

HAMILTON COMMUNITY CENTER USE POLICY

I. POLICY

Primary use of the City of Novato Hamilton Community Center at Hamilton Field is for recreational programs, activities, and events offered by the City of Novato Parks, Recreation & Community Services Department (PRCS), City sponsored or cosponsored activities, and other uses as identified and defined in Exhibit 1. When not in use for City Events, Programs, or City Sponsored or Cosponsored events or programs, the Hamilton Community Center may be used by other agencies, organizations or individuals consistent with the Hamilton Community Center Use Policy, Chapter 10 of the Novato Municipal Code, use agreements and other pertinent City policies. Uses shall be based upon the Use Priority Order set forth in Section II below. Uses of a higher priority in accordance with the Use Priority Order set forth below (such as City programs and activities) can preempt other previously scheduled lower priority use activities.

Rental and use of the Hamilton Community Center is governed by the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, (www.novato.org) and this policy. PRCS manages and supervises the use of the Hamilton Community Center. This policy describes the conditions of use, and application process for a Use Permit for exclusive use and rental of the Hamilton Community Center.

II. USE PRIORITY:

1. Occasionally, conditions occur which necessitate relocation of user groups due to higher priority needs. With prior approval of the PRCS Director or their designee, individuals or groups with Use Priority Order will have bumping rights to displace reserved exclusive use by a lower priority group or individual. Attempts will be made to locate a suitable alternate location for displaced individuals or groups. Displaced individuals or groups will be given as much notice as possible.

2. The following shall be the Use Priority Order which is hereby generally established for use of the Hamilton Community Center as approved by the Director and except as otherwise set forth in any agreement applicable to the individual facility:

- a. City Programs or Activities: All use of the Hamilton Community Center by any City department or entity.
- b. City Sponsored and Co-Sponsored Programs or Activities: All social, recreation and service programs and activities sponsored by the City of Novato. PRCS has priority over other sponsored or cosponsored activities.
- c. Hamilton Homeowner Associations, and the Hamilton Community Forum: Meetings to provide information, outreach and support that are specific to maintaining an informed and connected community of Hamilton Homeowners.

Uses are permitted as defined in the attached Exhibit 1 herein. These meetings, solely for purposes of community information and HOA business, are considered as City sponsored programs for priority use.

- d. Novato Unified School District Activities: Classes, meetings, special events, and other functions directly sponsored by the Novato Unified School District per the Reciprocal Facility Use Agreement for Community Recreation Programs.
- e. Novato Based Nonprofit Organizations Activities: Nonprofit organizations who provide recreational programs for Novato residents. Fifty percent or more of the clients served by the nonprofit organization must be Novato residents.
- f. Other Government Agency Sponsored: Non-public meetings sponsored by official government units other than the City of Novato.
- g. Private Uses: Events and activities, (recreational and nonrecreational), with restricted participation that are closed to the general public, and do not meet the criteria for categories A through D above.
- h. For Profit Uses: Any group or individual conducting an activity for profit.

III. DEFINITIONS

- A. Application Fee: Means the fee set by resolution of the City Council to cover the cost of processing and investigating the “Application for Use of a City Facility,” and administering the Park Permit/PRCS Rental Contract program.
- B. Application for Use of a City Facility: means the form to request a Park Permit or Building Use for the exclusive use of a specific City of Novato park, building, facility, or field or portion thereof.
- C. Director: Refers to the Director of the City of Novato PRCS, or his/her designee.
- D. Deposit: Initial fee deposit required to reserve a specific City of Novato park, building, facility, or field or portion thereof, for exclusive use.
- E. Exclusive Use: Right to use a park, or portion thereof, facility, or field for an activity at a specified time period, to the exclusion of other citizens or groups as approved by the issuance of a Park Permit or Building Use Contract.
- F. Government Agency: Government agencies include any Federal, State or local agency, including special districts.
- G. Park Permit/Building Use/PRCS Rental Contract: Written Permit and contract approved by the Director or designee for a specific use of a City of Novato park, building, facility, or field or portion thereof.

- H. Rental Fee: Fee paid by an applicant to use a City of Novato park, building, facility, or field or portion thereof.

IV. CONDITIONS OF USE

- A. Care of Facility: All individuals and groups using the Hamilton Community Center are responsible for proper use and care of the facility, and its supporting property, furnishings, and equipment. Litter and recyclable containers should be deposited in the appropriate trash receptacles. The Hamilton Community Center must be left in the same or better condition after the conclusion of a rental. Under City of Novato Ordinance 1279, no smoking is permitted in this facility. All events must end no later than midnight. If the provided key/key card(s) is lost, it must be reported, and the renter will be responsible for the cost of re-keying the building if the key loss mandates this action.
- B. Exclusive Use: Hamilton Community Center can be reserved for exclusive use by filling out an “Application for Use of a City Facility,” and obtaining a “Park Permit/Building Use/PRCS Rental Contract”. An “Application for Use of a City Facility” is available at the PRCS customer service centers: Margaret Todd Senior Center, 1560 Hill Road; Novato Gymnastics Center, 950 Seventh Street, or online at novato.org/prcsforms. Certain uses may require that the rental party provide a parking and traffic plan, temporary sanitary facilities, and trash receptacles.
- C. Preparation and Cleanup: Minor preparation and cleanup shall be done by user group including removal of decorations and other items brought by user group. Additional cleaning charges may be incurred due to unusual spills, stains, scuff marks, etc., which occur during the rental. A diagram showing desired set-up of tables and chairs, etc., must be submitted with the application, ten days in advance of the event.
- D. Renter Property: Any property or temporary fixtures brought to the Hamilton Community Center for any event must be listed on the application and pre-approved by the Director or designee and the Fire District. Such property shall be removed by renting party within predetermined and agreed upon time after the scheduled event. Any property installed without prior approval will be removed at renting party's expense.
- E. Exits: All exit doors must be kept clear at all times.
- F. Decorations: Only fireproof materials may be used for decorations. No candles, votives or oil lamps permitted. No tacks, pins, masking tape or nails may be used to put up decorations. No rice, confetti, glitter or birdseed may be thrown. It is the responsibility of the user group to remove all decorations brought into the facility for the rental.

- G. Sound: Sound criteria is regulated by the City of Novato Municipal Code Section 14- 13 “Noise-Public Nuisance” and Chapter V - Objective 13 in the General Plan. Any CD players, music makers, speakers, etc., must be used with reasonable audio levels that do not disturb people in adjacent meeting rooms, office areas, and community.
- H. Service of Food and Beverages: If alcoholic beverages are to be served, the City requires a permit from the State Alcoholic Beverage Control Department be obtained by user. A copy of the permit shall be submitted to Parks and Recreation ten (10) days prior to the event. Location and operation of beverage service must be approved by the Director or designee.
- I. Rental of Equipment: Tables, chairs and other equipment at the Hamilton Community Center are not available for rental purposes outside of the building.
- J. Capacity of the Building:

Room/Name	Assembly (Theater Seating)	Classroom (Seating)
West Wing Auditorium	130	64
Meeting Room A (West Wing)		18
Meeting Room B (Palm)		18

- K. Use Times: The Hamilton Community Center is available for use between the hours of 8:00AM and 12:00AM (midnight), including clean-up of the facility. The application form will show the date(s) and hours that are approved and may be earlier in the morning if specified on the application. Requests for exceptions must be submitted in writing and are subject to approval by the Director or designee
- L. Parking and Traffic Control: No parking and traffic control plan is required for use of the Hamilton Community Center. A parking lot is available for use directly outside the building.
- M. Rules and Regulations: Hamilton Community Center users must comply with all City of Novato rules and regulations posted at each site, and in accordance with the (NMC), Chapter 10, Parks and Recreational Facilities, Chapter 7, Health, and Chapter 14, Police Regulations, (novato.org). This policy and any other policies or waivers as deemed necessary by City Council and/or legal counsel.

V. INSURANCE AND DAMAGE RESPONSIBILITY

- A. Individuals or groups requesting the exclusive use of a park, or portion thereof, facility, or field must agree in writing to release, indemnify, hold harmless, and defend the City of Novato, City of Novato Successor Agency to the dissolved Novato Redevelopment Agency, City of Novato Public Finance Authority and their respective officials, officers, agents, employees and volunteers from any and all loss, accidents, injury or damage to persons or property occurring as a result of, or at the permitted area during the activity or event held. In addition, for the activities and events listed in Appendix A, a general liability insurance endorsement will be

required from the applicant. To meet the general liability insurance requirement, **“City of Novato, City of Novato Successor Agency to the dissolved Novato Redevelopment Agency, City of Novato Public Finance Authority and their respective officials, officers agents, employees and volunteers,”** must be named as an Additional Insured by endorsement to the applicant’s insurance policy. Evidence of such coverage must be provided by appropriate endorsement. **A certificate of insurance is not sufficient evidence of the additional insured status required by the City.** Insurance coverage must be maintained for the duration of the activity or event, and coverage must be written on an Occurrence Based Policy.

It is the applicant’s responsibility to obtain and submit insurance documentation to PRCS. Applicant must submit the required insurance documentation no less than 10 business days before the date of the activity or event unless the Director, for good cause, waives the filing date. In addition, if the applicant is contracting with another vendor/entity for services, equipment, or products to be provided as part of the activity or event, the vendor/entity must sign a third party user contract with the City. If the documentation is not received within the specified time, the permit will be null and void.

An applicant for First Amendment activities or events may apply to the Director for a waiver of the insurance requirements in accordance with the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Section 10-14, if insurance is unavailable or the cost of insurance is burdensome.

- B. A certificate of insurance or letter of confirmation of liability coverage is required for any event where alcohol is served, or participants are in excess of 100.
- C. Renting groups or individuals are responsible for any damage or loss to the center or its facilities or adjacent areas.

VI. DEPOSITS AND FEES

- A. Fees are set by City Council Resolution and are listed in the current fee schedule (Appendix D-Facility Use Fees). Deposits and fees required for use of facility will be specified on permit. Full deposit shall be paid at time of application. Rental fees shall be paid within ten (10) days of receipt of approved permit, and prior to the event. If payment is not received within the specified time, permit will be null and void.
- B. The deposit is refundable after final assessment of cleaning. Use of tables and chairs is included in rental amount.
- C. Cancellations by any renting party less than 20 days before the date of the event will result in forfeiture of 50% of deposit as a handling and processing fee. If the City cancels an activity, all deposit fees will be returned.
- D. In addition, all type of fees shall have a surcharge for non-residents, as defined in Parks, Recreation and Community Services Policy 14.

VII. APPLICATION PROCESS

- A. The Parks and Recreation Director delegates to their Recreation Supervisor designee the responsibility and authority for approval of building applications.
- B. The Hamilton Community Center can be reserved for exclusive use by filling out an “Application for Use of a City Facility,” and obtaining a “PRCS Rental Contract/Permit.” An “Application for Use of a City Facility” is available at the PRCS customer service sites located at the Novato Gymnastics Center (950 Seventh Street) and Margaret Todd Senior Center (1560 Hill Road), or online www.novato.org/prcs. No reservations will be made by telephone.
- C. Use of tables and chairs is included in rental amount. Set up is also provided with a diagram showing desired set-up of tables and chairs, etc., received with the application, or no later than ten days in advance of the scheduled event, additional fees apply.
- D. Applications for use of the Hamilton Community Center must be filed at least twenty (20) days prior to the proposed use. They must be signed or co-signed by a person 18 years of age or older. The twenty (20) day period may be waived by the Director or Recreation Supervisor if applicant shows good cause, as defined by the Municipal Code.
- E. Applications will be accepted on a first-come, first-served basis a maximum of 12 months in advance.
- F. Application is not confirmed until the deposit has been paid and the application has been signed by the Director or designee.

Exhibit 1: City Sponsored Use for Hamilton Homeowner Associations and Hamilton Community Forum Meetings

Appendix A: Insurance Requirements

Appendix B: Fee Schedule

Appendix C: Application for Use of City Building



Adam McGill, City Manager
City of Novato

Exhibit 1
City Sponsored Use for Hamilton Homeowner Associations and Hamilton
Community Forum Meetings

A.) Hamilton Homeowner Associations, and Hamilton Community Forum. Limited meetings of Hamilton Homeowners Associations (HOA's) and the Hamilton Community Forum to provide information and community outreach. These limited uses are not subject to facility use fees and are permitted as City sponsored for the sole purpose of maintaining an informed and connected community of Hamilton Homeowners. The following organizations may use the Hamilton Community Center under these terms for a maximum of one meeting per month, per organization: Hamilton Field of Marin HOA; Pointe Marin HOA; Hamilton Park HOA; Meadow Park HOA; and the Hamilton Community Forum.

APPENDIX A
ACTIVITIES OR EVENTS REQUIRING PROOF OF INSURANCE

Two million (\$2,000,000) combined single limit per occurrence insurance for bodily injury, personal injury and property damage is required for the activities or events listed below, unless the activity or event is City sponsored. Insurance coverage must be maintained for the duration of the activity or event, and coverage must be written on an Occurrence Based Policy. The Director may determine that other types of activities or events will require additional insurance to protect the public, park users, and City property. Applicants for First Amendment activities or events may apply to the Director for a waiver of the insurance requirements in accordance with the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Section 10-14, if insurance is unavailable or the cost of insurance is burdensome.

A general liability insurance endorsement naming the City of Novato, City of Novato Successor Agency to the dissolved Novato Redevelopment Agency, City of Novato Public Finance Authority and their respective officials, officers, agents, employees and volunteers as an Additional Insured by endorsement to the insurance policy for products and completed operations and ongoing operations hazards is required for the following activities or events. **Not all listed activities and events listed below are permitted at every, or any specific Park or Building or portion thereof. Only activities and events listed on the permit are permitted.**

1. Activity or event involving 150 or more persons (based upon reasonably anticipated attendance at activity or event)
2. Activity or event involving large displays of machinery, or any large physical object which could come into physical contact with persons or property and cause injury
3. Aerobics, Exercise and Body Building Classes or Instruction
4. Aircraft and Balloon Events
5. Animal Acts/Shows
6. Animal Exhibition, Display or Parading
7. Animal Training
8. Arcades
9. Bicycle Rallies
10. Block Parties/Street Closures (use of bleachers is not permitted)
11. Casino and Lounge Shows
12. Circus and Carnivals
13. Concerts (all types)
14. Conventions
15. Dances or Dance Shows (including rehearsals and dancers)
16. Debutante Balls
17. Dinner Theaters
18. Drill Team Exhibitions
19. Film Production
20. Fishing Events
21. Grad Night
22. Gun and Knife Shows
23. Gymnastic Competitions
24. Heads of State Events
25. Horse Shows

26. Ice Skating Shows
27. Job Fairs
28. Junior Athletic Games
29. Jump Houses, Moonbounces and Trampolines
30. Kiddielands
31. Live Performances.
32. Marathons (walking, running, etc.)
33. Mechanical Amusement Devices
34. Motorized Sporting Events
35. Night Club Shows
36. Overnight camping
37. Parades
38. Proms
39. Pyrotechnical Uses/Fireworks Shows
40. Racing Vehicles or Animals
41. Rodeos and Roping Activities or Events (including practice)
42. Sale or Barter of Goods, Wares, Merchandise, Services, Food or Beverages
43. Scouting Jamborees
44. Soap Box Derbies
45. Sporting Activities - organized games or instruction including, but not limited to, baseball, basketball, boxing, handball, hockey, martial arts, racquetball, soccer, softball, tennis, volleyball, and wrestling
46. Sporting Events (professional)
47. Tractor/Truck Pulls
48. Union Meetings
49. Zoos
50. Water activities or events involving bodies of water, swimming and diving, and waterslide equipment

FACILITY FEES FOR THE HAMILTON COMMUNITY CENTER

503 B South Palm Drive, Novato CA 94945

DUE AT TIME OF APPLICATION	Community Service	Private	Commercial*
Application Fee	\$15.00	\$15.00	\$15.00
Deposit	\$ 400.00	\$ 400.00	\$ 400.00
HOURLY ROOM RATES			
Dance Studio - Performances	\$ 36.00	\$ 53.00	\$ 70.00
Dance Studio - Rehearsals	\$ 18.00	\$ 27.00	\$ 35.00
Classroom Use: Dance Studio, Hamilton Art Studio, Bay Room, Recreation Room	\$ 30.00	\$ 45.00	\$ 60.00
Meeting Room A – West Wing	\$ 20.00	\$ 30.00	\$ 40.00
Meeting Room B – Palm	\$ 20.00	\$ 30.00	\$ 40.00
Auditorium – West Wing	\$ 45.00	\$ 67.00	\$ 90.00
EXTRA FEES			
Custodial Fee - \$36 per hour (costs estimated before event, assess actual costs after event)			
Building Attendant Fee - \$20.00 per hour			
Cancellation Fee - Less than 20 days before the date of the event will result in forfeiture of 50% of deposit as a handling and processing fee			

*Commercial: Individual or group conducting an activity for profit. 10% will be added to total cost of rental for non-residents. There is a 2-hour minimum. Room capacity depends on room set-up. Deposits are not considered part of the rental fee. Full payment of the rental fee is due at least 10 working days prior to the event.