

**Interim Rules and Regulations for Use of
The Center at the Heights
Approved by the Council on Aging: October 9, 2014
Board of Selectmen: October 28, 2014**

All authorized persons or organizations must comply with the following rules and regulations for use of the Center at the Heights. The Town reserves the right to make changes to these rules and regulations.

Policy:

1. It is the policy of the Town of Needham to permit use of the Center at the Heights to incorporated charitable or non-profit organizations engaged in municipal, educational, recreational, and/or cultural activities. Other activities, whose proceeds are directed entirely to the benefit of the Town of Needham, other municipalities, and/or government agencies, may be authorized by the Town Manager.
2. The Center at the Heights may be permitted to a religious organization for non-religious purposes on the same basis as those available to the general public. Political campaign fundraising or other events will not be authorized.
3. Scheduling priority will be given to Town of Needham Departments, boards, commissions, and committees, and then to Needham-based charitable or non-profit organizations, and then to other organizations and citizens meeting the guidelines of these regulations.
4. Municipal events will take precedence over other activities and events for scheduling purposes. Special or unforeseen events may supersede previously scheduled permitted events. The Town reserves the right to cancel a permit in these circumstances.
5. Service of alcoholic beverages may be allowed in certain circumstances in accordance with the Board of Selectmen's One-Day Liquor License Regulations and Needham General By-law Section 3.1.9.

Procedures:

1. Appropriate Use
 - a. The Executive Director of the Council on Aging will determine whether requested uses are in conformance with the policy, and will process appropriate permit requests for use of the Center at the Heights and collect the designated fees.

- b. The Executive Director of the Council on Aging will make the determination on the specific space available that is appropriate for the individual request.
- c. In the event of a request that is non-routine in nature, the Executive Director of the Council on Aging will refer the request to the Town Manager for further action.
- d. Except in extraordinary circumstances as determined by the Town Manager/designee, the Center at the Heights will be available for use after 6:00 p.m. on Friday evenings, and all day Saturday and Sunday. All events must be concluded by 11:00 p.m. on Friday and Saturday, and 9:00 p.m. on Sunday. The Center at the Heights will be available for municipal use Monday through Thursday in the evening. No non-municipal use will be allowed during the day Monday through Friday, or on recognized holidays.
- e. The room or facility occupancy capacity cannot be exceeded. Occupancy of the rooms available for rent at the Center at the Heights is as follows:

| Rental Space | Maximum Occupancy | Room Dimensions |
|---------------------|--------------------------|------------------------|
| Lobby | N/A | 980 sq ft |
| Multi-Purpose Room | 281 | 37'8w x 48'8 |
| Cafe | 64 | 37'8w x 26'8 |
| Kitchen | N/A | N/A |
| | | |

- f. Use of the Center at the Heights includes access to 180 chairs (100 padded folding), (10) 48"round tables, (9) 36" x 60" tables and (12) 36" x 72" tables.
- g. The Center at the Heights has full kitchen facilities. Onsite preparation and/or sale of food and beverages will be allowed with a permit from the Board of Health. A Town custodian must be in attendance for use of this area.
- h. All areas used for a function, including floors, stairs and bathroom, must be left in the same condition as they were found.
- i. Access to areas beyond permitted areas, except the bathrooms, is prohibited.

2. Permitting Requirements

- a. Applicant must be at least 21 years of age and a representative of an eligible organization as set forth above.

- b. Completed applications for permits must be submitted at least 10 working days in advance of the requested event. Application forms can be found on the Town's website. Completed forms may be submitted by fax (781) 444-1476 or in person at the Center at the Heights, 300 Hillside Avenue, Needham. A 50% deposit is required to hold the requested event date. The Executive Director of the Council on Aging may waive this advance requirement at his or her discretion in unusual circumstances.
- c. Permit requests with an anticipated attendance level of more than 50 people, or with special circumstances that warrant review will be forwarded to the Needham Police Department and Needham Fire Department. In some instances, the Chief of Police and/or the Fire Chief will require a police detail and/or fire detail. Arranging for the police and/or fire detail will be the responsibility of the applicant, and a deposit for same may be required.
- d. The person submitting the permit request will be the primary contact for the program to be held under that permit. That person's signature on the final permit will signify understanding and acceptance of all rules and regulations, responsibility for payment of all designated fees, and the responsibility for ensuring that all rules are followed by participants in the event. Failure to follow regulations and/or make appropriate payments will affect the applicant's ability to obtain permits for the use of the Center at the Heights.
- e. A written notice of cancellation is due at least 24 hours prior to the scheduled use for weekday events, 48 hours prior to Saturday events, and 72 hours for Sunday or holiday events. Fax notices can be sent to (781) 444-1476. Failure to provide written cancellation notice will result in forfeiture of the deposit.
- f. A Certificate of Liability Insurance, with the Town as an additional named insured, must be submitted to the Department of Public Facilities prior to the issuance of the final permit. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury liability and \$1,000,000 per occurrence and \$2,000,000 aggregate for property damage liability.
- h. Permit holders may not alter the premises or install equipment. Posting of signs or hanging of decorations of any type is prohibited without the approval of the Executive Director of the Council on Aging.
- i. The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.

- j. The Town is not responsible for lost, stolen or damaged items.
3. Use Fee and Custodial and Monitoring Fees
- a. A use fee, to account for energy, additional maintenance, and permitting costs will be charged to all groups, except those sponsored by Town departments, boards, commissions, and committees. The fee schedule for use of the Center at the Heights is included in Appendix A and is subject to change.
 - b. At least one custodian will be required for events in the Multi-Purpose Room. There will be a four-hour minimum for custodial services. The custodial and building monitor fees are subject to change and are listed in Appendix B.
 - c. A custodian on regular duty will not be available for service during the time of the rental, except in cases of emergency. The responsibility of a regularly scheduled custodian will be limited to opening/closing the facility. In the event that extra duties are needed, the group holding the permit will be charged for any additional custodial time needed for the activity or for clean up of the facility.
 - d. Under no circumstances shall a custodian, either on regular duty or assigned for a specific event, be responsible for supervision of participants before, during, or after an activity. Adequate and responsible adult supervision shall be provided at all activities throughout the event. Entry into the facility will not be permitted until the responsible supervision is present, and at the conclusion, the supervisor must remain until the last participant has safely left the Center at the Heights.
 - e. The custodian will only provide access to spaces/equipment that are approved on the permit, and will not authorize use of any other space/equipment.
4. Service of Alcohol
- a. Service of alcoholic beverages may be allowed in certain circumstances in accordance General By-laws Section 3.1.9.
 - b. A One-Day Liquor License will be required from the Board of Selectmen.
 - c. In accordance with Town of Needham General By-Law Section 3.1.9, no person shall possess or consume an alcoholic beverage within the limits of any park, playground, public land or public building owned or under the control of the Town of Needham, except with written permission of the appropriate controlling Town tribunal. In the event that a one-day license

for the sale of alcohol is approved by the Board of Selectmen, a Police detail will be required.

- d. A dedicated Police Detail will be required when alcoholic beverage service has been authorized.

5. Fire Safety Regulations

- a. Use of a smoke machine is not allowed. Use of matches, candles, incense, and pyrotechnics are strictly prohibited.
- b. Each permit with expected attendance of more than 50 people or with special circumstances will be forwarded to the Needham Fire Department for compliance with the Massachusetts Board of Fire Prevention Regulations (527 CMR) and the Needham Board of Selectmen's Policy on Fire Details dated 10/28/03 for a determinations as to whether fire detail is required. The Firefighter's role will be to insure that occupancy limits have not been exceeded; to monitor that all egress areas remain available for use and are marked; to check that all fire protection devices are working; to insure that all fire codes are followed; to respond to any immediate fire emergency and evacuation; and to perform as first responder to any medical emergency.
- c. In the event that a fire detail is required, the applicant will comply with Fire Department rules and regulations governing details and a deposit may be required.
- d. Use of any equipment/material that is judged to potentially jeopardize fire safety will require review, permission and a permit from the Needham Fire Department.

5. Police Safety Regulations

- a. Each permit will be forwarded to the Needham Police Department for compliance with Massachusetts General Laws and local regulations to determine whether a police detail is required. The Police Officer's role will be to provide security to the facility; insure that vehicles are parked legally; insure that emergency vehicles have access to the facility; and provide first responder first aid in the event of an accident or injury.
- b. In the event that a police detail is required, the applicant will comply with Police Department rules and regulations governing details and a deposit may be required.

6. Board of Health Regulations

- a. Smoking is not permitted in the Center at the Heights in accordance with Article 1 of the Needham Board of Health regulations.
- b. A temporary food permit and license fee is required for any event that involves the preparation, sale or distribution of food, in accordance with Article 1 of the Needham Board of Health regulations.

7. Raffle and Bazaar Regulations

- a. A request for a permit must be submitted to the Needham Town Clerk's Office in order to hold a raffle or bazaar, according to MGL, Chapter 271. A raffle is defined as "an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes." A bazaar is defined as "a place maintained by the sponsoring organization for disposal by means of chance of one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed twenty-five dollars each." An example of a bazaar is a Las Vegas Night. There is a permit fee charged at time of application.
- b. Any person wishing to hold an auction must apply for a permit through the Needham Town Clerk's Office, according to MGL, Chapter 100. A copy of the application will be reviewed by the Needham Police Chief and returned to the Town Clerk with a recommendation. There is a permit fee charged at time of application.

8. Use of Technology and Audio Visual Equipment

- a) Should a permit request include the use of televisions, microphones, VCR or DVD players, or any other type of technology and/or audiovisual equipment, a determination will be made by the Executive Director of the Council on Aging on the availability of the equipment and on the need for a specially trained staff member to be present during use. In the event a specially trained staff person must be on duty, a fee will be charged to cover the cost of his/her time. The hourly fee is listed in Appendix A.

9. Accidents and Damage to Town Facilities

- a. In the event of an accident during the time of the permit, the permit holder must complete an accident form and submit it to the Executive Director of the Council on Aging within twenty-four hours of the accident or on the first business day after the accident.

- b. The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
 - c. The permit holder is responsible for surveying the room(s) provided by the permit prior to use, and notifying the custodian/monitor immediately if there are any problems that could jeopardize the safety of any individual.
 - d. In the event that damage to the facility or equipment occurs, the custodian/monitor must be notified immediately. Permit holders may not make any repairs without the approval of the Executive Director of the Council on Aging or his/her designee.
10. The Executive Director of the Council on Aging and/or the Town Manager, or their designee therefore, reserves the final right of approval for use of the building and may, under extraordinary circumstances, cancel the function.

APPENDIX A
USE FEES
7/1/2014

A base fee of \$50 per hour not to exceed \$250 plus 5% of ticket sales, if any, will be charged for the first space rented. Additional spaces may be rented for \$10 per hour.

| Room Description |
|-------------------------|
| Multi Function Room |
| Café |
| Lobby |
| Kitchen |

The Use fee is payable each day of use. 50% of the base fee is payable at the time of application.

APPENDIX B
HOURLY RATES FOR CUSTODIAL AND MONITORING STAFF
Rates Subject to Change

| <u>Staff</u> | <u>Weekdays/Saturdays</u> | <u>Sundays/Holidays</u> |
|------------------------|---------------------------|-------------------------|
| Custodian (4 hour min) | \$50.00 | \$65.00 |
| Monitor | \$20.00 | \$20.00 |
| Monitor/AV Tech | \$20.00 | \$20.00 |