



TOWN OF WARNER

PO Box 265 ~ 5 East Main St
Warner, New Hampshire 03278-0265
603-456-2298
Warnernh.gov

RECEIVED

JAN 05 2026

Initial:

5B-Mtg 1/6/26

Select Board:
Harry Seidel, Chair
Michael Smith
Alfred Hanson
selectboard@warnernh.gov

Warner Policy and Practice for Third-Party Use of Town Land

1. Use of the Town Land shall be limited to Warner residents and non-profit organizations, whose primary purpose is to benefit Warner's residents and the Town.
2. The Select Board may also authorize use by other organizations and individuals in exceptional cases, but only when they consider such use to be in the overall best interest of the Town and its residents.
3. Authorization to use the Town Land shall be subject to conditions the Select Board may reasonably impose.
4. Alcohol consumption is prohibited on Town Land, without the Select Board granting a permit for alcohol service and consumption.
5. If anticipated attendance and duration of the activities warrant, portable toilets shall be provided and paid for by the sponsoring organization.
6. The sponsoring organization shall fill out an Event Permit for the event, which will be used to notify the Warner Police Department, no less than 14 days in advance of the activity. The sponsoring organization shall be responsible for the cost of any additional police coverage that the Police Department may require.
7. All refuse must be removed from Town Land by the sponsoring organization or individual promptly at the conclusion of the authorized activity, and never later than 24 hours after the activity. (Recycling is strongly encouraged)
8. The sponsoring organization or individual shall be responsible for any damage to Town property and all costs associated with necessary repairs. Only contractors approved by the Select Board shall carry out repairs.
9. The sponsoring organization or individual shall be responsible for the removal of any known or discovered hazards present at the Town Land before the event commences.
- 10 The Board of Selectmen may require the sponsoring organization or individual to request Fire or Emergency Medical services to be on-site during the activity.
11. The Board strongly suggests that the sponsoring organizations or individuals obtain general liability insurance for the event, and may also, in its sole discretion, require the sponsoring organizations or individuals to provide proof of general liability insurance coverage in an acceptable form and amount protecting the organization against claims for bodily injury or property damage.



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APPLICATION TO USE WARNER TOWN PROPERTY

Request of Use – Property Location:

NAME AND CONTACT INFORMATION OF INDIVIDUAL/ORGANIZATION REQUESTING USE:

NAME: _____

ORGANIZATION: _____

ADDRESS: _____

PHONE #: _____ CELL #: _____ EMAIL: _____

DESCRIPTION OF EVENT/ACTIVITY

DATE(S) REQUESTED: _____

TIME(S) REQUESTED: _____

(If necessary, please attach a list of dates to this form)

NAME OF EVENT: _____

TYPE OF FUNCTION: SOCIAL _____ RELIGIOUS _____ FUNDRAISING _____ OTHER _____

ANTICIPATED NUMBER OF ATTENDEES: 0-49 _____ 50-100 _____ Over 100+ _____

(If 150+ attendees, a different Permit Application is required)

WILL ALCOHOL BE SERVED? YES _____ NO _____

FEES & REFUNDABLE DEPOSITS

If applicable:

All payments must be made in advance by cash or check (made out to: Town of Warner)

Local Organizations/Resident: 12 hours or less = \$50 13-24 hours = \$100

Outside of Town Organizations/Non-Resident: 12 hours or less = \$200 13-24 hours = \$400

There is a mandatory refundable deposit for use of all Town properties, as noted here:

Resident = \$100

Non-Resident = \$250

ACKNOWLEDGEMENT:

As a representative of the above organization, I have read and agree to the terms provided by the Town for use of the space referenced on this form. I am attaching a check in the amount of \$_____ to cover the rental charge, and a deposit in the amount of \$_____ refundable upon completion of the event where property has been left in a clean and orderly condition, including the removal of all refuse and re-setting of all furniture and appliances to their proper place, as applicable. I also understand that this reservation may be revoked at any time, with notice, based on the needs of the Town.

Signature: _____ Printed name: _____

Date of Application: _____

Check #: _____ Amount: \$ _____

Date deposit returned: _____



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OTHER CONSIDERATIONS

I understand that I am responsible for contacting the various departments/personnel responsible for the following, depending on the needs & requirements of my event. Please contact the Selectboard office to find out the specific departments and contact information. Selectboard@WarnerNH.gov - 603-456-2298 Ext 1

HOLD HARMLESS AGREEMENT FOR USE OF TOWN PROPERTY

The undersigned agrees to indemnify and hold harmless the Town of Warner and its employees from any and all loss, cost (including attorney's fees), damages, expense and liability in connection with claims for property damage, bodily injury or death of any person which may arise out of the use of the properties owned by the Town of Warner.

A certificate of liability insurance must be attached to this application.

NAME OF ORGANIZATION: _____

NAME OF ORGANIZATION

REPRESENTATIVE AND TITLE: _____

SIGNATURE: _____ DATE: _____

APPROVAL (FOR SELECTMEN USE ONLY)

APPROVED

☐

SELECTMAN

DENIED

☐

SELECTMAN

DATE: _____

SELECTMAN

NOTES OR SPECIAL REQUESTS BY THE BOARD OF SELECTMEN

Community Use of Facilities

PRIMEX³ RISK MANAGEMENT BULLETIN

Primex³ members are often asked by members of the community to use "public" facilities for various activities. They can include festivals coordinated by a local club, model train shows, anniversary parties — even a frog jumping contest.

From a risk management perspective, use of your facilities by individuals or community organizations increases your exposure to accidents. The number of visitors who would not otherwise be on your property is increased, and the types of activities may include risk beyond what normally takes place on your premises. When accidents happen, there is always a risk that claims could be filed. In these contexts, sound risk management may include risk transfer.

Transfer of Risk

A Facilities and Premises Use Ordinance or Policy should, whenever constitutionally permissible, reduce or transfer risk to the group who is responsible. The policy should:

- Include a Facilities Use Agreement, establishing reasonable, viewpoint neutral non-discriminatory criteria which must be met before granting outsiders permission to use your facilities.
- Outline who is responsible for damages to your property and for any liability arising out of the event.
- Include an indemnification agreement, whereby the group defends, indemnifies, and holds you harmless against claims related to their use of the premises.
- Require proof of liability insurance, with your organization named as an additional insured party through an endorsement (if needed).

Types of Events

From a constitutional perspective, government entities must be even-handed and viewpoint neutral in their oversight and administration of public use of public premises. Use of facilities should be governed by a local ordinance, or administrative policy/procedure. It should provide for timely administrative review of permit denials, view point neutral criteria, bonding and indemnification requirements and waivers of insurance in situations where applicants cannot reasonably afford or obtain protection for the government entity. The development of a use of facilities and premises ordinance or policy is, therefore, a complex undertaking that each government entity should address with their counsel. Primex³ counsel have done significant research in this area and would be happy to provide assistance and input to your counsel.

Liability Coverage Option for Facility Users

If the outside group does not have insurance, finding commercial insurance coverage for a one day event may be inexpensive. The outside group using the facility should contact local insurance agencies and request coverage for a "one day Special Event Liability policy." The outside group should ask that your entity be named as an additional insured.

For more information, please contact your Primex³ Risk Management Consultant at 800-698-2364 or email RiskManagement@nhprimex.org.