

# Facility Use Policy

## 1. PURPOSE AND SCOPE:

1.1 The City of Bryan has limited facilities that may offer opportunities for public use. This Facility Use Policy is designed to govern the use of meeting spaces in City-owned facilities by non-profit and not-for-profit groups and/or organizations that are not directly associated with the City of Bryan ("City"). This policy describes the terms, conditions, allowable uses, and user qualifications required for the utilization of Available Facilities, as defined in Section 4 below. These standards are intended to facilitate orderly processing of reservation requests and to preserve the non-public forum status of the facilities.

1.2 This Facility Use Policy covers the facilities designated in Attachment A and all other City-owned facilities that become available in the future for public use and do not have other specific facility rental and use policies. This Facility Use Policy does not include the Neal Recreation Center, Parks and Recreation Department facilities, and the Bryan + College Station Public Library System facilities, as they have separate, specific facility rental and use policies.

## 2. GENERAL:

2.1 Facilities of the City of Bryan are primarily designed to accommodate the programs, activities, and meetings of various City departments, the City Council, and City boards and commissions. It is intended that these facilities be used to the fullest extent for these primary purposes. Accordingly, City government functions shall in all cases take precedence over all other activities at any City facility.

2.2 Specified meeting rooms in certain City facilities, when not being used by the City, shall be made available to non-profit or not-for-profit community organizations or groups as authorized by this policy, at no-charge, and on a first-come, first-served basis. By opening up certain specified City meeting rooms to public use, the City intends to create a limited public forum in which public uses are restricted in a manner determined by the City to be consistent with the City's civic mission and that does not allow uses that would interfere with the governmental functions of the City. **The City reserves the right to close the meeting rooms to public use and terminate the limited public forum at any time.**

## 3. INTERPRETATION AND IMPLEMENTATION:

3.1 The City Manager shall have the authority to interpret the Facility Use Policy. The City Manager and/or the City Manager's designee shall have the responsibility to administer and enforce the Facility Use Policy, and shall have the authority to deny or terminate the use of a facility if a determination is made that the use does not conform to the requirements of the Facility Use Policy. The City Manager has the discretion to make changes to the Facility Use Policy and may restrict public access to any meeting rooms that the City Manager determines not suitable for holding public events. At the discretion of the City Manager, the City may waive any requirement of this policy if the result of said waiver would be in the best interest of the City.

#### **4. AVAILABLE FACILITIES:**

4.1 The designated meeting rooms listed in Attachment A (“Available Facilities” *as may be amended in the future*), when not being used by the City, may be reserved for use by non-city government, non-profit or not-for-profit community organizations or groups, provided the requirements of this Facility Use Policy are met.

4.2 Use of the City Council Chambers and Bryan’s Municipal Office Building conference rooms shall be reserved solely for use by City staff, City of Bryan decision-making and other appointed bodies in furtherance of official City of Bryan business.

#### **5. AUTHORIZED USERS:**

5.1 Non-profit and not-for-profit organizations and groups, consisting primarily of Bryan residents or benefiting the City of Bryan and/or the community by educational, civic, and/or cultural means (hereinafter “Groups”), may reserve Available Facilities for meetings and events. Groups must have at least five (5) members. Groups may not charge admission fees to participants attending the meetings or events.

#### **6. PROHIBITED USES:**

6.1 City facilities **shall not** be used for the following:

- Any commercial business, fee-based or promotional activity;
- Any programs involving the sale, advertising, or promotion of products or services;
- Any business firms and other for-profit organizations soliciting or selling products or services, regardless of purpose;
- Private social functions, such as showers, birthday parties, dances, etc.;
- Any meeting or activity that solicits funds or donations or accepts such from attendees;
- Any political fundraisers, political advocacy, or other partisan political meetings, rallies, or campaign activities/events;
- Any meeting whose noise levels will interfere with activities in City offices or adjacent properties;
- Any groups that will have participants in excess of the occupancy limit;
- Any illegal activity;
- Any purposes contrary to federal, state, or local law;
- Any activity not consistent with the general business purpose of the building;
- Any other use deemed inappropriate by the City Manager.

#### **7. RESERVATION POLICIES AND PROCEDURES:**

7.1. All Groups desiring to utilize Available Facilities are required to complete a City of Bryan Facility Use Application. The individual signing the Application (the “Applicant”) must be a City of Bryan resident and 18 years of age or older. The Applicant is responsible for the event and will be held responsible for all actions, behavior, and damages caused by his/her guests/attendees.

7.2 The completed application form (Attachment B: Facility Use Request Form) should be submitted to the applicable department within ten (10) business days prior to the event. An application must contain all requested information. Groups that would like to use a meeting room on a monthly basis may submit one Facility Use Application for three (3) months of use. Prior approval does not guarantee future approval.

7.3 When submitting the Facility Use Request Form, the Applicant also must submit the Facility Use Policy Compliance and Indemnification and Hold Harmless Agreement (Attachment C).

7.4 Application forms may be obtained at the applicable department or the Bryan Municipal Office Building, First Floor, 300 South Texas Avenue, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or on the City's website, [www.bryantx.gov](http://www.bryantx.gov).

7.5 Applicants may be required to provide the following verification:

For the Applicant:

- Proof of residency

For the Organizations/Groups:

- Proof of 51% member residency (for Groups) in the city limits of Bryan through membership roster (including names and home/business addresses);
- Community benefit; and/or
- Non-profit status, if applicable.

7.6 Availability of facilities varies due to City activities and programs. Each of the Available Facilities shall have a City meeting room coordinator. Each facility's meeting room coordinator is responsible for the implementation and administration of this Policy, including the review and approval of applications for use of Available Facilities.

7.7 Approval of applications for events and meetings in Available Facilities will be considered in accordance with the following criteria:

- a) The requesting Group is a non-profit or a not-for-profit group or organization.
- b) The requesting Group is based in the City of Bryan, or a majority of its members reside in the city limits of Bryan, or the proposed use is deemed a community benefit.
- c) The event is requested in sufficient lead-time for staff to determine impact upon the facility and previously scheduled events.
- d) The Applicant agrees to indemnify and hold harmless the City, and is capable of carrying sufficient liability insurance, if required.
- e) City staffing and security needs.
- f) The requested use of the City facility will not cause detrimental impact to City staff and available resources, or to the physical capacity of the requested facility, including but not limited to:
  - (i) The parking capacity at the requested location and the potential impact on other planned events;

- (ii) The number of planned participants and the traffic impact upon the requested location; and
- (iii) Other scheduled events and/or uses of the requested facility that increase the usage of the requested location above the recommended capacity.

If the application is denied, the Group may appeal the decision to the City Manager. The City Manager's decision shall be final.

7.8 Applicant shall be present at all times while the City facilities are being used. Non-compliance may result in denial of future requests.

7.9 The presence of a City employee is required whenever a facility is open for use. At least one City staff member must be on-site for the duration of the event, including set-up and clean-up.

7.10 Any use after business hours requires special approval of the Department Director and is subject to the availability of supervisory personnel. Staffing and facilities may not be available due to other City obligations. A charge for staffing facilities after business hours may be required. The number of staff required will be at the discretion of the City. For purposes of this policy, the term "Business Hours" shall mean 8:00 a.m. to 5:00 p.m., Monday through Friday, regardless of the extended operational hours of the department.

7.11 The City reserves the right to require security whenever it deems it appropriate. Cost of security is the responsibility of the Applicant. If security is deemed necessary, the Applicant submitting the reservation request must make arrangements with the Bryan Police Department for an off-duty officer(s) and shall pay the cost of a Bryan police officer to be present during the reservation period. Approval of reservation requests where security is required are subject to the availability of an off-duty Bryan police officer(s) to be present during the reservation period. Rates for off-duty Bryan police officers and scheduling information is set forth in Attachment D.

7.12 Due to the size and nature of an event, the City may require a Special Event Permit and/or general liability insurance for bodily injury and property damage be acquired by the Group with policy limits set by the City, and naming the City as an additional insured. **A Special Event Permit has separate deadlines that may require an earlier submittal of a Facility Use Request Form; the Applicant is responsible for being knowledgeable about all appropriate deadlines.**

7.13 The City reserves the right to cancel any and all reservations without providing any other accommodations in the event the facility is needed for municipal government purposes, or if the facility becomes unavailable due to unforeseen maintenance or safety issues.

7.14 A Group may not assign or transfer its reservation to another Group.

## **8. GENERAL RULES AND REGULATIONS:**

For the facilities to be enjoyed by everyone, the following basic rules of good conduct must be observed at all City facilities:

- 8.1 Attendance at meetings will be limited to the capacity of the individual meeting rooms as determined by the City of Bryan Fire Marshal and listed in Attachment A of this policy. If there is a conflict between the Fire Marshal's determination and Attachment A, the Fire Marshal's determination is controlling.
- 8.2 Seating and/or supplementary furniture are not allowed in corridors outside the meeting rooms.
- 8.3 Groups may only enter and exit the building from the public doors. Doors may not be propped open, and emergency exits cannot be blocked.
- 8.4 City staff will control all heating, air conditioning, lighting, and any other electrical or mechanical system(s) in the building. Applicant only shall make requests to the City staff for any adjustments.
- 8.5 No group or participant may affix, tape, or fix with an adhesive any item to any part of a meeting room, including a wall, door, window treatment, or woodwork.
- 8.6 Meeting room doors must be closed while conducting meetings during business hours. The conduct of the meeting will be respectable and well governed.
- 8.7 The noise level in the lobby area shall be kept to a minimum.
- 8.8 Use of the facility must not interfere with the conduct of official City business or be unduly disruptive to others present in the City facility or to adjacent properties.
- 8.9 Non-alcoholic beverages and light refreshments are allowed. Drinks with red or orange dye and/or food coloring are not allowed in the facility.
- 8.10 All trash, including food and beverage, created by the user or participants, shall be placed in proper receptacles.
- 8.11 No pets shall be permitted inside the facilities, only service animals are allowed.
- 8.12 Smoking, including e-cigarettes and vaping, is not allowed in City facilities.
- 8.13 No alcoholic beverages or illegal substances shall be served upon, consumed upon, or brought into the City facility.
- 8.14 No sparklers, open flames, or burning candles are permitted.
- 8.15 No pyrotechnic devices or fog machines are allowed inside the City facility.
- 8.16 Use of any glitter, confetti, or streamers is prohibited.

8.17 All City facilities shall be left in good, clean condition. All tables and chairs must be returned to the original arrangement when the use of the facility is complete.

8.18 The Applicant will be responsible for the provision of any specific non-facility Americans with Disabilities Act (ADA) required accommodations.

8.19 No Group may consider a City facility its permanent meeting place, use for storage, or use the City facility or Municipal Office Building as its mailing address.

8.20 All minors, individuals younger than 18 years of age, must be accompanied by an adult, with no more than ten (10) minors per one (1) adult.

## **9. EQUIPMENT:**

9.1 The use, alteration, removal, damage, or destruction of any City equipment is strictly prohibited, inclusive of technological devices and computers. The Applicant will be held responsible for any damages to any City-owned property or equipment.

9.2 As meeting rooms are located in City facilities where the business of the City is operated, amplification through the use of microphones and speakers is not allowed during business hours in order to minimize the disruption to those working adjacent to or in close proximity to the meeting rooms.

## **10. DISCLAIMER:**

10.1 Use of City facilities does not constitute City endorsement of the viewpoints, beliefs, ideas, or policies expressed by organizations or individuals using the space, and may not be advertised or implied as having such approval or endorsement.

## **11. USE OF CITY NAME OR LOGO:**

11.1 The use of the City of Bryan name is strictly prohibited by any organization or person for any purpose in connection with the use of the meeting rooms for publicity or otherwise, except to identify the location of the event. Unapproved use of the City of Bryan name or logo may be grounds for termination of the use agreement and may be subject to other legal actions.

## **12. NON-DISCRIMINATION:**

12.1 The City will not discriminate against any person or persons because of their age, sex, race, religion, color, or natural origin, nor will the City permit individuals or Groups making the reservation to engage in such discrimination.

## **11. RELEASES OF LIABILITY:**

11.1 The City assumes no responsibility for personal injury or injury to or loss of property brought or placed in the facility in connection with the use of the facility.

11.2 By submitting the Facility Use Application, the Applicant agrees in writing (i) to comply with the Facility Use Policy and (ii) to indemnify and hold harmless the City of Bryan, its officers, agents, servants, and employees from and against any and all claims or suits for bodily injury, illness, death, personal injury, or property damage (including, without limitation, reasonable fees and expenses of attorney, expert witnesses and other consultants) arising out of Applicant's use of the facility, or arising out of any act or omission committed by the Applicant, its officers, employees, agents, guest, and invitees, in connection with the activities conducted under this Agreement. **THIS INDEMNIFICATION AND HOLD HARMLESS AGREEMENT SHALL SPECIFICALLY INCLUDE ANY CLAIMS ARISING FROM THE NEGLIGENCE OF THE CITY, ITS AGENTS, OFFICIALS, AND EMPLOYEES.**

**ATTACHMENT A**

**List of Available Facilities**

<b>Facility</b>	<b>Available Room</b>	<b>Occupancy Limit</b>	<b>Staff Contact</b>
Fire Station No. 5 2052 W. Villa Maria Rd. Bryan, TX 77808	Meeting Room	32	Nikki Koski (979) 209-5970 <a href="mailto:nmkoski@bryantx.gov">nmkoski@bryantx.gov</a>



**Attachment B: Facility Use Request Form – Return to Applicable Department**

*Please Note: All reservations are taken on a first-come, first-served basis. Fees and/or Deposits for Off-Duty Officer Reservations and City staffing (if necessary) are due prior to reservation confirmation.*

**Facility Requested:** \_\_\_\_\_

**CONTACT INFORMATION**

Person Responsible (“Applicant”): \_\_\_\_\_ Phone Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Alternate Contact Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_

**EVENT INFORMATION**

Requested Event Date: \_\_\_\_\_ Requested Event Time: From: \_\_\_\_ AM/PM To: \_\_\_\_ AM/PM

Type of event/meeting/activity: \_\_\_\_\_

Detailed information about the event, including planned activities or any equipment/special needs:

\_\_\_\_\_  
\_\_\_\_\_

Number of adult participants expected to attend: \_\_\_\_\_ Number of minor (under 18) participants: \_\_\_\_\_

Organization Represented: \_\_\_\_\_ Non-Profit: Yes \_\_\_\_\_ No \_\_\_\_\_

Is this event a fundraiser? Yes \_\_\_\_\_ No \_\_\_\_\_ Please explain: \_\_\_\_\_

\_\_\_\_\_

Does your organization maintain a mailing address within the city limits of Bryan? Yes \_\_\_\_\_ No \_\_\_\_\_

Does your event provide a community benefit? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, explain below:

\_\_\_\_\_

Do a majority of your members, including officers, reside in Bryan: Yes \_\_\_\_\_ No \_\_\_\_\_

Will your event cause any impact on City staff or City resources? Yes \_\_\_\_\_ No \_\_\_\_\_

Is the Applicant willing to indemnify and hold harmless the City of Bryan? Yes \_\_\_\_\_ No \_\_\_\_\_

Does your organization carry liability insurance? Amount \$ \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Estimated space requirements for this event: \_\_\_\_\_

Estimated parking requirements: \_\_\_\_\_

**STAFF USE ONLY**

**DATE/TIME RECEIVED:** \_\_\_\_\_

**RECEIVED BY:** \_\_\_\_\_

**Attachment C**

**Facility Use Policy Compliance**  
**And**  
**Indemnification and Hold Harmless Agreement**

***(Attach with Request Form and Return to Applicable Department)***

The Applicant acknowledges that the City assumes no responsibility for personal injury or injury to or loss of property brought or placed in the facility in connection with the use of the facility. **Applicant agrees to indemnify and hold harmless, and by executing this application and agreement, does indemnify and hold harmless the City of Bryan, its officers, agents, servants, and employees from and against any and all claims or suits for bodily injury, illness, death, personal injury, or property damage (including, without limitation, reasonable fees and expenses of attorney, expert witnesses, and other consultants) arising out of Applicant's use of the facility, or arising out of any act or omission committed by the Applicant, its officers, employees, agents, guests, and invitees, in connection with the activities conducted under this agreement. THIS INDEMNIFICATION AND HOLD HARMLESS AGREEMENT SHALL SPECIFICALLY INCLUDE ANY CLAIMS ARISING FROM THE NEGLIGENCE OF THE CITY, ITS AGENTS, OFFICIALS, AND EMPLOYEES.**

**Please thoroughly read through the Facilities Use Policy attached to this form.** By signing below, you are stating that you understand the rules and regulations pertaining to Bryan facilities and their proper use. Furthermore, you fully agree to abide by and uphold these rules throughout your reservation and leave the facility in the same condition in which you found it. Failure to abide by these rules may result in forfeiture of security deposit and denial of future use of City of Bryan facilities.

Signature of Applicant: \_\_\_\_\_

Printed Name of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

## Attachment D

### Off-Duty Police Requests

#### Off-Duty Police Requests Contact:

Louise Langdon

(979) 209-5387

[langdonl@bryantx.gov](mailto:langdonl@bryantx.gov)

#### Rates for Off-duty Officers:

- a) \$45.00 per hour per officer (2-hour minimum)\*
- b) Traffic Control - \$50.00 per hour per officer (2-hour minimum)\*

**\*Rates and fees are subject to change without notice and are based on the rates/fees in effect at the time of the Facility Use Request Form being received by the City.**