

INTERIM RULES AND REGULATIONS FOR USE OF POWERS HALL

Effective Date: January 1, 2012 Revised December 2014

Approved by the Board of Selectmen December 23, 2014

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 application 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. The permit application may include a request to have rental items (e.g. chairs/tables) delivered the day before and/or picked up the day after the event. **Delivery for items to be received on a Friday cannot occur before 6:00 p.m. and must be concluded by 8:00 p.m. Pick-up of items must be concluded by 8:00 a.m. on Monday morning.** Arrangements may be made for items to be picked up beginning at 6:30 a.m. on Mondays, at the discretion of the Town Manager/designee. If items are to be picked up on a Sunday, charges for opening/closing building will apply. The Town Manager/designee is authorized to make exceptions to this section.
- g. 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.
- h. Performance-level stage lighting and sound system may only be operated by pre-qualified technicians.
- i. The Hall includes no kitchen facilities, and no food preparation will be allowed on site. Food must be brought into the building “at temperature” and may be kept warm. Induction cooktops are limited in use to the continued warming of “at temperature” foods only. Sale of food and beverages will be allowed with a permit from the Board of Health.

- j. 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.
- k. All areas used for a function, including floors, stairs and bathroom, must be left in the same condition as they were found.
- l. 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) 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. 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. This includes the use of any kind of tape on any surface.
- 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.

- f. The duties of an assigned custodian include assisting with the set-up of the room, ensuring that no visitors access non-permitted areas of the building, making sure that trash is picked up during the event, providing access to permitted spaces in the building, cleaning up after the event and securing the building. Custodians are not authorized to operate audio visual equipment in Town Hall. They are expected to stay within a reasonable proximity of the event, should their assistance be required.

4. Service of Alcohol

- a. Service of alcoholic beverages may be allowed in certain circumstances in accordance General By-Laws Section 3.1.9.
- b. A One-Day Liquor License will be required as outlined on Appendix C.
- c. A dedicated Police Detail will be required when the service/sale of 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 is not allowed. The 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. 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 Revised December 2014

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.

** Other spaces include:

- Great Plain Conference Room (Lower Level)
- Highland Conference Room (Lower Level)
- May/Chapel Room (Lower Level)
- Board of Selectmen Chambers (1st Floor and subject to Town Manager/Designee Approval)
- 1st Floor Hallway
- 2nd Floor Hallway

APPENDIX B
HOURLY RATES FOR CUSTODIAL AND MONITORING STAFF
9/1/2011 Revised December 2014, **January 2019 effective March 1, 2019**
Rates Subject to Change

<u>Staff</u>	<u>Weekdays/Saturdays</u>	<u>Sundays/Holidays</u>
Security/Custodian	\$45.00	\$58.00
Sr. Monitor/AV Tech	\$20.00	\$20.00

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.; 204 CMR 7.01 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 of a *for-profit organization*.

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

Required Forms

- Town of Needham Board of Selectmen Event Information Sheet
- Attach invitation, flyer, letter of explanation, regarding event
- Written evidence of the owner's permission to use the proposed licensed premises
- Proof of Non-Profit status (if request is for all-alcoholic beverages)
- Sketch of the proposed licensed premises of a reasonably precise nature that clearly delineates the location and manner alcoholic beverages will be served, sold, delivered and/or dispensed
- Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and attached proof (certificate) of their completion in the past three years an appropriate Massachusetts alcoholic beverages server-training program
- \$25 application fee – check should be made payable to Town of Needham

Notes

- Event manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet.
- Request for the sale of alcohol/wine/malt under a Special License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on secular days and 12:00 p.m. and 12:00 a.m. on Sundays.
- No special event license will be granted to a licensed premise or to any person whose application for a license is pending before the licensing authorities.
- No person shall be granted a special license for more than 30 days in a calendar year.
- Alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder.