

Town of Yucca Valley
Community Services Department

Facility Use Policy
Amended by YV Town Council October 13, 2015

1. Authority

- a. In May, 2003, the Yucca Valley Town Council directed the Parks, Recreation and Cultural Commission to review the Town's facilities use policy.
- b. History: A Commission recommendation for policy revision was forwarded to the Council in November, 2003. The revised policy was adopted by the Town Council in December, 2003. Subsequent revisions were recommended by the Commission and adopted by the Council in April 2006, May 2007, October 2008, March 2011, and March 2014, October 2015.

2. Policy Statement

- a. The Town of Yucca Valley's public parks and buildings are used for Town-sponsored recreational, cultural, civic and social activities and programs. Additionally, the Town makes use of public facilities for conducting the business of the Town Council and its appointed commissions, committees and work groups. The Town also makes certain facilities available to the public for meetings, activities, events and services that meet similar needs and interests of the community. The Town Manager or his/her designee is authorized to interpret and implement the policies and regulations contained herein.

3. Definitions

- a. Applicant – in a transaction involving the reserved use of Town facilities, the individual or organization that will be responsible for all rental fees, deposits, and compliance with facility use requirements.
- b. Building – refers to public buildings owned, leased and/or managed by the Town of Yucca Valley
- c. Commission – the Parks, Recreation and Cultural Commission appointed by the Yucca Valley Town Council.
- d. Council – the elected Town Council of the Town of Yucca Valley.
- e. Department – unless otherwise specified, refers to the Town of Yucca Valley's Community Services Department.
- f. Town Manager – the Town Manager of the Town of Yucca Valley or his/her designee.
- g. Facility – Refers to parks, buildings and the rooms and other spaces within the buildings, common areas, and parking lots owned and/or operated by the Town of Yucca Valley.

- h. Non-resident/Commercial – individuals or businesses whose primary address is outside of Yucca Valley’s town limits.
- i. Park – any developed or undeveloped areas owned or leased by the Town of Yucca Valley and designated for recreational purposes or conserved for scenic or historical interest, to include the landscaping and recreational elements of such facilities.
- j. Town – the municipality known as the Town of Yucca Valley.
- k. User group – the applicant, whether an organization, agency or individual(s).
- l. Resident – individuals or non-profit organizations whose primary address is inside of Yucca Valley’s town limit.

4. Hours of Use

- a. Parks – Town of Yucca Valley Parks are open daily from 6:00 am until 11:00 pm. Unless the hours are specifically extended by the Town to accommodate a special event, no person shall remain in any Park between the hours of 11:00 pm and 6:00 am without written permission from the Town Manager. Town of Yucca Valley Municipal Code 11.60.040(c)
- b. Buildings – Except for public meetings and special events conducted by the Town of Yucca Valley, Town buildings are available for use from 9:00 am until 8:00 pm Monday through Thursday, and from 9:00 am until 10:00 pm Friday and Saturday. For the purpose of determining facility use fees, weekend rates apply from Friday at 5:00 pm until Monday at 7:00 am. Town Buildings are not available for rented or reserved use on Sundays, Holidays, or closed hours unless specifically authorized by the Town Manager and/or Commission acting on behalf of the Council.

5. General Rules and Regulations

With respect to the Town’s public Parks and Facilities, the following activities are prohibited:

- a. Storage – to store personal property, including camping gear.
- b. Bulletin Boards – to affix flyers or posters of any kind to bulletin boards or display areas within or attached to Town facilities. Unless specifically designated otherwise, such areas are for Town use only to provide public information or to promote Town-sponsored meetings, events or activities. The Town may, but is not required to, provide a community bulletin board where outside events and meetings may be noticed. Final determination of allowable postings shall be made by the Town Manager.
- c. The throwing or other use of rice, birdseed, glitter, confetti in relation to the approved use of Town facilities.
- d. Fire – to make or kindle a fire with wood or any material other than charcoal (in designated areas only) without written approval from the Department.

- e. Alcohol – to possess any can, bottle or other receptacle containing any alcoholic beverage that has been opened, a seal broken, or the contents partially removed, without a permit issued by the Department.
- f. Bathing – to bathe in any facility not designated for that purpose.
- g. Refuse – to leave garbage, cans, bottles, papers or other refuse at any park or facility other than in the receptacles provided. If no receptacle is provided, patrons are responsible to remove all waste and dispose of it in an appropriate manner.
- h. Animals – to hitch, ride or let loose any animal or fowl without the written approval of the Department. This shall not apply to dogs at Town Parks when led by a leash or chain no more than six feet long. Owners of said animals and pets are responsible for the conduct of the animal and for the proper disposal of all waste and fecal matter. Pets are not permitted in Town buildings or in the softball field area of the Town’s Summer Music Festival or at other similar events. Seeing eye dogs and other properly designated service animals are not subject to these restrictions.
- i. Camping – to camp in or upon any Town Park without written permission from the Town Manager.
- j. Smoking – to smoke in, or within 20 feet of the entrance to, any Town building, area designated for children’s play, or athletic activities, or to discard any lighted or unlighted cigar, cigarette or tobacco-related litter in said areas.
- k. Reckless Operation – to ride or use any roller skates, scooters, skateboards, or bicycles at any Town park or facility in a reckless manner or with disregard for the safety of persons or property, or to cause such items to be ridden in such a manner.

6. Priority use of Town Facilities

- a. Reasonable attempts will always be made to avoid scheduling conflicts, however, if clarification is needed, the following prioritization will apply to the use of Town Facilities:
 - i. Town-sponsored meetings, activities and events
 - ii. Meetings, events and activities sponsored by governmental or other agencies working jointly with the Town
 - iii. Local non-commercial user groups
 - iv. Local commercial enterprises and concerns
 - v. Out of town user groups
 - vi. User groups whose facility use fees have been waived or reduced

7. Reserved Use of Town Facilities

- a. The following Town of Yucca Valley Facilities are available for rental or reserved use, in accordance with established procedures and rental rates:

| | Location | Capacity Dining/Conference |
|------------------|--------------------------|---------------------------------------|
| Yucca Room | Community Center | 250/350 |
| Joshua Tree Room | Community Center | 32/45 |
| Cholla Room | Community Center | 65/80 |
| Ocotillo Room | Community Center | 44/50 |
| Mesquite Room | Community Center | 18/30 |
| Senior Center | Community Center | 180/250 |
| Soccer Fields | Community Center | - |
| Softball Field | Community Center | - |
| Snack Bar | Community Center | - |
| Community Room | Machris Park | 54/75 |
| Softball Field | Machris Park | - |
| Snack Bar | Machris Park | - |
| Community Room | Jacobs Park | 54/75 |
| Tennis Courts | Jacobs Park | - |
| Community Room | Paradise Park | 32/45 |
| Soccer Field | Brehm Park (I) | - |
| Softball Field | Brehm Park (I) | - |
| Soccer Fields | Brehm Park (II) | - |
| Miracle Field | Brehm Park (II) | - |
| Flat Track | Brehm Park (II) | - |
| Community Room | Brehm Park (II) | 32/45 |
| Snack Bar | Brehm Park (II) | - |
| Swimming Pool | Yucca Valley High School | - |
| Parking Lots | Various | - |

- b. Arrangements may be made with the Department for reserved use of other areas of Town parks, facilities, or amenities not listed in section a. In such cases, the Town Manager and/or Commission will determine appropriate parameters and fees for use.
- c. Individuals 18 years of age or older may apply for reserved use of Town facilities at least fourteen days and no more than thirteen months prior to the proposed event.
- d. To obtain reserved use of available Town facilities, individuals or organizational representatives must complete and return a current Facility Use Application and Agreement and submit all required diagrams, deposits, permits, contracts and appropriate insurance documents to the Community Services Office at least fourteen days prior to the requested date(s) of use. Requests received within fourteen days of the event date will be accommodated as available, at the discretion of the Department.
- e. Town staff will make a reasonable effort to accommodate each application, and will provide written confirmation of approval or denial within three working days of receipt of all required materials.

- f. User groups are not entitled to place signs, banners or other such materials on Town Facilities without written permission from the Town Manager.
- g. Under no circumstances is any approved user group authorized to share access with other groups or individuals, to sublet or permit another group or individual to use Town facilities before, during or after the approved time of use, or to duplicate facility keys; doing so will result in cancellation of the approved use and forfeiture of all deposits.
- h. The Town reserves the right to deny the application of individuals, groups or organizations that have previously not complied with Town requirements or regulations.
- i. The applicant must notify the Department of cancellation at least 48 hours prior to the scheduled event or activity. Failure to give the required written notice of a cancellation may result in forfeiture of the applicant's deposit.
- j. The Town reserves the right to inspect any reserved rooms, snack bars, parks, or other areas at any time to ensure cleanliness and proper compliance with typical health and safety standards. Clutter, damage, vandalism, unsafe or unclean conditions will result in revocation of the approval to use the facility.

8. Fees for use of Town Facilities

- a. Fee Schedule. Fees for reserved use of Town Facilities will be charged for the entire time the user group requires access to the facility, including time for setting up the event, decorating, cleaning up, etc. Fees are charged in accordance with the Town's most recent adopted fee schedule (Appendix A).
- b. Deposits. When public Facilities are rented or reserved, a refundable deposit is required according to the schedule listed in Appendix "A". Payment of the deposit is required even if facility use fees are waived or reduced. Personal checks are not accepted for facility use deposits.
 - 1. If damage to Town property occurs during use or if excessive clean-up is necessary after the use, the actual cost of repairs or clean-up will be deducted from the deposit.
 - 2. If the cost of repairs and/or clean-up exceeds the deposit amount, the user will be billed for the difference.
 - 3. If the user group remains in the facility beyond the scheduled time, the deposit may be forfeited and additional fees may be charged for the additional time in the facility.
 - 4. If the user group misrepresents any material facts about the event (i.e., the serving of alcohol, etc.) the entire deposit will be forfeited.
 - 5. If any or all of the deposit has been forfeited, the full required deposit must be replenished prior to any subsequent use.
- c. Setup and Breakdown. When available, the use of tables and chairs is included in the facility rental fee. Town staff will arrange chairs and tables for indoor and outdoor assemblies as close to diagrams submitted by the applicant as possible.

- d. User groups shall not obstruct any pathways or access routes inside or outside Town buildings, or otherwise interfere with the safety or convenience of the public or other facility users.
- e. Electrical & Water Service. If electrical and/or water service is requested and approved for any activity or event on Town Park areas, a minimum fee of \$25 will be charged for up to four hours of use. Additional hours will be charged at \$10/hr. up to a maximum daily rate of \$50.
- f. Fee Waivers or Fee Reductions. The Town Council has authorized the Town Manager and the Commission to make a determination on all requests for fee waivers or fee reductions. Generally, no fee waivers or reductions will be granted for facility use on weekends or holidays. If a waiver or reduction is granted, the group's use will be accommodated on a space-available basis. Waivers or reduction requests will be considered if the applicant complies with all Town Facility use requirements and the proposed use meets one of the following conditions:
 - 1. The activity or event is conducted by a local organization and the primary purpose of the activity or event is to provide services for the youth of the community.
 - 2. The activity or event is of large scale community-wide interest or benefit, is conducted by a local organization and will be open free of charge to all members of the local community who wish to participate.
 - 3. If the activity or event does not clearly meet either of the first two guidelines, it must be demonstrated that the service provided replaces the need for the Town to provide such services, or provides other substantial and significant community benefits to the Town as determined by the Town Manager and/or Commission. Fee waivers in excess of \$2,500 must be approved by the Commission.
- g. It is the intent of the Policy to apply any such waivers or fee reductions in an efficient, equitable and uniform manner. Accordingly, the Commission may implement specific fee reduction policies that apply to various categories of user groups (e.g. - athletic field users, non-profit community groups, etc.). The categorized schedule of fee reductions is attached to this Policy as Appendix B, and may be modified only by the Commission.
- h. If the recipient of a waiver or fee reduction does not strictly comply with all conditions regulating the use of Town facilities, including adherence to approved entry and exit times, the user group will be responsible to pay all fees normally associated with such use.
- i. Recipients of waivers or fee reductions may be relocated or canceled without notice if the facilities are required by the Town for other purposes.
- j. Certain governmental agencies and governmental sponsored organizations shall be exempt from Facility Use Fees when requesting use of Town facilities for official meetings to conduct public business, providing that the space is available as requested. The list of exempt organizations is attached to this Policy as Appendix C, and may be modified only by the Commission.

9. Use of Town Equipment

The Town may make certain equipment available for use in conjunction with a facility rental, subject to availability. Such equipment shall remain on Town property; use of Town equipment off site is prohibited without written permission from the Town Manager. Facility deposit will only be refunded if the equipment is returned clean, on-time and undamaged. If the cost of repairs, replacement and/or clean-up exceeds the deposit amount, the user will be billed for the difference.

10. Alcohol Use in Public Facilities

- a. The sale or use of alcoholic beverages at Town Parks and Facilities is not allowed without a permit issued by the Department. Permit information is available at the Department office. Permits will only be approved when the following conditions are met:
- b. The applicant shall ensure the full compliance with state and local laws regarding the consumption of alcohol during their facility use. The applicant will be held responsible for the behavior of all attendees.
- c. The applicant shall provide the Town with a liquor liability insurance policy endorsement in the minimum amount of \$1,000,000 naming the Town, its officials, officers, employees, agents and volunteers as additional insured for the date(s) of facility use. Proof of such insurance shall be on file in the Community Services Office at least fourteen prior to the event.
- d. Any caterers or other concerns engaged in the sale of alcoholic beverages in or on Town Facilities shall provide the Town with a liquor liability insurance policy endorsement in the minimum amount of \$1,000,000 naming the Town, its officials, officers, employees, agents and volunteers as additional insured for the date(s) of facility use. Proof of such insurance shall be on file in the Community Services Office at least fourteen days prior to the event.
- e. The applicant is required to provide a \$1,000 security deposit, refundable if the facility is left on time, clean and without damage. Actual costs for additional time, additional maintenance requirement, or damage will be deducted from the deposit. If the cost of repairs and/or clean-up exceeds the deposit amount, the user will be billed for the difference. Personal checks are not accepted for deposits.
- f. The applicant shall provide proof of compliance with insurance and security requirements at least fourteen days prior to the event.
- g. Whenever alcohol will be served or sold at the event, the applicant will be required to contract with the San Bernardino County Sheriff's Department or other approved security company for event security. The Town Manager will confer with the Sheriff's Office to determine the specific security requirement for each event, but generally two officers will be required. Proof of the contract for security must be on file in the Community Services Department Office at least fourteen days prior to the event.

11. Security Requirement

- a. The Town of Yucca Valley at its sole discretion may require a certain number of security officers for the event. Renter shall be responsible for procuring and paying for security officers through the San Bernardino County Sheriff's Department. Renter may be required to provide the Town with a copy of the contract between the Sheriff's Department and themselves at least fourteen days prior to event. Renter is solely responsible for supervising all individuals at the Facility and adjoining property during the event. The Town is not responsible for providing this supervision. However, the Town may evict individuals from the Facility during the event if their conduct is not in the best interest of the public or is deemed to be detrimental in any way.

12. Insurance Requirements

- a. Renters, organizations and agencies requesting reserved use of Town Facilities may be required to provide insurance. Renter is solely responsible for any damage, loss, accident or injury to persons or property resulting from the use of the facility. Renter shall be responsible for control and supervision of the people in attendance during the use of the facility and shall see that no damage is done to furnishings, fixtures or any part of the facility. Any violation can result in a denial or further use and, in case of damage to a facility; financial reimbursement for repair or replacement will be demanded.

Renter shall waive and release, defend, indemnify and hold harmless the Town of Yucca Valley, its officials, officers, employees, volunteers and agents (Town Indemnitees) free and harmless from and against all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, in any manner which actually or allegedly arise out of or in connection with the performance of this Agreement.

Renter may be asked to procure and maintain general liability insurance against any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Renter's use or occupancy of the Town's facilities and adjoining property in the minimum amount of \$1,000,000 (one million dollars) per occurrence, \$2,000,000 (two million dollars) General Aggregate with an endorsement naming the Town its officials, officers, employees, volunteers, and agents as additional insureds prior to the rental date of the Facility. Renter shall file certificates of such insurance with the Town which shall be endorsed to provide thirty (30) days' notice to the Town of cancellation or any change of coverage or limits. If a copy of the insurance certificate is not on file prior to the event, the Town may deny access to the Facility.

Renter shall report any personal injuries or property damage arising at any time during and/or arising out of or in any way connected with Renter's use or occupancy of the Town of Yucca Valley's facilities and adjoining property to the Town of Yucca Valley's Community Services Manager , in writing and as soon as practicable.

Renter waives any right of recovery against the Town its officials, officers, employees, volunteers and agents for fires, floods, earthquakes, civil disturbances, regulation of any public authority, and other causes beyond their control. Renter shall not charge results of "acts of God" to the Town its officers, employees, or agents.

Renter waives any right of recovery against the Town its officials, officers, employees, volunteers and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with Renter's use or occupancy of the Facility and adjoining property, even if the Town its officials, officers, employees, volunteers or agents seek recovery against Renter.

APPENDIX A

Facility Use Fee Schedule
(DRAFT FEE REVISIONS 10-2015)

| Small Rooms (Mesquite, Cholla, Joshua Tree, Ocotillo) 2 hr. min | | | | |
|--|---------------------------------------|------------|------------|---------|
| | Weekdays | Weekends | Holidays | Deposit |
| Local resident or activities where no fees are charged | \$15 / hr. | \$25 / hr. | \$35 / hr. | \$200 |
| Non-resident, commercial group, or activity where fees are charged | \$25 / hr. | \$45 / hr. | \$65 / hr. | \$200 |
| Large Rooms (Senior Center, Yucca Room) 2 hr. min | | | | |
| | Weekdays | Weekends | Holidays | Deposit |
| Local resident or activities where no fees are charged | \$25 / hr. | \$45 / hr. | \$65 / hr. | \$500 |
| Non-resident, commercial group, or activity where fees are charged | \$45 / hr. | \$65 / hr. | \$95 / hr. | \$500 |
| Park Community Rooms 2 hr. min | | | | |
| | Weekdays | Weekends | Holidays | Deposit |
| Local resident or activities where no fees are charged | \$15 / hr. | \$25 / hr. | \$35 / hr. | \$200 |
| Non-resident, commercial group, or activity where fees are charged | \$25 / hr. | \$45 / hr. | \$65 / hr. | \$200 |
| Soccer Fields, Softball Fields, Miracle Field – 2 hr. min | | | | |
| Reserved use, no lights | \$10/hr. (\$20/hr. nr./com.) | | | \$200 |
| Reserved use with lights | \$20/hr. (\$30/hr. nr./com.) | | | \$200 |
| Reserved use, no lights - Lge field (BII) | \$40/hr. (\$60/hr. nr./com.) | | | \$400 |
| Reserved use with lights - Lge field (BII) | \$80/hr. (\$100/hr. nr./com.) | | | \$400 |
| Concession Facilities– 2 hr. min | | | | |
| Snack Bar | \$10/day (\$20/day nr./com.) | | | \$500 |
| Vendor fee Town events (concerts, etc.) | \$50 per day upon approval | | | N/A |
| Other Facilities– 2 hr. min | | | | |
| Community Center Courtyard | \$45 (\$55 nr./com.) per hour | | | \$200 |
| Tennis Court | \$5/hr. (\$10/hr. nr./com.) | | | \$200 |
| Flat Track | \$5/hr. (\$10/hr. nr./com.) | | | \$200 |
| YVHS Swimming Pool (2 hr. min) | \$40 (\$60 nr./com.) per hour | | | \$500 |
| Parking Lots | \$1 per space per day (20 space min.) | | | \$200 |
| Conex Outdoor Storage | Monthly \$25/10ft or \$50/20ft | | | \$200 |
| Mobile Stage | \$500 per day | | | \$1000 |
| Miscellaneous facility charges– 2 hr.. min | | | | |
| Kitchen Charge | \$30 (\$40 nr.) per day | | | \$200 |
| Tennis Court Key | \$5 annually – 3 year term | | | N/A |
| Other Unlisted Facilities | TBD by Town Manager and/or Commission | | | TBD |

APPENDIX B

Fee Waiver/Reduction Schedule

In cases where a user group qualifies for a facility fee waiver or reduction request under the provisions of this facility policy the following fee schedule shall be applied:

Qualified athletic groups shall receive a field fee a reduction of 50%
Qualified non-profit groups will receive a facility fee reduction of 75%

Staff shall report the fiscal impact of such reductions annually to the
Parks, Recreation & Cultural Commission.

APPENDIX C

The following governmental agencies and government sponsored organizations shall be exempt from Facility Use Fees when requesting use of Town Facilities for official meetings to conduct public business, providing that the space is available as requested.

California Highway Patrol
Citizens on Patrol – Yucca Valley
City of Twentynine Palms
Community Emergency Response Team (CERT)
Copper Mountain Community College District
Hi Desert Water District
League of California Cities
Mojave Water Agency
Morongo Basin Transit Authority
Morongo Unified School District
San Bernardino Associated Governments (SANBAG)
San Bernardino County Fire Department
San Bernardino County Food Distribution Program
San Bernardino County – meetings
San Bernardino County Registrar of Voters
San Bernardino County Sheriff's Department
San Bernardino County Fire Department
San Bernardino County Superior Court
YV Youth Accountability Board
Yucca Valley Branch Library
Yucca Valley Chamber of Commerce