



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 may be made by contacting **Lauri Ziemer at 541-469-1103**, or emailing her at lziemer@brookings.or.us. The Capella Use Application form may be obtained by printing out the application packet available at <http://www.brookings.or.us/DocumentCenter/View/18> or from the Visitors Info Office located at Brookings City Hall, 898 Elk Drive, Brookings, OR 97415. Applications must be filed by the applicant, complete with all fees and proof of insurance and receive final approval by the City before event can be held, preferably ten days in advance of 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 has been made to the City. Upon cancellation, a cancellation fee of \$25 will be charged and the security deposit and any fees paid will be returned less the \$25 cancellation fee. Security deposit refunds will be processed within 10 business days following an event.
- E. Applicant is 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. All decorations must be freestanding, nothing can be attached to the building, windows, or benches. The addition of adhesives, nails, screws, staples, etc., in walls, woodwork, benches, or 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 \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. Special event insurance may be purchased through the homeowner's insurance policy or online agencies.
- H. Any exception to the use listed above is to be referred to the City Parks Supervisor.
- I. Under no circumstances will City equipment be removed from the facility.
- J. The maximum occupancy of the Capella 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. Alcoholic beverages as provided under Brookings Municipal Code - Chapter 12.40 are allowed only at permitted events. A liquor license is required to sell any type of alcoholic beverage. Licenses are available from the Oregon Liquor Control Commission.
- L. No smoking is allowed at any time inside or outside the building.
- M. For-profit business activities shall be restricted to no more than three days in any 30-day period.
- N. Groups may not contract for the facility beyond 9:00 pm.
- O. 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.

Contact Information:

Lauri Ziemer
898 Elk Drive
Brookings, OR 97415
541-469-1103

lziemer@brookings.or.us

PARK USE INSURANCE REQUIREMENTS



GENERAL

The City of Brookings requires all applicants to provide insurance and proof of insurance coverage for all events held at City parks and on other public properties.

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

The City will monitor compliance and maintain a file of insurance coverage for City Park and other City-owned property use.

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 \$1,000,000 - 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.”

- d. 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 needs to be initiated by your insurance agent.

You may purchase one day event insurance (a rider) through your homeowners insurance, private insurance or the following online insurance agency: www.theeventhelper.com, there may be others available as well to compare prices.

Planning to use or rent a municipal facility?



Protect Yourself and Your Guests

The **Event Helper** may be a good option for obtaining the liability coverage required by the public entity. It is a web-based organization specializing in special event coverage. They cover a wide variety of events, offer liquor liability, and provide limits up to \$2,000,000, all at a reasonable cost. The website is easy to navigate and will provide a quote within seconds. A certificate of coverage is emailed directly to the public entity as confirmation of coverage, once the coverage is purchased.

Get A Free Quote

To get a free quote visit www.theeventhelper.com and follow the steps below.

- Choose event location (Oregon), length of event, total attendees and type of event and click continue.
- Choose liability limits required by the public entity and host or retail liquor if needed. **Note: a quote is provided at this step.**

If you choose to purchase coverage, you will continue with the following steps.

1. Choose your date(s) for the event
2. Select other coverage options, if desired
3. Complete the eligibility questions
4. Provide your name and address
5. Provide additional insured information.
6. Agree to the terms and conditions agreement
7. Purchase the coverage

Note: You must provide the below information for the additional insured.

Name of Certificate Holder: _____

Certificate Address: _____

Contact Email: _____



citycounty insurance services
cisoregon.org



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 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: _____

Return deposit to: _____ Address: _____

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

Will alcohol be served: Yes No Will alcohol be sold: Yes No - If yes must obtain Liquor License

Who will be serving alcohol _____ Plans for decorations submitted: Yes No

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): _____

STANDARD USE FEES - Make checks payable to the "City of Brookings."

USE	FEE	Hours	Charges	Date Paid
Use Fee (includes set up & cleaning time)	\$109.00/hr (\$218/2 hr minimum)	x		
Security Deposit (refundable)*	\$218/event		\$218	

* Refund of the security deposit will be contingent upon satisfactory final inspection. Any damages will be deducted from the deposit. Refunds take approximately 10 business days to process.

Cancellation Fee \$25 – Security Deposit and any fees paid will be returned less \$25 upon cancellation.

Proof of Insurance on file: _____
Public Works Assistant Date

Approved Denied by: _____
Parks Supervisor Date

Approved Copies to: Applicant _____ Custodian notified _____

Chapter 12.40 ALCOHOL REGULATIONS FOR CITY PREMISES

Sections:

[12.40.010](#) Alcohol prohibited on city premises.

[12.40.020](#) Alcoholic beverage defined.

[12.40.030](#) City premises defined.

[12.40.040](#) Permitted uses.

[12.40.050](#) Authority to revoke permit.

[12.40.060](#) Penalties and fines.

12.40.010 Alcohol prohibited on city premises.

It shall be unlawful for any person to drink, consume, transport, carry, or possess, sell or consume any alcoholic beverage, on city premises except as permitted under BMC [12.40.040](#). [Ord. 13-O-716 § 2; Ord. 08-O-618 § 2.]

12.40.020 Alcoholic beverage defined.

The term “alcoholic beverage,” as used in this chapter, shall be construed to mean and include any liquid intended for human consumption containing more than one-half of one percent by volume of alcohol. [Ord. 13-O-716 § 2; Ord. 08-O-618 § 3.]

12.40.030 City premises defined.

For the purpose of this chapter, “city premises” shall include city parks, city buildings, city parking lots, and other premises under the control of the city, but shall not include public highways. [Ord. 13-O-716 § 2; Ord. 08-O-618 § 4.]

12.40.040 Permitted uses.

A. Possession, sale or consumption of alcoholic beverages on city premises may only be authorized through the issuance of a park use permit, event permit, or Capella use permit.

1. Only malt beverages, wine or cider shall be allowed under the aforementioned permits. All such permits must be approved by the chief of police or chief’s designee.
2. The sale of any alcoholic beverage on city premises shall also require a temporary sales license issued by the Oregon Liquor Control Commission (OLCC) and approved by the chief of police or chief’s designee for drinking within a licensed area. All rules and regulations of the Oregon Liquor Control Commission shall be strictly enforced.
3. The possession, sale or consumption of alcoholic beverages shall be conducted only within a well defined boundary as depicted by permittee in an exhibit to be attached to the park use permit, event permit or Capella use permit.

B. No permit shall be issued authorizing the consumption, sale or possession of alcoholic beverages on any city athletic field, including spectator areas, or within 100 feet of Kidtown in Azalea Park. [Ord. 13-O-716 § 2.]

12.40.050 Authority to revoke permit.

Any officer of the Brookings police department shall have the authority to immediately revoke any park use permit, event permit or Capella use permit if said officer determines that:

- A. An activity taking place at the permitted location is creating a danger to public safety.
- B. The event is being conducting in a manner which is creating a nuisance.
- C. Illegal activities are taking place. [Ord. 13-O-716 § 2.]

12.40.060 Penalties and fines.

Pursuant to Chapter [1.05](#) BMC, General Penalty. [Ord. 13-O-716 § 2; Ord. 08-O-618 § 5. Formerly 12.40.040]