

## ADMINISTRATIVE REGULATIONS FOR THE USE OF CERTAIN PUBLIC FACILITIES

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### **Purpose**

To establish reservation procedures and requirements, fees, rules and guidelines for the use of certain public facilities in accordance with *Takoma Park Code Title 14, Health and Safety, Chapter 14.20 Public Space and Public Buildings*.

### **Annual Review**

These regulations will be reviewed by the City Manager or his or her designee on an annual basis and any modifications will be adopted pursuant to the procedure set forth in Chapter 2.12 (Administrative Regulations) of the Takoma Park City Code.

The Arts and Humanities Commission and the Recreation Committee will be provided an opportunity to comment on any proposed modifications. All comments will be submitted to the City Council for consideration prior to their finalization and adoption.

### **Applicability**

This regulation governs use of the following public facilities.

#### Buildings

Takoma Park Community Center / Sam Abbott Citizens' Center (7500 Maple Avenue)

Takoma Park Recreation Center (7315 New Hampshire Avenue)

Heffner Community Center (42 Oswego Avenue)

#### Parks

Belle Ziegler Park (Takoma Avenue and Albany Avenue)

Forest Park (Prince George's Avenue and Elm Avenue)

Heffner Park (42 Oswego Avenue)

Spring Park (Poplar Avenue and Elm Avenue)

#### Fields

Ed Wilhelm Field (Darwin Avenue)

Hodges Field (Holly Avenue and Grant Avenue)

Lee Jordan Field (Piney Branch Road / Takoma Park Middle School)

## **Programming Priorities**

Requests for the use of public facilities will be processed on a first come basis within the following priorities.

First Tier: Official City Meetings, City Elections, and Emergency Management Operations

Examples include, but are not limited to, City Council meetings, public hearings, meetings called by the City Council, regularly scheduled meetings of Council appointed Boards, Commissions and Committees, and City elections. During emergencies, use of all public facilities may be redirected to emergency operations at the direction of the City Manager.

Second Tier: City Managed Programming

Examples include, but are not limited to, youth and adult programming offered by the Recreation Department; recreational events organized by the Recreation Committee; cultural events organized by the Arts and Humanities Commission or the Library; informational sessions, seminars and other trainings organized by the City; and town hall meetings of broad public interest held by elected officials or public entities such as the Montgomery County Council, Maryland National Capital Park and Planning Commission (MNCPPC), and the State Highway Administration (SHA).

Third Tier: Community Groups and Rentals

Examples include, but are not limited to, activities organized by individuals or groups, nonprofit organizations, for profit entities or community groups recognized in accordance with the standards set forth in Exhibit C for purposes of education, entertainment, fundraising, celebrations, family events, commerce, political campaigns, or worship.

## **Use of Public Facilities**

Hours of Operation: The use of all public facilities is limited to established hours of operations. Requests for reservations outside of established hours of operation may be approved on a case by case basis by the City Manager or his or her designee.

Hours of operation will be established by the City Manager or his or her designee on an annual basis. Schedules for all public facilities will be published on or about July 1 of each year and may be adjusted more frequently to reflect increases or decreases in the cost of operating

and/or maintaining the facility. The current schedule is included as Exhibit A.

The Takoma Park Community Center / Sam Abbott Citizens' Center, Takoma Park Recreation Center and Heffner Community Center will be closed on the following holidays and holiday weekends: New Year's Eve, New Year's Day, Martin Luther King Day Weekend, Presidents Day Weekend, Memorial Day Weekend, Independence Day, Labor Day weekend, Veterans Day, Thanksgiving Day weekend, Christmas Eve (after 12:30 p.m.) and Christmas Day.

Facility Capacity: Capacity limits of each facility cannot be exceeded. The City reserves the right to change a reservation in the event another facility is determined to be a more appropriate venue.

Takoma Park Community Center / Sam Abbott Citizens Center

Multi-Purpose Rooms:	Lilac Room (max 25) and Azalea Room (max 66)
Meeting Room:	Rose Room (max 17)
Conference Room:	Hydrangea Room (max 29)
Special Purpose Room:	Auditorium (max 170)

Takoma Park Recreation Center

Gymnasium:	Full (max 294) and Half Gym (max 147)
Meeting Room:	Front Room (max 30) and Back Room (max 40)

Heffner Community Center	Community Center (max 50)
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Parks and Fields	Park Shelters (reviewed on a case by case basis) Parks and Fields (reviewed on a case by case basis)
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Use of Gymnasium: Use of the Takoma Park Recreation Center Gymnasium is limited to City sponsored recreational programs and events, athletic programs, contractor classes, health fairs, elections, birthday celebrations for youth 12 and under, and special events approved on a case by case basis by the City Manager or his or her designee.

Use of Auditorium: Use of the Takoma Park Community Center Auditorium for third tier programming is limited to meetings with anticipated audiences of 50 or more, film screenings, live cultural performances and rehearsals, trainings, workshops or informational presentations with AV or broadcasting needs, and special events approved on a case by case basis by the City Manager or his or her designee.

Use of Common Areas and Storage: Use of common areas is not included in the reservation

and is not permitted. Auditorium reservations include the use of the Atrium lobby for no additional cost for the collection of admission fees, sale of merchandise, and small receptions. The reservation does not include overnight or long term storage and all materials and supplies of the Permit Holder must be removed from the facility at the end of each reservation period.

## **Reservation Procedures**

Reservation Process: Reservation requests may be submitted online, in person, or by e-mail. Requests will be reviewed by staff with final approval by the City Manager or his or her designee. The request will be processed and a space reserved for the specified date and time upon receipt of the required security deposit, rental fee and execution of a rental agreement. Written confirmation of the reservation will be issued to the individual or entity (the "Permit Holder"), authorizing the use of the facility under the terms and conditions set forth herein.

Reservations will be accepted on a first come – first served basis.

Advance Reservations: Advance reservations for third tier programming are encouraged, though, with the exception of the Auditorium, public facilities may not be reserved more than three months in advance. Requests for reservations for first and second tier programming will be accepted one year in advance.

Reservation Period: The facility must be reserved allowing adequate time for set-up and breakdown of the scheduled event. The facility must be vacated within the time allocated on the permit.

Cancellation by Permit Holder: In the event of a cancellation, the City is to be notified in writing by the Permit Holder at least seven working days prior to the scheduled event. A cancellation fee will be assessed to the Permit Holder. Failure to provide adequate notice of cancellation will result in the forfeiture of the security deposit.

Cancellation by City: City reserves the right to cancel all reservations. Every effort will be made to provide as much advance notice as possible in the event the building is closed. A full refund will be given if the event cannot be rescheduled.

Termination of Reservations / Revocation of Rental Access: The City reserves the right to terminate a reservation at any time without written notice to the Permit Holder for cause or to deny future access to any facility. Violation of the terms or conditions of these regulations will be cause for immediate revocation of the reservation, loss of privileges, and forfeiture of any

fees paid.

### **Rental Fees, Security Deposits and Payment**

Rental Fee: Rental fees will be established by the City Manager on an annual basis. Fee schedules will be published on or about July 1 of each year and may be adjusted more frequently to reflect increases or decreases in the cost of operating and/or maintaining the facility. The current fee schedule is included as Exhibit B.

Recognized community groups are eligible to receive eleven free rentals per calendar year. A rental fee equal to the Resident Fee (Exhibit B - Fee Schedule) will be assessed for all reservations in excess of eleven reservations per calendar year. Facilities to be provided at no cost are limited to specific meeting rooms, conference rooms, multi-purpose rooms and the Heffner Community Center. Eligibility criteria are detailed in Exhibit C.

There is no rental fee for first and second tier programming offered by the City or conducted by outside governmental entities.

Staffing Fee: For events and activities held outside of normal business hours, an additional fee may be assessed to cover staffing costs.

Maintenance Fee: Additional fees may be assessed at the discretion of the City Manager or his or her designee for extraordinary maintenance services.

Security Fees: An additional fee may be assessed at the discretion of the City Manager or his or her designee for required security measures provided by the City of Takoma Park's Police Department.

Multi-Media Fee: An additional fee may be assessed for use of presentation and audio-visual equipment provided and operated by the City. The City's audio-visual equipment may not be used without staff supervision.

Video Taping Fee: A fee may be assessed at the discretion of the City Manager or his or her designee for the taping, editing and production of third tier programming.

Security Deposit: A security deposit may be assessed for all rentals. Deposits will be refunded for cancellations received at least seven working days in advance of the scheduled event.

Failure to vacate the facility within the reservation period or to leave the facility clean and neat will result in forfeiture of all or part of the deposit to cover any additional rental time, maintenance expense, repair costs, unscheduled staffing or security measures. Users may be billed for the cost of any repairs, maintenance, staffing or security in excess of the security deposit.

Deposits are refundable after inspection of the facility and grounds.

Interest is not paid on deposits.

**Payment:** All rental fees and required security deposit payments for all multi-purpose, meeting and conference rooms, the gymnasium and Heffner Community Center are due in full at the time of reservation. Security deposit must be paid in full at the time of the reservation of the Auditorium and all rental fees are due in full seven business days prior to the scheduled reservation period. Failure to pay in full all rental fees within seven business days of the reservation will result in the cancellation of the reservation. An additional processing fee may be assessed for all credit card payments.

**Fee Waivers:** Fees assessed to recognized community groups that have exceeded their free rental limit or that wish to use the Auditorium may be waived if approved by Resolution of the City Council.

### **Admission Fees, Donations and Sale of Merchandise**

Admission fees may be charged for events organized and hosted by individuals, groups, nonprofit organizations and for profit entities charged a rental fee. Admission fees may not be charged for events held in any park or field.

An admission fee may not be charged for events held in any facility for which no rental fee was charged. Donations may be solicited but cannot be a condition of admission to the event.

The sale of merchandize such as CD's, DVD's, books, artwork and other items is permitted when offered in conjunction with a scheduled event.

The City assumes no responsibility for the collection or safeguarding of admission fees, donations or sales proceeds.

## **Food and Beverages**

The preparation, consumption or distribution of food or beverages is not permitted in the following public facilities: Auditorium, Rose Room and Hydrangea Room.

All food and beverages, containers and utensils must be removed from the facility at the end of the reservation period with all debris bagged and deposited in the dumpsters located on the building grounds. Recyclable materials must be sorted and deposited in the appropriate containers.

## **Alcoholic Beverages**

The sale or consumption of alcoholic beverages is not permitted in any facility. The prohibition on the sale or distribution of alcoholic beverages may be waived at the discretion of the City Manager or his or her designee. Waivers are limited in nature and if approved apply only to the sale and/or distribution of wine and beer at cultural and fundraising events held in the Auditorium on Friday, Saturday and Sunday evenings.

If a waiver is granted, the Permit Holder must secure a Class C One Day Special License from the Montgomery County Department of Liquor Control for the event. A copy of the completed Application form and the alcohol plan, if required for the License, must be provided to the City. The Permit holder may be required to secure the services of a licensed (and bonded) caterer, approved by the City.

All wine and beer containers must be removed from the premises at the end of the reservation period.

The City assumes no legal or financial responsibility or liability for the storage, sale or distribution of any food or beverages offered by the Permit Holder.

## **General Responsibilities of the User**

In addition to being required to comply with the City's Use of Public Facility Regulations, the Permit Holder is responsible for ensuring that:

- The event does not exceed capacity limits for the reserved facility or extend beyond the reservation period.

- A responsible party is present at all times and all child and youth activities are supervised by an appropriate number of adults.
- All participants comply with the Takoma Park Recreation Department's Code of Conduct (Exhibit C)
- Required supplies such as paper goods, serving utensils, table cloths, art supplies, batteries, and ice, have been obtained and transported to the facility as they are not included in the rental fee nor will they be provided by the City.
- Furniture is not moved from one room to another unless authorized by the City. If the use of additional furniture is approved, all furniture must be returned to its original location prior to vacating the facility.
- Noise levels are kept within reasonable standards and do not disturb the peaceful enjoyment of the facility by others. Noise levels in the Auditorium may not exceed 85 decibels.
- No illegal drugs or unauthorized alcohol are used or consumed in the facility or the grounds. Smoking is not permitted in any public facility.
- All posters, decorations and directional signage are removed from the facility and the grounds. No nails, tacks, screws, glue or similar means of securing any material or signage to any surface in the facility or the building may be used to display materials.
- The facility is left in a clean and neat condition and that all items brought to the facility are removed and all foodstuff, trash, and debris are recycled or discarded in the appropriate containers.
- The activities of the Permit Holder do not create a hazardous environment as determined by the City or other governmental agency. Prohibited activities include, but are not limited to, open flame, blocked hallways, and hazardous chemicals or other materials.
- All posted park rules and regulations are followed.
- Only sports and game equipment authorized by the City are used during the scheduled activity or event. No pony rides, moon bounces or similar equipment is permitted.

- Participants park in designated or authorized parking areas and do not block drive ways or the roadway. Double parking is not permitted under any condition. Individuals participating in activities or events at Belle Ziegler Park may park in the Montgomery College parking lot on Sundays.

### **Authorized Representative**

The Permit Holder is assumed to be the authorized representative of the organization or entity reserving the facility. As the authorized representative, the Permit Holder is responsible for ensuring that the organization or group complies with the terms and conditions set forth in the rental agreement and in this regulation.

### **Liability**

The Permit Holder assumes all liability for activity related to the use of the facility. A Certificate of Insurance naming the City as additional insured may be required for specific rentals.

## **EXHIBIT A**

### **HOURS OF OPERATION** (Effective March 22, 2010)

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The use of all public facilities is limited to the following hours of operation. Requests for reservations outside of normal hours of operation may be approved on a case by case basis by the City Manger or his or her designee.

#### Takoma Park Community Center / Sam Abbott Citizens' Center

Monday through Thursday: 8:30 a.m. to 9:30 p.m.

Friday: 8:30 a.m. to 10:00 p.m.

Saturday: 10 a.m. to 6 p.m.

Sunday: Closed

The Auditorium may be reserved outside of normal business hours though events must be ended and the building vacated by 11:00 p.m. Monday through Thursday and Midnight on Friday through Sunday.

#### Takoma Park Recreation Center

Monday through Friday: 2:30 p.m. to 9:00 p.m.

Saturday: 10 a.m. to 5 p.m.

Sunday: Closed

#### Heffner Community Center

Monday through Sunday: 9:30 a.m. to 9:30 p.m.

#### Parks and Fields

Monday through Sunday: Sunrise to Sunset

Hours may be extended for certain official public functions

The Takoma Park Community Center / Sam Abbott Citizens' Center, Takoma Park Recreation Center and Heffner Community Center will be closed on the following holidays and holiday weekends: New Year's Eve, New Year's Day, Martin Luther King Day Weekend, Presidents Day Weekend, Memorial Day Weekend, Independence Day, Labor Day weekend, Veterans Day, Thanksgiving Day weekend, Christmas Eve (after 12:30 p.m.) and Christmas Day.

**EXHIBIT B**

**FEE SCHEDULE** (Effective March 22, 2010)

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**Rental Fee / Security Deposit:**

Takoma Park Community Center

Lilac Room	Resident:	\$15 per hour (a)
	Non-Resident:	\$40 per hour
	Commercial:	\$60 per hour
	Security Deposit:	None

Azalea Room	Resident:	\$25 per hour (a)
	Non-Resident:	\$50 per hour
	Commercial:	\$70 per hour
	Security Deposit:	\$50 for groups of 50 or more

Rose Room	Resident:	\$15 per hour (a)
	Non-Resident:	\$40 per hour
	Commercial:	\$60 per hour
	Security Deposit:	None

Hydrangea Room	Resident:	\$15 per hour (a)
	Non-Resident:	\$40 per hour
	Commercial:	\$60 per hour
	Security Deposit:	None

Auditorium	For profit entities and private rentals:	
		\$180 per hour with a minimum rental of four hours (b)
		10% discount for scheduled series with 5 to 8 rentals
		20% discount for scheduled series with 9 to 12 rentals
		30% discount for scheduled series with 13 or more rentals
		\$50 per hour rehearsal fee

Nonprofit 501c3 organizations and recognized community groups (Exhibit C):		\$110 per hour with a minimum rental of four hours (b)
		10% discount for scheduled series with 5 to 8 rentals
		20% discount for scheduled series with 9 to 12 rentals
		30% discount for scheduled series with 13 or more rentals

Security Deposit:	One Hour Rental Fee
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<u>Heffner Community Center</u>	Resident:	\$25 per hour (a)
	Non-Resident:	\$50 per hour
	Commercial:	\$70 per hour
	Security Deposit:	\$50

Takoma Park Recreation Center

Gymnasium	Montgomery County Resident:	\$30 per hour (a)
	Commercial:	\$70 per hour
	Security Deposit:	\$50 for groups of 50 or more
Meeting Room (Front)	Montgomery County Resident:	\$15 per hour (a)
	Commercial:	\$60 per hour
Meeting Room (Back)	Montgomery County Resident:	\$15 per hour (a)
	Commercial:	\$60 per hour

Parks and Fields

Picnic Shelter	Resident:	\$85 per day (a)
	Non-Resident:	\$105 per hour
	Security Deposit:	\$50 for groups of 50 or more
Field	Resident:	\$20 per day (a)
	Non-Resident:	\$35 per day
	Security Deposit:	\$50 for groups of 50 or more

**Staffing Fee:** \$30 per hour fee for staffing outside of normal hours of operation

Fee for extraordinary maintenance or required security to be determined on a case by case basis

**Multi-Media Fee:** \$50 per hour fee for specialized AV services

(a) Proof of Residency must be provided by Permit Holder

(b) Minimum four hour rental requirement may be waived at the discretion of the City Manager or his or her designee.

## EXHIBIT C

### RECOGNIZED COMMUNITY GROUPS

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Community groups are eligible to receive eleven free rentals per calendar year. Rental facilities are limited to the Heffner Community Center and the meeting rooms, conference rooms and multi-purpose rooms located in the Takoma Park Community Center – Sam Abbott Citizens Center and the Takoma Park Recreation Center. Rental fees equal to the Takoma Park Resident fee will be assessed for reservations in excess of eleven per calendar year. To receive the free room rentals, the group must meet one of the following criteria:

- A recognized neighborhood, tenant, or condominium association on file with the Office of the City Clerk.
- A non-profit organization (501c3) whose membership is comprised primarily of Takoma Park residents. The organization's mission must directly benefit the City of Takoma Park or Takoma Park residents. To be determined eligible under this criteria, an organization is required to provide a membership roster as well as a statement listing activities undertaken by the organization during the previous twelve months that benefited the City of Takoma Park or Takoma Park residents.
- Organizations to which the City provides financial support or with whom the City co-sponsors events/programs, such as the Takoma Park Jazz Festival Committee, the Takoma Park Film Festival Committee, the Takoma Park Folk Festival Committee, and the Takoma Park Independence Day Committee.
- Organizations that have provided financial support to the City or provide a direct public service to the Takoma Park community, such as Friends of the Library, the Takoma Horticulture Club, the Takoma Foundation and the Takoma Park Volunteer Fire Department.
- Youth-oriented organizations with partnership arrangements with the City, such as Takoma Park Youth Soccer, Takoma Park Silver Spring Youth Baseball and Softball League and affiliates, Takoma Park Silver Spring Babe Ruth League, Takoma Park Sports Camp, and Takoma Park Boys and Girls Club.
- Organizations with various missions that have historically met in one of the City facilities. These groups include the Takoma Artists Guild and the Takoma Park Swing Band.

A group which believes that it meets the aforementioned criteria should request the free room rentals by submitting a written request to the City Manager or his or her designee, including any required supporting documentation. Groups meeting the aforementioned criteria that require more than eleven room rentals during a year may reserve space in accordance with the fee schedule included herein as Exhibit B.

Authorized by the Takoma Park City Council 2005 / Updated May 23, 2011