

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: October 15, 2008

SUBJECT: Policy Revision
Henderson County Facility Use Policy

ATTACHMENTS: Yes
1. Proposed, Revised Facility Use Policy

SUMMARY OF REQUEST:

The attached Facility Use Policy contains revisions that clarify the use requirements of the Board of Commissioners meeting room within the Historic Courthouse. It was intended that the room be available only with approval by the Board of Commissioners and the revision reflects this requirement.

BOARD ACTION REQUESTED:

Approve the revised Facility Use Policy dated October 15, 2008.

Suggested Motion:

I move the Board approve the revised Facility Use Policy dated October 15, 2008.

County Facility Use Policy

Adoption by Board of Commissioners

Adopted the 3rd day of December 2007 and revised this day the 15th of October 2008.

William L Moyer, Chairman

Seal

Attest:

Elizabeth W. Corn, Clerk to the Board

General Policy Statement

The designated meeting rooms and grounds which are listed below may be reserved for non-county government, public activities, provided certain conditions are met. However for security and operational reasons, the remaining County facilities will not generally be made available for public use. County government functions shall in all cases take precedence over all other activities at any county facility. Policy for the use of County parks and libraries is addressed under separate policies: Park Rules and Library Meeting Room Use.

List of Designated Facilities

The designated County facilities available to the public for non-county government use are as follows. More specific instructions for each building may be found at the end of this policy:

1. Historic Courthouse and Grounds (1 Historic Courthouse Square)
2. King Street Office Building (100 N. King Street)
3. Courthouse (200 N. Grove Street)
4. N.C. Cooperative Extension Building (800 Glover Street)

Rules Governing Use of all Facilities and Grounds

1. The applicant requesting the use of a county facility or grounds must be a resident of Henderson County and at least 18 years of age.
2. Only nonprofit, educational, civic and cultural groups will be considered. Facilities are not available to exclusive groups; meetings must be open to the public.
3. The County facilities may not be reserved by commercial or partisan political groups. The only exception is for political meetings in accordance with N.C.G.S. 163-99 which allows political meeting for the purpose of biennial precinct meetings, county conventions and district conventions.
4. Solicitation is not permitted within County Facilities or Grounds.

County Facility Use Policy

5. The county will not accept reservations for meetings which would designate any county meeting room as the regular meeting place for any organization.
6. Fees and deposits for the Designated Facilities are approved by the Board of Commissioners.
7. The applicant is responsible for any and all damages to any facility or grounds, including costs for cleanup. The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place associated with the use and shall agree to hold the county harmless and indemnify the county for any injury or damage to persons or to property. This shall also include the times the area is being readied for the use and for all follow-up activity related to the use. Any damage or accident must immediately be reported to the facility coordinator, or as soon thereafter that the office is open for business.
8. A Statement of Disclaimer must be signed by all facility users unless the Disclaimer is incorporated into the Designated Facilities Specific Application Process.
9. Depending upon the type of event, proof of insurance may be required. If required, a copy of the insurance policy must be submitted with the application. The policy is to be one of comprehensive general liability in the amount of not less than \$300,000.00 for bodily injury per person and \$1,000,000.00 per occurrence and not less than \$100,000.00 for property damage per occurrence.
10. The county will not provide personnel except for security purposes in the County Courthouse.
11. Loud and disruptive behavior is prohibited.
12. No eating or drinking is permitted inside facilities unless advance provisions have been approved with the application and comply with all laws and regulations of the State Department of Human Resources, Division of Health Services.
13. Animals of any kind are not allowed in any facility, except for service animals in the performance of their duties or with approval in advance.
14. Open, pit, or any other type of fires are prohibited except in designated areas.
15. No tobacco, alcoholic beverages, illegal drugs, or contraband will be permitted.
16. No function will be allowed where any member of an organization possesses a gun, rifle, firearm, or other weapon. An exception may be made for a memorial service or special event associated with the recognition of any branch of the military or historical conflict so long as any weapon used is only discharging blanks and the organization has received the appropriate permits and/or permission from any relevant municipality and/or police chief.

County Facility Use Policy

17. If used, portable toilets must comply with all laws and regulations of the state department of human resources, division of health services.
18. The applicant is responsible for providing proof of proper disposal of trash and debris in advance.
19. The applicant is responsible for returning any furniture and fixtures to the original configuration immediately after use.
20. Signs, decorations, or other attachments may not be hung on any building or permanent structures in a manner that may potentially damage the property.
21. Ingress and egress to the grounds may not restrict the orderly flow of traffic on adjacent roads and arteries, and traffic must comply with all local, state, and federal laws.
22. Parking will be permitted only in designated areas.
23. This policy does not grant permission to use sidewalks or streets that are under the jurisdiction of the local municipality or State of North Carolina.
24. The applicant is responsible for registering the function with the applicable local law enforcement authority as well as determining the need for any crowd control and security enforcement that may be necessary.
25. All uses must be in compliance with local, state and federal laws, including the Americans with Disabilities Act.
26. The applicant must comply with any further or additional restrictions the county chooses to place on the use of the grounds or facility.
27. The county manager, or department director in charge of a facility, may revoke the authorization to use a facility up to or during the use if a violation of this ordinance is discovered.
28. The county manager or designee is authorized to approve applications, and the county manager has the right to waive any subsection of this section when doing so would more effectively serve the public's interest, except where prohibited by law.

County Facility Use Policy

Specific Instructions Governing Designated Facilities and Grounds

1. Historic Courthouse and Grounds
 - a. Point of Contact: Clerk to the Board
 - b. The rooms available are the Commissioner's Meeting Room and the Committee Meeting Room.
 - c. The use of the Commissioner's Meeting Room must be approved by the Board of Commissioners during a regularly scheduled meeting. Note, the agendas for Board of Commissioner meetings are set two weeks prior to the actual meeting. The application for use must be submitted for approval prior to the setting of the agenda. A schedule for Board of Commissioners meetings and the agenda scheduling process is available from the Clerk to the Board.
 - d. The museum portion of the Historic Courthouse is not available for Public Use.
 - e. Restrooms in the Annex are available to the annual Apple Festival
2. King Street Office Building
 - a. Point of Contact: Clerk to the Board
 - b. The room available is the Large Meeting Room, #140
3. Courthouse
 - a. Point of Contact: Clerk of Court
4. N.C. Cooperative Extension Building
 - a. Point of Contact: Henderson County Center, NC Cooperative Extension Service

Attachment: Statement of Disclaimer

County Facility Use Policy

**Statement of Disclaimer
Public Use Policy
County of Henderson**

In renting, leasing, or making available the County of Henderson's facilities and grounds, neither the Henderson County Board of Commissioners, nor the Henderson County employees, assume any responsibility for the loss of or damage to any property placed on the premises by the user, or for loss or damage of any property or personal effects, including but not limited to, vehicles and its contents, or for any injury to the user, its members, employees, agents, guests, or participants, all of whom, hereby agree to hold the County of Henderson, the Henderson County Board of Commissioners, the County Manager and County employees harmless for any loss or damage sustained while using Henderson County facilities and grounds.

The County of Henderson is committed to providing opportunities in access and employment in all programs, services, activities, grounds and facilities without regard to age, sex, race, color, religion, national origin, creed, political affiliation, or disability.

I have read and agreed to the policy for using the County of Henderson's facilities and grounds.

Organization / Group Representative:

Signature

Date

Print Name, Organization and Title

For County Use:

Approved _____

Denied _____

County Manager or Designee:

Signature

Title

Date