

## HILL COMMUNITY ROOM USE POLICY

### I. POLICY

Primary use of the Hill Community Room is for recreational programs offered by the City of Novato Parks, Recreation and Community Services Department (PRCS). When not in use for scheduled recreational programs, the Hill Community Room may be used by other agencies, organizations, or individuals consistent with the Hill Community Room Use Policy, and other pertinent City policies. City programs and activities can preempt other previously scheduled activities with seven business days notice.

Rental and use of the Hill Community Room is governed by the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, ([cityofnovato.org](http://cityofnovato.org)). PRCS manages and supervises the use of the Hill Community Room. This policy describes the conditions of use, and application process for rental and use of the Hill Community Room.

Priority order for use of the Hill Community Room is as follows:

- A. City Sponsored and Cosponsored Programs: All social, recreation and service programs sponsored by the City of Novato. PRCS has priority over other City sponsored or cosponsored activities.
- B. 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.
- C. Novato Based Nonprofit Organization Activities: Nonprofit organizations who deliver a service or other resources to Novato residents. Fifty percent or more of the clients served by the nonprofit organization must be Novato residents.
- D. Other Government Sponsored Activities: All official business, service and program functions of official governmental units other than the City of Novato and the Novato Unified School District.
- E. Community Service Organization Activities: Activities of recognized organizations that fulfill recreational, cultural, and/or social needs, or which promote the general welfare and betterment of the community. Activities may include fundraising activities sponsored by community service organizations.
- F. Private Uses: Events with restricted participation that are closed to the general public, and do not meet the criteria for categories A through E, or G.
- G. For Profit Uses: Any group or individual conducting an activity for profit.

## II. DEFINITIONS

- A. Application Fee: Covers the cost of processing and investigating the “Application for Use of a City Facility,” and administering the PRCS Rental Contract/Permit program.
- B. Application for Use of a City Facility: Form to request use of a specific City of Novato park, or portion thereof, facility, or field.
- C. Director: Refers to the Director of the City of Novato PRCS, or his/her designee.
- D. Deposit: Fee required to reserve a facility 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.
- F. PRCS Rental Contract/Permit: Written authorization from the Director or designee for a specific use of a City of Novato park, or portion thereof, facility, or field.
- G. Rental Fee: Fee paid by an applicant to use a park, or portion thereof, facility, or field.

## III. CONDITIONS OF USE

- A. Care of Facility: All individuals and groups using the Hill Community Room 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.
- B. Exclusive Use: Hill Community Room can be reserved for exclusive use by filling out an “Application for Use of a City Facility,” and obtaining a “PRCS Rental Contract/Permit.” At least ten business days prior to the event, a diagram showing desired set-up of tables and chairs, etc. must be submitted. Requests for additional set-up or equipment needs, must be submitted with this diagram. An “Application for Use of a City Facility” is available at the Margaret Todd Senior Center located at 1560 Hill Road, the Novato Gymnastics Center office located at 950 Seventh Street, or online at [novatofun.org](http://novatofun.org).
- C. Capacity: Per Fire Marshall - 201 maximum capacity; actual capacity based upon type of event.
- D. Use Times: 7:00 AM to Midnight (Events must end no later than midnight.)

- E. Rules and Regulations: Users must comply with all City of Novato rules and regulations, and in accordance with the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Chapter 7, Health, and Chapter 14, Police Regulations, ([cityofnovato.org](http://cityofnovato.org)).
1. Nonsmoking: No smoking is permitted in this facility, or within 20 feet of any entrance, opening, or exit of any enclosed area, including windows (Novato Municipal Code, Chapter 7, Health).
  2. No Alcoholic Beverages: Alcoholic beverages are not allowed in this facility.
  3. Exits: All exits must be kept clear at all times.
  4. Preparation and Cleanup: Preparation and cleanup of the facility shall be done by the user group, including removal of decorations, food, beverages, and other items brought by the user group. Only fireproof materials may be used for decorations. No candles, votive candles, or oil lamps are permitted. No tacks, pins, masking tape or nails may be used to put up decorations. No rice, confetti, glitter or birdseed may be used. *Additional charges may be incurred to remove decorations left by the rental party or to clean/repair spills, stains, scuff marks, etc., which occur during the rental.*
  5. Property/Temporary Fixtures: Any property/temporary fixtures intended to be used in the Hill Community Room for an event must be listed on the application and approved by the PRCS Director or designee prior to the event. Such property/temporary fixtures shall be removed by the rental party immediately after the event. *Any property installed without prior approval will be removed at rental party's expense.*
  6. Staff Requirements: Staffing requirements will be assessed and included in fees estimated prior to the event. Actual staffing expenditures that exceed the estimate will be subtracted from the deposit. In all cases, costs for staffing, including overhead and overtime rates, will be covered by the user group.
  7. Rental of Equipment: Tables and chairs on-site at the Hill Community Room are available for use. These items are included in the rental fee for the Hill Community Room. The tables and chairs can only be used inside of the building, not outside.
  8. Videotaping, photographing, or other similar process: The making of commercial motion pictures, television commercial production, television programs, or theatrical film productions is not allowed without first obtaining an approved City of Novato Photography/Filming Permit from the Novato Police Department.
- F. Insurance and Damage Responsibility: 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, Redevelopment Agency of

the City of Novato, 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 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 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.

- G. Special Permits and Licenses: It is the applicant’s responsibility to obtain any legally required permit or license such as a County of Marin, Environmental Health Department permit to sell food at an event. The applicant must submit his documentation to PRCS no later than 10 business days prior to the event. If the documentation is not received within the specified time, the permit will be null and void.
- H. Amplified Sound and Live Music: No amplified sound and live music, unless an exclusive use permit is obtained. If approved, amplified sound or live music must be within reasonable audio levels that do not disturb people in adjacent program areas, neighboring facilities, or residential areas. Director may impose reasonable conditions per the Novato Municipal Code, Chapter 10, Parks and Recreational Facilities, Section 10-16.
- I. Deposit, Application and Rental Fees: Fees are set by City Council Resolution and are subject to change at any time. The fees required for use of this facility will be specified on the “PRCS Rental Contract/Permit” based on the currently adopted Fee Schedule. The deposit to reserve the facility, and an application fee must be paid at the time the application is submitted for approval. Rental fees for using this facility, must be paid at least 10 business days prior to the event, unless the 10 business day

requirement is waived by the Director or designee. If the rental fee is not received within the specified time, the permit will be null and void. Use of the facility's tables and chairs is included in the rental fee.

Deposit to reserve the facility is refundable after final assessment of cleaning, any damages to the facility and/or equipment, and staffing costs. (See Conditions of Use, Section III.E., Rules and Regulations.) In addition, evening and weekend events will be charged an appropriate fee to cover the staffing costs, including overtime rates, for custodial and/or building attendants for the length of the event if required as a condition of use. Maximum daily fee for Community Service groups on Saturdays is limited to once per quarter or every 90 days.

The application fee will only be refunded if the City revokes the "PRCS Rental Contract/Permit." The deposit and rental fee for reservation cancellations requested at least 20 business days prior to the event will be fully refunded. Cancellations requested less than 20 business days prior to the event will be charged a fee equal to 50 percent (50%) of the deposit. If the City revokes the "PRCS Rental Contract/Permit," the application fee, deposit, and rental fee will be fully refunded unless another mutually acceptable date to reschedule the event can be agreed upon.

#### IV. APPLICATION PROCESS

- A. Application Form: Requests for use of a City park, or portion thereof, facility or field must be made on an "Application for Use of a City Facility" form. The application must be completely filled out, initialed, signed, and dated where indicated. The form is available at the Margaret Todd Senior Center located at 1560 Hill Road, the Novato Gymnastics Center office located at 950 Seventh Street, or online at novatofun.org. Applications accepted on a first-come, first-served basis.
- B. Age of Applicant: Applications must be signed or co-signed by a person 18-years-old or older who will agree to be responsible for the requested use of the facility. Adult supervision is required during the event.
- C. Approval Authority: Director or designee has the responsibility and authority to approve or deny an "Application for Use of a City Facility." Applications are not considered approved until after the Director or designee has signed the "PRCS Rental Contract/Permit," and a facility use permit has been issued. The Director may impose reasonable conditions per the Novato Municipal Code, Section 10-11, Action on Building Application and/or the Hill Community Use Policy.
- D. Time Limits for Approval/Denial of Applications: Director or designee shall grant or deny an "Application for Use of a City Facility" within four business days of filing unless the City Council has approved another time limit for approval/denial of the application, or the time for granting or denying the permit has been waived by the applicant. (Novato Municipal Code, Section 10-11, Action on Building Application.) A change in time, date, or location will be proposed when possible in-lieu of denial.

Copies of the approved “PRCS Rental Contract/Permit” will be mailed or e-mailed to the applicant, and Maintenance Division. A copy of the permit may be shared with the City of Novato Police Department as notification of the upcoming event. For applications that are not approved, a notice of denial giving the reason(s) for the denial will be personally delivered or mailed to the applicant. Appeals of the decision must be filed in writing with the City Clerk within five days of receiving the Director’s mailing or personal delivery of such decision stating the grounds for the appeal. Appeals will be heard in accordance with the Novato Municipal Code, Section 10-12, Right of Appeal.

- E. Application Deadlines: An “Application for Use of a City Facility” must be filed at least twenty 20 days prior to the proposed use of the facility, and no more than 90 days prior to the proposed use of the facility, unless special approval is given by the Director or designee beyond the 90 days. The 20 day period may be waived by the Director or designee if sufficient time is available to process and investigate the application; adequate time is available for the City to prepare for the activity; and/or the activity exercises the right of free speech per the Novato Municipal Code, Section 10-9, Building Application.
  
- F. Payment of Deposit, Rental and Application Fees: Deposit, rental and application fees will be paid as stated above in Conditions of Use, Section III.H.

Appendix A Activities or Events Requiring Proof of Insurance



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Jessica Deakayne, Director  
Parks, Recreation and Community Services

## 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 by endorsement to the insurance policy for products and completed operations and ongoing operations hazards is required for the following activities or events:

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.