



## ***Batting Cage Rules and Regulations***

- No one shall be permitted to use the batting cages unless the participant (or if the participant is a minor, his/her parent or guardian) has signed and submitted a *Waiver of Liability and Release for use of Batting Cages at Powerhouse Gym of Brewster, NY.*
- Adults (18 years old and older) must feed and operate the pitching machine.
- All Adults feeding and/or operating the pitching machine must have completed an appropriate training course, provided by Nardini's Sports Performance and Powerhouse Gym of Brewster, NY, on the use of the batting cages.
- Youth under the age of 18 must be accompanied by an adult.
- Only one batter may be in a cage at any given time.
- Adults are responsible for the actions of the youths in the batting cage. Misconduct will result in immediate termination of privileges.
- Closed-toed shoes must be worn.
- No cleats allowed.
- No food or drink allowed.
- All participants (batting or otherwise) must wear helmets at all times while in the batting cage.
- Spectators and those not batting or pitching must stand outside the fenced area.
- Practice pitches must be taken before inviting a batter into the cage.
- When finished, all balls, bats, and trash must be picked up

Participants Information:

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone Number \_\_\_\_\_

Parent's/Guardian's name \_\_\_\_\_

***Waiver of Liability and Release for use of Batting Cages at Powerhouse Gym of Brewster, NY***

I, the undersigned participant/parent or guardian of the participant, recognize and acknowledge that use of the Nardini's Sports Performance batting cages at Powerhouse Gym of Brewster, NY (hereinafter "Batting Cages") involve inherent risks, including but not limited to the risk of serious injury, including permanent disability or death, and severe social and economic losses which might result from participant action, inaction, negligence of others, rules of play, or the condition of the premises or any equipment used thereon. Further, I understand that there may be other risks not known or reasonably foreseeable at this time and that such risks shall be assumed by the undersigned. In consideration of such risks, known or unknown, I agree as follows:

I expressly agree and promise to accept and assume all the risks existing in this activity. My/my child's participation in this activity is purely voluntary and I elect, in spite of the risks, to participate and/or to allow my child to participate. I assume all the foregoing risks and accept personal responsibility for any damages or injuries that I or my child may suffer.

On behalf of myself, my children, my parents, my heirs, assigns, personal representatives I hereby voluntarily release, waive, forever discharge, and agree to indemnify and hold harmless Nardini's Sports Performance and Powerhouse Gym of Brewster, NY and each of their respective directors, managers, coaches, agents, and volunteers, from any and all liability for any and all claims, demands of causes of action which are in any way connected with my or my child's use of the batting cages. This release of liability, indemnity and hold harmless applies equally to losses, damages, or injuries caused or alleged to be caused in whole or in part by the negligence of the Nardini's Sports Performance and Powerhouse Gym of Brewster, NY, their respective directors, managers, coaches, agents, and volunteers. I further agree to release, waive and discharge, and covenant not to sue Nardini's Sports Performance and Powerhouse Gym of Brewster, NY and each of their respective directors, managers, coaches, agents, and volunteers, for any claims, demands, or actions whatsoever arising out of any damage, loss, or injury incurred on or to me or my child as a result of my participation, or my child's participation, in activities involving the Batting Cages.

I further understand that I am legally responsible for actions of my child, including, but not limited to, any damage to private or public property.

I hereby certify that I have read and am familiar with the Batting Cage Rules and Regulations and will comply with conditions set forth therein.

I acknowledge and certify that I am at least 18 years old, or the parent or legal guardian of the participant under 18, and I agree ***I and my child will wear a helmet at all times while in the Batting Cages.*** I hereby provide that Nardini's Sports Performance and Powerhouse Gym of Brewster, NY has my permission to administer basic First Aid and I authorize Nardini's Sports Performance and Powerhouse Gym of Brewster, NY or their directors, agents or volunteers to contact 911 or other emergency personnel as needed.

By signing this document, I acknowledge that if anyone is hurt, or property is damaged during participation in this activity a court of law may find me to have waived my and my child's right to maintain a lawsuit against Nardini's Sports Performance and Powerhouse Gym of Brewster, NY and each of their respective directors, managers, coaches, agents, and volunteers, on the basis of any claim from which I have released them herein.

***I HAVE HAD SUFFICIENT OPPORTUNITY TO READ THE ENTIRE DOCUMENT. I HAVE READ AND UNDERSTOOD IT, AND I AGREE TO BE BOUND BY ITS TERMS.***

Signature \_\_\_\_\_ Date \_\_\_\_\_