

	CITY OF HENDERSONVILLE		
Policy Name:	Facility Use Policy	Date Adopted by Council:	08.01.2019

PURPOSE

The Facility Use Policy is designed to govern the use of City-owned facilities by individuals, groups and/or organizations that are not directly associated with City of Hendersonville government. Only the designated meeting rooms and grounds listed below may be reserved for non-City government, public activities, provided certain conditions are met. However, for security and operational reasons, the remaining City facilities will not generally be made available for public use. Use of City-owned facilities is limited to after normal business hours and excludes other City-sponsored events or meetings. This policy does not apply to long-term leases of City-owned property or facilities. ***City government functions shall in all cases take precedence over all other activities at any City facility.***

LIST OF DESIGNATED FACILITIES

The designated City facilities available to the public for non-City government use are as follows. More instructions are found at the end of this policy.

1. Operations Center, 305 Williams Street, assembly room
2. Operations Center, 305 Williams Street, conference room
3. Historic Depot, 7th Avenue/Maple Street, meeting room
4. Patton Park, small meeting room (long-term lease)
5. Patton Park, large pavilion
6. Patton Park, small pavilion
7. Berkeley Mills Park, large pavilion
8. Berkeley Mills Park, small pavilion
9. Whitmire Activity Center (long-term lease)

FEES

Fees are charged as published in the adopted Fee Schedule.

RULES GOVERNING PUBLIC FORUMS

The following rules denote and govern public forums on property owned by the City of Hendersonville.

1. The following places are designated as public forum areas:
 - a) The sidewalk and front steps of the exterior of City Hall, 145 Fifth Avenue E.
 - b) The sidewalk of the Operations Center, 305 Williams Street.
2. Notification is requested for protests, demonstrations or picketing by a group of 50 or more individuals per [Section 46-83 of the Code of Ordinances](#).
3. Access to any City facility may not be blocked or impeded during periods in which business (including governmental business, meetings, and related functions) is being conducted, or during business hours. Sound amplification is not permitted during business hours, including regular or special called meetings of the City Council, boards or commissions. If sound amplification is needed after hours, arrangements must be made at the time of application.

RULES GOVERNING THE USE OF ALL FACILITIES AND GROUNDS

1. The applicant requesting the use of a City facility or grounds must complete the necessary application accepting liability as outlined below in #2, and present a photo ID.
2. 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 City harmless and indemnify the City for any injury or damage to persons or to property. This shall 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 Public Works Department, or as soon thereafter that the office is open for business.
3. Facilities are not available to exclusive groups; meetings must be open to the public.
4. The City facilities may not be reserved for any commercial purposes or uses including the charge of entry fees.
5. Solicitation is not permitted.
6. The City will not accept reservations for meetings which would designate any City meeting room as the regular meeting place for any organization.
7. Fees and deposits for the designated facilities are approved by the City Council.
8. A Statement of Disclaimer must be signed by all facility users-
9. Depending on 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 for bodily injury per person and \$1,000,000 per occurrence and not less than \$100,000 for property damage per occurrence or as designated by the city manager or designee, subject to changes by the City's current insurance policies or providers.

10. The City will not provide personnel, office assistants, traffic direction, equipment, office supplies, copying services, etc.

11. Disruptive behavior is prohibited.

12. The City may prohibit eating or drinking inside facilities. If food and drink is requested and permitted at the time of application, a separate deposit of \$200 is required.

12. 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.

13. Open, pit, or other types of fires are prohibited.

14. No alcoholic beverages are permitted.

15. Tobacco products may only be used in areas designated by the city manager or designee through appropriate public signage.

16. Local, Federal and State firearm laws must be obeyed.

17. The applicant is responsible for ensuring all trash is disposed of in proper outside containers.

18. The applicant is responsible for returning any furniture and fixtures to the original configuration immediately after use.

19. Signs, decorations, or other attachments may not be hung on any building or permanent structures in a manner that may potentially damage the property.

20. Parking for those attending meetings in these facilities will only be permitted in designated areas. Operations Center: public parking is limited to 34 spaces, 2 handicap spaces. Upper parking (behind the building next to the RR Tracks): 22 spaces, 1 handicap space.

21. This policy does not apply to sidewalks or streets that are under the jurisdiction of the State of North Carolina.

22. 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.

23. All uses must be in compliance with local, state and federal laws, including the Americans with Disabilities Act.

24. The applicant must comply with any further or additional restrictions the City chooses to place on the use of the grounds or facility.

25. The city 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 policy is discovered.

26. The city manager or designee is authorized to approve applications, and the city 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.

SPECIFIC INSTRUCTIONS GOVERNING DESIGNATED FACILITIES AND GROUNDS

1. Point of Contact: Public Works, 305 Williams Street, Hendersonville NC, Phone: 828/697-3084.

2. Events must not block entrance and exit from any City-owned property or facility during business hours Monday through Friday, 8:00 a.m. to 5:00 p.m., during regular or special called meetings, and any special event approved by the City Council.

3. The equipment in any City facility is not available for use with the exception of sound amplification when prior arrangements are made at the time of application.

4. Permission granted for use of any City facility is revocable by the city manager should the need arise for the City Council's use of the room during the time for which permission is given.

5. Signs, banners, decorations, or other attachments may not be displayed on any City facility. Signs may be displayed on the sidewalks but are limited to the duration of the event. The only exception to this is banners provided by the City in support of City government functions, events, etc.

6. Large community-wide events, which are sanctioned by the City, may have use of any City-owned facility and may be exempt from the prohibition of sound amplification during business hours.

SPECIFIC INSTRUCTIONS GOVERNING HISTORIC HENDERSONVILLE DEPOT

1. The room is used during some days as a museum of railroad artifacts both belonging to the Apple Valley Model RR Club (AVMRC) and to the City around the sides and on the walls. None of these items shall be touched.

2. There is an overhead projector, amplifier and DVD player that is owned by AVMRC. They are available for use by organizations and any problems with them should be reported to the AVMRC. The remote controls must not leave the room at any time. They must be carefully used and left undamaged.

3. The room key also operates the back door to the closed-gate area. It must be left locked. There are no organization facilities in that gated area and permission must be received from the City and the AVMRC to go outside and/or use this area.

4. The key to the doors is contained in a lock box. The key is to be returned to the lock box. Failure to do so may result in being denied future use of the room as other organizations are expecting to have the key available. Do not share the lockbox code with anyone. No organization is permitted to make copies of the key without specific permission of the head of the Department of Public Works.
5. There are no cooking facilities. Refreshments are permitted.
6. There are supplies in the supply room that belong to AVMRC, the Farmer's Market, the City of Hendersonville and other organizations that use the room regularly. Storage of an organization's items is not permitted without 14-day advance permission and provided available room can be found. No organization may use or consume any items stored in the meeting room or storage room with the exception of AVMRC's cleaning tools and supplies or the spare bathroom supplies which have been provided by the City and AVMRC.
7. If the trash or recycling cans have been filled up by the organization, the bags can be placed into the containers at the south end of the building.

REGULATIONS GOVERNING USE OF MEETING ROOMS

1. All publicity for meetings must clearly state the meeting/event is not sponsored by the City.
2. Access to the room prior to or after your scheduled time is not permitted.
3. City staff may attend or observe any meeting or program at any time.
4. The City reserves the right to limit or prohibit at any time the use of City facilities which, in the City's opinion, may present a threat to the health or safety of the public.

Adopted by the City Council on August 1, 2019.