

FREDERICK COUNTY GOVERNMENT
MANAGEMENT SERVICES DIVISION

**Scheduling of the Emmitsburg Community Center Gym
Policy and Procedures**


Purpose. To establish standard procedures for scheduling use of the Emmitsburg Community Center Gym that provide a balance between maximum utilization of the facility and availability to various community groups.

Scope. This policy covers all scheduled use of the Gym.

Procedures.

1. **General policy.** General procedures for the use of County facilities are covered in the County policy titled *After Hours Use of Frederick County Government Buildings*.
2. **Scheduling priority.** Priority for scheduling the Gym shall be as follows:
First priority: Programs of Frederick County government
Second priority: Activities for youth 18 years of age and younger
Third priority: All others
3. **First-come-first-served.** In general, scheduling of the Gym is on a first-come, first-served basis except as otherwise outlined in this Policy. Reservations will be accepted for dates no more than four (4) months in advance except for special one- or two-day events that require additional advance scheduling.
4. **Days and times.** Scheduling shall conform to the days of the week and the times of the day that are approved by the Town of Emmitsburg and Frederick County Management Services Division.
5. **Maximum number of schedule dates.** Except when use is solicited on an open advertisement basis, users may schedule no more than eight (8) dates in advance. When only two (2) scheduled dates remain for a user, eight (8) additional dates may be scheduled.
6. **Twice annual solicitation and lottery for extended use requests.**
 - A. Extended scheduling periods are:
October 1 through March 31
April 1 through September 30
 - B. Twice each year the Town will solicit expressions of interest from groups wanting to schedule the Gym for the next scheduling period for league practices, games, or other uses that would exceed the eight (8) date maximum in Section 5 of the Policy.

- C. The Town shall hold a meeting of interested parties approximately two (2) months before the start of each scheduling period to see if the interested parties wish to work out a schedule cooperatively.
 - D. If the interested parties wish to work out a schedule cooperatively, they will be asked to present a proposed schedule to the Town within two (2) weeks after the meeting date.
 - E. If the groups do not or cannot work out a proposed schedule cooperatively, the Town will accept schedules from interested parties and then conduct a lottery for the use of the Gym for the next scheduling period. Scheduling priority from Section 2 of the Policy will apply to the lottery results.
 - F. Groups that are scheduled under the terms of this Section may be bumped from their scheduled times up to three (3) times in a six-month period if conflicting times are requested by community groups wanting to schedule use of the Gym for special events.
7. **Issuance of keys.** Groups granted approval to use the Gym when the Community Center is otherwise locked will be issued a key to the rear main entrance to the building and to the Gym. The Town may issue a key for a period of time as opposed to a single day after establishing to the satisfaction of the Town the key will be issued to a responsible party who has provided sufficient contact information, has agreed to follow all applicable rules of the facility and has accepted responsibility for possession of the key and use of the Gym. If more than one person will use the key assigned to a user group, each person who will use the key must be pre-approved as a responsible party by the Town.
8. **Dispute resolution.** Any dispute regarding the administration of this policy shall be heard by the Frederick County Director of Management Service and the Town Manager of Emmitsburg.

	4-18-2011		
_____ Manager of Town of Emmitsburg	_____ Date	_____ Director of Management Service	_____ Date

Issued: April 7, 2011



Frederick County Government Administrative Policy and Procedures

Facility Use of Frederick County Government Buildings

12-52

Purpose: The Board of County Commissioners of Frederick County, Maryland (BOCC) recognizes the desirability for groups and individuals other than County government to use certain County buildings for meetings and other purposes. The BOCC is hereby establishing administrative policies and procedures which will provide for the use of County buildings. The BOCC hereby establishes administrative policies and procedures for the use of County Buildings. The BOCC recognizes that the use of some County facilities shall be restricted.

Scope: These policies and procedures are applicable to all groups and agencies that use any Frederick County building (except those under the jurisdiction of the Division of Parks and Recreation or the Frederick County Public Libraries).

Authority:

County Manager: Shall have final authority regarding any appeals to Facility Use Requests as outlined in this policy.

Division Director-Division of Public Works (DPW): Shall provide oversight and authority regarding the implementation of the procedures outlined in this policy in the event the Department of Facilities and Project Services Department Head or the Office of Property Management Chief is unavailable.

Department Head-Department of Facilities and Project Services: Shall provide oversight and authority regarding the implementation of the procedures outlined in this policy in the event the Office of Property Management Chief is unavailable.

Chief-Office of Property Management: Shall provide daily oversight regarding the implementation of the procedures as outlined in this policy.

Building Manager: Shall provide signing authority to all "Facility Reservation Request" forms as received for building usage prior to submission to the Office of Property Management.

Definitions:

Non-profit organizations: A non-profit organization is an organization that needs to be recognized by the Internal Revenue Service (IRS) as a non-profit 501 (c) (3) organization. When requested, the organization must submit an IRS determination letter stating this status to the Office of Property Management. Refer to **Attachment #1** for listing of approved user groups.

Procedures:

1. **Management.** The Office of Property Management is responsible for monitoring and coordinating these policies and procedures.

2. **Limitations for Use.**

A. Groups using County facilities shall conduct activities that are orderly and lawful, of a nature not to incite others to disorder. Section 1-2-93 of the County's anti-discrimination ordinance makes it unlawful and against County policy to discriminate in public accommodations based on race, color, religion, national origin, sex, age, marital status, or disability.

- B. County buildings may be used for governmental, educational, civic, social, religious, and recreational activities by groups which are non-profit organizations. Due to the nature of the business conducted by occupants in certain buildings, the activities will be approved on a building-by-building, case by case basis. Approval of all events rests with the Office of Property Management. Any requests that are denied shall have the option to submit an appeal based upon the process as outlined in Section 3 (G) of this procedure.
- C. County buildings shall not be used, leased to an organization, sublet, or leased to a third party for purposes of anyone or any group outside of public government making a profit or personal financial gain.
- D. The use of alcoholic beverages or controlled dangerous substances in County buildings, or on County property, is prohibited.
- E. Gambling and other games of chance, raffles and lotteries, etc., are prohibited in County facilities.
- F. There will be no smoking in County buildings.
- G. County buildings shall not be used for parties and celebrations that are essentially private in nature, including birthdays, anniversaries, weddings, receptions, and other similar parties.
- H. There shall be no permanent signs, banners, pennants, or the like, placed in any County building, or on any County grounds by any group. No temporary signs, or the like, can be used without prior approval of the Office of Property Management.
- I. Any group or organization using County property shall save the BOCC, the individual members of the BOCC, and any County officials or employees, free and without harm, for any loss, liabilities, or expenses that may arise during, or be caused in any way by use or occupancy of County property. In the event County building damage or property loss is incurred as a result of the use of the facilities by an outside group, the amount of damages will be determined by the Office of Property Management and the group will be billed for and be responsible for the damages.
- J. For the protection of the user, as well as the County, the County reserves the right to require that the user furnish to the County a certification of insurance satisfactory to the County. This insurance coverage shall not be less than \$1,000,000 comprehensive general liability insurance (including spectator liability) and \$100,000 property damage insurance. This certification of insurance can only be cancelled upon ten (10) days written notice. (The certificate of insurance shall also state that the BOCC is named as an additional insured on the policy).
- K. All use of buildings and/or grounds is restricted to the area and to the activity as described on the application form.
- L. At no time are buildings or rooms to exceed the capacity posted by fire protection agencies.
- M. Vehicles shall be parked in authorized parking areas only.
- N. Meetings and functions of outside groups shall end no later than 10:00 p.m., and all participants shall promptly leave the building. Meetings and functions of County boards and County commissions shall end no later than 11:00 p.m., and all participants shall promptly leave the building. The chairperson of a County meeting shall have the limited discretion to extend the ending time until midnight, but only for an agenda item that was started on or before 10:00 p.m. on the same night. Only 1) official court proceedings 2) 24 -hour operations of County government, and 3) nighttime training exercises of County public safety agencies, are exempt from the meeting time limits set forth in this paragraph.
- O. The following facilities have restricted uses:
 - a) Winchester Hall: use is restricted to government sponsored events only, except that the meeting room on the second floor of the West Wing will be available for use by outside groups that otherwise meet all requirements of this policy. 'Government sponsored events' in Winchester Hall shall include meetings of groups for which a County Commissioner serves as an official liaison to the group.

- b) Frederick County Courthouse: use is restricted to government and court-related events only.
- c) Law Enforcement Center: use is restricted to government and law enforcement-related events only.
- d) Prohibited sites: Office of Property Management reserves the right to prohibit usage of certain County buildings due to nature of operation, etc.

3. Applications.

- A. Facility Reservation Request forms for use of County buildings are available from the Building Manager located at the designated requested site, or at the Office of Property Management, 118 N. Market Street, Frederick, MD 21701. (Refer to **Attachment #3**).
- B. Applications shall be prepared by the applicant and shall include all requested information. The application, along with prepayment of fees, if necessary, by check, made payable to the Treasurer of Frederick County shall be forwarded to the Building Manager of the building being requested for use. (Refer to **Attachment #2**).
- C. Upon the Building Manager's acceptance of the application and scheduling of the facility, the Building Manager shall forward a copy of the application, along with the prepayment check, to the Office of Property Management at 118 N. Market Street for review and approval. If approval is granted by the Office of Property Management, it is with the full understanding of the applicant that this approval is always subject to revocation, cancellation, or postponement, by giving at least 48 hours notice to the applicant, if a County government agency or agent needs to use the facility at or during the applicant's scheduled time. The Office of Property Management, his/her representative, shall make the final decision and will notify all parties.
- D. The right to use the building shall expire at the end of the scheduled event or events.
- E. County Commissioners and various County and State Agencies and Boards, as outlined in the County's organizational chart, will be given top priority. Applications from outside groups or agencies (such as fire departments, social groups, civic associations, etc.), will be considered on a first-come, first-serve basis.
- F. The Office of Property Management Chief has the duty to evaluate the group and the activity, and if in his/her judgment, the group, or the activity would pose a threat to life, health, or property, the Office of Property Management has the authority to deny the application.
- G. Any applicant that is denied use of a County facility under this policy shall have the right to appeal the denial to the County Manager. The appeal request shall be initiated by letter provided to the County Manager within five (5) business days of the denial, or 24 hours prior to the requested facility use date, whichever occurs sooner.

4. Applicant's Responsibilities.

- A. The applicant using the building must accept full responsibility for supervision of all people in the organization that has requested use of the building.
- B. The applicant must make arrangements with the Building Manager for the setting up of chairs, tables, equipment, etc.
- C. The applicant shall monitor entrances to ensure that only authorized persons are admitted to the building.
- D. The applicant agrees that alcoholic beverages, controlled dangerous substances and gambling, including other games of chance, i.e., raffles, lotteries, etc., shall be prohibited.
- E. The applicant agrees to ensure that good order is maintained and all fire and safety regulations are adhered to.
- F. The applicant recognizes that in the event these responsibilities are not adhered to, it may result in the denial of any future use of County buildings by the organization.
- G. A preliminary clean-up of the building shall be done by the using group prior to exiting the building.

- H. In all public notices for an event by a group not affiliated with a government agency, the applicant must include the statement that "the use of a Frederick County building does not express or imply that Frederick County government promotes or endorses the views of the program sponsors or presenters."

5. Building Manager's Responsibilities.

- A. The Building Manager is responsible for accepting the application and determining the availability of the facility. The Building Manager is also responsible for checking with the Office Property Management to see if resources such as security guard, custodian, etc., are available, if needed.
- B. The Building Manager is responsible for coordinating with the applicant to make sure everything is in order and the necessary fees are received.
- C. If a security guard or custodian is not available to secure the building after the event, the Building Manager, or his/her designated representative, must remain in the building until everyone has exited.
- D. If the Building Manager believes that his/her building is being misused by a group, it is the responsibility of the Building Manager to notify the group of the problem. The Building Manager has the authority to stop the activity or event immediately and to have the offending group or person vacate the premises, if in his/her judgment there is danger to life, health, or property. This misuse shall be reported to the Office of Property Management, who shall investigate the complaint and determine whether the group should be prohibited from any further use of County buildings.

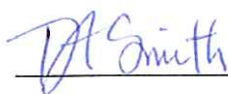
6. Policy Review. This policy will be reviewed annually by the Office of Property Management with changes to be approved by the BOCC.

7. Charges. Attachment #1 contains a schedule of users and charges and delineates the type of organizations subject to fees and the types of fees to be charged. The total fee will consist of two (2) parts as follows:

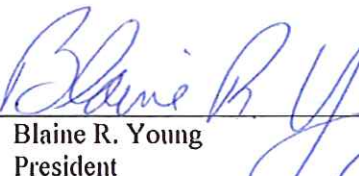
- a) Building Fee – to offset building operation costs such as heat, lights, etc.
- b) Labor Fee – to offset expenses incurred by the County by having personnel present in the building during the event (if personnel are available and if their presence is only for that specific event).

WITNESS:

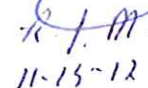
BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



11/20/12
Date


Blaine R. Young
President

Date


11-15-12

SCHEDULE OF USERS AND CHARGES

<u>FEE</u>	<u>CATEGORY</u>	<u>BUILDING FEE</u>	<u>LABOR</u>
A	Governmental Agencies		
	Municipalities	NC	C
	Federal & State Agencies	NC	C
B	County Employee Groups	NC	C
C	Volunteer & Nonprofit Agencies		
	Fire Departments	C	C
	Church Groups	C	C
D	Adult Cultural, Recreational & Community Improvement Groups		
	Social Groups	C	C
	Basketball Leagues (Play)	C	C
	Stamp Clubs	C	C
	Coin Clubs	C	C
	League of Women Voters	C	C
	Civic Associations	C	C
	Central Committees	C	C
E	Youth Groups & Youth Activities Conducted by Adult Groups		
	4-H	NC	C
	FFA	NC	C
	Scouts	NC	C
	Youth Athletic Associations	NC	C

NC – No Charge

C – Charge

NOTE 1: Building Fee - If any of the agencies listed on Attachment #1 collect any admissions, donations, tuitions, etc., a building fee will be levied based on the Schedule of Rates.

NOTE 2: Labor Fee - If any of the agencies listed on Attachment #1 require additional work by a County employee due to the activity, or if the person is required to be present solely for the activity, a labor fee will be levied based on the Schedule of Rates.

NOTE 3: If the building manager is present during the use of the facility and no other County employees are needed for the cleaning and/ or security, then no labor fee will be levied.

NOTE 4: Category (E) includes youth groups and youth activities sponsored by adult groups where the participants are 18 years old or younger. Coaches, instructors, and supervisors can be adults; however, no adult participants can be included to qualify for classification in this category.

SCHEDULE OF RATES

***PER HOUR**

Gymnasium	\$30.00
Conference Room/Multi-purpose Room	\$20.00

*The minimum building fee per event shall be the charge for one (1) hour.

HOURLY FEES

Labor Charge (Custodian)	\$26.00
Labor Charge (Security Guard)	\$28.00

Reservation Form goes here

Gymnasium Usage Rules Review

Date: September 17, 2013

1. The County, its agents and employees shall not be liable for any loss, damage, injuries or other casualty of whatsoever kind or by whomsoever caused to the person or property of anyone on or off the premises, arising out of or resulting from applicant's use, possession or operation thereof, or from installation, existence, use, maintenance, condition, repair, alteration, removal or replacement of any equipment thereof, and the applicant hereby agrees to indemnify and hold the county, its agents and employees harmless from and against all claims, demands, liabilities, suits or action for such loss, damage, injuries or other casualty.
2. Applicant agrees to:
 - a. Maintain peace and good order during the use of the facility.
 - b. Prohibit alcoholic beverages, and controlled dangerous substances in the facility.
 - c. Prohibit smoking in the facility.
 - d. Assume responsibility for any and all property damages to the facility caused by participants, members, guests or the general public.
3. Applicant has received a copy of the County Policy on Facility Use and agrees to abide by the policy, including payment of fees, if applicable.
4. Scheduling:
 - a. You have been granted permission by Frederick County to use the gym at the time requested on your application. You have assumed all responsibility for the activities and condition of the gym during that time. There is to be no deviation of the times without the prior notification and approval of both the town office and Frederick County.
 - b. When another group is scheduled, you must respect their time. Whether or not you feel like the gym is being used to its full capacity is not the issue. When someone else is scheduled ... you are not.
5. Keys:
 - a. Single use – form must be filled out, keys picked up at designated time, and returned immediately after event to either the town office or deposited into the drop box located at 22 E. Main Street.
 - b. A list of all individuals in your group requiring keys must be submitted to the town office at the same time the application for gym usage is submitted. No other keys will be issued. Along with the name of the individual, a copy of their driver's license and their contact information (telephone numbers) must be included.
 - c. Keys signed out to a specific individual MAY NOT be given to another individual for their use. Each individual responsible for the use of the gym must sign out a key. There is no "shared" key.
 - d. At the end of the season, or when the individual resigns their position with your organization, they must bring their assigned key to the office. It is your responsibility to see that this occurs. All keys must be returned before your application will be considered for the next season.

6. Doors:
 - a. Doors must be locked at the end of your event and all members of your group (families) must be out of the building, unless the library is open and that's where they are going to be. It is your responsibility, as your application states, to verify that the doors are locked, meaning you are the last one out.
 - b. Not to be propped open for airflow. This is a climate controlled building.
7. Hallway outside the gym:
 - a. Loitering in the hallway is not permitted. Families/siblings of group members are not allowed to "hang out" in the hallway.
 - b. Balls and other equipment are not permitted in the hallway. No bouncing tennis balls, basketballs, etc. This is the entrance not only to the gymnasium, but also to the library, especially for handicapped folks, who are unable to walk up the front steps. This hallway is to remain cleared for access.
8. Broken windows: If one of the windows gets broken during your event, PLEASE have enough respect to come to the office, or call the next day, to let the office know what happened. Your organization will be charged to replace the window. However, if it is broken and not reported by you, you will lose your gym use privilege.
9. Vandalism:
 - a. There have been soda tabs, pennies and other objects in the soda machine. The town has already had to make two repairs. If this continues, the machine may have to be removed.
10. Items being left in the gym. As the party responsible for the gym, please make sure all personal items are collected at the end of every event. There is no "lost and found" for the building. The town will not be responsible for items left in the gym.
11. Parking: Please emphasize to all your members and their families that they should only park in undesignated areas. Do not park in the Town Managers spot. Do not park in the handicap spot, unless authorized to do so.

Frederick County Government Facility Reservation Request
Office of Property Management – 118 N. Market Street, Frederick MD 21701
Phone: 301-600-1494 Fax: 301-600-3517

Applicant Information

(Please Print)

Applicant is: ☐ Individual ☐ Organization
Applicant Name: _____
Address: _____
Contact person if applicant is an organization: _____
Phone: _____ Cell: _____ Fax: _____
Email: _____
Is applicant a Federal Government Agency ____ Yes ____ No or a 501(c)3 non-profit ____ Yes ____ No

Facility and Activity

Facility Requested: _____
Description of Activity: _____
Special Requirements: _____
Date(s): _____
Time: From _____ To _____

Conditions of Approval

1. The County, its agents and employees shall not be liable for any loss, damage, injuries or other casualty of whatsoever kind or by whomsoever caused to the person or property of anyone on or off the premises, arising out of or resulting from applicant's use, possession or operation thereof, or from installation, existence, use, maintenance, condition, repair, alteration, removal or replacement of any equipment thereof, and the applicant hereby agrees to indemnify and hold the County, its agents and employees harmless from and against all claims, demands, liabilities, suites or action for such loss, damage, injuries or other casualty.
2. Applicant agrees to:
 - a. Maintain peace and good order during the use of the facility.
 - b. Prohibit alcoholic beverages, and controlled dangerous substances in the facility.
 - c. Prohibit smoking in the facility.
 - d. Assume responsibility for any and all property damages to the facility caused by participants, members, guests, or the general public.
3. Applicant has received a copy of the County's Policy on Facility Use of Frederick County Government Buildings Policy and agrees to abide by the policy, including payment of fees, if applicable. Payment, if required, should be made payable to *Treasurer of Frederick County*, and submitted with this application. Rates subject to revision per Attachment 3 of stated policy.

Applicant: _____
Signature _____ Print Name _____ Date _____

County Use Only

Fee Charged: ____ Yes ____ No If yes, total amount due: \$ _____

☐ Government ☐ County/Employee ☐ Volunteer ☐ Adult ☐ Youth

Building Manager _____ Date _____

☐ Approved ☐ Not Approved

Financial Services Manager _____ Date _____

☐ Approved ☐ Not Approved

Office of Property Management _____ Date _____

☐ Approved ☐ Not Approved ☐ Conditions