



# **YACHATS COMMONS**

## **POLICY MANUAL**

Last edited by City Council – November 13, 2008

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## **FACILITIES AND MANAGEMENT**

The Commons includes the Commons building and the City owned grounds (4.85 acres) between 4th and 6th Streets. This includes the playground, open area, sports field, and wetland/woods to the east property line of lots on Ocean View Drive.

The Commons, as City property, is under the general supervision of the Yachats City Council. As established by ordinance, the Parks and Commons Commission is responsible for advising the Council. The Parks and Commons Commission is comprised of seven members appointed by the Council who serve three year terms. The Commission elects one member to act as Chair. The City Recorder and support staff are responsible for daily operations of the facility.

## **PARKS AND COMMONS COMMISSION**

The Parks and Commons Commission formulates rules, regulations, and standards for the operation of the City's Parks, Commons building and grounds, in a manner which assures the security of City assets and encourages use by tenants, residents and visitors alike; establishes rental rates for Commons use; plans for the regulation, development and improvement of the City's Parks; cooperates with volunteer organizations and City groups in the advancement of the Commons; and recommends items for the annual budget to Budget Officer and the City Budget Committee.

## **FRIENDS OF THE COMMONS**

The Friends of the Commons is a non-profit 501(c)(3) organization whose mission is the support of the Commons. The Friends of the Commons is a group of volunteers and membership is open to anyone in the community. The Friends elects a Board of Directors who manage the organization. A major goal is the development and management of fund-raising events and encouraging diverse use. Funds raised are used to make improvements to the Commons. The Friends also assist renters after City Hall hours.

## **BULLETIN BOARDS AND ADVERTISING**

### ***Main Hallway Bulletin Board:***

This area is for Commons or Community events and the City of Yachats information only.

### ***North Hallway Bulletin Board:***

This area is used for Greater Yachats and regional events, programs, and classes.

Any items to be posted on the bulletin boards will be left with City Hall staff. No commercial posting of individual events, sales, or business advertisements are allowed.

### ***Outside Readerboard:***

The readerboard is managed by the Friends of the Commons and kept current by Friends volunteers. Priorities of use in order are:

1. Emergencies
2. Commons / Friends of the Commons events

Commons events and acknowledgments for donations may be announced provided express permission is given by renter or contributor and it is in compliance with the City's Donor Recognition Policy. To have an event advertised ask City Hall Staff when renting the space.

## **SAFETY**

The Commons building is a NO SMOKING area. No smoking is permitted in the Commons building or within 10' of any entrance or window by Oregon State law.

### ***FIRE SAFETY:***

Attendance in any space may not exceed the posted capacity of that space and type of use. Tables, chairs, and other objects may not be placed or allowed to remain in corridors, hallways, or doorways per fire codes. The Yachats Fire District Chief may be asked to inspect the set-ups for any large event to ensure compliance with fire and safety codes.

Flammable materials (including, but not limited to: oils, candles, combustible fuels, kerosene, gasoline, or pyrotechnics (fireworks) may not be used or stored in the building, with the exception of sterno chafing dishes used by a licensed food establishment, with permission granted by the City Recorder.

All public meetings must be held in rooms with two exits. Room 7 has only one exit.

Any renter found to be in violation of the safety and fire regulations above will be given written notice that no future contracts for use of the Commons will be approved by the City.<sup>1</sup>

### ***GENERAL:***

Rooms are kept locked when not in use. Upon leaving, renters are responsible for relocking all doors they have unlocked.

The driveway in front of the Commons is for drop off and handicap access only. Renters will ensure that no vehicles are parked in that area during events.

## **SECURITY REQUIREMENTS**

Security and proper supervision of events is a major concern. All events must have adult supervision.

Hired security may be required for out of town sponsors of active recreational, dance, or concert events, or evening events over 2 hours / 50 people using the multipurpose room or a major portion of the building.

When professional security is required, the Lincoln County Sheriff may be contracted on an hourly basis. Security costs are not included in the room rental rates and will be charged in advance at the current going rate. Upon payment of the invoice for the Sheriff services, remaining money will be returned to the renter.

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<sup>1</sup> Adopted by City Council - April 14, 2005

Users wishing to contract for security privately must provide acceptable proof of such contract with certified professional security.

Determinations regarding security needs will be made on a case by case situation based on information on the contract or by interview. The City Recorder or designee has discretion for requiring or waiving security.

Any person suspended from a Commons event or program for misconduct will not be allowed to use any portion of the Commons building or grounds during the term of suspension.

## **ALCOHOL USE / SALE**

The sale or consumption of alcohol at events in the Commons and on Commons grounds will be by City Council written permission only. Requests for such permission must be presented in writing on an "Application for Use of Alcohol on City Property" form. These forms are available at City Hall. The form must be submitted to the City Recorder for approval by either the Mayor or City Council President.<sup>2</sup>

The sale and consumption of alcohol will be contained within well defined boundaries. Hours of sale and security requirements will be determined by the Oregon Liquor Control Commission (OLCC), with input from the Lincoln County Sheriff's Office.

The sponsoring group will be responsible for maintaining adequate controls to ensure that:

- Servers are at least 21 years of age.
- No person under the age of 21 years is served.
- Alcohol will be consumed within designated areas.
- No cans/bottles of alcohol will be brought into the event area from outside the event area.
- No person will be served who appears to be intoxicated.

Security must be provided by the sponsoring group or the Lincoln County Sheriff at the sole cost and expense of the renter; and must be at each point of distribution to enforce regulations and closure. Alcohol will be limited to beer and wine only, two cups per customer per visit, and dispensed in cups only - no cans or bottles.

The City, OLCC, or Sheriff's office may close the sale of alcohol at any time during an event at their discretion.

The City / City Recorder or designee may require a written statement outlining how applicant is complying with the OLCC regulations and copies of OLCC service permits for anyone who will be serving.

## **ROOM USES**

When room rentals are made the type of activity and noise level will be considered. The working hours of City Hall (8:30-4:30 weekdays) will be taken into consideration. Noisier events will normally be held in the north end of the building.

Meals will not be prepared or served in any rooms that are carpeted. During building-wide events, food must be prepared and served out of Room 5 (kitchen) only.

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<sup>2</sup> Amended by City Council – Resolution No. 2006-07-06

With the exception of any lease agreements with the Yachats Youth and Family Activity Program, no room will be allocated for exclusive permanent rental.

Room 1 (Civic Meeting Room): This room is used by City Hall from 8:30 a.m. to 4:30 p.m., for City Council, Commission meetings, work sessions and other open public meetings. At the City Recorder's discretion it may be rented for conferences and seminars at times when not in use by the City.

Rooms 3, 4, 5, 8: These rooms can be used for meetings, conferences and classes. These rooms have outside entrances. Room 3 has a small pull down screen for presentations. Room 8 has a sink and for many events is used as a green or cast room.

Room 5: This room contains a kitchen area. This room may be rented with or without use of the kitchen. The kitchen rental is in addition to the rent for the room. All food shall be prepared and/or served from room 5, which is the designated Commons Kitchen<sup>3</sup>. Any exceptions shall be made at the discretion of the City Recorder. Renters of this room may be impacted by multipurpose room noise.

Room 6: Friends of Commons Office.

Room 7: Storage.

Multipurpose Room / stage: This large room is used for recreation, sports, dances, concerts, and exercise classes. It is also for seminars, conferences, and festivals. Event lighting is also available as well as spotlight for the stage.

Basement: Youth Activities Center and storage.

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<sup>3</sup> Adopted by City Council - August 12, 1999

## **YACHATS COMMONS PROGRAMMING/ ROOM USE POLICY**

### **Free Category**

- Yachats Government (City Council and Commissions)
- Community events to raise funds for Commons.
- Open/community gym in the multipurpose room
- Yachats Youth Center
- Friends of Commons fundraising events
- Fee waived groups and activities

### **Community Rate**

Events that build a stronger sense of community while benefiting the individual (Not for profit), Educational, Sports, Cultural and Arts, Recreational  
Non-exclusive service clubs/organizations  
Tax supported agencies (Community College, etc.)  
Other Federal, State, and County government agencies

Commercial events open to the public that are sponsored by not for profit groups or organizations (C of C Arts & Crafts Fair etc.)

### **Private Rate**

Private meetings or events with restricted access (family reunion, wedding receptions etc.)

### **Commercial Rate**

Commercial or for-profit events open to public. Activity for which the purpose of the rental is to make profits for an individual or company.

## **CONTRACTS AND APPEALS**

The City Recorder will determine rental categories and may waive fees when appropriate. Special contracts may be negotiated with the Parks and Commons Commission.

Contracts are for on-going renters generally issued on a multi-month basis and are reviewed at least annually and revoked or extended at any time by the City Recorder or designee, or Parks and Commons Commission.

Appeals of decisions made by the City Recorder or designee may be made to the Parks and Commons Commission.

## **INSURANCE REQUIREMENTS**

Certain activities, performances, events, and instructional classes require insurance and the documentation of a Certificate of Liability Insurance, if Commons facilities or grounds are to be used.

The following represents the types of uses, which will require Certificates of Insurance. This should not be considered a complete listing.

- A. Organized dance, exercise or sports instruction and participation

Recreational dance  
Tumbling  
Martial Arts  
Cheerleading

Aerobics  
Baton  
Yoga

B. Single event activities with a significant number of participants.

Festivals  
Concerts  
Dances

C. Multiple or long term educational or recreational programs involving children.

Preschool, Day Care  
Alternative education  
Baton, dance, or physical fitness instruction

D. Instructional programs involving overtly hazardous equipment, tools, or materials.

Liability insurance will have a \$500,000 single limit.

Documentation of insurance coverage through existing business, residential, or organization may be acceptable. The City of Yachats shall be listed as "Certificate Holder."

Certificates of insurance for single events should be attached to rental contracts. For ongoing events records must be kept of annual dates certificates that expire and notice given to renters prior to such expiration.

Determination regarding the need for certificate may be necessary on a case by case basis, based on information on the rental contract or by interview. Certificate of insurance must be received (with contract and rental fee) prior to the event.

## YACHATS COMMONS RENTAL RATES

### **Space**

**(Effective November 13, 2008)**

SPACE	Commercial Use	Private Rate	Community Use
Meeting rooms (3,4,5,6,7,8)	\$36.00 per hr	\$18.00 per hr	\$9.00 per hr
	\$180.00 per day	\$90.00 per day	\$45.00 per day
Multipurpose room	\$60.00 per hr	\$30.00 per hr	\$15.00 per hr
	\$300.00 per day	\$150.00 per day	\$75.00 per day
Picnic Shelter with wind screens	\$36.00 per hour	\$18.00 per hr	\$9.00 per hr
	\$120.00 per day	\$60.00 per day	\$30.00 per day
Kitchen	\$200.00 per day	\$115.00 per day	\$70.00 per day
	\$100.00 ½ day	\$55.00 ½ day	\$35.00 ½ day
Coffee Service (limited use of kitchen)	\$15	\$10	\$5

### **Equipment**

Dish Rental	\$15.00
Black chairs	\$2.50 ea
Folding chairs	\$1.50 ea
tables	\$5.00 ea
Basic stage lighting	\$10.00
Portable sound system	\$25.00
Built-in sound system	\$10.00
Theater Lighting	\$100.00
Grand piano	\$25.00 (special approval required)

Equipment shall not leave the building except as approved by City Hall.

Security costs are not included and if necessary will be charged at the current rate and payable in advance.

Rehearsal time for events will be free and available within reason. Rehearsal times will be accommodated as much as possible providing the space is not needed for paying events. If paying events come up, rehearsals will need to be rescheduled or moved to another room. Rehearsal time can be guaranteed by paying community rental rates.

A refundable cleaning / damage deposit of \$200.00 for the multipurpose room and \$100 for each meeting room is required and will be paid in advance. Deposit may be waived by the City Recorder. Renters will be financially responsible for any lost equipment or damage beyond normal wear and tear in excess of the deposit.

If the facility is left clean, the deposit will be returned. If not clean, the City Recorder has the right to charge users for whatever cleaning or repair is required, based on actual time and materials needed.

Rent will not be charged for set up and clean up time unless the space would have been rented to another renter during that time.

Use / rental of outdoor space (other than the picnic shelter) is negotiated with the City Recorder in coordination with the Parks and Commons Commission.

## **GRAND PIANO USE POLICY**

Area residents of Yachats and visitors alike are encouraged to use the grand piano. In order to maintain this fine instrument and provide for its prolonged use, the following guidelines have been established:

The piano will be kept in a secured garage on the stage of the Multi-purpose Room when not in use

The piano will be moved in and out of its garage only by experienced users or under the supervision of City Hall Staff or a Friends volunteer. The piano is not to be moved from the stage without written consent of the City Recorder.

The piano will be tuned at least 3 times per year. The piano tunings will be scheduled by City Hall staff. The piano may receive additional tunings at the renter's discretion and expense. However, a technician approved by the City Recorder must be used.

Persons wishing to use the piano must fill out a request form and submit it to the Yachats City Recorder for approval.

Absolutely no drinks or food near or on the piano.

Students (under the age of 16) using the piano must be supervised by an adult at all times.

There is a small console piano available for use by the community at no fee. Please see City Recorder to use.

Damage Deposit: \$100 (required of all renters)

Commercial rate: \$100.

Private rate: \$50.

Community Rate: \$25.

Fees may be waived at the discretion of the Yachats City Recorder for groups such as Friends of the Yachats Commons or One of Us Productions who have supported and made substantial contributions to the Piano Fund and to the Yachats Commons, or individuals who sponsor fund-raising benefits to raise money for the Yachats Commons.

## **Firearms Sales/Display Prohibited**

The Commons Building, including its grounds, is a public building by State Law, and is also used for Municipal Court. Sales or display of firearms, as defined by State Law, is prohibited in the Commons or on the grounds by any renter pursuant to a Yachats Commons Use Permit/Contract. Any violation of this agreement may be cause for and result in cancellation of

an existing permit/contract and a ban on future rental of the Commons by any violator of this Policy.

## **Stage/Sound/Lighting Policy<sup>4</sup>**

While basic stage lighting is available for the current rental rate, the Friends of the Commons have installed professional grade sound and lighting equipment on the Commons stage in order to provide the opportunity for community and commercial activities such as theatrical events, musical and dance performances and recitals, lectures, speeches, poetry readings, and for the screening of films and videos.

In order to maintain this equipment and provide for its prolonged use, the following guidelines have been established: a \$100 Stage Lighting fee will be charged. This fee is split 50/50; \$50 for stage lighting equipment and \$50 for an authorized trained stage lighting technician<sup>5</sup>. The Friends may provide assistance for a donation. Community theater groups may have members trained as authorized technicians.

Rental of the stage will be at the discretion of the City Recorder or Commons Coordinator for uses other than events that are usual and customary activities associated with a professional theatrical stage.

Structures, stage sets, attachments, or equipment added to the stage will be approved by the City Recorder.

No food or drinks are allowed on the stage.

Only UL approved electrical cords in safe working condition may be used and are to be connected to wall outlets in such a manner as to not interfere with the drapes.

Children under age 18 must be supervised by a responsible adult at all times.

The main drape on the stage shall be pulled closed when events in the multipurpose room might cause damage to the stage and/or its equipment (i.e. basketball, volleyball, softball, etc.).

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<sup>4</sup> Adopted by City Council - March 13, 2003

<sup>5</sup> Adopted by City Council - August 11, 2005

## **Portable Sound System Use<sup>6</sup>**

Persons wishing to use the portable sound system must fill out a request form and submit it to the City Recorder for approval.

Youth under age 16 may not use the sound system without adult supervision.

The sound system consists of two microphones with cords, two speakers and a mixer.

The sound system is for use on the Yachats Commons grounds as well as for use at local organizations.

Rental Rates for the portable sound system:

- Damage deposit: \$200
- Rental Rate: \$25

Fees may be waived at the discretion of the City Recorder or designee. Example: groups such as the Friends of the Yachats Commons who will use the sound system for fundraising for the Commons.

## **RENTER'S RESPONSIBILITIES**

- All applicants must be 18 years or older.
- City Hall is responsible for working with renters to ensure compliance with policies and any contract agreement(s), however, the renter is liable for that compliance.
- City Hall will coordinate with each renter to determine equipment needs and will check rooms/equipment in and out for damage and cleanliness. Each renter is responsible for communicating special needs to City Hall prior to the event and for leaving the rooms clean/usable or better for the next renter. Renters are responsible for setting up and tearing down their own event and returning Commons property to their original location(s).
- Renters must also plan for use of their own personal equipment, i.e., extension cords.
- City Hall does not clean rooms, wash dishes or empty trash (with the exception of the restrooms). The cleaning supply closet is stocked with brooms, mops, paper products, etc. Please relock after use. Trash containers should be emptied into the dumpster and a new liner put into container. Recycle bins are available outside near the south-west wall. Glass for recycling must be taken to the community glass bin on West 2<sup>nd</sup> Street or another appropriate recycling center.
- All renters are responsible for obtaining the proper permits and licenses needed for their particular events or food service. Copies of those permits and licenses must be submitted to the City Hall and attached to the rental contract. The Yachats Prepared Food and Beverage Tax shall be collected and submitted when applicable.
- NO SMOKING is permitted in the building or within 10' of any door or window.
- Alcohol use will not be permitted without the prior written approval from the City Council. An "Application for Use of Alcohol on City Property" form must be submitted and approved prior to the event. This form is available inside City Hall.
- Only those rooms contracted for are to be used. Renters will contact the City Hall if any changes in scheduled rooms are made, additional space is required or equipment needed.

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<sup>6</sup> Adopted by City Council – June 12, 2008

- The driveway in front of the Commons is for drop off and handicap accessibility only. Renters will ensure that no vehicles are parked in that area during events.
- Renters must not allow room capacity to exceed the posted maximum for that space.
- No tables, chairs, or other objects may be placed or allowed to remain in the hallways; no flammable materials such as candles (except propane chafing dishes) may be used or stored in the building and all other fire/safety precautions shall be taken.
- No equipment may be removed from the building without prior approval of the City Hall. Renters are to relock all doors that they unlocked when leaving and make a reasonable attempt to secure the building. Should problems arise the renter does not feel comfortable dealing with, they should call 911 for assistance.
- The renters are responsible for replacement of lost or damaged equipment and repairs to rooms. Nails or tacks, etc. are prohibited as a means to secure items to walls, railings, ceilings, etc. Painters tape is permitted.
- Renters will make a reasonable effort to assure that any person who conducts him/herself in a disorderly manner or minors who have consumed alcoholic beverages do not remain in any part of the premises during activities. Should problems arise that the renter does not feel comfortable dealing with, they should call 911 for assistance.
- Renters will not permit violation of federal, state, or local laws to occur in connection with their activities.
- Renters should contact City Hall Monday-Friday from 8:30 a.m.-4:30 p.m. (except holidays) for assistance at (541) 547-3565. Otherwise, a volunteer with the Friends of the Commons is available at (541) 961-6597.
- Linens, catering and all decorations are the renter's responsibility.
- The City of Yachats is not responsible for lost items.
- Keys are to be returned within 24 hours after the end of the scheduled use or by the next business day to City Hall or to the City's drop box in the southern most door in the front of the building. If a key is lost, and the room has to be rekeyed, the renter / user who lost the key will be charged for the labor and materials necessary to have the room(s) or door(s) rekeyed, at the going business rate.
- Reservations are not firm until a completed contract has been signed.

## **KEY POLICY**

### ***MASTER KEYS:***

These keys are for maintenance, management, security, and fire protection personnel only. They will not be checked out to renters / users.

### ***LONG TERM USE:***

Renters / Users with a signed contract / agreement who use the Commons more than once a week may be given a key on a long term basis. This privilege may be requested when the rental agreement is signed. Approval can be given by the City Recorder and reviewed regularly.

### ***CHECK OUT:***

Keys are checked out for scheduled events. The City Hall Staff will collect deposits and keep appropriate records.

**KEY RETURN:**

Keys are to be returned within 24 hours after the end of the scheduled use or by the next business day to City Hall or to the City's drop box in the southern most door in the front of the building. There is a mail drop slot.

**GENERAL USE RULES:**

Keys are only for the use of the person / organization checking them out and only for the rental(s) they have scheduled. Renters / users are reminded that they must clear any extra use (cleaning, set up, tear down, or longer use) with City Hall ahead of time.

Renters owing money (fines, etc.) related to Commons use are not allowed further room rental or key check out until money is paid. The City has the right to deny any or all privileges to a party violating Commons policy.

**DEPOSITS / FINES:**

A refundable key deposit of \$15 per key may be charged at check out. The deposit will be refunded upon prompt return of keys. Deposit may be waived by the City Recorder.

Renters / users not returning keys within 24 hours after the end of their scheduled use or by the next business day, may be fined the amount of a standard deposit. If keys are not returned within one week, an additional amount equal to the standard deposit may be charged.

If a key is lost, and the room has to be rekeyed, the renter / user who lost the key will be charged for the labor and materials necessary to have the room(s) or door(s) rekeyed, at the going business rate.

**STORAGE POLICY**

As negotiated with the City Recorder, cabinets can be used for storage. This is primarily for long term renters. Users are responsible for all materials and supplies stored and for locking them up. The user must supply City Hall with a set of keys for any lock installed.

If additional storage is needed which could require placement of a portable cabinet, case or large items in rooms, arrangements must be made with City Hall.

**DUMPSTER USE**

For some events, organizations or groups will be required to provide an additional dumpster or pay for an extra pickup of the City dumpster.

**CONCESSIONS**

If food service is planned for your event, concessions are allowed. All concessionaires and caterers will comply with Business License and Prepared Food and Beverage Tax laws.

**BUMPING POLICY**

The bumping policy is established for regularly scheduled events or renters, for use in case of a priority use requirement.

Occasionally, regular or intermittent users may be asked to yield to special uses. When this occurs, the City Recorder will give notice to the designated representative of the user to be bumped.

## **COMMUNITY PARK**

The Commons open space consists of 4.85 acres including a playground, picnic area, sports field, woods, wetland area, open space and parking. The use of the sports field and picnic shelter for events must be coordinated with the City Recorder for use. Family use or pickup sports games are available as long as events are not scheduled in the area.

### ***PLAYGROUND:***

The playground is available to individuals or families for their use on first come, first serve basis. Use is at one's own risk.

### ***PARKING:***

Parking for the Commons is available at the north end of the building on the south side of 5<sup>th</sup> Street. The north side is used by the Bank of the West, during business hours. There is also parking available in the back of the Commons. Parking should be on the south side of the fenced area. For larger events parking may occur on the north side of the fenced area and on the grass area. Parking is also available along 4th St. and west of the retaining wall behind Bank of the West. At all times be aware that children are in the area. Care should be taken when driving in the area.

### ***TRAILS:***

Trails may not be cut in the woods / wetland area.

### ***WALKING PATH:***

The walking path and boardwalks on the Commons property is available to walkers. Please stay on the path.

### ***SPORTS FIELD:***

The sports field is available on a first come, first served basis unless previously scheduled with the City Recorder. Any organized events / team play must be scheduled with the City Recorder.

### ***SKATE BOARDING:***

Permission has been given to allow skate boarding on Commons grounds. The designated area can be used by skate boarders unless an event is scheduled in this area. Then all ramps must be removed and all skate boarding will stop. Loading and unloading of equipment into the Commons building may also occur in this area. Skate boarders may not interfere with other events that occur in the Commons or on Commons grounds. This includes the Youth Center programs and events.

### ***WETLANDS:***

A part of the open area to the west of the Commons is a delineated wetlands area and shall be respected as such.