

	Town of Middleburg Government Administrative Policies & Procedures	
Title: Town Hall Facility Use	Effective Date: Upon Opening of new Town Hall	

PURPOSE: To establish guidelines and procedures regulating the use of the Middleburg Town Hall facilities to ensure successful Town government operations and a safe and enjoyable experience of our guests.

I. OVERALL POLICY GUIDELINES:

1. This Facility Use Policy is established by the Middleburg Town Council.
2. This policy governs the use of the public areas of the Middleburg Town Hall building owned and occupied by the Middleburg Town Government for the conduct of Town operational business.
3. **The primary use of the Town Hall is for the conduct of Town government business.** Consequently, groups that are a part of or associated with the Town government have priority use of the facility and grounds. This includes the Town Council; committees of the Town Council; individual members of the Town Council; and, the Town staff for the purpose of conducting Town business. The above have scheduling priority. The Town Manager or designee reserves the right to assign an applicant to a different room or cancel the reservation, once the application is approved, if the requested room is needed for Town government business. There should be no expectation on the part of the applicant that they are guaranteed use of the Town Hall facilities, even upon approval of their application.
4. Nothing in this policy is intended to restrict the rights of the public under the First Amendment, to include gatherings of a peaceful assembly on public property. However, the Town Hall is an active public building and its rooms are specifically reserved for Town activities and those activities approved under this policy. Please refer to the Town Grounds Use Policy for the regulations related to the use of the grounds around the Town Hall.

5. With prior approval of the Town Manager or designee, the following groups are permitted to use and/or uses are allowed to occur in public areas, as defined below, to the extent permitted by law:
 - a. Non-profit citizen groups located in or doing business in the Town of Middleburg.
 - b. Federal, State, County and Town elected or appointed officials or employees.
 - c. Social and civic groups whose meetings pertain to the welfare of the greater Middleburg community, defined as the group's headquarters being located within ten (10) miles of the Town of Middleburg's corporate limits or the group providing services within the Town of Middleburg, so long as the use is non-exclusive and open to the general public.
 - d. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are spent for a greater Middleburg community, educational or charitable purpose.
 - e. Polling places for holding primaries and elections and for the registration of voters
 - f. Meetings of any body or organization whose mission is education, learning, the arts or economic development.
 - g. Local businesses - for meeting purposes only - no goods, services (professional or otherwise), private lessons or athletic instructions, or commercial uses, may be produced, sold or held in or from the Town Hall facilities.
 - h. Civic forums.
6. Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited.
 - a. Any use that could reasonably be expected to or actually does give rise to a riot or public disturbance.
 - b. Any use prohibited by law.
7. This policy shall apply to all groups and individuals that have requested use of the Town Hall facilities. No group or individual shall be excluded from equal access to Town Hall facilities because of considerations of sex, race, religion or political persuasions or views. However, use may be denied or terminated by the Town Manager or his designee if there is a violation of the rules set forth in this policy, if the use poses health or safety risks and/or if the organizer or a participant in the meeting/event violates the Town's Disruptive Behavior & Facilities Ban Policy.
8. Special Events – Reservation requests for a “special event” must also adhere to Town Code Chapter 6, including securing a Special Event Permit if required by law.

II. DEFINITIONS

“Applicant” shall mean an individual or group who submits a Town Hall Use Application.

“Public areas” includes the Council Chambers, Executive Conference Room, Administration Conference Room, and Council Chambers lobby. This does not include offices, workstations, spaces within office suites or other rooms not listed, which are reserved for Town business. The Police training room may be reserved for public use during normal business hours only when not in use for Town government business, as approved by the Chief of Police or his designee.

“Town Hall” includes the Middleburg Town Hall. It shall not include Town Grounds or the Village Green, the latter of which is owned by Salamander Middleburg, LLC.

“User” shall mean the individual or group who obtains approval to use a room in the Town Hall facility as a result of his/her/its submission of an application to use the Town Hall facility. A user shall also include any individual who participates in the event/meeting/activity associated with said approved application.

III. USE OF FACILITIES

1. **Scope of Use and Restrictions on Use** – Users are limited to one reservation per month and the scheduling of reservations should occur no earlier than three (3) months in advance. The meeting/event/activity must be conducted in approved areas only. The number of persons attending the meeting/event/activity shall not exceed the seating capacity of the reserved room. The user shall obtain any licenses or permits required by law.
2. **Days and Hours of Use** – The use of Town Hall facilities shall be restricted to the days and hours listed below:

DAYS	TIMES EXECUTIVE CONFERENCE ROOM, POLICE TRAINING ROOM OR COUNCIL CHAMBERS* MAY BE USED, TO INCLUDE SET-UP & CLEAN-UP TIMES
Mondays through Fridays	8:30 a.m-5:00 p.m.

*Use of the Council Chambers is restricted to the audience area only. Use of the Council dais area is restricted to official Town government meetings, including the Town Council, Planning Commission, HDRC and Board of Zoning Appeals.

Use of the facilities are limited to the use, date and time specified in the approved application. No adjustment of the use, date and time is permitted except with prior written approval of the Town Manager or his designee. As the primary use of the Town Hall is for the conduct of Town government business, scheduling priority will be given to those conducting official Town government business. Approved applications are not transferrable.

3. **Use of Property & Equipment** – The user shall ensure that no person shall damage, deface, destroy, remove, injure or improperly use the Town Hall facility, equipment or natural environment. The user shall cooperate in maintaining restrooms in a neat and sanitary condition.
4. **Compliance with Policy** – Town employees may enter any and all reserved areas during the course of an event to ensure compliance with this policy.
5. **Wi-Fi** – Information regarding the public Wi-Fi system will be posted in the meeting room. Wi-Fi services shall not be guaranteed.
6. **Liability** – Users of the Town Hall facilities shall:
 - a. Be required to release the Town from any liability for damages caused by the user/applicant or its property during the time of use;
 - b. Hold the Town harmless from any liability to third parties for injuries caused by the user, group or any persons or groups that attend the event/meeting/activity;
 - c. Be liable to the Town for any damages to Town property or injuries to Town employees or agents caused by the use or group or by any person attending the user/group's meetings/events/activities, whether or not the damage is the result of negligence, intentional acts or accident; and,
 - d. Provide evidence of a minimum of \$100,000 in liability insurance coverage naming the Town of Middleburg as an additional insured as part of any application that may involve 30 or more persons.
7. **Solicitation** – Solicitation in facilities and/or on grounds is strictly prohibited.

IV. APPLICATIONS FOR USE

1. **Applications** - If a Town government employee or body will be the user, reserve the Town Hall facilities through the "Request a Conference Room" procedures. All non-Town government related uses may submit the online Facility Use Application at www.middleburgva.gov or call (540) 687-5152.

Town Hall Use Application forms must be submitted at least ten (10) business days in advance of the first day needed. Applications submitted less than ten (10) business days in advance of the first day needed may be considered depending on the conditions that best serve the interests of the Town of Middleburg. No oral agreement for use of a Town facility shall be valid.

Applications shall include:

- a. Name of the applicant and the name of the person who will be in charge of the meeting/event/activity;
- b. The date, time, duration, nature of meeting/event/activity and requested meeting room;
- c. An estimate of the number of persons expected to attend the meeting/event/activity.

Applications will be considered on a first-come-first-reserved basis. Applicants representing a business or organization must have the authority to sign the Town Hall Use Application. All information on the application must be accurate. Misrepresentation in the application will be considered a violation of this policy and may result in denial of the application or revocation of the reservation.

2. **Notifications/Rejection** - Applicants will be notified within three (3) business days of whether the room may be used on the date(s) requested. If the application is denied, the Town Manager or designee will inform the applicant of the reason for the denial. An application may be denied only if:
 - a. A Town-sponsored meeting/event/activity or repair or construction project is scheduled for that time and meeting location;
 - b. A prior application for the time and meeting location or overlapping times and location have been made and have or will be granted;
 - c. It appears the meeting/event/activity will present an unreasonable danger to the public health or safety;
 - d. The meeting/event/activity would require the use of non-forum areas;
 - e. The meeting/event/activity would create an unreasonable risk of (1) damage to Town grounds or the Town Hall facility; or (2) impairment of the area's atmosphere of peace and tranquility for those working in the Town Hall facility and/or living in an adjoining residence or dwelling place to the Town Hall/Town Grounds.
 - f. The application is for an area in excess of the reasonable needs of the applicant given the number of people expected to attend the event.

- g. The application would unreasonably interfere with the operation of the Town government;
 - h. The Town facilities are deteriorating due to overuse;
 - i. The applicant or any person acting in concert with him/her has violated any provision of this policy or the Town's Disruptive Behavior & Facilities Ban Policy, within the previous 12 months.
3. **Responsible Party** – The applicant assumes responsibility for the preservation of order; prior and post inspection of the area being reserved; the conduct of those in attendance; and, the safe use of the facilities. The applicant shall be personally responsible for the strict observance of Federal, State and Town laws and ordinances, as well as fire, police and safety regulations. Further, the applicant shall report any injury or property damage within twenty-four hours of its occurrence to the Town Manager or his designee; must clean up the reserved room prior to their departure; and, must ensure adherence to this policy by those in attendance.
4. **Reservation of Specific Room** – The Town reserves the right to assign the applicant to a different room, once the application is approved, if the requested room is needed for Town government business. Reservation of a facility or public area does not restrict the use of the remainder of the facility or public areas by others. Common areas and areas of the facility not reserved will remain open to the public during the meeting, event or activity.
5. **Cancellation of Permission Due to Town Closure** – In the event the Town government is declared closed due to inclement weather or other reasons, any permission to use the facility or grounds is automatically withdrawn during the closure period. Town government closure information is published at www.middleburgva.gov. In such an event, the Town shall not provide notice of cancellation, users shall be solely responsible for notifying event participants.
6. **Cancellation of Permission Due to Disaster** – In the event of a natural or man-made disaster that requires the use of the Town Hall facilities as an emergency shelter, any permission to use the facility and grounds is automatically withdrawn during the period of the disaster. In such an event, the Town shall not provide notice of cancellation, users shall be solely responsible for notifying event participants.
7. **Cancellation of Permission Due to Town Emergency** – In the event the Town Council is required to hold a special, emergency or continued meeting, any permission to use the facility is automatically withdrawn during the date/time of said meeting. In such an event, the Town shall provide notice to the applicant of the

cancellation of the reservation at the same time the public notice of the meeting is issued in accordance with Virginia Code Section 2.2-3707(D). The applicant shall then be solely responsible for notifying event participants.

V. LOGISTICS

1. Responsibility of the Applicant – The Applicant is responsible for the following:

- a. Ensuring the Authorized Agent of the rental, as identified on the Facility Use Application, is present at the reserved facility for the duration of the event. Absence of the Authorized Agent during the stated reservation period may prohibit the user from any future reservations of Town facilities.
- b. Ensuring the facilities will not be used for any illegal or unsafe purpose.
- c. Ensuring the number of individuals attending the event is not greater than the maximum occupancy allowed for use of the reserved space.
- d. Being prompt in arriving and departing the facility. The reservation time frame shall include set-up and cleaning of the facility. The reserved facility/room will not be open prior to or later than the reserved time.
- e. Ensuring the facility and all equipment in the building is left in its original condition.
- f. Acknowledging that the Town of Middleburg is not responsible for any items lost, stolen or left on the premises before, during or after the event.
- g. Paying all royalties and assuming all costs arising from the use, performance or production of any invention, design, process, material, or equipment that is subject to patent rights or copyrights, and holding harmless and defending the Town against any related claim. The Applicant may be required to provide proof of permission or license for any public performances.
- h. Acknowledging that the Town does not endorse, promote, condone, certify, vouch or recommend, nor is it responsible for, any of the content, actions, or services associated with the user or its activities and programs.
- i. Coordinating in advance of the meeting with the Town staff, during normal business hours, on instructions for connecting to the meeting room display monitors if use of such monitors has been approved and are being utilized.

2. Food & Beverages – With the exception of water, food and beverages will not be allowed in the Council Chambers. Food and/or non-alcoholic beverages may be served and consumed in the Executive Conference Room, Administrative Conference Room or Police Training Room only if approval is granted by the Town Manager or his designee in advance of the event. A cleaning/damage fee in the amount of \$250 shall be required to be paid upon time of registration in the event anything other than

water is served. This fee shall be refunded in the event the reservation is cancelled and the room is not used or if the room is left in a clean condition and no damage has occurred to the conclusion of its use.

3. **Parking** – Users and individuals attending meetings or events are responsible for locating and using appropriate, available public parking. Users of the Town Hall parking lot shall ensure vehicles are parked in a manner that does not impede or obstruct the normal safe flow of traffic. No person shall use said parking lot for repairing or servicing vehicles, other than replacing a flat tire or using jumper cables in the event of a dead car battery. If mechanical disablement occurs, immediate steps must be taken for removal. Abandonment of vehicles is prohibited. The Town does not ensure a specific number of public parking spaces will be available during a meeting/event/activity.

4. **Prohibitions**

- a. No person under the age of 18 shall contract for the use of the Town Hall facilities. If an individual or group of people under age 18 wish to use the facility, the application form must be signed by a person at least 18 years old, as confirmed with a valid, current photo ID, who shall act as a supervisor and will be considered the person liable for the cost of repairing or replacing any damaged property.
- b. There shall be no alcoholic beverages served upon, consumed upon or brought onto Town property, except in the case of a Town government sponsored event in which permission has been granted by the Town Council for the serving and consumption of alcoholic beverages.
- c. There shall be no illegal drugs brought onto or used on Town property.
- d. There shall be no candles or pyrotechnic devices, including fog machines, used on Town property.
- e. Smoking, including e-cigarettes, and the use of other tobacco products are prohibited on Town property, except in the designated smoking area.
- f. Gambling or gaming, whether legal or illegal, is prohibited in or on Town property.
- g. Music or noise that is in violation of the Town's Noise Ordinance is prohibited.
- h. Open fires or other heat sources are prohibited on Town property.
- i. No person shall throw, deposit or leave any litter, refuse or rubbish of any kind except in public receptacles. Where public receptacles are not provided, all such litter, refuse or rubbish shall be carried away from the area by the person responsible for the meeting/event/activity and properly disposed of elsewhere.
- j. No person shall throw rice, confetti, glitter, or similar substance on Town property.

- k. With the exception of service animals trained in accordance with Federal law, dogs shall not be allowed in the public meeting rooms, offices, or back-of-house portions of the building. Dogs shall be allowed in the public corridors and public restrooms; however, they shall not be allowed to roam at-large. Dogs must be leashed and under the control of the owner at all times.
- l. With the exception of service animals trained in accordance with Federal law, animals, other than dogs, are prohibited on Town property.
- m. Inflatable amusement devices are prohibited in Town Hall facilities unless approved by the Town Manager or his designee.
- n. Promotional materials, if any, may not be presented in such a manner as to indicate the Town of Middleburg is a sponsor of or endorses the event/meeting/activity just because it occurs in the Town Hall facilities.

VI. SET UP AND CLEAN-UP – The user may use furniture and office equipment, such as tables, chairs and dry erase boards, that are owned by the Town and located in the reserved room. Tables may not be moved without prior approval. Any other needed equipment must be supplied by the user. After the use of the room, the group/user shall be responsible for returning the meeting room/space to its original condition and configuration. The user is responsible for ensuring all trash is placed in containers as may be provided. Owners of dogs must remove all dog waste left on the grounds.

VII. ELECTRONIC AND AUDIO-VISUAL EQUIPMENT

Council Chambers – Use of electronic and audio-visual equipment in the Council Chambers is restricted to use for Town government purposes only. Only authorized and trained Town staff may use the audio-visual equipment in the Council Chambers. Use of this equipment by Town staff or Town committees is subject to prior approval of the Town Manager or his designee.

All Other Meeting Rooms – Use of televisions/monitors is permitted in meeting rooms, other than the Council Chambers, subject to the prior approval of the Town Manager or his designee. Once approved, it is the responsibility of the user to coordinate with the Town staff in advance of the meeting, during normal business hours, on the instructions for using the system.

Third-Party Equipment/Devices – The connection of third-party equipment or devices to any Town system shall only be allowed with the prior approval of the Town Manager or his designee. No third-party power strips may be utilized in the Town Hall facilities for any reason.

VIII. STORAGE – The Town will not provide storage for any items for users of the Town Hall facilities. Any items remaining in the facilities at the conclusion of the approved use shall be disposed of by the Town. The Town will not be liable for the cost of any such items.

IV. SIGNS – Signs, emblems, banners, pennants, etc. may **NOT** be affixed to any Town Hall facility surface, walls or light fixtures or to amenities located on Town grounds including light poles, benches, etc. Signs, emblems, banners, pennants, etc. that are self-standing may be put in place one (1) hour before the scheduled start of the meeting/event/activity and must be removed at the conclusion of the meeting/event/activity. A copy of any sign, emblem, banner, pennant, etc. to be used shall accompany the application form.

This policy shall remain in effect until revised or rescinded.