approval of the Parks & Recreation Commission to busk in a public park, playground, or the Worcester Common. In its place is a restriction that such activity may not take place within one hundred feet of a permitted activity in any public park, playground, or the Worcester Common.

The amended ordinance also deletes the provision that a street performer could not have a sign exceeding twelve inches by eighteen inches.

Also enclosed is a redline copy of the changes described above.

Sincerely,

A handwritten signature in black ink that reads "Michael E. Traynor".

Michael E. Traynor
City Solicitor

Office of City Manager Eric D. Batista

City Hall, 455 Main Street, Worcester, MA 01608

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**AN ORDINANCE AMENDING CHAPTER 12, SECTION 26(h) OF THE REVISED
ORDINANCES OF 2008 RELATIVE TO ITINERANT MUSICIANS**

Be it ordained by the City Council of the City of Worcester as follows:

Section 1. Chapter 12 of the Revised Ordinances of 2008 be and is hereby amended by deleting section 26(h) in its entirety and inserting a new section 26(h) as follows:

(h) No person shall act or perform as an itinerant musician on any public street or private way shown on the official map of the city, or in any public park, playground, or the Worcester Common, where such person conducts such activity:

(1) within one hundred feet of any:

- (A) elementary or secondary school;
- (B) library;
- (C) church while in session;
- (D) hospital or nursing home;
- (E) a permitted activity in any public park, playground or the Worcester Common; or
- (F) other street performer or group of street performers; or,

(2) in such a manner as to block roadways, sidewalks, crosswalks, driveways, stairways, curb cuts, handicapped access ramps nor block access to buildings, parks, public conveyances, businesses, crosswalks, traffic control poles containing pedestrian crosswalk button(s), or within twenty feet of a fire hydrant or within five feet of any fire alarm or other emergency communication device, including public telephones, either by the performer's location, or by the location of any crowd that the performer may draw (for purposes of this ordinance "block" shall mean to reduce the width of an area for pedestrian passage or access to less than thirty-six inches or, in the case of motor vehicles, to an area less than twelve feet); or,

(3) on any portion of a public street which has been closed to usual vehicular or pedestrian traffic for any reason, except that where an authorized street fair or public festival is being conducted, such activities may be conducted only with the permission of the sponsor of such fair or festival; or,

(4) at any time outside of the hours of 8:00 a.m. to 9:00 p.m.; or,

(5) so as to generate noise exceeding a median sound level of eighty decibels measured at a distance of fifty feet from the performer or group of performers.

Nothing in this subsection (h) shall prevent any street performer from requesting contributions of money or property at a performance.

(h) No person shall act or perform as an itinerant musician on any public street or private way shown on the official map of the city, or in any public park, playground, or the Worcester Common, where such person conducts such activity:

(1) within one hundred feet of any:

(A) elementary or secondary school;

(B) library;

(C) church while in session;

(D) hospital or nursing home; ~~or;~~

(E) a permitted activity in a public park, playground or the Worcester Common; or

~~(EE) other street performer or group of street performers; or,~~

(2) in such a manner as to block roadways, sidewalks, crosswalks, driveways, stairways, curb cuts, handicapped access ramps nor block access to buildings, parks, public conveyances, businesses, crosswalks, traffic control poles containing pedestrian crosswalk button(s), or within twenty feet of a fire hydrant or within five feet of any fire alarm or other emergency communication device, including public telephones, either by the performer's location, or by the location of any crowd that the performer may draw (for purposes of this ordinance "block" shall mean to reduce the width of an area for pedestrian passage or access to less than thirty-six inches or, in the case of motor vehicles, to an area less than twelve feet); or,

(3) on any portion of a public street which has been closed to usual vehicular or pedestrian traffic for any reason, except that where an authorized street fair or public festival is being conducted, such activities may be conducted only with the permission of the sponsor of such fair or festival; or,

(4) at any time outside of the hours of 8:00 a.m. to 9:00 p.m.; or,

(5) so as to generate noise exceeding a median sound level of eighty decibels measured at a distance of fifty feet from the performer or group of performers; or,

~~(6) where such activity is conducted within any public park, playground, or the Worcester Common, without the written permission of the Parks & Recreation Commission.~~

Nothing in this subsection (h) shall prevent any street performer from requesting contributions of money or property at a performance, ~~provided that no sign requesting contributions shall exceed twelve inches by eighteen inches.~~