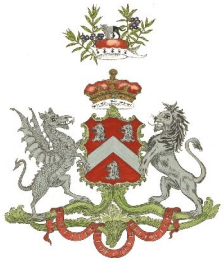
# ***ADOPTED BY ALBEMARLE CITY COUNCIL***
# JUNE 8, 2010

# CITY OF ALBEMARLE



# FACILITY USE POLICY AND REGULATIONS

The City of Albemarle has facilities that are designed for recreational, civic and cultural activities. The primary use of these facilities is for activities sponsored by the City. The facilities shall be available for usage or rental when not in use for scheduled City activities. Use by Albemarle nonprofit community groups and the general public shall be available as the schedule allows. The schedule of City sponsored activities shall be developed well in advance and clearly indicate when the building is available for use by other groups. Activities and programs shall be classified into groups for the purpose of developing scheduling priorities. City activities have priority use over all other applicants for facility use. The City Manager or designated representative shall have the responsibility for the implementation of all regulations.

## CLASSIFICATION OF APPLICANTS

Each application will be reviewed by the Facility Coordinator and classified into a group depending on the type of organization and the intended use. The City's activities have first priority for the use of the facilities. The classifications are listed in order of priority with classification "A" first, classification "B" second, etc.

## CLASSIFICATIONS

| Class | Description | Definitions |
|---|---|---|
| A | City | Programs organized, sponsored, or conducted by the City of Albemarle are interpreted to mean City of Albemarle, its officers, agents, employees and other affiliated organizations. |
| B | Local Government | Official local government agencies local to Stanly County including public schools. |
| C | Other Government | Other government entities including State and Federal. |
| D | Non-Profits | Facility use by City of Albemarle nonprofit community groups or youth organizations, or private schools. A nonprofit is interpreted to mean an organization operating as a registered nonprofit which serves the Albemarle community. Nonprofit organizations shall submit a copy of their 501 (C) letter. Membership roster, by-laws and constitution, may also be required. |
| E | Civic | All groups serving a civic purpose in the Albemarle community exclusive of those entities subject to Class D above. |
| F | Resident | A resident is an individual whose primary address is inside the corporate limits of the City of Albemarle. |
| G | Non-Resident Owner | A non-resident owner is an individual whose primary address is outside the corporate limits of the City of Albemarle, but who owns property within the corporate limits of the City of Albemarle. |
| H | Non-Resident | A non-resident is an individual whose primary address is outside the corporate limits of the City of Albemarle. |

***The City reserves the right to limit the use of the City's facilities.***

## FACILITY SPECIFICATIONS

| ID | Public Meeting Rooms | Type | Allowable Classifications |
|---|---|---|---|
| ACH 2 | Albemarle City Hall Community Room | 1 | A,B,C,D, & E |
| ACH 3 | Albemarle City Hall Yadkin Conference Room | 2 | A,B,C,D, & E |
| ACH 4 | Albemarle City Hall Uwharrie Conference Room | 2 | A,B, & C |
| ACH 5 | Albemarle City Hall Council Chambers Room | 6 | A,B, & C |
| FS 2 | Fire Station One Community Room | 1 | A,B,C,D,E,F,G, & H |
| FS 3 | Fire Station One Small Training Room | 4 | A |
| FS 4 | Fire Station One Conference Room | 2 | A,B, & C |
| | **Community Center Meeting Rooms** | | |
| WCC 2 | EE Waddell Community Center Banquet Hall | 3 | A,B,C,D,E,F,G, & H |
| WCC 3 | EE Waddell Community Center Classroom 1 | 4 | A,B,C,D,E,F,G, & H |
| WCC 4 | EE Waddell Community Center Classroom 2 | 4 | A,B,C,D,E,F,G, & H |
| WCC 5 | EE Waddell Community Center Conference Room | 2 | A,B,C,D,E,F,G, & H |
| WCC 6 | EE Waddell Community Center Gym | 5 | A,B,C,D,E,F,G, & H |
| NC2 | Niven Center Community Room | 1 | A,B,C,D,E,F,G, & H |
| NC3 | Niven Center Classroom 1 | 4 | A,B,C,D,E,F,G, & H |
| NC4 | Niven Center Classroom 2 | 4 | A,B,C,D,E,F,G, & H |

**PUBLIC MEETING ROOM RENTAL FEE SCHEDULE (Albemarle City Hall and Fire Stations)**

Classification A is exempt from the fee schedule. Classifications B & C are exempt from the fee schedule for the first five days per calendar year, additional days may be approved pending availability and subject to paying the rental fee. Classifications D, E, F, and G are subject to the rental fee schedule as shown below. In all cases, if admission is charged or if items are sold (concessions, souvenirs, etc.) the rental fee shall be subject to the applicable rental fee in addition to twenty-five percent (25%) of the gross receipts which shall be payable to the City of Albemarle.

| Public Meeting Facility Type | Public Meeting Facility Description | Security Deposit | Rental Fee Base (2 hrs) For Classes B,C,D,E,F,G | Rental Fee Base (2 hrs) For Class H | Rental Fee Per Hour After Base Charge | Kitchen Up-Charge for Meal Preparation |
|---|---|---|---|---|---|---|
| 1 | Community Room | $100 | $50 | $75 | $25 | $100 |
| 2 | Conference Room | $50 | $25 | **$40** | $25 | NA |
| 4 | Class Room | $50 | $25 | **$40** | $25 | NA |
| 6 | Council Chambers | $200 | $50 | $75 | $25 | NA |

***During the regular operating hours of the facility, a rental fee will not apply provided no food or drink is prepared or served.***

***Kitchen facilities are to be used only for warming and serving of food***

**COMMUNITY CENTER MEETING ROOM RENTAL FEE SCHEDULE (Waddell and Niven Centers)**

Classification A is exempt from the fee schedule. Classifications B & C are exempt from the fee schedule for the first five days per calendar year, additional days may be approved pending availability and subject to paying the rental fee. Classifications D, E, F, and G are subject to the rental fee schedule as shown below. In all cases, if admission is charged or if items are sold (concessions, souvenirs, etc.) the rental fee shall be subject to the applicable rental fee in addition to twenty-five percent (25%) of the gross receipts which shall be payable to the City of Albemarle.

| Community Center Room/Facility Type | Community Center Room / Facility Description | Damage-Cleaning Deposit | Cleaning Charge | Rental Fee Base For Classes B,C,D,E,F,G | Rental Fee Base For Class H | Rental Fee Per Hour After Base Charge |
|---|---|---|---|---|---|---|
| **1** | **Community Room** | **$75** | **NA** | **$50 (2 hrs)** | **$75 (2 hrs)** | **$20** |
| **2** | **Conference Room** | **$50** | **NA** | **$25 (2 hrs)** | **$40 (2 hrs)** | **$20** |
| **3** | **Banquet Room** | **NA** | **$75** | **$125 (5 hrs)** | **$190 (5 hrs)** | **$20** |
| **4** | **Class Room** | **$50** | **NA** | **$25 (2 hrs)** | **$40 (2 hrs)** | **$20** |
| **5** | **Gymnasium** | **$150** | **NA** | **$50 (2 hrs)** | **$75 (2 hrs)** | **$25** |

*During the regular operating hours of the facility, a rental fee will not apply provided no food or drink is prepared or served.*

*Kitchen facilities are to be used only for warming and serving of food*

*Exclusive use of kitchen is included with Banquet Hall rental*

## FACILITY ADMINISTRATION

Facilities subject to this policy shall be administered by the designated Facility Coordinator as enumerated below:

The Facility Use Coordinating Committee shall be comprised of each facility coordinator with the Chief of Police acting as chair person.

| ID | Facility Name | Coordinator | Phone Number |
|---|---|---|---|
| ACH 2 | Albemarle City Hall Community Room | Administration | 704-984-9405 |
| ACH 3 | Albemarle City Hall Yadkin Conference Room | Administration | 704-984-9405 |
| ACH 4 | Albemarle City Hall Uwharrie Conference Room | Administration | 704-984-9405 |
| ACH 5 | Albemarle City Hall Council Chambers Rooms | Administration | 704-984-9405 |
| FS2 | Fire Station One Community Room | Fire Department | 704-984-9475 |
| FS3 | Fire Station One Small Training Room | Fire Department | 704-984-9475 |
| FS4 | Fire Station One Conference Room | Fire Department | 704-984-9475 |
| WCC2 | EE Waddell Community Center Banquet Hall | Parks/Recreation | 704-984-9569 |
| WCC3 | EE Waddell Community Center Classroom 1 | Parks/Recreation | 704-984-9569 |
| WCC4 | EE Waddell Community Center Classroom 2 | Parks/Recreation | 704-984-9569 |
| WCC5 | EE Waddell Community Center Conference Room | Parks/Recreation | 704-984-9569 |
| WCC6 | EE Waddell Community Center Gym | Parks/Recreation | 704-984-9569 |
| NC2 | Niven Center Community Room | Parks/Recreation | 704-984-9560 |
| NC3 | Niven Center Classroom 1 | Parks/Recreation | 704-984-9560 |
| NC4 | Niven Center Classroom 2 | Parks/Recreation | 704-984-9560 |

## FACILITY USE REGULATIONS

Applications for use of City facilities are available by mail or at the appropriate Facility Coordinator's office. Applications are reviewed, prioritized, and fees, if any, are determined by the Facility Use Coordinating Committee. Approval for use is not granted to a person less than twenty-one (21) years of age.

## APPLICATION PROCEDURES AND POLICIES

1. A COMPLETED FACILITY USE APPLICATION CAN ONLY BE SUBMITTED FOR SPECIFIC DATES AND TIMES-- must include a set-up and clean-up time. Applications must be submitted at least seven (7) calendar days in advance of the date requested. Photo identification is required from all applicants. Proof of active status required for Military discount. Applicants may schedule an event six (6) months in advance. THE SUBMISSION OF AN APPLICATION DOES NOT CONSTITUTE
APPROVAL. Facilities are not available for use on major City holidays.

2. The City reserves the right to limit the number of uses by any one group so that the entire community has access to the limited available facilities. Facility use is limited to no more than two uses per month, per group, except Classifications A, B, C.

3. In the event of a change of plan by an applicant, notice of cancellation must be given to the Facility Coordinator three (3) calendar days before the date of intended use in order to reduce the financial obligation for charges involved. A one hundred dollar ($100) processing fee is charged and a refund, if applicable, is mailed to the applicant. A cancellation less than three (3) days prior to an event results in a forfeiture of your entire deposit amount.

4. Fee Payment:

Fees for use of Public Meeting Rooms are to be paid at the Finance Collections counter. The City accepts cash or checks made payable to City of Albemarle.

Fees for use of Community Center Meeting Rooms are to be paid at the Parks and Recreation Department offices. The City accepts cash or checks made payable to City of Albemarle.

5. A refundable cleaning/damage deposit is required and must be paid at time application is submitted (exception: Banquet Hall, which carries a mandatory cleaning fee). Payment shall occur seven (7) days before scheduled use. Groups using facilities on a semi-monthly or monthly schedule must pay on or before the first meeting of the month.

6. Additional requirements may be imposed as a condition of approval. These additional requirements may include, but are not limited to, additional security, City staff or insurance. Cost incurred for additional requirements shall be the responsibility of the applicant. Any preparation for facility use is solely at the applicant's risk until the FACILITY USE PERMIT is issued.

7. A FACILITY USE PERMIT will only be issued after all required fees have been paid. It is the responsibility of the renter to see that unauthorized portions of the facility are not disturbed in any way and that the premises are vacated as scheduled.

Permits must be presented to City staff on the day of the event before access to the building is allowed. The building will not be opened until the responsible person(s) named in the application is present. One of the named person(s) must remain in attendance throughout the entire facility usage time.

Entire event must be conducted within the rental period indicated on application; this includes all preparation and set-up time as well as clean-up time. Failure to do so shall result in loss of full security deposit.

Hours of use, all changes and any unusual requirements such as special custodial services, decorations, special equipment, additional services and hours of event rented changed shall be listed in writing on the application and permit. The grounds, building or any part of the facility shall not be altered or changed without written approval.

Permission to use the building is granted subject to observance of regulations. Permits may be revoked for violation of regulations.

8. Approval, Denial, Revocation and Appeal Process

- Denial -- The Facility Coordinator may deny any application. An applicant may be notified of denial by telephone, which shall be followed-up by a written notice of denial. Written notice of denial, along with appropriate explanation, will be made by first class mail, addressed to the person in whose name the application is filed. Application for use may be denied for the following reasons:
    a. Date not available.
    b. Unsatisfactory record in prior use, defined as failure to comply with rules and regulations.
    c. Proposed use would create a hazardous condition.
    d. Non-payment of fees when due.
    e. A proposed use contrary to the public health, safety, and welfare.

- Revocation -- The Facility Coordinator may revoke any permit for use if it is determined that the permittee has violated any provision of the City of Albemarle Facility Use Regulations. Notice of revocation, along with appropriate explanation, will be made by first class mail, addressed to the person in whose name the permit was issued.
- Appeal From Granting of Facility Use Permit -- An appeal from the granting of a facility use permit may be filed with the City Manager's office within ten (10) days from the granting of the use permit. Said appeal must be in writing and include a brief recitation of the basis for the appeal and any other information, which the appellant may wish to submit.
- Appeal from Denial or Revocation -- If an application is denied or revoked by a Facility Coordinator, the application or permittee may appeal said decision to the Facility Use Coordinating Committee. The appeal must be in writing, and must be postmarked or hand delivered within fifteen (15) days from the date the notice of denial or revocation was deposited in the U.S. Mail, to:

City of Albemarle
PO Box 190
Albemarle, NC 28002
Attention: Facility Use Coordinating Committee
C/O: City Administration

  - The appeal must include a copy of the notice of denial or revocation, a brief recitation of the basis for the appeal, and any other information, which the appellant may wish to submit.
  - The decision of the Facility Use Coordinating Committee regarding the appeal will be sent by first class mail to the appellant.
  - If needed the appeal will be forwarded to the City Manager. The decision of the City Manager is final.

## RULES GOVERNING FACILITY USE

1. Liability/Insurance

The City of Albemarle is not liable for accidents, injuries or loss of personal property in connection with any of its facilities. Groups which fall into moderate to high risk activity will be required to obtain liability insurance (rider clause to original policy), approved by the City, naming the City of Albemarle, its officers and employees as additional insured. The City shall require liability insurance of $1 million to $5 million, depending upon the risk factor. Groups will be responsible for all damage to City property as a result of actions of the group and participants, representatives or other activity on behalf or in connection with the group activity.

2. Prohibited Uses

No activity is permitted which is in violation of local, state or federal statues. Applicants must adhere to all City policies and fire codes during their use of the facility. The use of any facility is not granted or permitted to any individual, society group or organization which has its objectives to overthrow or advancing of the overthrow of the present form of government of the United States or the State of North Carolina by force or violence. No two groups of opposing political parties or political affiliation shall be scheduled at the same time at any facility. The use of any facility is not granted or permitted to any individual, society group or organization which causes or leads to conditions that may cause a threat to the public health, safety or welfare, that is organized for the purpose of discrimination, harassment or offensive language or that participants in the same.

3. Smoking and Tobacco Use

Smoking and/or the use of tobacco products is not permitted in any City facility.

4. Supervision
A City staff member is assigned for each facility rental. The staff member or his designee shall have complete authority over the facility being used, all equipment, participants and activities. The staff member on duty shall have the authority to request changes in activities or the cessation of activities. The group(s) using the facility must comply with these requests or instruction. Groups holding facility use permits should consult the available staff member in regard to their needs. The City reserves the right of full access of all City property and to all activities in order to ensure that all rules and regulations are being observed, and may terminate any and all activities for the safety and welfare of the attendees, citizens or City property.

5. Equipment
City equipment may not be removed from the facility.

6. Set-up, Takedown and Clean-up

For Public Meeting Facilities (City Hall and Fire Stations):
All table/chair set-up and takedown is done by applicant. Applicant is responsible for the removal of all party related items and their trash at the conclusion of their rental. Applicants must leave all facilities in the same condition it was received. On the day of the event, the applicant must initially inspect the premises with a staff person and fill out a Condition of Facility Report. This report is a checklist to ensure there is no negligence by either party. At the conclusion of the rental and clean-up period, City staff will inspect the premises and complete a final Condition of Facility Report.

For Community Center Banquet Room Use:
All table/chair set-up is done by the applicant. At conclusion of event, applicant is responsible for take-down of tables and chairs, removal of all trash from facility, and proper disposal thereof, and for washing of all dishes, utensils, and other serving items which are to remain on site. The City will contract with a cleaning service which will mop, vacuum, sanitize, and otherwise complete cleaning of the facility prior to its next use.

7. Deposit Refund
Refund of security deposit will be issued within thirty (30) days of the facility use date. Any use of alcohol by renter shall result in the termination of event and full forfeiture of
security deposit. If a group fails to perform a proper clean up after their activity, the total deposit shall be forfeited. Applicant shall bear the full financial responsibility for any and all damages to equipment or facility. The applicant and group shall be invoiced for all damages exceeding the forfeited deposit and shall be banned from further city facilities use until all balances are paid in full.

8. Decorations
No decorations of any kind may be attached to any part of the facility. Use of any type of candle or open flame decoration is prohibited.

9. Glass Containers
All glass containers with the exception of pitchers, drinking glasses, and coffee cups are prohibited.

10. Food and Drinks
Food and drinks are permitted in only certain designated areas as determined by the City.

11. Alcohol Use
The use and/or possession of alcoholic beverages are prohibited. No person shall consume any alcoholic beverage prior to attending an event.

12. Sound
Sound levels shall be maintained as to not disturb anyone else in the building or the immediate surrounding neighborhood. All doors must remain closed during the event if sound producing equipment is used. The use of amplified sound equipment is the responsibility of the applicant and must be specified on the facility use application and is subject to the approval of the Facility Coordinator.

13. Security
The City reserves the right to require security at any and all events. The number of security guards shall be determined by the Facility Coordinator.

14. Minors
One individual, age twenty-five (25) or older, shall be present for every twelve (12) individuals age twenty-one (21) or younger. The applicant, who is over the age of twenty-five (25), shall be present at the facility rental during the entire event. If the applicant leaves for any reason, the rental is terminated and all fees and deposits are forfeited. All groups are under the direction and responsibility of the applicant.

15. Use Forfeiture
Regularly scheduled groups who fail to notify the City of cancellations shall, after two (2) consecutive times, automatically be taken off the facility calendar. A new application must then be submitted for reinstatement.

16. Animals
No animals except, federally recognized service animals, shall be allowed inside City facilities.

17. Parking
Parking of vehicles is allowed in marked/authorized parking spaces only.

18. Possession of Permit
The Facility Use Permit shall be in possession of the applicant and shall be immediately presented upon request to any requesting official.

19. Bans on Applicants
The City reserves the right to ban any and all applicants and attendees from City property.

20. Hours of Operation

For Public Meeting Facilities (City Hall and Fire Stations):
Hours of operation shall be from 7am to 10pm. Failure to adhere to these regulations shall result in forfeit of deposit and shall result in a ban of a minimum of one year for the individual and group.

For Community Center Facilities (Niven and Waddell Centers):
Hours of operation shall be from 12 noon to 12 midnight. ALL CLEANUP/TAKEDOWN MUST BE COMPLETED AND THE FACILITY VACATED BY 12 MIDNIGHT!! Failure to adhere to these regulations shall result in the forfeit of deposit and/or prosecution for trespassing, and shall result in a ban from City facilities of a minimum of one year for the individual and group.

City-sponsored events and activities using these facilities are exempt from these hours.

21. City Cancellation or Relocation
The City reserves the right to cancel or relocate any scheduled event at its discretion.

# City of Albemarle
# Facility Use Application Form

Application Number:

_____
Last Name, Date (mo/yr)

APPLICANT INFORMATION

Last Name: _____ First Name: _____

Organization (if applicable): _____

Address: _____

Home Phone: _____ Day Phone: _____

CLASSIFICATION

Class A ☐ Class B ☐ Class C ☐ Class D ☐
Class E ☐ Class F ☐ Class G ☐ Class H ☐

LOCATION / EVENT INFORMATION

Room Requested: _____

Date Requested: _____

Hours of Use: From: _____ am pm To: _____ am pm

Name of Function: _____

Anticipated Attendance: _____(adults) _____(children)

Type of Function: Party ☐ Fundraiser ☐ Conference ☐ Meeting ☐ Other ☐

If "other", please specify: _____

Will the function be catered? Yes ☐ No ☐
Will admission fee be charged? Yes ☐ No ☐
Will function be open to the public? Yes ☐ No ☐

The undersigned hereby agrees to be responsible for any damage to the facility occurring during and by this use, and agrees to be responsible for the conduct of all persons in attendance. Applicant further agrees to be responsible for any accident or injury occurring to anyone during and by this use, and agrees that the City of Albemarle, its officers and employees, shall not be responsible for any such injury or loss, except as arises from the sole willful act, omission or sole negligence of the City of Albemarle, its officers or employees. The undersigned has received a copy of the Facility Use Policy and agrees to comply with the rules and regulations listed therein.

_____ _____
Signature of Applicant Date

_____ _____
Staff Member Receiving Application Date

Action Taken: Approved Denied Date _____ Initial _____

****No alcohol permitted. No decorations. No smoking and/or tobacco use allowed.****

# City of Albemarle

Application Number:

_____

Last Name, Date (mo/yr)

# Facility Use Permit

The permitee, _____, has hereby been granted the privilege use of the _____, a facility of the City of Albemarle in a manner consistent with applicable law, rules, and regulations. Such privilege use shall expire on the following date and time: _____ and the exclusion, eviction, and removal of the permittee from the premises shall be immediately enforceable by the City of Albemarle, its officers, agents, or employees.

PERMIT HOLDER INFORMATION

Last Name: _____ First Name: _____

Organization (if applicable): _____

Address: _____

Home Phone: _____ Day Phone: _____

LOCATION / EVENT INFORMATION

Room Assigned: _____

Date Assigned: _____

Hours of Use: _____

Name of Function: _____

_____ _____

Signature of Facility Coordinator Date

_____

Facility Coordinator After-Hours Contact Information

******No alcohol permitted. No decorations. No smoking and/or tobacco use allowed.******

Application Number:

_____

Last Name, Date (mo/yr)

# City of Albemarle
# Facility Use Inspection Form

GENERAL INFORMATION

Room Used: _____

Date Inspected: _____

Inspection Staff: _____

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FITNESS RATINGS

Trash Removed Yes ☐ No ☐ Photos ☐

Comments: _____

Surfaces Wiped Down Yes ☐ No ☐ Photos ☐

Comments: _____

Room Arrangement Correct Yes ☐ No ☐ Photos ☐

Comments: _____

Kitchen Clean (if applicable) Yes ☐ No ☐ Photos ☐

Comments: _____

---

PERFORMANCE RATINGS

Damages Observed Yes ☐ No ☐ Photos ☐

Comments: _____

Complaints Filed Yes ☐ No ☐ Photos ☐

Comments: _____

Regulation Violations Yes ☐ No ☐ Photos ☐

Comments: _____

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ACTIONS

**No Further Action** Yes ☐ No ☐ **►Process out**

Criteria: Housekeeping all yes; fitness all no.

**Deficiencies Noted** Yes ☐ No ☐ **►Notify Facility Coordinator**

Criteria: Housekeeping one or more no's, fitness one or more yes's.

_____ _____

Signature of Inspector Date

******No alcohol permitted. No decorations. No smoking and/or tobacco use allowed.******