TOWN OF MUKWONAGO
FACILITY USE RENTAL AGREEMENT

CONTACT INFORMATION

NAME OF ORGANIZATION (if any)_____

RENTER OR RESPONSIBLE PARTY:_____

ADDRESS:_____

CITY:_____ **STATE:**_____ **ZIP:**_____

PHONE:(day)_____ **(cell)**_____ **EMAIL:** _____

RENTAL INFORMATION

DATE OF RESERVATION: _____ **START TIME**_____ **END TIME**_____
(Include set-up and clean-up time)

PURPOSE OF RENTAL: _____ **ESTIMATED ATTENDANCE**_____

RENTAL FEES

Non-profit organizations receive a 50% rental fee discount: Non-profit groups are those designated by the U.S. Internal Revenue Service or State of Wisconsin as having a tax-exempt status. Proof will be required at rental request with payment. All deposits will be required.

Check One: ☐ **Town Resident (R)** ☐ **Non Resident (NR)** ☐ **Non Profit** (proof required of 501(c) status)

Indoor Facility

___ $200 Deposit Required

___ $75 R / $150 NR	Town Hall Multi-Purpose Room (Cap. 100)	Mon-Fri 4:00pm-10:00pm
___ $100 R / $200 NR	Town Hall Multi-Purpose Room (Cap. 100)	Sat - Sun 8:00am-10:00pm
___ $35 R / $35 NR	Town Hall Multi-Purpose Room Kitchen	

Park Open Air Shelter (8 picnic tables at each pavilion)

___ $200 Deposit Required

___ $50 R / $100 NR	Town Park Pavilion	Mon-Fri 8:00am-10:00pm
___ $75 R / $150 NR	Town Park Pavilion	Sat - Sun 8:00am-10:00pm
___ $125 R / $200 NR	Town Park Pavilion with Kitchenette	Mon-Fri 8:00am-10:00pm
___ $175 R / $250 NR	Town Park Pavilion with Kitchenette	Sat - Sun 8:00am-10:00pm
___ $50 R / $100 NR	Lauren Park Pavilion	Mon-Fri 8:00am-10:00pm
___ $75 R / $150 NR	Lauren Park Pavilion	Sat - Sun 8:00am-10:00pm
___ $50 R / $100 NR	Oak Ridge Park Pavilion	Mon-Fri 8:00am-10:00pm
___ $75 R / $150 NR	Oak Ridge Park Pavilion	Sat - Sun 8:00am-10:00pm

Baseball Diamonds – (3 hour period per field)

___ $10 R / $15 NR	Lauren Park Field 1	___ $10 R / $15 NR	Lauren Park Field 2
___ $10 R / $15 NR	Lauren Park Field 3	___ $10 R / $15 NR	Lauren Park Field 4
___ $10 R / $15 NR	Town Park Lower	___ $10 R / $15 NR	Town Park Upper
___ $10 R / $15 NR	Oak Ridge Park		

Volleyball Courts – (3 hour period per court)

___ $10 R / $15 NR	Lauren Park Court 1	___ $10 R / $15 NR	Lauren Park Court 2

AVAILABLE UPON REQUEST

***Special Event Rental Agreement** – *(event open to public attendance)*

Rental Fees:	$_____
5.1% SalesTax	$_____
TOTAL	$_____
Total Deposit	$

SPECIAL REQUIREMENTS

☐ I will be applying for a **Beer & Wine Permit**

☐ I will be applying for an **Amplifier Permit**

☐ I will be applying for an **Beer/Wine License**

Beer & Wine Permit: Application is requested from the Town Clerk's office. This application does not permit sales of alcoholic beverages. it only allows alcohol beverages to be in the Park for consumption. A separate license for sales of alcoholic beverages is required pursuant to Chapter 6 of the Town of Mukwonago Code and Chapter 125, Wisconsin Statutes. All individuals requesting the beer & wine permit must be 21 years old or older. Proof required. A Permit for Beer & Wine application with $50 permit fee must be submitted at least 30 days prior to the requested date.

Amplifier Permit: Permit must be applied for at least 30 days prior to date if sound making or sound producing device/apparatus is to be used or operated. Refer to Ordinance 42.7. Applicant must file an Amplifier Permit Application with the Town Clerk at least ten days prior to the Town Board meeting and at least 30 days prior to the rental date.

Beer/Wine License: Application to allow the sale of beer or wine is requested from the Town Clerk's office. All persons requesting a beer/wine license must be 21 years old or older. Proof required. The permit application must be made in the manner required by Chapter 125. Wis. Stats.. and Chapter 6 of the Town Code.

____ **Restrooms**: Park facilities have access to port-a-johns without special request. There is no charge for the use of these unless additional port-a-johns or additional maintenance is needed for your group rental in which a fee will be determined and added to the rental. Town Hall multi-purpose room has access to bathrooms in the main hall during duration of rental.

____ **Electrical Use**: Electricity is available at Town Park & Lauren Park (see park description for locations). Fees may be invoiced at the discretion of the Town of Mukwonago, depending on the type, size and duration of the rental / event.

What will electricity be used for? _____

____ **Inflatables**: Inflatables are not permitted in Town facilities.

I the undersigned, will assume all responsibility for the proper care and utilization of the stated public area and/or facilities, including all equipment and grounds contained therein, in accordance with the Town of Mukwonago Code Ordinance chapter 46 (document attached) and the policies and rules of the Town of Mukwonago, as stated on page three and four of this document. I shall be directly responsible for any damage done during the rental period. If an Organization is named, the Person Responsible and the Organization shall be jointly and severally responsible. In addition to, and not to the exclusion or prejudice of, any provisions of this agreement, I the RENTER hereby agree to indemnify, defend and save harmless the Town, it agents, servants, employees, assigns and independent contractors of and from any costs, fees (including Attorney fees of an Attorney of the TOWN'S choosing) and all liability arising in any manner whatsoever with regard to personal injury or property damage that may arise during the RENTER'S preparation, use, or subsequent cleaning or repair of the Town facility and related activities.

The acceptance of this form constitutes an acknowledgment and acceptance of the conditions and regulations herein noted. At the discretion of the Town of Mukwonago Parks & Recreation Director, rental, in some cases of Town facilities may require approval by the Town Board.

_____	_____	_____
Renter's Signature	Renter's Name (please print)	Date

A copy of approved Rental Agreement MUST accompany renter at time of use of facility

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FOR OFFICE USE ONLY

Date Request Received: _____

☐ REQUEST APPROVED ☐ REQUEST DENIED

Rental Amount Received: $_____ Cash _____ Check #_____

Security Deposit Received: $_____ Check #_____ Date Returned:_____

Signature: _____ Date: _____

Town of Mukwonago Parks & Recreation Department

TOWN OF MUKWONAGO GENERAL RENTAL REGULATIONS

RESERVATIONS

Facility Use Rental Agreement - Unorganized group. A group less than 10 people or whose participants are almost entirely family.

Special Event Rental Agreement - Organized group. A group that is open to public attendance.

FEES & DEPOSITS

All fees and the security deposit must be paid at the time of the reservation. All rental fees are subject to the additional 5.1% Wisconsin State sales tax. If the rental fee and security deposit are paid by check, they must be paid by separate checks. Non-profit group reservations are required to pay fees, nd must provide a copy of the proof of non-profit status 501(C) at time of the reservation.

LIMITS TO RESERVATION TIME

- Programs sponsored by the Town of Mukwonago take precedence over private reservations. The Town of Mukwonago Reserves the right to enter the facility and use it as necessary, even during the private use.
- Application approval is granted for the exclusive use to reserved areas only. The Town of Mukwonago cannot guarantee privacy to any group. Individuals or families are allowed to use public park areas.
- Reservations may be limited on Memorial Day, July 4, Good Friday, Easter Sunday, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve Day or New Year's Day.
- Reservations are made for a specific time frame. Set-up and clean-up time must be included in the scheduled time. No equipment, supplies, or materials shall be placed at the facility prior to or after the scheduled rental time.

LIMITS ON USE OF FACILITIES

- Beer & Wine Permit Application. Beer & wine may be served in Town facilities by permit only. Permits are applied for through the Town Clerk's office, and subject to approval from the Town Administrator and the Mukwonago Police and Fire Departments. A PERMIT FOR BEER & WINE application must be submitted at least 30 days prior to the requested date. Glass bottles are prohibited in all Town parks.
- Beer/Wine License Application. Application to allow the sale of beer or wine is requested from the Town Clerk's office. All persons requesting a beer/wine license must be 21 years old or older. Proof required. The permit application must be made in the manner required by Chapter 125, Wis. Stats., and Chapter 6 of the Town Code.
- Amplifier Permit Application. Each applicant for an amplifier permit shall file a written application (Amplifier Permit Application) with the Town Clerk at least ten days prior to the Town Board meeting and at least 30 days prior to the date upon which said sound making or sound producing device or apparatus is to be used or operated. This is required by Section 42-7 of the Town Code. It is recommended that the Responsible Person attend the Board Meeting to answer potential questions.
- Smoking is prohibited inside all Town of Mukwonago buildings. Violations of this prohibition may be punishable by law. All smoking refuse must be disposed of properly into appropriate smoke/tobacco receptacles.
- Groups of young people under 18 are required to have the rental contract signed by a sponsoring adult who must be present during the rental.
- The Town of Mukwonago is not responsible for private equipment or material used in a Town of Mukwonago park or facility.
- No firearms/weapons permitted in the Town Hall.
- No domestic animals, including without limitation dogs, cats or horses of any kind are permitted in the Town of Mukwonago facilities.
- Any facility decorations must not be removed. Decorations may not be affixed to any permanent and/or painted part of the facility or park facility with tape, nails, hooks or fasteners. Individuals who wish to decorate may do so as long as the facility is returned to its original condition. Failure to do so will result in loss of the security deposit.

- All rental of any activities conducted must comply with all Town Ordinances including Chapter 46 of the Town Code.
- All announcements, press releases, flyers, etc. related to groups using the Town of Mukwonago parks/facility must include the following statement: THIS MEETING (PROGRAM/EVENT) IS NOT SPONSORED OR ENDORSED BY THE TOWN OF MUKWONAGO.

HOW TO APPLY

Complete the Town of Mukwonago Facility Use Rental Agreement and submit it with the required fees and deposits to the Town of Mukwonago Parks & Recreation Department, W320 S8315 Beulah Road, Mukwonago, WI 53149. The reservation must be submitted at least five (5) business days prior to the reservation date. Reservations are processed on a first-come, first serve basis. An authorized representative 18 years old or older of the group who shall be personally responsible for the conduct of the participants and for damages must sign the contract. Reservation requests for January and February can be made starting the first working day in November. Reservations request for March through December can be made starting the first working day of January. ***Special Event requests are submitted through a separate process.***

FACILITY DEPOSIT REFUND POLICY

Security deposit will be returned within 30 days after the event to the Person Responsible if the rented facility is restored to a condition as it was prior to use by the Person Responsible. In the event any damage has been done or the rented facility has not been properly cleaned, the TOWN reserves the right to forfeit the security deposit to cover repairs and/or cleaning. In the event damages are done to the TOWN property exceeding the amount of the security deposit, the TOWN reserves the right to charge the Person Responsible for the additional expenses. The security deposit is not to be considered liquidated damages.

CANCELLATION POLICY

The Town of Mukwonago has a 72 hour refund policy for cancellations of all rentals. Rental fee less a $25.00 administrative processing fee will be refunded if the Town of Mukwonago is notified prior to 72 hours of the reservation rental use date. If the Town of Mukwonago is notified of cancellation less than 72 hours before the scheduled use date rental fees are not refunded. Only the security deposit will be returned if notification is less than 72 hours.

RETURNED CHECKS

Checks written and returned as not payable will be charged $12.00 for each returned submission. The Responsible Person and participants will be removed from the reservation list until the issuer "makes good" on the amount of the returned check(s) and pays the service charges in full.

SET-UP & CLEAN-UP

The responsibility for set-up and clean-up is assumed by the group using the facility. Failure to do so will result in loss of deposit as outlined in the Deposit Refund policy. The Person Responsible must see that the procedures listed for cleaning are carried, including but not limited to the following:

- Assume responsibility for the contents and security of the facility. Opening and closing the building securely will avoid loss of deposit to the user for damage from vandalism.
- Leave the facility in the condition it was found. Nothing can be left on the premises overnight. You may not come in early in the next morning to clean-up. Garbage MUST NOT be left inside of the Kitchenette at Town Park. Remove it to the provided waste cans by the building.
- Any use of charcoal must be extinguished.
- Sweep the floor of the facility, wipe the tables and surfaces after use, and clean up any stains or spills.

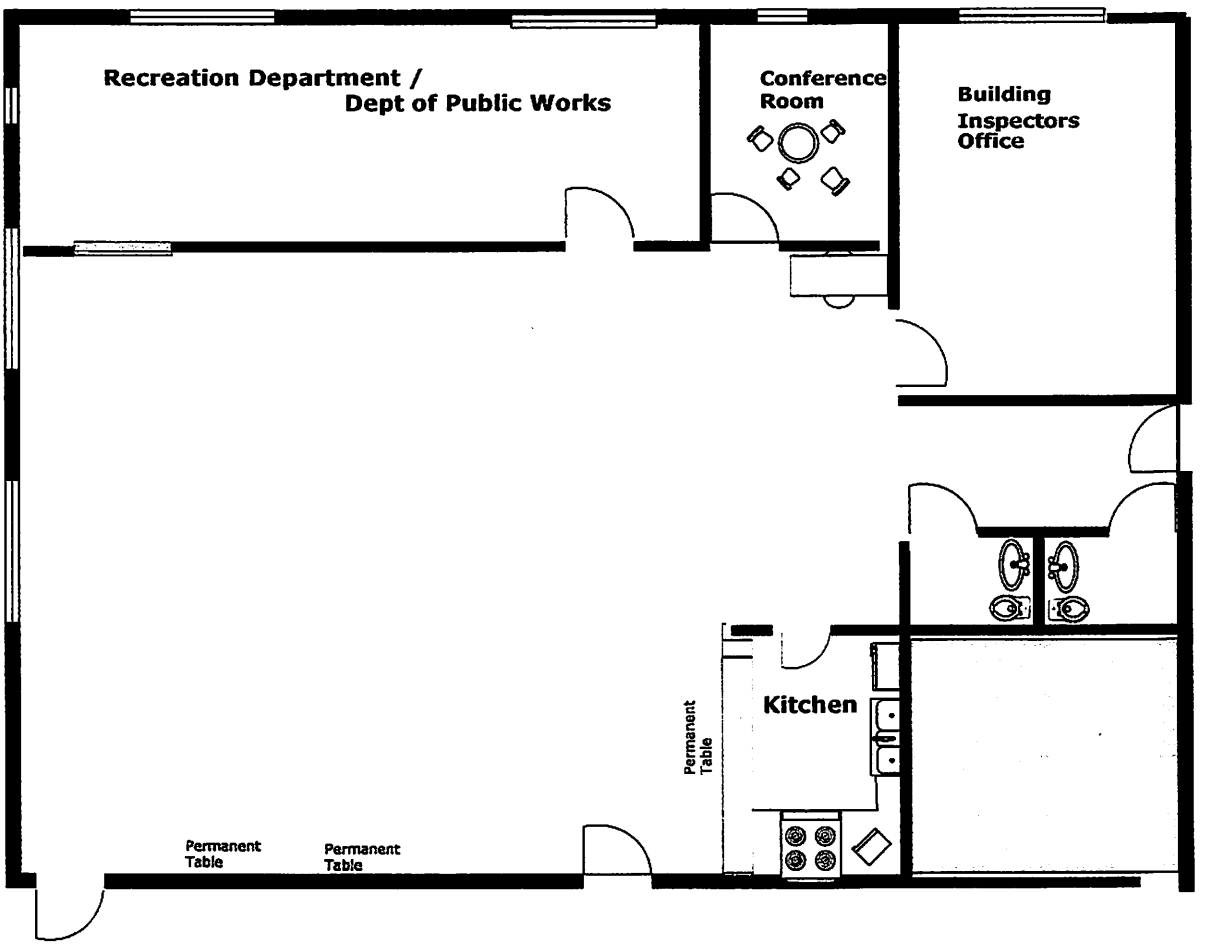
TOWN HALL FACILITY SET UP

Phone: _____ **Cell Phone:** _____

USER GROUP / PROGRAM / CLASS NAME: _____

Room Use Date: _____ **ROOM USE TIME:** _____

Phone: _____ **Cell Phone:** _____



TOWN OF MUKWONAGO

SET UP YOUR OWN ROOM -
Draw where you would like the following tables and chairs set-up for use.

Approximate Room Size 36 x 40

3 Permanent Rectangle Tables 8ft x 3ft

6 Folding Rectangle Tables 8ft x 3ft (white)

2 Folding Rectangle Tables 6ft x 3ft (white)

60 Chairs

STATE OF WISCONSIN TOWN OF MUKWONAGO WAUKESHA COUNTY

ORDINANCE NO. 2018-O-41

ORDINANCE TO REPEAL & RECREATE CHAPTER 46 OF THE MUNICIPAL CODE OF THE TOWN OF MUKWONAGO RELATING TO USE AND RENTAL OF TOWN FACILITIES

WHEREAS, it is deemed to be in the best interest of the Town of Mukwonago that the Municipal Code of the Town of Mukwonago be further modified and amended in the manner hereinafter more particularly set forth;

NOW, THEREFORE, the Town Board of the Town of Mukwonago, do hereby repeal and recreate Chapter 46 of the Town of Mukwonago Municipal Code as follows:

SECTION 1: USE OF TOWN FACILITIES GENERAL RULES AND REGULATIONS:

I. INDIVIDUAL CONDUCT:

1. There shall be no activities by any person or organization for which a charge is made without the Parks & Recreation Director or designee approval.
2. There shall be no willful disfigurements of buildings, grounds, or equipment. Wisconsin Statutes Section 943.01 through 943.05, exclusive of penalties, are incorporated herein by reference.
3. Restroom facilities shall be used only for their intended purpose and no person shall urinate or defecate in Town facilities, except within designated restroom facilities.
4. There shall be no littering in any form.
5. No person or organization will be permitted private or exclusive use of any Town facility or buildings without approval of the Parks & Recreation Director or designee, as described in Section 2 below.
6. No person or organization shall permit any domestic animals, including without limitation, dogs, cats, and horses to be in town facilities.
7. The consumption of alcohol is prohibited on any Town property, except as follows. The consumption of beer and/or wine shall be permitted only by Beer/Wine Permit issued by the Town Clerk.
8. The sale of alcohol is prohibited on Town property except as follows. The sale of beer and/or wine shall be permitted only by an alcohol beverage license issued pursuant to Chapter 125, Wis. Stats., and chapter 6 of the Town Code. Upon approval of the Town Board this permit shall be issued by the Town Clerk.
9. The use of amplification devices on Town property is prohibited except as follows. Amplification devices may be allowed as described in Section 42-7 of the Town Code upon the issuance of an amplifier permit.
10. There shall be no hawking, merchandising or selling of any articles without prior permit from the Town Board.
11. There shall be no advertising of any nature permitted in any Town facility without Town Board approval.

12. There shall be no placing or posting of signs, placards or advertisements whatsoever, except official Town signs, without Town Board approval.
13. No person may carry a weapon openly, with malicious and criminal intent, in the park. No firearms are permitted in the Town Hall.
14. No person shall make or kindle a fire for any purpose except in places provided therefore and then subject to such regulations as may be prescribed. The use of grills in designated picnic areas shall be permitted provided lawns and other vegetation are not damaged and provided further that all unburned coals or ash are disposed of in such manner as to prevent fire or damage to any park property.
15. Glass bottles are prohibited in all Town Parks.
16. There shall be no camping in any Town Park.

II. VEHICLES:

1. Rate of speed is limited to 5 m.p.h. within any Town Park.
2. There shall be no overnight parking within any Town Park.
3. There shall be no parking of vehicles in other than designated lots and roadways.
4. There shall be no operating of motorized vehicles in other than designated lots and roadways.

III. HOURS:

1. Parks are closed from 10:00pm to sunrise. No person shall remain therein during said hours, provided that, the Town Board may from time to time, in all or any of the parks publish or post a closing time different from the above stated time.
2. In the case of any emergency, or when in the judgment of the Town Board the public interest demands it, any portion of the parks or buildings therein may be closed to the public or to the designated persons until permission is given to return.

SECTION 2: RENTAL OF TOWN FACILITIES:

Individuals and non-profit organizations may use Town facilities for private purposes in full compliance with all the following conditions:

1. The responsible party must be present at all times through the private use, unless in the case of an emergency. In the case of an emergency, the Town Parks & Recreation Director, at his/her discretion, may authorize another individual to be the responsible party, provided that the individual accepts the same.
2. Town Park facilities available for private use are limited to the Town Hall Multi-Purpose Room, Town Hall Multi-Purpose Room Kitchen, Park Pavilions, Town Park kitchenette, Baseball Diamonds, Soccer Fields and Volleyball Courts as specified in the Facility Use Rental Agreement.
3. Rental of Town facilities for private use shall be available on a "first come, first serve" basis with reservations for any calendar year being first accepted at 8:30 a.m. on the first working day in January.
4. Town functions will take priority. Private use of the facilities shall not be to the exclusion of Town uses. Town officials and employees may enter the premises any purpose, at any time, even during the private use.

5. Reservations for use of all Town facilities shall be made with the Town Parks & Recreation Department by executing the approved Facility Use Rental Agreement or Tournament/Special Event Application and paying the fees and security deposit in advance.
6. The Town Board shall set the reservation fees and security deposit. The security deposit will be held to cover any damage, improper care and necessary cleaning, if any. Any portion of the deposit that remains after all of the Town costs to fully correct any such damage and cleaning are deducted shall be returned to the responsible party as authorized by the Town Parks & Recreation Director. The responsible party shall reimburse the Town for any costs of repair or cleaning that exceed the amount of the deposit within thirty (30) days of being invoiced by the Town.
7. In the event the reservation is canceled at least 72 hours prior to the event, the security deposit and reservation fee shall be refunded, except that a $25.00 processing fee shall be withheld. The reservation fee shall not be refunded, if the reservation is canceled less than 72 hours prior to the event.
8. The Town shall not be responsible for anything left, lost or stolen on the Town premises.
9. Private use of all the Town facilities is subject to all rules, regulations and ordinances of the Town of Mukwonago, and subject to strict compliance with the terms of the Facility Use Agreement, General Rental Regulations and Tournament/Special Event Policy Rules & Regulations.
10. The Town Parks & Recreation Director is authorized to refuse town facility usage based on prior unfavorable experience or usage, at his/her discretion. In the event the Town Parks & Recreation Director has any questions or concerns regarding approval of the Rental request, he/she may refer the matter to the Town Board, which will then have the authority to determine whether the Rental request will be approved. Any gathering of over 500 in attendance MUST have Town Board approval.
11. Any private use that includes attendance by the general public, or that includes a group of more than 10 people who are not related by blood, marriage or adoption, shall be subject to the Town of Mukwonago Tournament/Special Event Policy Rules & Regulations. A separate Tournament/Special Event Application shall be filed and the applicable fees shall be paid pursuant to such Policy Rules & Regulations.

SECTION 3: PENALTIES

1. For any adult adjudged to have violated the provisions of this ordinance, the municipal court is authorized to impose a forfeiture of not less than $25.00 nor more than $100.00 plus allowable statutory costs per each offense. Failure to pay any forfeiture hereunder shall subject such violator to be sentenced to the County Jail and/or revocation or suspension of driving privileges.
2. Any adult found guilty of violating any provision of this ordinance who previously has been convicted of a violation of the same ordinance within one (1) year shall upon conviction thereof, forfeit not less than $50.00 nor more than $200.00 for each such offense, together with the costs of prosecution. Failure to pay any forfeiture hereunder shall subject each violator to be sentenced to the County jail and/or revocation or suspension of driving privileges.

3. For any juvenile adjudged to have violated this ordinance, the municipal court is authorized to impose any of the dispositions listed in §§938.17(2), 938.343 and 938.344, Wis. Stats., in accordance with the provisions of those statutes, and said statutes are hereby adopted and incorporated herein. The Court is also authorized to require payment for alcohol and other drug abuse services in accordance with §938.361, Wis. Stats., and said statute is hereby adopted and incorporated herein. Any future amendments, revisions or modifications of the current or future statutes incorporated herein, are intended to be made part of this Ordinance in order to secure uniform state-wide regulation of peace and good order of the State.
4. For any juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the court imposed under §§938.343 or 938.344, Wis. Stats., the municipal court is authorized to impose any of the sanctions listed in §§938.355(6)(d) and 895.035, Wis. Stats., in accordance with the provisions of those statues and said statutes are hereby adopted and incorporated herein. Any future Amendments, revisions or modifications of the current or future statues incorporated herein, are intended to be made part of this Ordinance in order to secure uniform state-wide regulation of peace and good order of the State.

SECTION 4: Except as specifically modified and amended by this Ordinance, the Municipal Code of the Town of Mukwonago shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in full force from and after its passage and Posting or publication as provided by law.

SECTION 6: SEVERABILITY: If a court of competent jurisdiction adjudges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not affect hereby.

Adopted by the Town Board of the Town of Mukwonago on the 2nd day of April, 2018.

TOWN OF MUKWONAGO

Peter Topczewski

PETER TOPCZEWSKI, TOWN BOARD CHAIRMAN

ATTEST:

KATHY KARALEWITZ, TOWN ADMINISTRATOR