



## **Staff Report**

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### **FACILITY USE POLICY- ALCOHOL AMENDMENT**

Honorable Park & Recreation Commissioners:

#### **Summary**

The Facility Use Policy includes a section called Alcohol Regulations (Section XII) that describes the permitting of alcohol use in facilities that the Parks and Recreation Department rents to the public for events. The Department is proposing to limit the alcohol consumption to wine, beer, and champagne only to reduce the amount of alcohol consumed in city facilities.

#### **Background**

The Facility Use Policy was adopted in February 1980 and includes the policies that govern how the Parks and Recreation Department rents facilities for public use. As described in the attached policy, the Department manages significant properties that are used for community and private events and generate significant revenue for the City of Belmont. The Facility Use Policy includes a section called Alcohol Regulations (see below) that describes the permitting of alcohol use in facilities that the Parks and Recreation Department rents to the public for events.

#### **“XII. ALCOHOL REGULATIONS**

- A. The City of Belmont reserves the right to place restrictions on the use of alcoholic beverages in accordance with state law and City Council policy.
- B. Permission for the use of alcoholic beverages must be requested in writing at the time of application.
- C. If alcoholic beverages are to be consumed, the permittee will be provided with an alcoholic beverages permit issued by the City.
- D. If alcoholic beverages are to be sold, permittee must complete an application and receive approval for a Belmont Police Department recommendation for a temporary alcoholic beverage license, and then must obtain and provide proof of a one-day liquor license from the ABC board three working days prior to the event. The original ABC license must be displayed at time of activity.
- E. If a permit to sell or serve alcohol is required the applicant will be contacted by the Belmont Police Department to insure that all applicable rules and regulations are followed.

- F. Permission to sell or consume such beverages is limited to groups and their members and guests.
- G. Permittee must remove all beverages and empty containers from the facility and park immediately following the event.
- H. The floor in a bar area must be protected with a waterproof material.”

**Discussion**

The Department is proposing to limit the alcohol consumption to wine, beer, and champagne only to reduce the amount of alcohol consumed in city facilities. Excessive alcohol consumption leads to a greater likelihood of confrontation and increased liability. In addition, the message of moderating alcohol consumption is important.

**Fiscal Impact**

The Department does not anticipate any financial impact. It is unlikely that customers will move event location due to this change in policy.

**Public Contact**

Posting of the Parks & Recreation Commission Meeting Agenda.

**Recommendation**

It is recommended that the Parks & Recreation Commission recommend amending the Facility Use Policy with an additional condition to Section XII Alcohol Regulations:

“I. Alcohol consumption is limited to wine, beer, and champagne only.”

**Alternatives**

1. Take no action.
2. Refer back to staff for further information.
3. Deny the request.

**Attachment**

**A. Facility Use Policy**

Respectfully submitted,

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Jonathan Gervais  
Parks & Recreation Director

CITY OF BELMONT  
PARKS AND RECREATION DEPARTMENT

# FACILITY USE POLICY

Twin Pines Senior & Community Center	Lodge Recreation Center
Barrett Community Center	Cottage
Twin Pines Large Group Picnic Area	Conference Center

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	Amended October 9, 1984	
	May 9, 1989, April 13, 1993	
	May 13, 1997, June 27, 2000	
	June 26, 2001, June 25, 2002	
	June 24, 2003, June 14, 2005,	
	June 26, 2007, June 10, 2008	
	by the Belmont City Council	
	Approved July 2004	
	Amended March 2008 by the P&R	
	Commission	

The City of Belmont Parks and Recreation Department has five unique facilities available for use by the citizens of Belmont.



- (b) Be non-profit making and show evidence thereof; or evidence that application has been made for non-profit status.
- (c) Have an official organizational structure and status and show evidence thereof.
- (d) Require that membership must be open to the general public.
- (e) Have 50% or more Belmont resident membership

Group IV. Programs or activities sponsored by recreation, education, or community service organizations based in the City of Belmont. (Typical groups in this category would consist of Belmont Little League, American Youth Soccer Organization.)

These organizations must:

- (a) Be based in the City of Belmont
- (b) Be non-profit making and show evidence thereof; or evidence that application has been made for non-profit status.
- (c) Have an official organizational structure and status and show evidence thereof.
- (d) Require that membership must be open to the general public.
- (e) Have 50% or more Belmont resident membership.

Group V. Non-profit organizations, activities, and events not meeting the criteria in classifications I through IV, such as participants representing less than 50% Belmont residents, and government agency meetings.

Group VI. Private and commercial use and any other activities, and events not meeting the criteria in classification I through V.

- (a) Activities such as weddings, receptions, dinners, private parties, industrial conferences, and training seminars.
- (b) Rental fees will be charged for all events.

Group VII. Commercial business or professionals engaged in activities for private gain or profit.

#### Ineligible Organizations, Programs, Clubs and Events

Groups, for any reason, deemed not in the best interest of the community by the Parks and Recreation Department or the Parks and Recreation Commission.

## II FEES

- A. Group I Activities - No Charge.
- B. Group II, III, IV - No charge during regular daily hours of operation, which consists of Monday through Thursday 8:00a.m.-5:00 p.m./ Friday 9:00 a.m. - 5:00 p.m. when classes are in session. A service fee may be charged at the rate of \$15 per hour for hours other than regular hours of operation to cover the cost of staff, set-up, take down and cleaning.
1. Organizations in the above groups may request and be granted a waiver of charges at the discretion of the Parks and Recreation Department.
- C. Group V – Pay use fees for all events according to the current fee schedule. A service fee may be charged at the rate of \$15 per hour for hours other than regular hours of operation to cover the cost of staff, set-up, take down and cleaning.
- D. Group VI and VII- Pay use fees for all events according to the current fee schedule. The listed use fees include staff, set up, take down and cleaning.
- E. Hours of Operation - All Facilities
- |                   |  |
|-------------------|--|
| Monday-Thursday - | 5:00 PM - 11:00 PM – music off by 10:00 PM |
| Friday -          | 5:00 PM - 1:00 AM – music off by 12:00 PM  |
| Saturday -        | 9:00 AM - 1:00 AM – music off by 12:00 PM  |
| Sunday -          | 9:00 AM - 11:00 PM – music off by 10:00 PM |
- All other non-operational hour requests may be scheduled by special arrangement at the discretion of the Department.*
- F. Political Activities
1. The following City of Belmont Campaign Organizations may have one political activity per campaign at the Lodge or Conference Center, based on availability, at no charge: City Council, City Clerk, City Treasurer, Belmont School District Board, Belmont Water District Board, and Belmont Initiative Campaign Committees. Reservations to be made not more than 45 days prior to or after the election. Facilities will not be available on Election Day.
  2. Candidates for County, State, Federal, and other offices which appear on the Belmont ballot, may have one political fund raising activity per campaign at the Lodge or Conference Center, based on availability, at a charge of \$20 per hour with a minimum reservation of four hours. Reservations to be made not more than 45 days prior to or after the election. Facilities will not be available on Election Day.
  3. Any political campaign organizations in groups F.1. or 2. above may upgrade to the Twin Pines Senior & Community Center, based on availability, at the differential cost between the Lodge facility and the Twin Pines Senior and Community Center for a minimum reservation of four hours. Any additional hours will be at the Twin Pines Senior & Community Center hourly rate. Reservations to be made not more than 45 days prior to or after the election.

III. FEE SCHEDULE: Twin Pines Senior and Community Center, Lodge Recreation Facility

Facility	Group II,III, IV Non-Recreation Hours	Group V	Group VI Residents	Group VI Non-Residents	Group VII Commercial
TPS&CC Multi-Use Room	\$60 per hour	\$82 per hour	\$148 per hour	\$214 per hour	\$225 per hour
TPS&CC Kitchen	\$125 per event	\$125 per event	\$125 per event	\$125 per event	\$125 per event
TPS&CC Alcohol Permit Fee	\$100 per event	\$100 per event	\$100 per event	\$100 per event	\$100 per event
TPS& CC Game Room	\$22 per hour	\$27 per hour	\$30 per hour	\$35 per hour	\$40 per hour
TPS&CC Crafts Room (separate)	\$22 per hour	\$27 per hour	\$30 per hour	\$35 per hour	\$40 per hour
TPS&CC Crafts Room (with Multi Use Rental)	Included in Multi Use fee	Included in Multi Use fee	Included in Multi Use fee	Included in Multi Use fee	Included in Multi Use fee
TPS&CC set up fee (up to 175 people)	\$33 per rental	\$33 per rental	Included in rental fee	Included in rental fee	Included in rental fee
TPS&CC set up fee (over 175 people)	\$49 per rental	\$49 per rental	Included in rental fee	Included in rental fee	Included in rental fee

Facility	Group II,III, IV Non-Recreation Hours	Group V	Group VI Residents	Group VI Non-Residents	Group VII Commercial
Lodge Room #1	\$33 per hour	\$55 per hour	\$104 per hour	\$154 per hour	\$165 per hour
Lodge Kitchen	\$100 per event	\$100 per event	\$100 per event	\$100 per event	\$100 per event
Lodge Alcohol Permit Fee	\$100 per event	\$100 per event	\$100 per event	\$100 per event	\$100 per event
Lodge Room #3 or #4	\$22 per hour	\$27 per hour	\$30 per hour	\$35 per hour	\$40 per hour
Lodge Set Up Fee	\$33 per rental	\$33 per rental	Included in rental fee	Included in rental fee	Included in rental fee
Refundable Trust Deposit	\$385	\$385	\$385	\$385	\$385

Processing Fee: \$22 non-refundable processing fee is due within five (5) days of when the applicant receives their approved permit.

IV. FEE SCHEDULE: Barrett Community Center, Conference Center, Library Taube Room, Cottage

Facility	Group II, III, IV (Non-Recreation Hours)	Group V	Group VI Residents	Group VI Non-Residents	Group VII Commercial
Barrett Multi-Use	\$27 per hour	\$49 per hour	\$82 per hour	\$93 per hour	\$110 per hour
Barrett Class Rooms	\$22 per hour	\$27 per hour	\$30 per hour	\$38 per hour	\$49 per hour
Barrett Alcohol Permit Fee	\$75 per rental	\$75 per rental	\$75 per rental	\$75 per rental	\$75 per rental
Conference Center *See Trust Deposit note	\$33 per hour	\$55 per hour	\$104 per hour	\$154 per hour	\$165 per hour
Conference Center Alcohol Permit Fee	\$100 per rental	\$100 per rental	\$100 per rental	\$100 per rental	\$100 per rental
Library – Taube Room**	\$33 per hour	\$55 per hour	\$104 per hour	\$148 per hour	\$160 per hour
Cottage	\$27 per hour	\$33 per hour	\$55 per hour	\$66 per hour	\$75 per hour
Cottage Alcohol Permit Fee	\$75 per rental	\$75 per rental	\$75 per rental	\$75 per rental	\$75 per rental
Refundable Trust Deposit	\$275 Deposit	\$275 Deposit	\$275 Deposit	\$275 Deposit	\$275 Deposit
<i>Barrett/Cottage</i>					

Processing Fee: A \$22 non-refundable processing fee is due within five (5) days after the applicant receives their approved permit.

\*Conference Center: Trust Deposit is \$385

\*\*Library Taube Room – the fee will be waived for the Belmont Based, Non For Profit Organizations, during the Library’s normal business hours, where there will be no food service.

## **V. FEE SCHEDULE: Other Facilities**

TWIN PINES LARGE GROUP PICNIC AREA: \*Does not include satellite picnic areas and playground.

Resident - A non-refundable reservation fee - \$82  
Non-Resident – A non-refundable reservation fee - \$137  
(Optional) Alcohol Permit Fee - \$30

Belmont residents may reserve the Large Group Picnic Area up to twelve (12) months in advance. Non-residents may reserve the Large Group Picnic Area up to eleven (11) months in advance.

## **VI. PAYMENT OF FEES**

- A. The—Security Trust Deposit (when applicable) and a \$22 non-refundable processing fee is due-with the completed application for a permit.
- B. The remaining fees will be due thirty (30) days prior to the event or program.
- C. All use fees for facilities shall be due prior to the use.

## **VII. REFUNDS**

- A. Groups IV-V:  
Full refunds will be granted only if the cancellation is made at least sixty (60) days prior to the scheduled event. Reservations canceled less than sixty days prior to the event shall lose their security deposit or the contracted rental amount whichever is less.
- B. Group VI-VII  
Full refunds will be granted only if the cancellation is made at least one hundred and twenty (120) days prior to the scheduled event. Reservations canceled less than one hundred twenty days prior to the event shall lose their security deposit or the contracted rental amount whichever is less.
- C. The security trust deposit is fully refundable provided the event did not exceed the designated hours and the facility was left in the condition as agreed upon in the Facility Use Permit. The security trust deposit will be refunded within three weeks of the event.
- D. Rental charges will not be pro-rated should the permittee leave the facility early.

## **VIII. USE OF SPECIAL EQUIPMENT AND ANIMALS**

- A. A reservation request must be obtained from the Parks and Recreation Department for the use of special equipment and animals.
- B. Cosmo jumpers (Bounce Houses) or other special equipment as identified by the Belmont Parks & Recreation Department, are prohibited from indoor use in any facilities.
- C. A Certificate of Insurance must be provided to the Park & Recreation Department at least two weeks prior to an event using special equipment (such as a cosmo jumper) or the use of animals (such as pony rides). This certificate must name the City of Belmont as one of the insured parties. A description of any special equipment and/or animals to be used must be provided two weeks prior to the event.
- D. A special use deposit of \$250 will be required. This is fully refundable provided the facility is left in the condition as agreed upon in the reservation request. The cost of any damage arising from the event will be deducted from the deposit. The refundable portion of the deposit will be returned within three weeks of the event.

#### **IX. RESERVATION INFORMATION**

- A. Applications for the use of Parks and Recreation facilities should be made in writing at least two weeks in advance of the day of intended use. Forms must be filed in person at the Parks and Recreation Office, 30 Twin Pines Lane, Belmont, Monday through Friday 8:00 a.m. to 5:00 p.m. No reservations are taken by phone.
- B. Completing and submitting the application to the Parks and Recreation Office is an application only, NOT a confirmation of facility use. All applications will be reviewed, scheduled if available, fees computed, and approved by the Parks and Recreation Department. Written confirmation will be made within seven working days.
- C. Each facility use permit filed with the Belmont Parks and Recreation Department lists arrival and departure times. The arrival time is when the facility will be unlocked, and the permittee or caterer may begin setting up for the event. The departure time is when the facility has been cleaned and the permittee or caterer leave the facility. Thus, set up, clean up and actual event time are ALL included in the permit hours. It is important that all groups adhere to the times listed on their permit.
- D. Facility use permits will be issued only to adults 21 years of age or older. Groups composed of participants under 21 years of age must be supervised by one (1) adult for each twenty (20) participants at all times while they are using facilities.

The permit must be filed by one of the adults who will be supervising the function.

- E. Permits cannot be transferred, assigned, or sublet.
- F. The Parks and Recreation Department reserves the right to cancel or change any use of facilities and/or equipment. Where possible, other accommodations will be provided.

## **X. RESERVATION GUIDELINES**

- A. Group I-V (Community organizations)  
Community organizations may reserve facilities Monday through Thursday on a quarterly basis according to the program dates in the Belmont Parks and Recreation Department Activity Guide. Organizations may reserve a facility six (6) months in advance Friday-Sunday.
- B. Group VI (Private parties, dinners, and wedding receptions - one-engagement functions).
  - 1. Belmont residents may reserve an indoor city facility:
    - a. Up to twelve (12) months in advance Friday-Sunday events.
    - b. Up to six (6) months in advance Monday-Thursday events.
  - 2. Non-residents may reserve an indoor city facility:
    - a. Up to eleven (11) months in advance Friday-Sunday events.
    - b. Up to six (6) months in advance Monday-Thursday.
  - 3. In the event that multiple requests are made at the same time for the same date and facility, a lottery method of drawing an applicants name will be used to determine who will be given use of the facility requested. The lottery drawing is held at a later time as agreed to by all parties. This gives the Parks and Recreation staff the opportunity to validate the applications of the participating parties.
- C. Group VII (Commercial business or professionals engaged in activity for private gain or profit.)
  - 1. May reserve a city facility:
    - a. Up to eleven (11) months in advance Friday-Sunday events
    - b. Up to six (6) months in advance Monday-Thursday events.
  - 2. An active Belmont business license required.
  - 3. Content approval by Park and Recreation Department
  - 4. Conform to all other Groups rules and regulations

5. In the event that multiple requests are made at the same time for the same date and facility, a lottery method of drawing an applicants name will be used to determine who will be given use of the facility requested. The lottery drawing is held at a later time as agreed to by all parties. This will give the Parks and Recreation staff the opportunity to validate the applications of the participating parties.
- D. Groups that schedule on a regular basis may be limited in the number of scheduled uses.
- E. MAJOR COMMUNITY-WIDE EVENTS - Events open to the public and determined by the Parks and Recreation Department to be in the public interest may be scheduled up to one year in advance.
- F. APPEALS - Any appeal related to the Facility Use Policy should be directed to the Parks and Recreation Department staff. Any further appeals shall first go to the Recreation and Parks Commission and then, if necessary go to the City Council. All appeals to the Recreation and Parks Commission and City Council must be in writing and filed with the City Clerk.

## **XI. GENERAL REGULATIONS**

- A. A floor plan shall be submitted two weeks prior to the Event. The Building Attendant will set up tables and chairs as submitted on the floor plan prior to arrival and will be on site during the event to provide further assistance.
- B. Upon arrival, the Building Attendant will sign in the permittee and caterer. The permittee and the caterer will sign part one of the facility checklist. (See Appendix A) This serves as a record of the date and time of arrival and facility condition. Upon departure an inspection will be made by the Building Attendant and Part two of the facility checklist will be signed by both parties. This will serve as a record of the date and time of departure and condition of the facility.
- C. Set-up, decorating, and clean-up must be done during the period stated on the permit. All decorations, including tablecloths, plates, utensils, flowers and food, must be removed before the group leaves the building.
- D. Decorating plans and any changes to the facilities must be submitted at time of application. The use of tape, nails, staples, screws, on walls, tables, and other equipment is not permitted. Any plants or shrubs must be in water-proof containers.
- E. All deliveries and pickups must be supervised by permittee or designated agent within permit hours. City staff will not accept or be responsible for deliveries. It is the permittee's responsibility to include with the floor plan a list of all items being brought to the facility. No items shall be left at the facility.

- F. The Parks & Recreation staff is responsible for the enforcement of rules governing the use of the facility and must be in attendance whenever facilities are in use. The responsibility for conduct of guests/participants rests with the permittee. The staff on duty shall have the right to enter all facilities at any time.
- G. Any person violating the established rules and regulations or constituting a public nuisance will be required to leave the facility.
- H. The misuse of the facilities, failure to conform with park regulations, or any other applicable city rule, regulation, or ordinance, will be sufficient reason for terminating the permit without notice.
- I. The Parks & Recreation Department may refuse facility use to anyone who has previously damaged a facility or left it in poor condition.
- J. Groups will be charged if they remain in a facility past the time stated on the permit.
- K. Cleaning equipment and supplies will be provided by the staff on duty to restore the facility to an orderly and clean condition. Floors to be damp-mopped only.
- L. If, after an event, additional cleanup is required other than the normal cleaning process, the permittee may lose a portion of their security deposit. In the event the damage should exceed the security trust deposit an additional cost will be assessed to cover the damage.
- M. In case of damage to the facility, or equipment, the permittee will be charged for the damage. Note: any damage discovered by the permittee upon entering the building should be immediately brought to the attention of staff on duty.
- N. Gambling is prohibited. Bingo may be considered as stipulated by City Ordinance #598 allowing Bingo. Lotteries, raffles and games of chance may be considered if they abide by the stipulations in State Penal Code Sections 319 through 330.
- O. Use of the Lodge fireplace is permitted with the approval of the Parks and Recreation Department.
- P. Music/Sound
  - 1. Lodge/Cottage
    - a. PA systems, Microphones, Speakers, Amplified music, DJ's, and taped music are permitted.
    - b. Amplified live bands are not permitted.
    - c. Amplified sound is not permitted outside the building.

- d. If the music/sound becomes excessively loud in the judgement of the staff on duty, the permittee will be asked to lower the volume. Failure to do so will result in loss of use of music/sound.
- 2. Twin Pines Senior and Community Center, Barrett Auditorium and Conference Center.
    - a. PA systems, Microphones, Speakers, Amplified music, Live Bands, DJ's, and taped music are permitted.
    - b. Amplified sound is not permitted outside the building.
    - c. If the music/sound becomes excessively loud in the judgement of the staff on duty, the permittee will be asked to lower the volume. Failure to do so will result in loss of use of music/sound.
- Q. The City of Belmont is not responsible for accidents, injury, illness, or loss of group or individual property. The city may require groups using the facilities to show proof of public liability and property damage insurance if the event is deemed to be hazardous to life or property.
  - R. When special services such as security and/or extra supervision are deemed necessary by the Parks and Recreation Department, the Permittee will be charged for those services.
  - S. No smoking permitted inside any city facility.
  - T. Normally open flames are not permitted inside any city facility. A request for an exemption may be approved by special arrangement with the Department.
  - U. Permission must be obtained to use a piano. Piano will only be moved by staff.
  - V. Furniture may be moved by permittee with staff assistance.
  - W. Twin Pines Senior and Community Center chairs and tables are not allowed in the meadow or patio area.
  - X. The Twin Pines Senior and Community Center refrigeration space includes limited freezer space.
  - Y. Bird seed and rice may not be used indoors. They may be used on the patio. Permittee shall be responsible for cleanup.
 

Confetti is not recommended as it can be time consuming for the permittee to clean.
  - Z. The Parks and Recreation Department does not maintain a preferred caterers list.

**XII. ALCOHOL REGULATIONS**

- A. The City of Belmont reserves the right to place restrictions on the use of alcoholic beverages in accordance with state law and City Council policy.
- D. Permission for the use of alcoholic beverages must be requested in writing at the time of application.
- E. If alcoholic beverages are to be consumed, the permittee will be provided with an alcoholic beverages permit issued by the City.
- D. If alcoholic beverages are to be sold, permittee must complete an application and receive approval for a Belmont Police Department recommendation for a temporary alcoholic beverage license, and then must obtain and provide proof of a one-day liquor license from the ABC board three working days prior to the event. The original ABC license must be displayed at time of activity.
- E. If a permit to sell or serve alcohol is required the applicant will be contacted by the Belmont Police Department to insure that all applicable rules and regulations are followed.
- F. Permission to sell or consume such beverages is limited to groups and their members and guests.
- G. Permittee must remove all beverages and empty containers from the facility and park immediately following the event.
- H. The floor in a bar area must be protected with a waterproof material.

### **XIII. EVENT SECURITY**

- A. When a permittee requests security for an event in a City facility, it will be the responsibility of that person to secure the services of a licensed security company to provide security at the event. A copy of the security company's license and signed contract must be provided to the City at least two weeks prior to the event. When security services are provided, the security company shall provide security services for both the indoor facility and associated parking areas. The required ratio is 1 security guard for every 50 people attending the event.
- B. An event can be terminated and forfeiture of the rental deposit will occur if the services of the Police Department are required due to a disturbance at the event; or, the applicant who signed the permit, accepted the liability and all other conditions of the facility rental, is not present at the event. This policy section applies to all events, whether or not security services are provided.

### **XIV. FACILITY RENTAL CHECKLIST**

- A. It is the responsibility of the permittee to leave the facility clean and orderly. Staff will have cleaning equipment available for use by the permittee. Based on the checklist, part or all of the security deposit may be withheld. Any on-site concerns can be further discussed with the Supervisor at the Parks and Recreation office during regular working hours. Please note concern on Additional Comments space provided on check list.
  
- B. It is the responsibility of the staff on duty to review the checklist with the permittee before and after the event. The staff person will remain on site until the event is concluded and the checklist has been completed and signed.