

## **INTERIM RULES AND REGULATIONS FOR USE OF POWERS HALL**

**Effective Date: January 1, 2012**

**Approved by the Board of Selectmen \_\_\_\_\_**

All authorized persons or organizations must comply with the following rules and regulations for use of Powers Hall and the Needham Town Hall. The Town reserves the right to make changes to these rules and regulations.

### ***Policy:***

1. It is the policy of the Town of Needham to permit use of Powers Hall and related Town Hall facilities to incorporated charitable or non-profit organizations engaged in municipal, educational, recreational, and/or cultural activities. Other activities, whose proceeds are directed entirely to the benefit of the Town of Needham, other municipalities, and/or government agencies, may be authorized by the Town Manager.
2. Powers Hall and related Town Hall facilities may be permitted to a religious organization for non-religious purposes on the same basis as those available to the general public. Permits for commercial activity, and for private use, including but not limited to, parties, recitals, receptions and other private uses, will not be authorized. Political campaign fundraising or other events will not be authorized.
3. Scheduling priority will be given to Town of Needham Departments, boards, commissions, and committees, and then to Needham-based charitable or non-profit organizations, and then to other organizations meeting the guidelines of these regulations.
4. Municipal events will take precedence over other activities and events for scheduling purposes. Special or unforeseen events may supersede previously scheduled permitted events. The Town reserves the right to cancel a permit in these circumstances.
5. Service of alcoholic beverages may be allowed in certain circumstances in accordance with the Board of Selectmen's One-Day Liquor License Regulations.

### ***Procedures:***

1. Appropriate Use
  - a. The Town Manager/designee will determine whether requested uses are in conformance with the policy, and will process appropriate permit requests for use of Powers Hall and related Town Hall facilities, and collect the designated fees.

- b. The Town Manager/designee will make the determination on the specific space available that is appropriate for the individual request.
- c. Except in extraordinary circumstances as determined by the Town Manager/designee, Powers Hall will be available for use after 6:00 p.m. on Friday evenings, and all day Saturday and Sunday. All events must be concluded by 11:00 p.m. on Friday and Saturday, and 9:00 p.m. on Sunday. Powers Hall will be available for municipal use Monday through Thursday in the evening. No non-municipal use will be allowed during the day Monday through Friday, or on recognized holidays.
- d. The room or facility occupancy capacity cannot be exceeded. Occupancy of Powers hall is as follows:

Seating capacity of the balcony: 92  
Seating capacity of the hall (meeting style): 348  
Seating capacity of the hall (8 sixty inch tables and chairs): 192. Please note that sixty inch round tables are not provided.
- e. The permit request may include a request for length of time allowed to keep sets, scenery, or equipment in place for performances. The final determination will be made by the Town Manager/designee and will be based on other known uses and needs for the space.
- f. Use of the hall includes access to 348 chairs and 12 rectangular folding tables. Overhead lighting is also available. The hall is approximately 49 feet wide and 72 feet long with hardwood floor throughout and a ceiling at 22 feet. The stage is approximately 28 feet wide and 17 feet deep with hardwood floor throughout and overhead clearance at the stage curtain of 18 feet.
- g. Performance-level stage lighting and sound system may only be operated by pre-qualified technicians.
- h. The Hall includes no kitchen facilities, and no food preparation will be allowed on site. Sale of food and beverages will be allowed with a permit from the Board of Health.
- i. Access to Powers Hall during the evening hours is limited to the front door facing the Town Common, and the accessible doors on Chapel Street and Highland Avenue at the glass connection between the original Town Hall and the addition. A lift providing access to the stage level is located at stage left.
- j. All areas used for a function, including floors, stairs and bathroom, must be left in the same condition as they were found.
- k. Access to areas beyond Powers Hall and any other permitted areas, except the bathrooms, is prohibited. Access to the balcony is prohibited unless specifically authorized by permit.

## 2. Permitting Requirements

- a. Applicant must be at least 21 years of age and a representative of an eligible organization as set forth above.
- b. Requests for permits must be submitted in writing or electronic format ([OTM@needhamma.gov](mailto:OTM@needhamma.gov)) and received at the Office of the Town Manager at least 10 business days (excluding holidays) in advance of the requested event. The Town Manager/Designee may waive this requirement at his or her discretion in unusual circumstances.
- c. Permit requests with an anticipated attendance level of more than 50 people, or with special circumstances that warrant review will be forwarded to the Needham Police Department and Needham Fire Department. In many instances, the Chief of Police and/or the Fire Chief will require a police detail and/or fire detail. Arranging for the police and/or fire detail will be the responsibility of the applicant, and a deposit for same may be required.
- d. The person submitting the permit request will be the primary contact for the program to be held under that permit. That person's signature on the final permit will signify understanding and acceptance of all rules and regulations, responsibility for payment of all designated fees, and the responsibility for ensuring that all rules are followed by participants in the event. Failure to follow regulations and/or make appropriate payments will affect the applicant's ability to obtain permits for the use of Powers Hall.
- e. A written notice of cancellation is due at least 24 hours prior to the scheduled use for weekday events, 48 hours prior to Saturday events, and 72 hours for Sunday or holiday events to the Office of the Town Manager or [OTM@needhamma.gov](mailto:OTM@needhamma.gov). Failure to provide written cancellation notice will result in forfeiture of the deposit.
- f. A Certificate of Liability Insurance, with the Town as an additional named insured, must be submitted to the Town Manager's Office prior to the issuance of the final permit. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury liability and \$1,000,000 per occurrence and \$2,000,000 aggregate for property damage liability.
- h. Permit holders may not alter the premises or install equipment. Posting of signs or hanging of decorations of any type is prohibited without the approval of the Town Manager/designee.

- i. The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
  - j. The Town is not responsible for lost, stolen or damaged items.
3. Use Fee and Custodial and Monitoring Fees
- a. A use fee, to account for energy, additional maintenance, and permitting costs will be charged to all groups, except those sponsored by Town departments, boards, commissions, and committees. The fee schedule for use of Powers Hall and related Town Hall facilities is included in Appendix A and is subject to change.
  - b. At least one custodian will be required for events in Powers Hall. Depending on the size and set-up of the event, more than one custodian will be required, at the sole determination of the Town Manager/Designee. There will be a four-hour minimum for custodial services. The custodial and building monitor fees are subject to change and are listed in Appendix B.
  - c. A custodian on regular duty will not be available for service during the time of the rental, except in cases of emergency. The responsibility of a regularly scheduled custodian will be limited to opening/closing the facility. In the event that extra duties are needed, the group holding the permit will be charged for the custodian's time needed for the activity or to clean up the facility.
  - d. Under no circumstances shall a custodian, either on regular duty or assigned for a specific program, be responsible for supervision of participants before, during, or after an activity. Adequate and responsible adult supervision shall be provided at all activities throughout the event. Entry into the facility will not be permitted until the responsible supervision is present, and at the conclusion, the supervisor must remain until the last participant has safely left Town Hall.
  - e. The custodian will only provide spaces/equipment that are approved on the permit, and will not authorize any other space/equipment without approval of the Town Manager or his/her designee.
4. Service of Alcohol
- a. Service of alcoholic beverages may be allowed in certain circumstances in accordance General By-laws Section XXX
  - b. A One-Day Liquor License will be required as outlined on Appendix C.

- c. A dedicated Police Detail will be required when alcoholic beverages is allowed.
- d. Service of alcoholic beverages will only be allowed in certain areas as set forth in Appendix C.

5. Fire Safety Regulations

- a. Use of a smoke machine may be allowed with a permit from the Needham Fire Department. Use of matches, candles, incense, and pyrotechnics are strictly prohibited.
- b. Each permit with expected attendance of more than 50 people or with special circumstances will be forwarded to the Needham Fire Department for compliance with the Massachusetts Board of Fire Prevention Regulations (527 CMR) and the Needham Board of Selectmen's Policy on Fire Details dated 10/28/03 for a determinations as to whether fire detail is required. The Firefighter's role will be to insure that occupancy limits have not been exceeded; to monitor that all egress areas remain available for use and are marked; to check that all fire protection devices are working; to insure that all fire codes are followed; to respond to any immediate fire emergency and evacuation; and to perform as first responder to any medical emergency.
- c. In the event that a fire detail is required, the applicant will comply with Fire Department rules and regulations governing details and a deposit may be required.
- d. Use of any equipment/material that is judged to potentially jeopardize fire safety will require review, permission and a permit from the Needham Fire Department.

5. Police Safety Regulations

- a. Each permit with expected attendance will be forwarded to the Needham Police Department for compliance with Massachusetts General Laws and local regulations to determine whether a police detail is required. The Police Officer's role will be to provide security to the facility; insure that vehicles are parked legally; insure that emergency vehicles have access to the facility; and provide first responder first aid in the event of an accident or injury.
- b. In the event that a police detail is required, the applicant will comply with Police Department rules and regulations governing details and a deposit may be required.

- c. In accordance with MGL, Chapter 138, Section 1, no person shall possess or consume an alcoholic beverage within the limits of any park, playground, public land or public building owned or under the control of the Town of Needham, except with written permission of the appropriate controlling Town tribunal. In the event that a one-day license for the sale of alcohol is approved by the Board of Selectmen, a Police detail will be required.

6. Board of Health Regulations

- a. Smoking is not permitted in Town Hall in accordance with Article 1 of the Needham Board of Health regulations.
- b. A temporary food permit and license fee is required for any event that involves the sale or distribution of food, in accordance with Article 1 of the Needham Board of Health regulations.

7. Raffle and Bazaar Regulations

- a. A request for a permit must be submitted to the Needham Town Clerk's Office in order to hold a raffle or bazaar, according to MGL, Chapter 271. A raffle is defined as "an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes." A bazaar is defined as "a place maintained by the sponsoring organization for disposal by means of chance of one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed twenty-five dollars each." An example of a bazaar is a Las Vegas Night. There is a permit fee charged at time of application.
- b. Any person wishing to hold an auction must apply for a permit through the Needham Town Clerk's Office, according to MGL, Chapter 100. A copy of the application will be reviewed by the Needham Police Chief and returned to the Town Clerk with a recommendation. There is a permit fee charged at time of application.

8. Use of Technology and Audio Visual Equipment

- a. Available equipment includes the following: screen, projector, microphones with stands, wireless microphones, DVD player, CD player, and iPod docking station. Appendix D includes a description of the sound and AV systems. Performance-level systems may only be operated by pre-qualified technicians.

9. Accidents and Damage to Town Facilities

- a. In the event of an accident during the time of the permit, the permit holder must complete an accident form and submit it to the Office of the Town Manager within twenty-four hours of the accident or on the first business day after the accident. A blank accident form will be provided with the permit.
- b. The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
- c. The permit holder is responsible for surveying the room(s) provided by the permit prior to use, and notifying the custodian immediately if there are any problems that could jeopardize the safety of any individual.
- d. In the event that damage to the facility or equipment occurs, the custodian must be notified immediately. Permit holders may not make any repairs without the approval of the Director of Facility Operations or his/her designee.

APPENDIX A  
USE FEES  
1/1/2012

|             |   |
|-------------|---|
| Powers Hall | Base fee of \$50 per hour not to exceed \$250 plus 5% of ticket sales, if any |
| Other       | Base Fee of \$10 per hour   |

The Use fee is payable each day of use. The base fee is payable at the time of application.



APPENDIX B  
HOURLY RATES FOR CUSTODIAL AND MONITORING STAFF  
9/1/2011  
Rates Subject to Change

| <u>Staff</u>       | <u>Weekdays/Saturdays</u> | <u>Sundays/Holidays</u> |
|--------------------|---------------------------|-------------------------|
| Security/Custodian | \$38.00                   | \$50.00                 |

## APPENDIX C

Town of Needham  
Board of Selectmen  
One Day Special License Guidelines  
Events Held on Public Property

M.G.L. Ch. 138 Section 14, 23; 204 CMR 7.04 authorizes the local licensing authority (Needham Board of Selectmen) to issue special licenses for the *sale of wines and/or malt* beverages to a responsible manager of any indoor activity or enterprise (for profit or non-profit organizations).

Special licenses may be issued by the Board of Selectmen for the *sale of all alcoholic* beverages for non-profit organizations only.

- **If the alcohol is given to the attendees at no charge: No charge includes the applicant NOT charging admission to the event and NOT charging for the alcohol and the applicant has NOT purchased the alcohol with funds collected from the attendees to the event, including dues to an organization:**
  - a one-day special license from the Board of Selectmen will **NOT** be required.
  - Applicant will need to furnish a certificate of insurance naming Town of Needham as additional insured for the event only, since the event will be held on Town property.
  - Written permission from the appropriate controlling Town tribunal for applicant to hold event with alcohol/beer/wine on Town property. (Town of Needham By-law 3.1.9)
  
- **If the applicant will be charging admission to the event and/or will be charging for the alcohol and/or the applicant has purchased the alcohol with funds collected from the attendees to the event including dues to an organization:**
  - a one-day special license from the Board of Selectmen **WILL** be required. Applicant will need to provide all of the required supporting documentation with their application (See Attachment – One Day Special Liquor License Application)
  - Applicant will need to include with one-day special alcohol license an insurance certificate naming Town of Needham as additional insured for the event only, since the event will be held on Town property.
  - Written permission from the appropriate controlling Town tribunal for applicant to hold event with alcohol/beer/wine on Town property. (Town of Needham By-law 3.1.9)
  - ABCC guideline states "Persons holding a special license (1 day) must purchase alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery or special permit holder. A person holding a

Section 14 license (one day special license) cannot purchase alcoholic beverages from a package store."

- A four week lead time should be sufficient except in the summer, when the Selectmen meet only once each month in July and August.