

# Village of Upper Nyack

## Policy on the Use of River Hook: the Hester Haring Cason Preserve

Approved by the Village Board of Trustees on January 18, 2024

### Section 1: Statement of Policy

The Village of Upper Nyack (Village) supports the use of River Hook: the Hester Haring Cason Preserve (River Hook) on an equitable basis, subject to the conditions stated in this policy.

It is the policy of the Village Board of Trustees to allow organizations and groups use of River Hook when the property is not needed for administrative use, activities or programs sponsored in whole or in part by the Village; and when such use is not disruptive of the programs and activities of the Village administration. Such permission is revocable and does not constitute a lease. The Village reserves the right to deny applications for use based on the availability of the property, availability of Village staff, and frequency of use. Permission to use River Hook does not imply Village endorsement of the aims, policies, or activities of any group or organization.

The Village does not discriminate in making its premises available for use on the basis of age, race, color, religion, sex, national origin, marital status, parental status, sexual orientation, gender identity, creed, ancestry, or the presence of any sensory, mental or physical disability.

The use of River Hook will be granted on a “first come, first served” basis, booked in advance. In the event of a conflict in scheduling, the Village will permit access in the following order of priority:

1. Events sponsored by the Village to promote public health, safety and/or welfare.
2. Events co-sponsored by the Village with other community organizations or individuals, such as the Friends of River Hook.
3. Events sponsored by Village-based not-for-profits that are in the educational, social, or cultural interest of the general public.
4. Events of Village-based educational, cultural and social organizations.
5. Events sponsored by commercial or for-profit organizations, or sponsored solely by non-Village organizations or individuals.

### Section 2: Definitions

**Not-for-profit:** An incorporated, established organization, with a 501©3 status, which exists for charitable or educational reasons, and from which its shareholders do not benefit profitably.

**Village-based:** Those groups with their official organization and mailing address within the Village of Upper Nyack or who derive a majority of their membership from within the Village.

### Section 3: Allowed Uses

River Hook may be used for meetings, events, programs, and private events as outlined in this document and in Local Law #XX of 20XX. Other uses by resolution of the Village Board of Trustees.

## Section 4: Insurance Requirements

The Village reserves the right to require a Certificate of Insurance in the amount of \$1,000,000, Combined Single Limit of Liability for Bodily Injury and Property Damage, with the Village listed as additional insured. The Village reserves the right to require the organizers of any event that includes alcohol to provide a Certificate of Insurance showing an alcohol rider, with the Village listed as additional insured.

## Section 5: Fees

Fees are based on the proposed use category.

Category 1. Events of Village-based individuals, groups, and not-for profits for events open to the public. These events include:

- Events sponsored by the Village to promote public health, safety and/or welfare.
- Events co-sponsored by the Village with other community organizations or individuals, such as the Friends of River Hook.
- Events sponsored by Village-based not-for-profits that are in the educational, social, or cultural interest of the general public.
- Events of Village-based educational, cultural and social organizations.

**There is no fee for the above uses of River Hook.**

Category 2. Private events not open to the public or open to the public but commercial in nature. These events include weddings and catered events, events sponsored by commercial entities or for-profit organizations, or events sponsored solely by non-Village organizations or individuals.

**There is fee of \$200 for each 4-hour period and a \$200 cleaning fee deposit. Fees and deposits must be submitted with the application.**

Waiver of fees: The Village reserves the right to waive fees for groups or individuals whose activities provide direct benefits to the Village. Any appeal for waiver of fees must be made to the Village Board of Trustees prior to finalization of the reservation.

## Section 6: Other Terms

1. Occupancy of River Hook for any event is governed by Local Law # XX.X of 20XX.
2. The Village Board of Trustees reserves the right to review and reject any application that does not promote the health, safety and welfare of the Village of Upper Nyack or that risks damage to River Hook. The determination of the Village Board of Trustees is final.
3. All use of River Hook must adhere to Village laws, ordinances, and policies regarding conduct and behavior. The Village Clerk may require any application to submitted to the Village Board of Trustees for prior review and may require additional supporting information to be provided.
4. The fact that a group is permitted to use River Hook does not in any way constitute an endorsement of the group's policies or beliefs by the Village.

5. Publicity for all events, not co-sponsored by the Village, is the applicant's responsibility and the following statement must be included in all promotional flyers and publicity notices, "This program is neither sponsored nor affiliated with the Village of Upper Nyack."

6. The Village reserves the right to impose limitations on the frequency of use of River Hook by an individual or organization.

7. The Village Clerk is authorized to determine the appropriate use of River Hook. In the case of denial, an appeal may be made in writing to the Village Board of Trustees. The decision of the Village Board of Trustees is final.

8. Village staff will prepare the site according to what has been arranged in advance, but applicants are responsible for maintaining reasonable order and return the site to its original condition after completion of the scheduled activity. Forfeit of the cleaning fee deposit is by the sole discretion of the Village Clerk.

9. The Village Clerk and Village Board of Trustees reserve the right to cancel an event with notice, in their sole discretion, in the event of a building emergency or other emergency, inclement weather or Act of God. In event of such a cancellation, fees and deposits will be returned. Applicant agrees to waive any claim for damages due to such a cancellation.

10. This policy is subject to periodic review, revision, and amendment by the Village Board of Trustees. In appropriate circumstances, advance exceptions to this policy may be authorized by the Village Board of Trustees.