

## **Caswell County Facilities Use Policy**

1.0 **Policy Statement.** This Policy is established to assure that buildings, grounds and parks (hereinafter “Facilities” as defined in this Policy) owned and operated by Caswell County are utilized in a manner that has a public purpose that meets the needs and interests of the community. This Policy aims to set out clear procedures, regulations and fees regarding such uses and supersedes all other County and Department policies regarding the use of County Facilities. No Caswell County public Facility, regardless of its primary purpose, is exclusively reserved for use by a single interest group, organization or population group. The Board of County Commissioners reserves the right to pre-empt or cancel meetings or events by County departments and groups. If this occurs, the Board of County Commissioners will give as much notice as possible to the affected group and the Clerk to the Board will assist the group in finding another meeting site.

In making County Facilities available for use by individuals or groups under this Policy, the County assumes no obligation or responsibility for the activities of the individuals or groups, nor does the County make any direct or indirect endorsement of the activity.

2.0 **Definitions.** For the purposes of this Policy, the following definitions shall apply to terms used herein:

2.1 **Affiliated Group.** A group consisting primarily of Caswell County residents with a public purpose and that meets one or more of the following criteria:

- i. More than fifty percent (50%) of the group’s operating funds come from the County; or
- ii. At least fifty percent (50%) of the group's governing board is appointed by the County; or
- iii. At least 50 percent (50%) of the group's membership is appointed by the County.

2.2 **Building.** Enclosed climate controlled structure that may be divided into areas for various uses.

2.3 **County Department.** An operational unit within County government for which the primary source of funding is from the County and that is supervised by the County Manager, an elected County official, the Health Board or the Social Services Board, or a group recognized by the County whose sole purpose is to provide support and/or resources to a County Department.

2.4 **Facilities.** One or any combination of County Buildings, Grounds or Parks as each is defined herein.

2.5 **Grounds.** Areas outside County Buildings, including lawns owned by the County.

- 2.6 Non-affiliated Group. Any public purpose group not meeting the definition of Affiliated Group.
- 2.7 Parks. Picnic shelters, playing fields, basketball courts, tennis courts and any other amenities as identified in Section 9.0, "County Buildings, Grounds and Parks Covered By Policy".
- 2.8 Public Purpose Activity. An activity in which the action or direction concerns, affects, or is of benefit to Caswell County or the Caswell County community.
- 2.9 Small Group. Volunteer groups, non-profit organizations or associations of twenty (20) or less people, the majority of whom are either residents or people who work in Caswell County. A small group does not include a for-profit commercial or business group.
- 2.10 User. An individual, group or organization using County Facilities.
- 3.0 **Permitted Uses.** Except where noted in this Section, County Facilities are limited to Public Purpose Activities.
  - 3.1 Use Other than Public Purpose Activity. Where the use of the Facility is for other than a Public Purpose Activity (i.e. Use Category 6 activities as defined in Section 4.2 below), the total cost of the reservation, including the cost of required on-site personnel shall be reflected in the established fee.
  - 3.2 Commercial or Business Use Prohibited. For-profit commercial or business activities are specifically prohibited, except as may be authorized by the County Manager.
  - 3.3 Political Parties. As provided in N.C.G.S. § 163-99, and defined in N.C.G.S. § 163-96, political parties may use County buildings and the grounds surrounding those buildings designated as a Category 4 Use without charge, except for custodial and utility fees, for the express purpose of annual or biennial precinct meetings and county and district conventions, so long as the event does not conflict with the operation of the building.
- 4.0 **Facilities Covered Under Policy.** Facilities owned or operated by Caswell County are covered by this Policy and are listed in Section 9.0, "County Buildings, Grounds and Parks Covered By Policy".
  - 4.1 The list of Facilities covered by this Policy may be amended from time to time by the County Manager or designee. Such list shall include all Facilities owned or operated by the County, with each Facility's name and address, the approved use of the Facility (including any limitations on Use Categories permitted), the hours of permitted use and the availability of reservations. Material changes in this schedule shall be reported annually to County Commissioners.

4.2 Facility Use Code Classification. For purposes of this Policy, the use availability of Facilities owned or operated by Caswell County are classified as follows:

Use Category	Use Availability
1	Facility may be used by County Departments, affiliates and non-affiliates for public purposes
2	Facility may be used only upon written permission by the County Manager.
3	Facility may be used only by County Departments, or with written permission by Department Head.
4	Facility may be used for political events as defined by this policy
5	Facility may be used by County Departments, affiliates and non-affiliates for social and recreational uses meeting the public purpose definition
6	Facility may be used for social/recreational purposes by private parties for events not meeting the public purpose definition, including uses for religious functions

4.3 Priority of Use. In an effort to ensure Facilities are utilized in the manner and intent for which they were originally established and to ensure Facilities are available to serve the needs of the general public as a whole while at the same time providing for use by other parties, a priority of use for scheduling conflicts shall be determined as follows:

Priority Category	User and/or Use
1	County sponsored programs and activities
2	Caswell County Schools
3	Affiliated Groups
4	Municipalities located in Caswell County and federal and state sponsored programs and activities
5	Non-affiliated Groups
6	All others

**5.0 Rules for Use of Facilities.**

5.1 County Courthouse. Use of the County Courthouse Facilities during normal operating hours (as defined below) is governed by the provisions set forth in this Policy. However, due to the enhanced security requirements of the Courthouse, specifically the need to assure, to the extent possible, that no contraband or deadly weapon is brought into the Courthouse when normal operating security efforts are not in place, the following specific limitations apply to the use of the Courthouse:

- i. Normal operating hours of the Courthouse are Monday through Friday, 8:00 am to 5:00 pm, except for holidays set by the Caswell County Board of Commissioners and the Judicial Branch of the State of North Carolina. “After-

Hours” is defined as any time that falls outside of normal operating hours as defined in the previous sentence.

- ii. The carrying of weapons, concealed or otherwise is prohibited by N.C.G.S. §§ 14-269, 14-269.4, and 14-277.2. Contraband may be any item that is prohibited by North Carolina General Statutes.
- iii. The provisions of this Subsection are not intended to be applicable to employees of agencies and/or departments regularly housed in the courthouse or judicial officials and officers of the courts in their normal course of business who may work after normal hours, but is applicable to any other User.
- iv. Deputy Sheriffs assigned to the courthouse for after-hours events will follow security procedures set forth by the Sheriff.
- v. The County Manager must approve any After-Hours use of the Courthouse Facilities. Once an Application for Facility Use is approved, the County Manager shall notify Courthouse security staff of any After-Hours reservations.
  - a. Security Screening for After-Hours Events: Users of Courthouse Facilities will contact Court Security, located on the ground floor of the Courthouse, and make arrangements with them to provide a Deputy Sheriff to act as sentry at the main entry door or the handicapped door on the ground floor (whichever is designated) and screen all persons who enter through metal detectors. The Deputy will remain at that post until the event is over. A fee may be charged, as set by the Sheriff, if the User is not a state or local government entity.
  - b. Responsibility of Deputy Sheriff: The deputy will follow all procedure set forth by the Sheriff of Caswell County for screening procedures and will not allow any unauthorized persons to have access to the first floor of the courthouse during the After-Hours event.
  - c. Rooms allowed for After-Hours use: Only the ground floor courtroom, ground floor hallway and ground floor public restrooms are to be used by non-government entities. Only government agencies may request the use of the first floor courtroom, law library or grand jury room.
  - d. Use of First Floor Facilities After-Hours by Government Agencies: Should a government agency request the use of the first floor courtroom, adjacent hallways and/or restrooms, the secured entry point will be determined by the County Manager after consultation with Court Security. The secured entry point will either:

1. remain on the ground floor whereby Court Security allows handicapped persons and other Users to have access from the ground floor to the first floor. The main entry doors on the first floor will remain locked and secured or;
2. be changed to the first floor main entrance with an additional Deputy to be posted by the ground floor handicapped entry door to allow handicapped persons access where they will be screened at that point by a method approved by the Sheriff.

5.2 The following shall be prohibited within or on the premises of County Facilities:

- i. Selling, offering for sale, soliciting or promoting the sale of any goods or services on County premises, except in association with approved events held by the County, or by special written permission of the County Manager or designee. Exceptions are allowed for groups associated with various County Departments, whose fundraising activities are for the direct support of a County activity
- ii. Selling food, concessions, or merchandise on County property, except for the sale of food, concessions or merchandise in conjunction with a recreation or athletic Facility rental, which sale may be requested in the Application for Facility Use and authorized in the Notice of Reservation Approval/Disapproval. If authorized, food vending services must be provided in accordance with the Caswell County Health Department Food and Lodging Program Regulations;
- iii. Tobacco use, including smoking, chewing, etc.;
- iv. Alcoholic beverages, except as authorized by the County Manager for special events, in which case host liability insurance shall be required and alcohol will be limited to beer and wine only;
- v. All illegal drugs and any other illegal substances;
- vi. Illegal gambling;
- vii. Weapons of any kind, except those used by civil and military law enforcement officers in the execution of their duties (including off duty officers as may be necessary to comply with departmental policy); ceremonial weapons, such as for use by a color guard; or those used by an approved security service associated with a County sponsored program.
- viii. Animals of any kind except service animals, those associated with a County sponsored program or animals in County Parks on leashes unless expressly prohibited;

- ix. The use of profanity, offensive language and profane gestures, fighting or other assaultive behavior;
- x. Use of motorized vehicles, except on designated roadways and parking areas;
- xi. Skateboarding, except in designated areas;
- xii. Hunting, trapping, or abusing animals in any manner;
- xiii. Damaging trees or other living plants;
- xiv. Fishing, swimming, horseback riding, boating, starting fires, using metal detectors or hitting golf balls, except in designated areas;
- xv. Charging fees for entry into any Facilities.

5.3 Programs or activities may not begin prior to 8:00 a.m. and must conclude by 10:00 p.m. unless written permission is granted by the County Manager or designee. Overnight camping is allowed in certain designated areas with advance written permission.

5.4 Facility Clean Up. Users, including County departments, are responsible for all Facility clean-up, which includes but is not limited to: collection and removal of trash and recyclables during and at the conclusion of the event and placement of such trash and recyclables in an area designated for pick up. Only trash generated as part of the scheduled event may be deposited in County trash receptacles; all other use of receptacles is prohibited. A cleanup fee will be assessed and taken out of a group's deposit as provided in Section 7.6 for Users that do not adequately clean up after themselves.

5.5 Facility Operation Procedures. The County Manager may establish procedures additional to those outlined in this Policy regarding the use of County Facilities.

## 6.0 **Special Requirements.**

6.1 Kitchen Use. Kitchens, where available, are to be used for the purposes of food warming and serving only. Preparation and cooking of meals is prohibited unless special permission is granted in writing at the time reservations are made. Users, including County departments, are responsible and accountable for kitchen areas, if used. Users will be billed for cleanup that they do not adequately complete themselves.

6.2 Equipment Use. Unless otherwise arranged with the County, each User shall be responsible for providing any equipment necessary for the planned activity, including, but not limited to audio/visual and other technology. If County equipment is available for use, qualified County staff must be present to operate the equipment. There will be a fee for use of the equipment and staff to operate the equipment.

- 6.3 Room Furnishings. Users reserving meeting rooms in County Buildings shall be responsible for arranging tables and chairs for their use and for returning the set up to the “standard room set up” as posted in each meeting room. If a meeting room does not have a “standard room set up” posted, Users shall be expected to leave tables and chairs in the same set up as they were upon arrival. Only tables and chairs assigned to each meeting room are available for use, unless otherwise arranged with the County. Tables and chairs are not allowed to be used outside.
- 6.4 Noise Levels. Groups must strictly observe any noise ordinance in effect at the event location. The County Manager or designee may exempt from the provisions of this Section a person performing in a Park or on recreational premises at an authorized event.
- 6.5 Parking. Users shall park in designated areas assigned to the specific Facility being used. Users are responsible for complying with any onsite parking regulations. Parking restrictions at event sites are strictly enforced. Large events may require off-site park and ride lots. The event holder will assume all costs and responsibility for transportation to the venue.
- 6.6 Parks, Open Space Lands and Outdoor Recreational Facilities. Parks, outdoor recreational facilities and their amenities may be used on a first come first served basis, unless closed or reserved pursuant to this Policy. Users who have made reservations under this Policy shall have priority use of the Park, outdoor recreational facility or amenity over those without reservations. However, an entire Park may not be reserved for use. Areas within or adjoining Parks and outdoor recreational facilities such as meadows and/or open fields may be reserved as long as the proposed activity is determined by the County Manager or designee to be an appropriate use of that area.
- 6.7 Ground Use. Anchoring tents, canopies or other allowed structures must be accomplished with sandbags or in another non-invasive manner unless other methods are approved by the County Manager. This includes temporary structures that may be erected in parking lots as part of an approved event. Marked protection areas for geothermal fields and athletic fields must be observed. Permits may be immediately revoked for any violation of this requirement.
- 6.8 Signage. Advertisement for private purposes in the form of flyers, posters, signs, placards, stickers, etc. are prohibited, except as approved in writing by the County Manager or designee. Temporary banners or signs of an informational or directional nature may be erected on site for an approved event, during the day of the event, and must be removed as part of the Facility Clean Up described in Section 5.4. No posters, banners or other material may be attached to trees on grounds or Parks or to any portion of a Facility in a manner that would cause damage.
- 6.9 Political Signage. No political campaign signs promoting candidates running for office are to be posted on County property unless such signs are posted in conjunction with an activity permitted in Section 3.3, except signs may be posted within twenty-four (24)

hours of an election as long as they are no closer than fifty (50) feet from the main entrance of a County Facility designated as an election polling site.

- 7.0 **Fees and Deposits.** The Board of County Commissioners, as part of the annual budget process, shall adopt a Fees and Deposits Schedule for the use of County Facilities.
- 7.1 Fees. The Fee and Deposit Schedule shall be updated annually. Fees may apply for Facility use both during and after a Facility's normal business hours; additional fees may apply for Facility use after normal business hours. Fees are charged depending on the day and time of the Facility use requested and the type of reservation.
- 7.2 Organizations using Facilities after-hours at no cost will be assessed a cleaning/lockup/utility fee associated with the specific Facility. Schools and other local, state and federal governments using County Facilities may do so at no cost other than cleaning and utility fees unless the same school or local, state or federal government charges the County for use of Facilities owned by that entity; in such case, fees will be assessed as provided in the Fee and Deposit Schedule. After-hours reservations of the Caswell County Courthouse are subject to Section 5.1, above.
- 7.3 Payment of Fees. Fees must be paid in full at least ten (10) days in advance of an event. If any checks are returned the event shall be cancelled unless the user pays the fee in cash or money order plus any returned check fees prior to the date of the event. Reservations made with less than ten (10) days' advance notice must be paid by cash or money order.
- 7.4 Small Groups. Fees shall be waived for small groups, as defined in Section 2.8, who utilize conference or classroom facilities to hold meetings during the facilities' normal business hours, for a maximum of two (2) hours no more than once a month, subject to availability of the space. Reservations are subordinate to County programs. Fees may be charged to small groups as provided in Sections 6.0 and 7.7 of this Policy.
- 7.5 Fee for Additional Personnel. Depending on the activity type and time of use, Users may be responsible for hiring and paying off-duty law enforcement officers, emergency services personnel, or on-site personnel required as a condition of scheduling the event. Use of the courthouse facility will require a deputy sheriff for which a fee may be required.
- 7.6 Deposit. A deposit may be required for use of the facility as provided in the fee schedule, considered by County Commissioners annually during the budget process. Deposits are payable when the reservation is made, and will be refunded within thirty days after the event. Deposits shall be fully refundable, minus any fees or damage replacement costs as provided in Sections 5.3, 6.0 and 7.7 of this Policy.
- 7.7 Damages. Users are responsible for any breakage, loss or damage except for normal wear and tear of facilities including, but not limited to: furnishings and equipment, walls,



doors, marker boards or other meeting room amenities and picnic tables, grills, basketball goals or other park amenities. Users shall bear the full replacement cost for such breakage, loss or damage.

## 8.0 **Reservation and Cancellation Procedures.**

- 8.1 Application and Approval. A completed “Application for Facility Use” is required for all reservations. A “Notice of Reservation Approval/Disapproval” will be provided to the applicant within three (3) business days following receipt of a completed Application. An approved Application will serve as proof of reservation, and must be available during the meeting/event should questions about the reservation arise.
- 8.2 Reservations will be accepted no earlier than ninety (90) days and not later than fourteen (14) days prior to the requested date of use for all non-County department use, except with the written authorization of the County Manager or designee.
- 8.3 Parents or legal guardians must reserve the Facility for any User under 18 years of age and must assure adequate adult supervision of youth groups using any facility. This may require the User to pay for security officers to monitor activities both in and outside the Facility being used, as discussed in Section 7.5, above.
- 8.4 Cancellation by the County. The County reserves the right to cancel any reservation. The County will try to limit cancellations to extraordinary and emergency situations. Prior to cancelling an event, the County reserves the right to move the event to another substantially similar Facility. If a substantially similar location is unavailable, all reservation/damage deposits and usage fees will be returned in full. Any cancellation notice will be issued as far in advance as possible.
- 8.5 Should a Facility be closed due to inclement weather or other unforeseen circumstances, the User will be given the option to reschedule before being refunded all reservation/damage deposits and usage fees. Refunds due to inclement weather will be issued for indoor facility or picnic shelter permits if the County Manager closes County offices.
- 8.6 Use Category 6 Users (as described in Section 4.2 above) who send a written cancellation notice received by Caswell County two (2) weeks or more prior to the event will be refunded entirely, except for a \$25.00 administrative fee. Written cancellations for Use Category 6 Users received less than two (2) weeks prior to the event will result in a refund of fifty percent (50%) of the reservation amount. Written cancellations for Use Category 6 Users received less than forty-eight (48) hours prior to the event may not result in any refund.
- 8.7 Users from all Use Categories other than Use Category 6 (as described in section 4.2 above) will receive a refund, minus a \$20.00 administrative fee, within thirty (30) days of cancellation notice, if written cancellation is received within twenty-four (24) hours of the reservation.

9.0 **County Buildings, Grounds and Parks Covered By Policy.** The Buildings, Grounds and Parks listed in this Section are covered by this Policy. Users must meet any qualifications listed in the tables below and must follow all applicable procedures contained in this Policy in order to reserve any Facility. The County Manager may limit certain Facilities' availability to use only by certain Use Categories (as defined in Section 4.2 above).

9.1 Buildings

**See Attachment A**

9.2 Grounds and Parks.

**See Attachment B**

10.0 **Use Conditions.**

- 10.1 Safety. Individuals or groups must take all necessary precautions to ensure the safety and well-being of all activity participants.
- 10.2 Indemnity. Users must agree to indemnify and hold harmless the County for all injuries or damages occurring to persons or property in conjunction with the use of County buildings, grounds and parks.
- 10.3 Insurance. Users may be required to provide a Certificate of Insurance showing liability insurance coverage at limits satisfactory to the County Manager.
- 10.4 Compliance with Fire Code. The number of individuals attending functions in County buildings shall not exceed the limits established by the County Fire Marshal.
- 10.5 Compliance with Laws. Users are responsible for compliance with all ordinances and laws during use of County buildings, grounds or parks, and must obtain all necessary permits, if applicable, for any proposed event. Users are required to provide copies of any required permits prior to date of event.
- 10.6 Reservation of Rights. The Board of Commissioners, or its designee, reserves the right to prohibit use of County facilities, for just cause, to any individual, group or organization. Just cause includes, but is not limited to, improper use or prior misuse of county facilities; failure to abide by the provisions of this policy; failure to compensate the county for use and/or damages to a facility; determination by the Board of Commissioners or the County Manager that to allow the proposed use is not in the best interest of the public and/or that the proposed activities are inconsistent with the public purpose or use of the facility.
- 10.7 Waiver of Terms. The County Manager reserves the right to waive or vary any provision in this policy when doing so would more effectively serve the public's interest, except when prohibited by law.

10.8 Supersedes all other Policies. Upon adoption, this Policy supersedes all other policies currently governing use of County facilities, grounds and parks.