



CITY OF BROOKINGS RULES & REGULATIONS FOR USE OF CAPELLA BY THE SEA

I. GENERAL POLICY

- A. The Capella by the Sea (Capella) shall be used primarily to serve the recreational, cultural and civic activities and programs of the citizens of the City of Brookings.
- B. Use of the Capella shall be determined in accordance with the following priority use classifications:
 - 1. First priority shall be granted to City-sponsored or co-sponsored programs.
 - 2. Priority shall then be granted upon first receipt of application and deposit.
- C. Reservations for use of the Capella may be made by contacting the City Recorder, City of Brookings, 898 Elk Drive, Brookings, OR 97415, (541) 469-1102. The Capella Use Application form may be obtained from the City Manager's Office, or downloaded at www.brookings.or.us. Applications must be filed by the applicant (complete with fees and proof of insurance) and receive final approval by the City Manager/Designee, at least ten (10) days prior to the planned event.
- D. The Capella may not be rented for any regularly recurring event (i.e., weekly meetings, weekly religious services, etc.).

II. CONDITIONS OF USE

- A. Any individual, group or organization granted use of the Capella shall abide by all rules, regulations and conditions of the use set forth by the City of Brookings.
- B. Youth group reservations must be completed by an adult sponsor. For every 20 minors using the facility, one adult chaperone will be present and names of such chaperones shall be furnished to the City not less than 48 hours prior to use of the facility.
- C. Individuals or groups shall be held responsible for any loss or damage to the property occurring during their use.
- D. Reservations for use of the Capella may be made up to one (1) year in advance providing a security deposit, set by resolution of the City Council, has been made with the City. The security deposit will be refunded upon cancellation, up to ten (10) days prior to scheduled use, except where the facility has been reserved more than six (6) months in advance. In that event, the security deposit will only be refunded upon cancellation up to 90 days prior to scheduled use. Security deposit refunds will be processed within 14 business days following an event.
- E. Applicant will be responsible for removing all decorations and trash from Capella and disposing of it off site. The applicant, or applicant's representative, will be required to perform a "walk through" inspection with a City representative prior to refund of the security deposit.
- F. Plans for decorations must be submitted at the time of application and approved. Decorations must be removed before the group leaves the building.
 - 1. The addition of adhesives, nails, screws, staples, etc., in walls, woodwork, or on windows, inside or outside the building, is prohibited.
 - 2. All decorations must be fireproof or of fire retardant materials.
 - 3. At no time shall exits be covered or obstructed.
 - 4. The City cannot provide supplies of any kind to groups using the facilities.
- G. Indemnification:
 - 1. The City of Brookings, its employees, officers and volunteers are not responsible for, and shall be held harmless, and fully indemnified by the user for any claims arising out of accidents, personal injury, damage to or loss of personal property, or wrongful death that may occur during or that may result partially or entirely from use of the Capella. The

indemnification provided by this paragraph shall cover all acts whether negligent, grossly negligent or intentional. The City shall be allowed to select legal counsel and be reimbursed for legal costs for any matter covered by this paragraph. Proof of liability insurance on City approved forms naming the City of Brookings as “Additional Insured” must be submitted to the City prior to the commencement of any function.

2. Applicant shall provide limits not less than \$500,000 combined single limit per occurrence for bodily injury, personal injury and property damage. Special event insurance may be purchased through the City’s insurance carrier or your homeowner’s insurance policy.
- H. Any exception to the use listed above is to be referred to the City Manager/Designee.
- I. Under no circumstances will City equipment be removed from the facility.
- J. The maximum occupancy of the Capella building is 49 persons with fixed seating for 40. The center aisle is to be kept clear of objects, such as folding chairs, at all times. Maximum occupancy shall not be exceeded. Events are subject to a visit by the Fire Marshal.
- K. No smoking is allowed at any time within the building.
- L. For-profit business activities shall be restricted to no more than three days in any 30-day period.
- M. Groups may not contract for the facility beyond 9:00 pm.
- N. Users understand that they shall comply with all of the rules, regulations and policies set forth herein. The City is not required to have any staff available to monitor the event and the compliance with these requirements.

III. SCHEDULE OF USE FEES

- A. Fees for use of the Capella shall be set by resolution of the Brookings City Council.
- B. Groups leaving the facilities early, either by choice or upon request, must still pay full fees as stated in this contract.
- C. There shall be no fee for City-sponsored or co-sponsored business meetings, conferences, employee meetings or activities.
- D. Activities held for the express purpose of promoting the Capella shall be considered City-sponsored or co-sponsored activities.
- E. The City Manager shall pre-approve all City-sponsored or co-sponsored activities.

IV. CANCELLATION OF PERMIT

- A. The City shall have the authority to cancel and/or terminate any permit and require immediate vacation of the Capella upon finding:
 1. That the applicant misrepresented or misstated any fact in his or her application.
 2. That the activity, or a significant part thereof, is contrary to rules and regulations governing the use of the facility, State or local laws, the public peace or the public safety.
 3. That the maximum occupancy load is exceeded.
 4. That the event is creating a nuisance or use of the facility is causing or threatens to cause physical damage to the facility itself.



CITY OF BROOKINGS
 898 Elk Drive,
 Brookings, OR 97415
 541-469-1103
 Fax: 541-469-3650

CAPELLA BY THE SEA

USE APPLICATION FORM

Event Date(s): _____ To: _____ Time: _____ am am
 pm To: _____ pm

Total Hours: _____ Number Expected to Attend*: _____ Open to Public? Yes No

Event Type (please describe): _____

Applicant: _____ Contact Person: _____

Mailing Address: _____ Phone: _____

City/State/Zip: _____ Cell: _____

Email Address: _____ Fax: _____

** Maximum capacity is 49 people with fixed seating for 40. Events are subject to a visit by the Fire Marshal.*

As the individual, group or organization applying for permission to use the Capella by the Sea, it is hereby understood that I/WE have read, understand and agree to comply with all Rules, Regulations and General Use Instructions for use of the Capella by the Sea, copies of which were furnished with this application.

Executed on: _____ by: _____
 Date Applicant Name (Print)

Applicant Signature: _____

Title/Organization (if applicable): _____

The following is for CITY USE ONLY:

STANDARD USE FEES

USE	Hours	FEE	Charges	
Basic Use Fee (includes cleaning)		\$100.00/hr (\$200/2 hr minimum)		
Security Deposit (refundable)**		\$200/event		\$200
<i>NOTE: Make checks payable to the "City of Brookings."</i>			Total Fees	
			Check#	
			City Receipt #	

** Refund of the security deposit will be contingent upon satisfactory final inspection. Any damages will be deducted from the deposit. Refunds will take approximately 14 business days to process.

Plans for decorations submitted: Yes No

Proof of Required Insurance on file: _____
 Public Works Assistant Date

Approved Denied by: _____
 City Manager Date

Approved Copies to: Applicant Police Fire Public Works (Parks) Custodian

PARK USE INSURANCE REQUIREMENTS



GENERAL

The City of Brookings may require applicants to provide proof of insurance coverage for certain types of events held at City parks and on other public properties. Events that meet the requirement for proof of certificate of insurance liability are: **festivals, tournaments, weddings, rallies, non-City functions** (where City staff does not provide either financial and/or staff support), **rallies**, and **other events/activities where the public participates**.

An application must be approved and the applicant must provide the City with liability insurance coverage extending over the term of the permit when required. The certificate or policy of insurance must evidence the liability insurance at rates specified by the City.

The City Manager may amend the requirements for certain events as deemed appropriate or necessary.

INSURANCE COVERAGE

1. Insurance coverage must meet the following requirements

- a. It must contain Comprehensive General Liability Coverage. Comprehensive General Liability coverage, includes (but is not limited to) coverage sometimes called *Premises/Operations Liability (M&C)*; *Products and Completed Operations Liability*; and *Contractual Liability*.
- b. The insurance coverage shall have limits of not less than \$500,000 Combined single limit for each accident or occurrence.
- c. It must name the City of Brookings and its commissions, members, officers, agents, and employees as an additional insured and promise the City twenty (20) days advance notice of any change or cancellation. The following wording on the certificate is recommended:

“The City of Brookings shall be named an additional insured, under the above-numbered insurance policy as respects the Park Use Application Permit issued by the City of Brookings.”

“The City of Brookings shall be given twenty (20) days notice of any change, cancellation, expiration, or renewal of the policy.”

- a. The policy period must include the date(s) of the planned activity.

2. Certificates of Insurance may also be presented as an “Accord.” Unless the applicant’s insurance policy has a ‘rider’ with the language in subsection (c) above, these two changes initiated by the insurance agent need to be made in the “Accord” form of the certificate:

- a. The following wording at the top of the form should be deleted in its entirety:

“This certificate is issued as a matter of information only and confers no rights upon the certificate holder.”

- b. This wording, at the bottom of the form:

“Should any of the above described policies be canceled or reduced as to coverage before the expiration date thereof, the issuing company will mail a written, twenty (20) day notice to the below named certificate holder/City of Brookings as an additional insured.”

Any changes in the certificate need to be initiated by your insurance agent.