

RESOLUTION NO. 846

A RESOLUTION ADOPTING REVISED RULES GOVERNING USE OF THE COMMUNITY CENTER, JORDAN BRIDGE, CITY PARKS, AND OTHER CITY FACILITIES; AND REPEALING PREVIOUS RULES.

WHEREAS, the Stayton City Council desires to adopt revised rules governing the use of the Stayton Community Center, Jordan Bridge, City parks, and other community facilities;

WHEREAS, the Stayton City Council finds that it is in the best interests of the City to adopt rules governing the use of public facilities, fee schedules, and related policies;

WHEREAS, the City desires to delete the fee structure from the Rules as it has been incorporated into Resolution 843; and

WHEREAS, the City of Stayton deems it appropriate to repeal Resolution No. 808 as it is superseded by this Resolution.

NOW, THEREFORE, BE IT RESOLVED that:

SECTION 1. Resolution No. 808 is hereby repealed and superseded by this Resolution.

SECTION 2. The RULES GOVERNING THE USE OF CITY OF STAYTON PUBLIC FACILITIES appended hereto, designated Exhibit A are hereby adopted.

ADOPTED BY THE STAYTON CITY COUNCIL this 1st day of March, 2010.

CITY OF STAYTON

Signed: __03/08_____, 2010

BY: _____/s/_____

GERRY ABOUD, MAYOR

Signed: __03/09_____, 2010

ATTEST: _____/s/_____

DON EUBANK, CITY ADMINISTRATOR

APPROVED AS TO FORM:

_____/s/_____

DAVID A. RHOTEN, CITY ATTORNEY

EXHIBIT A.

RULES GOVERNING THE USE OF CITY OF STAYTON PUBLIC FACILITIES

1. **PERMITS:**

- a. A Facility Use Permit is required for exclusive private or public use of any City facility including the Community Center, the Jordan Bridge, Tennis Courts (scheduled events only), parks (scheduled events only), or other City facilities, excluding the Stayton Family Memorial Pool and the Stayton Public Library Meeting Rooms. Permits may be obtained from the Facility Coordinator designated by the City Administrator.
- b. A separate Pool Rental Agreement is required for any reserved use of the Stayton Family Memorial Pool. Pool Rental Agreements may be obtained directly from swimming pool staff.
- c. A separate Library Rental Agreement is required for any reserved use of the Stayton Public Library Meeting Rooms. Library Rental Agreements may be obtained directly from Library staff.
- d. The City reserves the right to terminate any Facility Use Permit, Pool Rental Agreement or Library Rental Agreement at any time without cause.
- e. A Facility Use Permit and/or Rental Agreement is not transferable.
- f. The City reserves the right to make further stipulations for use prior to issuing a Facility Use Permit.

2. **ALCOHOL USE:**

- a. **Alcoholic beverages may not be served or consumed on any public property or premises, unless an exception has been granted by the City.**
- b. The City Council may allow the consumption of alcoholic beverages under terms of a lease agreement between the City and Lessee.
- c. Upon written request from a public agency or non-profit organization, the City Administrator may approve a revocable facilities use permit, which permits the consumption of alcoholic beverages for a special event or fund-raising activity.
- d. Upon written request from a private party, the City Administrator, or his designee, may approve a facilities use permit, which also permits the consumption alcoholic beverages, at a private event, such as a wedding, reception or similar activity.
- e. The decision of the City Administrator is final. This is an administrative decision enforcing the Council's policy. The City's decision to allow or not allow an applicant to have alcoholic beverages will be based on an administrative review of the applicant history and experience using other City facilities, the type of event that is proposed, the risk of damage to City property and the potential for liability exposure for the City.
- f. The City Administrator may refer any such request to the City Council for consideration.

- g. A non-refundable, alcoholic beverage service permit fee will be charged, in addition to the regular application fee charged for a City of Stayton Facility Use Permit. (The applicant must be at least 21 years of age.)
- h. Alcoholic beverages, with the exception of Distilled Spirits may be served or consumed under a facilities use permit. Food and non-alcoholic beverages must also be concurrently served.
- i. Serving, possession or consumption of alcoholic beverages is strictly limited to within the interior of the Community Center building, the interior of the Stayton Public Library, and on the Jordan Bridge (and must be within 50 feet of the Bridge) or within a designated area of a public park or property. All designated areas where Alcohol may be consumed must be properly marked with signage stating that “No Alcoholic Beverages Beyond This Point”.
- j. OREGON LIQUOR LICENSE CONTROL COMMISSION (OLCC): If an event is open to the general public, an OLCC permit may be required. OLCCs rules must be strictly followed and enforced. (If an event requires a special license from the OLCC, the OLCC license must be submitted to the City no later than 10 business days prior to the scheduled event. For questions regarding whether or not an OLCC license is necessary, call OLCC at 503-378-4871.)
- k. An applicant is required to furnish a general liability insurance policy with a liquor rider for a minimum of \$1,000,000 coverage. The insurance certificate must have an original signature; must cover the date(s) of the scheduled event; must name the City of Stayton, its elected/appointed officials, officers, agents, employees and volunteers as additional named insured; and, must be submitted to the City no later than ten (10 business days prior to the scheduled event.
- l. In addition to the requirements listed below in Section 4. Security, if private security is used rather than personnel from the Stayton Police Department, the Chief of Police, or designee, must be notified prior to the scheduled event date that a function is occurring and whether any special considerations are required.
- m. An additional cleaning deposit shall be collected at the time application is made to the City. A portion of this additional deposit may be refundable upon inspection by City personnel after the event.
- n. The Applicant/Permittee of the scheduled event will be responsible for providing alternate transportation to individuals who are visibly intoxicated or impaired.

3. **RULES:**

- a. As mandated by applicable Oregon Revised Statutes, smoking in or near any City building or on the Jordan Bridge is strictly prohibited.
- b. Facility hours are indicated on the Facility Use Permit. If the facility is not vacated at the agreed upon time, additional rent, custodial and security time will be charged. Security fees may then be subject to double time pay if using City security services.
- c. Rent commences to accrue as soon as the facility is made available to the user. User must be aware that buildings such as the Community Center, Library, etc. have multiple daily uses and at times only one hour is provided between uses. Therefore, hours must be scheduled in consecutive blocks of time which include time for set-up, the activity, and

clean-up. For example, if the user has reserved the Community Center for a function on Saturday evening, but has requested access to the building Friday evening to set-up, the user will be charged for Friday evening's set-up time, all day Saturday when the building is unavailable to other users, and Saturday evening until the building has been vacated.

- d. At NO TIME shall a facility or building be left unlocked and unattended. When in use, the Community Center doors must remain closed at all times.
- e. The facility will either be opened for the user, or a key will be issued to the authorized user. If the key is not returned to City Hall within five (5) business days after the event, the user will be charged a fee for each key not returned. If any key remains unreturned after thirty (30) calendar days following the event, the user will be held responsible for all costs associated with re-keying the facility.
- f. City inventory is provided for the user's convenience only. The user is responsible for its reasonable use and safekeeping. Any City inventory items (tables, chairs, etc.) must be cleaned and returned to their proper storage place. All decorations and garbage must be removed. If the facility itself (or City inventory items) is not returned to its original condition, the user will be charged for any additional cleaning required of City personnel or for the repair or replacement of any inventory items damaged or misappropriated. The user may be charged for excess use of paper products and cleaning supplies such as toilet paper and paper towels.
- g. Decorations must NOT be attached to the walls or the ceiling of the facility.
- h. Climbing on any City furniture is prohibited. A ladder or step stool is located in the custodial closet at the Community Center for user convenience.
- i. Music must be kept at levels which do not disturb the reasonable peace and quiet of any citizen. If live music/band is used the live music must be concluded by 10:00pm. Exceptions may be allowed under certain circumstances. If noise exceeds reasonable sound limits, the City and the Stayton Police Department reserves the right to immediately terminate the music and/or revoke the Facility Use Permit or Rental Agreement.
- j. Candles are permitted inside City facilities ONLY with express written approval stated on the Facility Use Permit or Rental Agreement.
- k. Use of rice, confetti, glitter, small paper articles, or any similar objects used for decoration or any other purpose, is prohibited in any facility premises and in the parking areas.
- l. Use of birdseed is prohibited in any building, but may be used in the parking areas.
- m. Facility rental(s) may require a "walkthrough" with City staff, both prior to the use and after the use is concluded, during regular City business hours (Monday - Friday, 8 a.m. - 5 p.m.).
- n. The City may require the user to provide combined single limit insurance coverage of \$1,000,000. If required by the City, the user must provide the City with a Certificate of Insurance naming the City of Stayton as an additional named insured.
- o. All City, State and Federal laws must be followed. Violations of these laws and ordinances are subject to appropriate enforcement action.

- p. The City and the Stayton Police Department reserve the right to immediately revoke the Facility Use Permit without reimbursement to the user for violations of these rules, the Facility Use Permit and/or the Rental Agreement(s).

4. **RESERVATIONS AND FEES:**

- a. See City Fee Rental Schedule for current fees for each facility/premises (Attached to these Rules (Attachment A) and by this reference incorporated herein.
- b. A deposit of 25 percent of the total rental fee, or the entire cleaning fee, whichever is greater, will be required to reserve a City facility.
- c. An additional fee of 25 percent of the total rental fee will be charged to non-resident Applicant/Permittee's.
- d. All fees must be paid in full ten (10) business days in advance of the date of use.
- e. Fees and deposits made for use of the Community Center, Jordan Bridge, City parks, and other City facilities are non-refundable unless notice of cancellation is given 10 business days prior to the reserved date.
- f. Fees are charged for the hours for which the facility is scheduled. If the user vacates the facility before the scheduled time is up, no refund will be remitted for security or rental. If a facility is used in excess of the scheduled time, additional rent and security fees will be charged to the user.
- g. All fees are based on the City Fee Rental Schedule. If no fee for a particular use is listed on the schedule, the City may establish a reasonable fee for use.
- h. Security may be required at any of the City facilities/Parks. (See "Security" Section 4).
- i. Key Deposit - The Key Deposit for any of the City facilities is made at the time of the key pickup and refunded (in cash) when the key is returned. Key(s) must be returned to City Hall no later than five (5) business days after the event.
- j. Community Center:
 - i. Rental of the Community Center may be done for a portion of the Community Center or for the whole Center. Rental of the north side does not include kitchen privileges.
 - ii. Cleaning fees are non-refundable.
- k. Park's Facilities:
 - i. There are no fees for everyday individual or family use.
 - ii. Groups may rent an entire park or a designated area within a park, excluding the Jordan Bridge or Tennis Courts. A deposit is required that will be returned provided no damage occurs and upon inspection the park is clean. The user is responsible for any damage beyond the deposit. Refundable deposits will be mailed to the Applicant/Permittee within 30 days by the City.

l. Jordan Bridge:

The Jordan Bridge may be rented by itself, but does not include the park.

m. Tennis Courts:

Tennis Courts may be rented for organized events or tournaments. This is for the whole Tennis Court facility. There are no partial rentals of the courts.

n. Swimming Pool, Group Rental Fees: (Contact Swimming Pool Staff for Pool Rental Agreement and applicable fees).

o. Library Meeting Rooms: (Contact Library Staff for the Library Rental Agreement and applicable fees).

p. Fee Reductions and Waivers

i. All events sponsored or co-sponsored by the City of Stayton may use facilities (excluding the swimming pool) at no cost. Except for officially sanctioned meetings of established City groups, boards or committees, no request for reservation of City facilities for City-sponsored activities shall receive preferential consideration over other parties for scheduling. Reservations shall be made on a first-come, first-served basis for all facilities.

ii. Public agencies and non-profit organizations may submit requests to the City Administrator or designee to obtain fee reductions or waivers. The City Administrator or designee will review all such requests and the decision to approve or to deny the request will be based on the public agency or non-profit organization's ability to pay, the number of Stayton residents served, whether the facility is available, and the value of the service to the community. The City Administrator or designee may either approve or deny the request.

5. **SECURITY:** For the purposes of these Rules of use for City of Stayton public facilities:

a. A minimum of two (2) security officers shall be required at dances, weddings, wedding receptions, birthday parties, company parties and other similar events, park rented events with expected attendance of 200 persons or more, or any other event where the City Administrator or designee deems that security is in the best interest of all parties concerned. The exact number of officers required will be determined by the Chief of Police. City and City co-sponsored events will not require security provided that City staff are present at the event.

b. A minimum of four (4) security officers shall be required at all events where alcohol is served. If the alcoholic beverages will be served only for ceremonial purposes, (e.g. a single toast at a wedding or sacramental purpose at a funeral), or for a city-sanctioned or sponsored event (e.g. a Library Foundation dinner, Mayor's reception or Chamber of Commerce fundraiser) the Chief of Police may reduce the number of security officers required for the event or waive the requirement for security officers. The decision of the Chief of Police is final.

c. Security may be contracted from a private licensed/bonded firm as approved by the Stayton Police Department, or, security may be obtained by hiring Stayton Police Department personnel, to be determined and assigned by the Chief of Police.

- d. If the City of Stayton Police Department personnel are used for the security, the security fee is non-refundable if cancellation occurs within ten (10) business days of the event.
- e. Remuneration shall be as follows:
 - i. Private licensed/bonded security firms shall be paid directly as established between the user and the security firm. A copy of the security contract shall be submitted to the City no less than ten (10) business days prior to the event.
 - ii. Police personnel shall be paid for at a minimum of three (3) hours as designated in the schedule attached.
 - iii. Payment shall be made to the City a minimum of ten (10) business days prior to the event.
 - iv. If the applicant/user chooses to use City security, the City Administrator or designee will coordinate with the Stayton Police Department to schedule necessary personnel.
- f. Requested event times shall be submitted in writing to the City with the appropriate remittance for security costs. Event times shall not exceed those hours listed in Section 5, Hours.

6. HOURS:

- a. The Parks are generally available for rental on a “first come first serve” basis between the hours of 8:00 a.m. and 10:00 p.m. every day of the week.
- b. The Jordan Bridge is generally available for rental on a “first come first serve” basis between 8:00 a.m. and 10:00 p.m. every day of the week.
- c. The Library Meeting Rooms are generally available for rental on a “first come first serve” basis between 8:00 a.m. and 10:00 p.m. every day of the week.
- d. The Community Center is generally available for rental on a “first come first serve” basis:

Sunday - Thursday:	8 am-10 pm
Friday and Saturday	8 am-12 Midnight
- e. The City Administrator, or designee, may approve, for good cause, overnight use of a park facility. Such authorization is subject to the applicant properly obtaining a City Camping Permit pursuant to SMC 8.12.630.

7. DEFINITIONS: For the purposes of these Rules of use for City of Stayton public facilities.

- a. “Civic” groups include non-profit service organizations which do not restrict membership and do not charge fees other than membership dues. County, state and federal government agencies (for uses other than public meetings) are included in this group;
- b. “Private” groups are groups, organizations, or meetings not open to the general public, such as receptions, private parties, etc.;

- c. “Commercial” groups are persons, businesses, and organizations whose activities are profit-making in nature. Political, industrial, and professional organizations are included in this group.
8. **INSURANCE:** The City may require the user to maintain General Liability Insurance Coverage (\$1,000,000). If required by the City, the user must provide the City with a Certificate of Insurance naming the City of Stayton as an additional “Named Insured.”