

Eagle Mountain City, Utah

RESOLUTION NO. R-21-2008

**A RESOLUTION OF THE CITY COUNCIL OF
OF EAGLE MOUNTAIN CITY, UTAH,
APPROVING A BUILDING USE POLICY**

WHEREAS, Eagle Mountain City ("the City") owns and maintains a facility at City Hall in the City which is suitable for use by private groups under certain limited circumstances; and

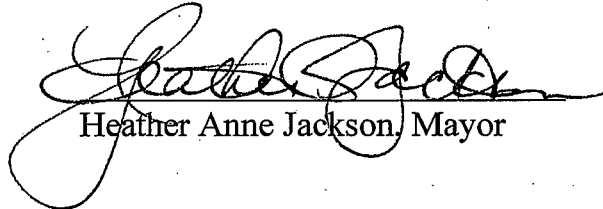
WHEREAS, the City has prepared a policy to establish rules for the use of facilities within City Hall by non-City related entities; and

WHEREAS, the City Council intends to set rules for use, times of availability and charges for use of certain facilities within the city as described more specifically in the *Building Use Policy* which is attached as Exhibit A.

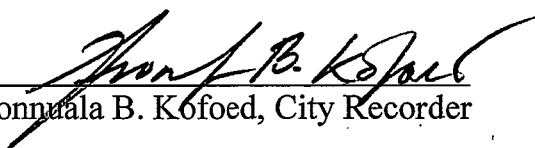
NOW THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah that the Building Use Policy which is attached hereto as Exhibit A be and in the same hereby is approved for the regulation of building uses within Eagle Mountain City Hall.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 5th day of August, 2008.

EAGLE MOUNTAIN CITY, UTAH


Heather Anne Jackson, Mayor

ATTEST:



Fionnuala B. Kofod, City Recorder



CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 5th day of August, 2008.

5 voting aye 0 voting nay


Fionnuala B. Kofoed, City Recorder



EXHIBIT

A

EAGLE MOUNTAIN CITY HALL USE POLICY

I. POLICY

The Eagle Mountain City Hall Building was conceived to be a structure to house the administrative offices of the City and to provide facilities that could be used to accommodate various types of groups and meetings within the community.

Eagle Mountain City ("the City") supports the general policy of making the City Council Chambers of the Building ("the Building") available to the public for certain types of activities, such as: meetings; social gatherings; art displays; club meetings; wedding receptions; etc.

Applications for use of the Building shall be made to the City Administrator as set forth below. All applications for use of the Building shall be approved or denied by the Building Supervisor, who shall be a person so designated by the City Mayor. The administration of this Use Policy shall be vested in the Building Supervisor.

Requested use of City Hall must be lawful, legal and in compliance with this Use Policy and may not conflict with any official City or governmental business. The City shall not discriminate in the use of City Hall on the basis of race, creed, color, national origin, sex, religion or disability.

II. BUILDING AREAS AVAILABLE FOR USE

The City Council Chambers of City Hall may be available for use if approved in advance by the Building Supervisor as set forth herein:

III. USE PRIORITY

A. Classification of Activity Types

1. **Priority One.** Priority One activities are those of the Eagle Mountain City government, including elected and appointed officials, City employee meetings, official City committees or City boards and groups.
2. **Priority Two.** Priority Two activities are those of other governmental agencies, including cities, counties, the State of Utah, regional governments, school districts and other similar organizations.
3. **Priority Three.** Priority Three activities are those of non-governmental entities, including Eagle Mountain non-profit

organizations, family and neighborhood gatherings, churches, clubs, community organizations and other similar organizations.

B. Use Priority Policy

Priority One activities shall have priority over all other uses. If there is a scheduling conflict, the Priority One activity will have priority. Any other activity will be cancelled or rescheduled to accommodate the Priority One activity. Any exceptions to this rule must receive the approval of the Mayor, or in the Mayor's absence, the City Administrator. In the event of a conflict, the Building Supervisor shall contact the group or individual whose activity conflicts with the Priority One activity as soon as possible and attempt to reschedule the conflicting activity. If the conflicting activity cannot be rescheduled, the City Treasurer shall issue a refund of any reservation or deposit fees paid by the group or individual whose activity has been cancelled.

Priority Two activities shall have priority over Priority Three activities. City sponsored activities shall have priority over non-City sponsored activities. If there is a scheduling conflict between a Priority Two activity and a Priority Three activity, the Priority Three activity will be cancelled or rescheduled to accommodate the Priority Two activity. In the event of such a conflict, the Building Supervisor shall contact the group or individual whose activity conflicts with the Priority Two activity as soon as possible and attempt to reschedule the conflicting activity. If the conflicting activity cannot be rescheduled, the City Treasurer shall issue a refund of any reservation or deposit fees paid by the group or individual whose activity has been cancelled.

In the case of conflicting activities with the same priority designation (such as two (2) Priority Three entities requesting a reservation for the same date and time), priority shall be given to the first to request for a reservation.

C. Simultaneous Use

If more than one group requests to use the Building at the same time, the Building Supervisor may allow simultaneous use of the Building if such simultaneous use can occur because the events are to occur in different areas of the Building. If, however, simultaneous events cannot occur because both events require one or all of the same areas of the Building, priority shall be granted in accordance with the Use Priority Policy above.

IV. RESERVATION PROCEDURES

A. Application

Any individual or group wishing to reserve an available area of City Hall shall contact the City Administrator's office or designee during regular business hours in advance of the proposed reservation date and complete a reservation application form (see attached copy). The applicant must provide the following information to the City Administrator upon application:

- i. Name, address and phone number of individual or group making the reservation;
- ii. Group represented (if any);
- iii. Area(s) to be reserved;
- iv. Date or dates reservation is desired;
- v. Total hours to be reserved, including time to begin setting up, time activity is scheduled to begin, time activity is scheduled to end, and time needed to complete cleanup. All hours must run consecutively;
- vi. Purpose of meeting or activity;
- vii. Number of people expected to attend the activity; and
- viii. Refreshments to be served (if any).

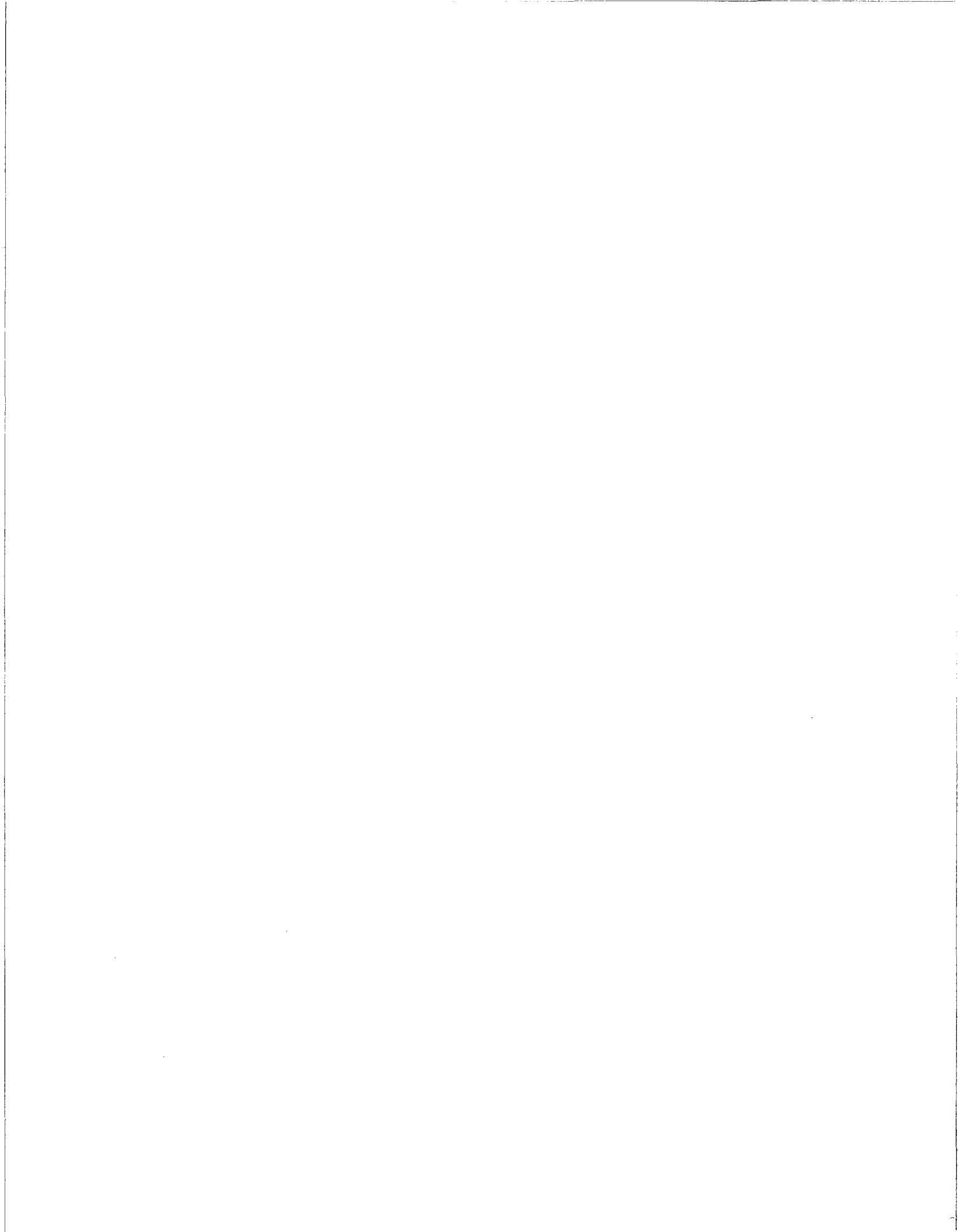
B. Use Eligibility

Only Eagle Mountain residents are allowed to rent the Building and must be in attendance the entire time of the activity.

Repeat reservations for more than one in a series of on-going meetings on a weekly or monthly basis will not be allowed unless approval is received from the City Council, unless the activity is a Priority One (1) or possibly Two (2) activity.

A. Confirmation

If the Building is available on the date and times requested and the City determines that the proposed use is lawful and legal and compliant with this Use Policy, the Building Supervisor shall notify the applicant that the activity has been scheduled and make all the appropriate arrangements.



B. Payment of Fees and Deposit

Fees are required within three (3) business days following approval. If not received the approval is withdrawn and the reserving party loses their place in line.

E. Deposit of Revenue

All rental fees and deposits generated from the use of the Building shall be promptly deposited and placed in the appropriate revenue account in accordance with City rules and requirements.

F. Security Deposit

The use of any Building areas within the Building will require a security deposit which is refundable (except for \$50 for deep cleaning of the Building for large events (accommodating more than 25 people) involving food) if the room or rooms are left in a clean and orderly fashion and no damage has been done. If damage or mistreatment of the premises has occurred, deductions will be made from the remaining deposit to reimburse the City for cleaning costs and/or Building repairs and, if insufficient, a charge will be assessed the individual and/or group. All deposits and refunds shall be coordinated through the City Treasurer. At the time the deposit is made, the City will issue a payment receipt indicating that payment has been made. Please allow 30 days for the remaining deposit to be returned after the event has taken place.

G. Refunds for Cancellation

A full refund of the fee and security deposit will be made if the reservation is cancelled six (6) weeks prior to the scheduled event. A refund of fifty percent (50%) of the fee and one hundred percent (100%) of the security deposit will be made if the reservation is cancelled less than six (6) weeks prior to the event.

H. Dispute Resolution

In the event that a dispute arises regarding an application for use of the Building, the Mayor or the Mayor's designee will make a determination as to whether a proposed activity is legal, lawful and complies with this Use Policy and resolve questions regarding fees and deposits as required by either the Building Supervisor or the applicant. If the applicant disagrees with the decision rendered by the Mayor or the Mayor's designee, the applicant may appeal the decision to the City Council.

V. USE REGULATION

A. Conduct While in the Building

1. Any individual or group using the Building shall always conduct themselves in a lawful and legal manner. Nothing in this Use Policy shall be interpreted by the City to restrict otherwise lawful expressive conduct.
2. No foul or abusive language shall be used at any time.
3. No one will be permitted to enter the Building bare footed at any time.
4. No smoking, drugs, or drinking of alcoholic beverages or possession of the same will be permitted at any time.
5. Areas not specifically reserved shall not be entered or occupied by the applicant, the group, any of its individuals, or any participants and guests.
6. Youth activities must be supervised at all times by a responsible adult.
7. Open flames, lighted candles, glitter, rice, confetti, graphite, paint, hay, straw, corn stalks, grass, palm fronds, and other similar materials ARE NOT allowed in the Building.
8. Tables and chairs are provided in the Building. Heavy items are to be carried when moved to avoid damage to the floor. Tables, chairs and other equipment are not to be taken from the Building for any reason.
9. Hallways, stairways, exits, rest rooms and other traffic areas are to remain free of tables, chairs, boxes and other items at all times.
10. No nails, tape or tacks may be used on the walls.
11. Pictures, plaques, flags, blinds, light fixtures, furniture, etc., are not to be removed or rearranged.
12. Participants and guests are to remain in the area of the Building. Playing in halls, restrooms, or elevators by children is prohibited. Children attending meetings or activities in the Building must be supervised at all times by a responsible adult who is present. The party reserving the facility is responsible for the conduct of participants and guests.

13. Meetings and activities shall end on time. Sufficient time shall be scheduled for cleanup within the scheduled room at the conclusion of the activity.
14. Lights should be turned off in the Building at the conclusion of the activity.
15. Pets or animals are not allowed in City Hall except for seeing eye dogs.
16. Portable electric heaters are not allowed in the City Council Chambers. Only one electrical appliance or lighting fixture is to be used on each outlet. (20 AMP BREAKERS)
17. Special lighting, sound, and other non-standard equipment will not be allowed in the Building unless approved in advance by the City Recorder or designee. The chairs around the City Council dais are not to be moved.
18. No items may be strung or attached to the walls of City Hall.
19. Fees may be collected and tickets may be sold in City Hall only for City sponsored events. Otherwise, no tickets shall be sold and no fees shall be collected in City Hall.
20. Gambling in any form is prohibited.
21. Any other rules or regulations pertinent to the continuation of only legal and lawful uses of City Hall and to the effective and efficient operation and preservation of City Hall will be established by the governing body. The policy will be enforced by the Mayor or the Mayor's designee. In the event of an emergency policy decision, that decision is to be made by the Building Supervisor with the approval of the Mayor or in the case of the Mayor's absence, the Mayor Pro Tempore. If the Building Supervisor is unable to contact either the Mayor or the Mayor's designee, the Building Supervisor will make the emergency decision which he or she deems to be in the best interest of the City, and then promptly thereafter give written notice of the decision to the Mayor with reasons for that decision.

B. Breakage or Damages to Facilities

Any damage to City Hall or any conduct which does not strictly adhere to this Use Policy for the Building shall be sufficient reason to refuse the use or to terminate actual use of the Building to that individual or group.



C. Preparing Facilities for Use

1. The Building Supervisor or designee shall see that the reserved area is available for the applicant's use. However, the individual or group using the facilities can make arrangements to organize the area they will be using with the Building Supervisor or designee.
2. Set-up time for special occasions such as wedding receptions or special demonstrations must be cleared at the time of scheduling. Normally, set-up will not be allowed earlier than four (4) hours prior to the time of the event. Please check with the City Recorder or designee for any special arrangements. On Monday, Thursday or Friday, set up can be no sooner than 3:00 p.m., with the event beginning no sooner than 5:00 p.m.

D. Cleaning Responsibility

1. It shall be the responsibility of the individual or group using the Building to clean up City Hall, including the parking lot, by removing all foreign matter, garbage and debris and depositing it in the appropriate receptacles (dumpsters in the parking lot).
2. The City Hall custodian or City employee in charge of Building rental will verify cleaning has been adequately performed. To maintain longevity of the Building, a minimum deep cleaning charge of \$50.00 will be deducted from the security deposit after large events (accommodating more than 25 people).

E. Serving Refreshments

1. Use of the City Hall kitchen is prohibited. However, light refreshments and light catered lunches are allowed provided the food can be prepared and served lawfully without the use of kitchen facilities. Red and orange based punch, grape juice, or other strong colored liquids, sauces, toppings, or foods which would seriously stain carpets are not allowed (i.e., strawberry, raspberry, blueberry). Catered dinners and banquets are not permitted.
2. Chairs and/or tables need to be set up and taken down by the applicant making the reservations. When food is served, it will be the responsibility of those renting the Building to clean up. Vacuums, mops and brooms will be provided.

F. City Hall Building Hours

1. The Building will generally be available for public use during the following times:

Monday	8:00 a.m.** - 11:00 p.m.	Open Reservation
Tuesday		CLOSED
Wednesday	8:00 a.m.** - 11:00 p.m.	Open Reservation
Thursday	8:00 a.m.** - 11:00 p.m.	Open Reservation
Friday	8:00 a.m.** - 11:00 p.m.	Open Reservation
Saturday	8:00 a.m. - 11:00 p.m.	Open Reservation
Sunday		CLOSED
Official City Holidays		CLOSED
Holiday weekends – Rental conditioned upon availability of Building supervisor and payment of \$35.00/hr. charge		

** Set up for parties or receptions can begin at 5:00 p.m.

2. Large events, defined as those accommodating more than 25 people, cannot reserve the Building for actual use until after 5:00 p.m. on Monday, Thursday or Friday unless otherwise approved by the governing body. Set up can begin as early as 5:00 p.m.

G. Access to the Building

The Building can only be used while the Building Supervisor or designee is present. The Building Supervisor or designee will unlock the Building at the time specified on the reservation form as "Time to Begin Setting Up" and secure it after use. Keys to the Building may not be provided to any unauthorized person.

I. Use Policy Subject to Change

Any other rules or regulations pertinent to the effective and efficient operation and preservation of the Building will be established as necessary by the governing body and enforced by the Mayor or the Mayor's designee.

The City's governing body reserves the right to amend and terminate this Use Policy and related rules at any time when deemed necessary or desirable by the governing body.

SECURITY DEPOSITS

The purpose of a deposit is to assure proper cleanup and care of City Hall. When the Building is left dirty or damaged, the City shall retain part or all of the deposit as necessary to reimburse the City for clean up and damage repairs. Deposits and fees are defined on the attached Building Use Deposits and Fees Schedule.

**EAGLE MOUNTAIN CITY
BUILDING USE DEPOSITS AND FEE SCHEDULE**

1. Use of the Building for small events (accommodating less than 25 people) not involving food - \$50.00
2. Use of the Building for small events involving snacks and beverages - \$100.00, of which \$50 is kept by the City for deep cleaning of the Building.
3. Use of the Building for large events involving food - \$600.00, \$200.00 of which is kept by City for deep cleaning of the Building.
4. Deposits are required to be paid when a reservation is made. Deposit checks will be cashed.
5. If several reservations are made through the year, the deposit can be paid at the time of the first reservation and held for a period of one year.
6. If cleaning costs or repair of damage to the Building or its contents exceeds the deposit, the party renting the Building at the time damage was incurred must pay the total costs of such cleaning or repairs.
7. The deposit may be returned following review within 30 days following the scheduled event.
8. Deposit amounts are set by the City Council and are subject to change without advance notice.

RENTAL FEES

1. Use of Council Chamber Room - \$50.00, plus \$15.00 per hour (\$35.00 per hour on holiday weekends – rented only if Building supervisor is available).
2. All rental fees are required to be paid before notice of confirmed reservation.
3. Refund of fees will be granted if reservation is cancelled six weeks prior to the scheduled event.
4. Fees are set by the City Council and are subject to change without advance notice.
5. No fees shall be charged for Eagle Mountain City Government activities and use of the Building. Fees may be waived for use by other governmental agencies.