

## RESOLUTION NO. 1408-07

### A RESOLUTION REPLACING RESOLUTION NO. 1038 SETTING FORTH THE RULES AND REGULATIONS FOR THE OPERATION OF THE FAIRHOPE MUNICIPAL CIVIC CENTER COMPLEX LOCATED AT 161 N. SECTION STREET, FAIRHOPE, ALABAMA.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

- I. The facilities located in the Municipal Civic Center Complex, namely the Main Auditorium, **the Lobby**, the Council Chambers (Municipal Court), and the Delchamps Suites will be regulated as outlined herein.
  
- II. RESERVATIONS
  1. Reservations shall be on a first come, first served basis, except for Governmental functions which shall take precedence over all other functions and may necessitate the cancellation or postponement of an event.
  2. Persons or groups wishing to reserve one or more of the facilities must complete, **date, and sign** an Application for Use of Fairhope Civic Center form, **Cancellation Policy, Indemnity/Hold Harmless Agreement**, and pay the required **rental deposit in order for the reservation to be entered on the Activities Calendar located at the Fairhope Civic Center**. No reservations will be confirmed until the deposit is paid.
  3. Cancellations **or date changes** must be in writing and **signed by the same person who signed the application and paid the rental fees and must be** given to the Banquet Manager **at the Fairhope Civic Center** not less than thirty (30) days prior to the event **for any refund to be given**. Fee refunds will be made by check, less a \$10.00 or 20% handling charge, whichever is greater. **No refunds will be made for cancellations made within 30 days of the event.**
  4. Groups that have events that occur annually and have rented the auditorium for at least five consecutive years shall have the right for advance booking provided that the date is requested and deposit paid prior to the current event.
  5. Religious groups may use the complex facilities for meetings, conventions, dinners, etc., but will not be permitted use of any part of the facility as a permanent sanctuary on a regular Sunday or weekday basis.
  6. **Rental rates shall be per day as follows:**

- a. Main Auditorium, \$485.00; Lobby, \$125.00; Council Chambers, \$50.00; Delchamps Room, \$40.00.
  - b. An hourly rate of \$20.00 per hour will be charged for each consecutive hour of use after 5:00 p.m. on weekdays and all day on weekends from the time the first person arrives until the last person leaves. This hourly charge will be \$50.00 per hour on recognized City holidays.
7. The rental fee includes tables, chairs, and a one-time set-up. Audio/visual equipment is also available upon request.
8. From 8:00 a.m. until 5:00 p.m. on regular working days of the City of Fairhope, when it is not being used by a paying group, the Fairhope Civic Center may be used by:
- a. the Fairhope Public Schools, when the principal requests, in writing, such use and rental fee waiver and the Banquet Manager approves such use as one that will not interfere with the regular operations of the Fairhope Civic Center.
  - b. Thomas Hospital, as long as it remains a not for profit community hospital, and the Administrator of the Hospital requests, in writing, such use and rental fee waiver, and the Banquet Manager approves such use as one that will not interfere with the regular operations of the Fairhope Civic Center.
  - c. any Fairhope community organization, whether civic or otherwise, which is not a commercial venture for private gain, and pays a membership fee of \$100.00 a year which will allow said member organization use of the facility for free (except for the Auditorium) as long as their use will, at the Fairhope Civic Center Banquet Manager's opinion, not interfere with the regular operations of the Fairhope Civic Center. This includes civic groups, churches, or clubs such as coffee clubs, investment groups, interest clubs, etc.
  - d. After 5:00 p.m., the Fairhope Public Schools, Thomas Hospital, or the Baldwin Pops (one weekday evening each week) may use the Fairhope Civic Center with a waiver of rental fees provided it has not been booked by a paying customer.

9. **Any and all requests for a waiver of rental fees must be in writing with a signature, and** a waiver of rental fees does not mean a waiver of cleaning fees and hourly fees. Cleaning fees and hourly fees will still apply **to any and all groups renting the facility.**
10. The Mayor and the City Budget and Finance Committee, which is made up of three city council members, have sole discretion to waive the rental fee for other non-profit groups who they deem to be offering a service for the Fairhope Citizens.
11. The City of Fairhope, its departments and agencies, and city sponsored functions shall be exempt from rental fees provided the functions will improve the skills, finances, or betterment of the sponsoring department or portray the City of Fairhope in the best light for the good and benefit of the citizens of Fairhope. This does not relieve the said departments from clean-up, and security responsibilities.

### III. RULES AND REGULATIONS

1. The number of Auditorium seating is to be given at the time of booking. Maximum seating and/or crowd capacity will be as per the Fire Code. Fire and exit lanes will be open at all times. Chairs will not be disconnected and moved into aisles.
2. Access to the building must be arranged with the **Banquet Manager.**
3. Persons or groups renting the Main Auditorium, Council Chamber, and/or Delchamps Suites shall have exclusive use of the Civic Center parking lot with exception of the spaces required by City Hall and the Fairhope Public Library.
4. Law Enforcement Personnel and/or chaperons must be approved by the Fairhope Chief of Police and will be present during entire event. **Events requiring Law Enforcement Personnel and/or chaperons include any event open to the public where alcohol is being served, any school function, or any function at which security is deemed necessary by the Banquet Manager.**
5. The Banquet Manager will be the final authority regarding decorations:
  - a. Decorations must be placed on the day of the event. No equipment or materials will be allowed to be placed prior to the day and time of use unless approved by the Banquet Manager.

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- b. No painting of any type will be permitted inside the facility.
  - c. All decorations are to be free-standing or approved by the Banquet Manager. No nails, tacks, brackets or self-adhesive tape will be allowed on or in the walls, ceilings, floors, or any material that will deface, mar, or damage a finished surface.
  - d. No shaving cream, toilet paper, silly string, rice, birdseed, **sparklers, glitter, confetti (including decorative jewels)**, or the like will be thrown or used for decoration inside or outside the facility. **All candles must be self-contained. If any of these is found on the floor there will be additional clean-up/damage fees.**
  - e. **Only rose petals, lavender, or bells are permitted at the Fairhope Civic Center when the bride and groom are leaving after a reception.**
  - f. All decorations must be removed following an event before the renter leaves the premises. Decorations that are to be shared with other groups may be left in place if prior arrangements are made with and approved by the Banquet Manager.
6. In order to maintain health standards as required by state and county regulations, all users of the kitchen must comply with the following:
- a. All pots, pans, trays, plates, saucers, cups, serving dishes, glasses, and silverware will be washed before use.
  - b. After food serving has been completed, and before leaving the complex, all items listed in 5.a. will be washed and separated (all spoons together, etc.) and stored in proper locations as found prior to use. Tables will be cleaned.
  - c. **The kitchen, along with its appliances and equipment, will be used only in conjunction with the rental of the Auditorium or by City Personnel.**
  - d. **Alcohol must be served by a licensed bartender or caterer. If a cash bar is used or alcohol is sold, renter/caterer must show proof of proper ABC licensure.**

- e. The renter and/or caterer serving food/drink will furnish own pots, pans, trays, plates, saucers, cups, serving dishes, glasses, and silverware **all of which will be washed before use.**
  - f. All equipment, including **utility carts**, coffee and tea urns, will be cleaned after use.
  - g. All appliances including stoves, ovens, microwaves, refrigerators, sinks, work areas, utility carts, and slicing equipment will be cleaned after use.
  - h. **Grease shall be disposed of properly by renter or caterer.**
  - i. **It is the responsibility of the renter to inform the caterer and other vendors of the rules and regulations. The caterer and/or renter are responsible for ensuring that the kitchen is clean and returned back to us as delivered. The Banquet Manager can provide a detailed list of responsibilities.**
7. No food or drink will be allowed in the Council Chambers.
8. Garbage and Debris:
- a. All loose debris, including cups, plates, and napkins must be removed from tables and the floor swept of debris.
  - b. Only garbage bags and dishtowels will be furnished by the City. Any other accessories will not be furnished by the City.
  - c. All garbage and debris will be removed from the building **by the renter as needed during and at the close of the function.**
  - d. **All garbage bags must be tied** and placed in the garbage containers provided outside the facility.
  - e. The City will not clean up debris left by a decorating group. All debris is to be hauled off by the renter.
9. Permission from the Banquet Manager will be required for any person or group to bring into the building and use an appliance with special power requirements.

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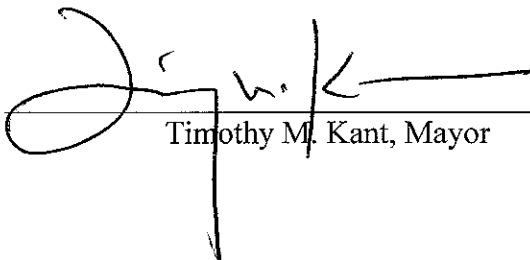
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10. Stage light settings will be accomplished by auditorium users, and, when function is over, light must be reset for general use. Step ladders will be returned to storage place after use.
11. The only persons allowed in the sound equipment room upstairs will be the persons in charge of the activity and persons required to operate sound and light systems. A \$30.00 per hour charge will be required for the use of stage lights and operator.
12. **A fee will be charged for use of the piano.** The piano will remain on stage at all times. Nothing will be placed or stored in or on this instrument.
13. **If children are present during your function, they must be supervised at all times. Any damaged or broken items caused from lack of supervision will be the renter's responsibility.**
14. All personal equipment, supplies, decorations, and other materials will be removed at the close of the activity.
15. No inventory items, such as chairs, tables, podiums, movie projectors, screens, kitchen utensils, pots, pans, silverware, dishes, etc. will be loaned or permitted to be removed from the premises under any condition.
16. **All groups and organizations are responsible for their own clean-up of the kitchen, decorations, garbage, and debris. Anything brought in by the renter and/or caterer must be removed by the renter and/or caterer. It is the responsibility of the renter to ensure that the Rules and Regulations are adhered to. The Banquet Manager will review the clean-up schedule prior to the function and will conduct an inspection after the function to assess whether or not additional clean-up fees will be charged. An additional clean-up fee at the rate of \$20.00 per hour will be charged for any time and/or required personnel necessary to complete the responsibilities of the renter.**
17. **Additional fees will be charged for any damaged or missing items which include, but are not limited to, any broken or missing items from the facility, and carpet and/or tile restoration (coolers and other heavy equipment may not be dragged across the floors at the Fairhope Civic Center.**

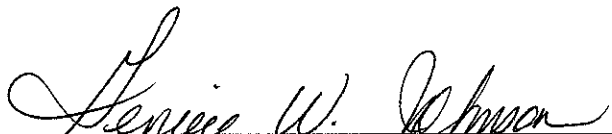
- 18. The Fairhope Municipal Civic Center Complex is a smoke-free facility. In compliance with City Ordinance No. 1311, "smoking is prohibited within a reasonable distance often (10) feet outside an enclosed area where smoking is prohibited, so as to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or other means." It is the renter's responsibility to ensure that all personnel at their function are made aware of this Ordinance.**

The Council reserves the right to amend, delete, adjust, or waive any and all stipulations set out herein.

ADOPTED this 10th day of September, 2007.

  
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Timothy M. Kant, Mayor

Attest:

  
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Geniece W. Johnson, City Clerk