

Town of Duck, North Carolina
Facility Use Policy

Purpose:

The purpose of this Facility Use Policy is to define the applicability of facilities within the Town Hall – Community/Meeting Hall (referred hereafter as “Town Hall Complex”) for public use and the expectations of the Town Council for the use of these facilities. It is the intent of the Town Council to allow the use of certain rooms and related facilities within the Town Hall Complex for the benefit of the public, provided the use by the public does not interfere with the operations of the Town or constitute an activity that is commercial in nature.

Applicability:

This Facility Use Policy applies to the facilities within and immediately adjacent to the Town Hall Complex. This policy does not apply to the grounds and facilities that comprise the Duck Town Park, Boardwalk or Boat Pier, the use of which is defined in Chapter 93: Parks, of the Town of Duck, North Carolina, Code of Ordinances.

In general, the public may request to use the following rooms and facilities in the Town Hall Complex pursuant to this policy. These rooms are: in the Town Hall, the first floor conference room (maximum occupancy 50 persons, seating capacity 30 persons) and the first floor break room (maximum occupancy and seating capacity 10 persons) and in the Community/Meeting Hall, the meeting hall (maximum occupancy 200 persons, seating capacity 100 persons) and the conference room, which also contains kitchen and bathroom facilities (maximum occupancy and seating capacity 10 persons). The second floor of the Town Hall is reserved exclusively for administrative operations of the Town. Bathrooms for the use of the public are located on the first floor of the Town Hall and may not be reserved for the exclusive use of a specific group. The public may request the use of other facilities within the Town Hall Complex, such as the lobby located in the Town Hall or the Town Hall Complex porches, pursuant to this policy by requesting such use in writing to the Town Manager.

Application:

In order to reserve any of the rooms or facilities in the Town Hall Complex, eligible applicants must complete and submit an application and required fees or deposits to the Town Manager’s Office no earlier than six months and no later than one month prior to the date for which the facility is being requested. Rooms and facilities may not be reserved without the submittal of an application and the remittance of any required fees or deposits. Reservations for the use of rooms and facilities will be scheduled as completed applications, including any fees and deposits, are received. The Town Manager is authorized to cancel or relocate any reservations due to scheduling conflicts or unforeseen events that make the use of a room or facility unsafe, unreasonable or otherwise not in the best interest of the public. In the event that a cancellation or relocation of a reservation is required by the Town, the Town will notify the applicant as soon as possible to the change and refund any required fees or deposits. Groups or entities that have reserved a room or facility and need to cancel the reservation must provide a minimum of a two week notice of such cancellation or forfeit the deposit on the room or facility.

Eligible Applicants and Priority of Use:

The following groups or entities shall be eligible to reserve any of the applicable rooms or facilities in the Town Hall Complex pursuant to this policy. In the event that a conflict exists between one or more

groups or entities for the use of a specific room or facility, a priority shall be given to the group or entity as shown below.

Priority One: Town Council and its respective Boards and Commissions.

Priority Two: Town departments and Town sponsored events.

Priority Three: Homeowner, Property Owner, and similar organizations, provided that the applicant is an organization located in the Town.

Priority Four: Non-profit organizations, including other governmental entities, provided that the use of the room or facilities is for educational, business, or professional meetings.

Priority Five: Other individuals, groups, or entities, provided that the activity for which the room or facilities is to be used is non-commercial. Rooms and Facilities in the Town Hall Complex may not be reserved for weddings, or similar events.

Priority Four and Priority Five groups or entities may not use a room or facility more than once in any three month period.

In accordance with Section 163.99 of the North Carolina General Statutes, the Town is authorized and directed to permit the use of space within the Town Hall Complex without charge, except custodial and utility fees, by political parties, as defined in G.S. 163-96, for the express purpose of annual or biennial precinct meetings and county and district conventions.

Availability of Rooms and Facilities:

Generally, the applicable rooms and facilities of the Town Hall Complex are available for use, pursuant to this policy, Monday through Friday, between the hours of 9 a.m. and 5 p.m. The rooms and facilities may also be available Monday through Friday between the hours of 5 p.m. and 10 p.m.; however, fees related to room monitoring may apply. In addition, the rooms and facilities may be available on certain holidays and weekends between the hours of 9 a.m. and 10 p.m.; however, fees related to room monitoring may apply. Applicable rooms and facilities are not available on Memorial Day, the 4th of July, Labor Day, the Sunday of Columbus Day Weekend, Thanksgiving Day, Christmas Day, New Year's Day or Easter Sunday.

In order to accommodate as many groups or entities as possible during popular dates for meetings, unless otherwise approved by the Town Manager, applicable rooms and facilities must be reserved with specific time periods. Facility Use Applications that do not contain specific time periods, or that contain general time periods, such as "all day," will be denied. In addition, groups or entities may be asked to alter requested time periods to assist in accommodating as many groups or entities as possible.

Room and Facility Deposits and Fees:

The following fees shall apply for the use of rooms and facilities unless waived by the Town Manager, separate checks are required for deposits and fees:

Deposit for Rooms and Facilities (per room), not including the Community/Meeting Hall:	\$ 50.00
Deposit for Community/Meeting Hall:	\$150.00

Deposits will be refunded after the date for which the room or facility was reserved.

Rental Fee for Rooms and Facilities (per room), not including the Community/Meeting Hall: \$100.00
Rental Fee for Community/Meeting Hall: \$500.00

Cleaning Fee for Rooms and Facilities (per room), not including the Community/Meeting Hall: \$ 50.00
Cleaning Fee for Community/Meeting Hall: \$150.00

Monitor Fee for Rooms and Facilities reserved after 5 p.m. or on holidays or weekends: \$ 15.00 per hr.

Priority One and Two groups and entities will not be charged any deposits or fees.

Priority Three and Four groups and entities will be required to pay a deposit, monitor and cleaning fee, but not a rental fee.

Priority Five groups and entities will be required to pay all fees listed.

In the event that a room, facility or any of its contents suffers significant damage due to the actions or neglect of groups or entities that have reserved the room or facility for use, the group or entity will be charged the actual costs to repair or replace the room, facility or damaged item, in addition to forfeiting the deposit for the use of the room or facility, which will be deducted from the final charge for damages incurred.

Release and Indemnity:

In the event that a group or entity is not associated with the Town of Duck, a Release and Indemnity Agreement may be required by the Town as a condition of the use of any rooms and facilities in the Town Hall Complex.

General Rules of Use:

1. All use of rooms and facilities, except incidental use by Town staff, must be scheduled in advance through an application filed with the Town Manager's Office. All required deposits and fees must accompany the application.
2. The use of rooms and facilities does not obligate the Town to provide any furnishings or equipment not currently assigned to the area. Furnishings and equipment may not be removed from the room or facility. Additional equipment may be brought in to rooms and facilities if noted on the application and approved by the Town Manager.
3. Under no circumstances will a group or entity using a room or facility be given a key to access any part of the Town Hall Complex. If used during normal operating hours, Town staff will provide access to the room or facility. Access to rooms and facilities during non-operating hours will be provided through the monitor staff.
4. Town equipment (except furnishings), including audio-visual equipment, may not be used unless expressly authorized by the Town Manager.
5. The use of displays, decorations or similar items is expressly limited to tables or easels. The attachment of displays, decorations or similar items on walls, doors, windows or any other surface is

prohibited. The use of candles, or any other device that exposes the Town Hall and/or the Community/Meeting Hall to an open flame is prohibited.

6. The Town Hall – Community/Meeting Hall and the Duck Town Park are smoke free environments; hence, smoking is prohibited.

7. The use of alcohol Town Hall Complex, unless expressly permitted by the Town Manager, is prohibited.

8. The use of the kitchen areas is limited to the re-heating and final preparation of food items. The kitchen areas are not intended to be used to produce food items from scratch.

9. Groups or entities using rooms and facilities will return the rooms and facilities to their pre-event condition in accordance with the checklist provided with the application.

10. Parking during normal operating hours is limited to the north (playground) parking area. During this time, the front and side parking areas of the Town Hall Complex must be left open to allow for normal Town operations. At times other than normal operating hours, parking is allowed in all parking areas.

11. The use of any signage must be noted on the application and approved by the Town Manager. Under no circumstances may a group or entity use Town insignias, including the Town seal and the “Summer Duck,” without the express permission of the Town Manager.

12. If a group or entity does not conclude the use of a room or facility (defined as more than fifteen minutes beyond the time indicated on the application), it will result in the forfeiture of the deposit.

13. Groups and entities using the rooms and facilities of the Town Hall Complex are responsible for their behavior and are expected to comply with all policies, laws and regulations. Failure to do so could result in dismissal from the Town Hall Complex and the denial of future use applications.

14. The Town reserves the right to deny the use of the rooms and facilities of the Town Hall Complex if it is determined that to allow the use is not in the best interest of the public. The Town also reserves the right to evict any group or entity from any room or facility in the Town Hall Complex if to do so is deemed to be in the best interest of the public.

Town of Duck, North Carolina
 Town Hall – Community/Meeting Hall
 Facility Use Application

Name of Group or Entity: _____
 Group or Entity Address: _____

 Name of Applicant: _____
 Applicant Telephone: _____
 Applicant Email: _____
 Applicant Signature: _____
 Date Submitted: _____

Group or Entity Eligibility
 (To be completed by Town staff)

_____ Priority One
 _____ Priority Two
 _____ Priority Three
 _____ Priority Four
 _____ Priority Five

Total Fee: _____

Room and/or Facility Requested for Use:

Town Hall

Community/Meeting Hall

_____ First Floor Conference Room
 (maximum occupancy 50 persons, seating capacity 30 persons)

_____ Conference Room w/Kitchen & Bathroom room
 (maximum occupancy and seating capacity 10 persons)

_____ Break Room
 (maximum occupancy and seating capacity 10 persons)

_____ Community/Meeting Hall
 (maximum occupancy 200 persons, seating capacity 100 persons)

Other Rooms or Facilities Requested for Use: _____

Description of Group or Entity Activity including any signage proposed: _____

Date and Time of Use:

Requested Date of Use by Group or Entity: _____

Is this Date on a Holiday or a Weekend? _____ yes _____ no

Requested Time of Use by Group or Entity: _____

Is this Time after normal operating hours? _____ yes _____ no

Deposits and Fees (see attached Facility Use Policy for applicability):

Room and Facility Deposit (not including Community/Meeting Hall): \$50 * _____ (# of rooms) = _____

Community/Meeting Hall Deposit: \$150 = _____

Room and Facility Rental Fee (not including Community/Meeting Hall): \$100 * _____ (# of rooms) = _____

Community/Meeting Hall Rental Fee (does not apply to HOA meetings): \$500 = _____

Cleaning Fee: \$50/\$150 = _____

Monitor Fee: \$15 * _____ (# of hours) = _____

Total Deposits and Fees (due at application submittal): = _____

Town Manager's Approval or Denial:

_____ Approved _____
Town Manager Date

_____ Denied _____
Town Manager Date

Remarks: _____

Town of Duck, North Carolina
 Town Hall – Community/Meeting Hall
 Pre and Post Facility Use Checklist

Name of Group or Entity: _____

Date: _____

Time In: _____ Time Out: _____

Room (s) and/or Facility (ies) Used: _____

	Pre-Event	Post-Event
1. Room/Facility Unlocked-Locked	_____	_____
2. All trash-debris picked up and removed	_____	_____
3. All furnishings/equipment present	_____	_____
4. All furnishings/equipment returned to proper place	_____	_____
5. All displays/decorations mounted properly	_____	_____
6. Kitchen facilities cleaned (if applicable)	_____	_____
7. Bathroom facilities tidied up (if applicable)	_____	_____
8. Signage in approved locations (if applicable)	_____	_____

Comments: _____

Group or Entity Representative: _____

Signature of Group or Entity Representative: _____

Town Representative: _____

Signature of Town Representative: _____

Town of Duck, North Carolina
Town Hall – Community/Meeting Hall
Release and Indemnity Agreement

WHEREAS, the undersigned has requested the use of rooms, facilities, and or equipment owned or operated by the Town of Duck, North Carolina, and do engage in activities for the exclusive benefit of the undersigned.

NOW, THEREFORE, in consideration of the mutual promises or other good and valuable consideration, the undersigned does hereby for himself/herself, his/her heirs, executor, employers, successors, of himself/herself or of his /her employees, administrators, and personal representatives. I/We/The (name of group or entity) _____ understand and agree to the following:

The Town of Duck shall not be liable for any damage to property or person by reason of the applicants use or occupancy of the Town Hall – Community/Meeting Hall and the applicant agrees to save the Town harmless from and against all claims, suits, demands, actions, and the cost and expense thereof, including attorney’s fees, arising out of any property damage or personal injury occurring as a result of the applicant’s use of the Town Hall – Community/Meeting Hall. The applicant further specifically agrees to procure and keep in full force at its expense, Commercial Liability Insurance in an amount not less than \$1,000,000 per occurrence, which policy or policies of insurance shall list the Town of Duck as an additional insured. The applicant will cause a certificate of insurance to be furnished to the Town of Duck evidencing such coverage and said policy shall provide that said insurance may not be canceled without written notice to the Town of Duck at least thirty (30) days prior to any cancellation.

I/We/The (name of group or entity) _____ hereby declare that the terms of this Release and Indemnity Agreement have been fully read and understood by me, and freely and voluntarily entered into and accepted by me, and I hereby acknowledge that I have read and understand this agreement. This agreement shall be in full force and effect any time after the execution thereof.

Print Name

Signature

Date