

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY) RESOLUTION #02-12

A RESOLUTION ESTABLISHING USE CHARGES AND POLICIES FOR CERTAIN COUNTY-OWNED PROPERTIES

WHEREAS, The County owns and operates certain properties it does not continuously occupy, and which are suitable for uses other than official functions of Newberry County Government that are of limited duration; and

WHEREAS, The County desires to lessen the burden on the general taxpaying public caused by the maintenance and operations expenses associated with these properties; and

WHEREAS, The collection of use charges from individuals and entities who use the identified properties for non-governmental, event-type purposes of short duration lessens the County's dependence on property tax revenue as a means of funding maintenance and operations expenses associated with these properties

THEREFORE BE IT RESOLVED that Newberry County establishes the following use charges and policies for the properties listed herein.

1. Cleanup Costs, Deposits, and After-Use Inspections – All Facilities

It is recognized that Newberry County incurs certain cleanup and janitorial costs associated with the use of its properties for non-County purposes, with these costs varying according to such factors as use type and intensity, habits of the facility users, and willingness of the facility users to fulfill their cleanup obligations directly, rather than through monetary payments to the County.

For all facilities, cleanup costs will be assessed against deposits paid in advance by property users at the rate of twenty-five dollars (\$25.00) per hour. Deposit amounts vary by property, as specified herein. Additional deposit amounts may be required where, in the judgment of the County, use purposes or other factors indicate potential cleanup costs are expected to exceed customary levels. All cleanup costs will be billed in increments of twenty-five dollars (\$25.00) per hour.

Facility users will be returned their deposits to the extent that they satisfactorily complete cleanup obligations resulting from their use of the County's property. All or a portion of any cleanup deposit may be withheld by the County to offset its expenses in completing cleanup activities to its satisfaction.

Nothing in this paragraph shall be construed as limiting the County's right to assess additional charges and/or retain users' deposits for damages to property or for excessive cleanup obligations evidenced in after-use inspections conducted by the County.

2. Setup Charges

Pre-event set up activities will be billed at twenty-five dollars (\$25.00) per hour, will be payable in advance, and will be limited to the placement of tables and chairs.

3. Reduced Use Charges for Established Users of Community Hall

In consideration of the fact that certain organizations have longstanding prior affiliations with Community Hall, there is established a reduced use charge of fifty dollars (\$50.00) per use for these organizations in lieu of the charges set forth in paragraph six (6) below. This reduced use charge is limited to customary use of Community Hall for regular meetings scheduled at pre-determined intervals throughout the year (e.g. every other Friday, first and third Tuesdays, etc.). The use charge of fifty dollars (\$50.00) is inclusive of customary setup and cleanup charges. Organizations cited in this section may not extend their privileges to use Community Hall at the reduced charge to any other person(s) or entities. Authorization to use Community Hall at the reduced charge is limited to the organizations identified below.

Established Users of Community Hall

Newberry Rotary Club
Newberry Lions Club
Newberry Touchdown Club
Newberry Chamber of Commerce

4. No Use Charges for Council-recognized Boards with Advisory and Oversight Duties

The organizations listed below, as identified with corresponding properties, are recognized by Council as having advisory and oversight duties pertaining to these properties and may use them without payment of charges for use, setup, and cleanup, for routine purposes related to property oversight or organizational business.

| Advisory/Oversight Bodies | Corresponding County Property |
|--|-------------------------------|
| Newberry County Fairgrounds Commission | Newberry County Fairgrounds |
| Community Hall Commission | Community Hall |
| Involved Citizens of Helena | Helena Community Center |

5. No Use Charges for Approved Education-Oriented Programs

Organizations providing programs oriented to the education of school children, including, but not limited to, the Newberry County 4-H Club and its affiliates, may use the properties cited herein without use charges. Specific provision is

made for the Newberry County 4-H Club and its affiliate groups to use the Newberry County Fairgrounds (buildings and grounds areas) for agricultural-show purposes free of use charges. For all organizations using the properties cited herein under this paragraph, the responsibility for setup and cleanup related to use of the properties may be assumed either through the appropriate provision of efforts by the organizations using the properties, or through payments to the County. Setup and cleanup by the employees of the County will be assessed at twenty-five dollars (\$25.00) per hour. The use of these properties free of use may not be extended to any other person(s) or entities.

6. Regular Use Charges, Setup and Cleanup Charges and Deposits

The charges and deposits set forth in (A.) through (C.) below are payable to Newberry County no less than seventy-two (72) hours in advance of scheduled use, and prior to any setup activity related to the use of the property. Half-day rentals, where applicable, represent use durations of six (6) hours or less. All other uses are considered full-day uses. Use time is inclusive of all access to the property prior to and after the event. Applicable refunds of deposits will be made by the County to the user within ten (10) working days after the use has ceased and the after-use inspection has been completed.

(A.) Newberry County Fairgrounds

(1) Building Use Charges*

| | |
|-----------------------|-------------------|
| Main (front) Building | \$ 250.00 per day |
| Cattle Building | \$ 100.00 per day |
| Concessions Building | \$ 150.00 per day |

(2) Grounds Use Charges*

| | |
|-----------------------|-------------------|
| One-Half Grounds Area | \$ 100.00 per day |
| Complete Grounds Area | \$ 200.00 per day |

(3) Campsite (RVs Only) Charges

| | |
|------------|------------------|
| Each Space | \$ 25.00 per day |
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(4) Vendor Space**

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|-------------|----------------------|
| Each Permit | \$ 25.00 per event** |
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(5) Cleanup Deposits/Charges

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|-----------------------|-----------------------|
| Each Building | \$ 50.00 per building |
| One-Half Grounds Area | \$ 75.00 |
| Complete Grounds Area | \$ 125.00 |

***Includes grounds area sufficient to accommodate customary business parking. Use of grounds for outside vending and other purposes related to temporary structures or outside business stations/operations requires payment of grounds area use charges.**

****Principal applicant for use of the Fairgrounds property must provide a complete listing of all vendors and is responsible for the payment of vendor permit fees. Vendor fees issued prior to any event remain in effect for the entire event, whether events constitute single or multiple days.**

(B.) Community Hall

(1) Building Use Charges

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|------------------|--|
| Hall and Kitchen | \$275.00 per half day \$350.00 per full day |
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(2) Deposits

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|------------------|----------|
| Hall and Kitchen | \$125.00 |
|------------------|----------|

| | |
|-----------------|----------|
| China (deposit) | \$150.00 |
|-----------------|----------|

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|---------------------------|---|
| (3) Linens (cleaning fee) | <u>\$15.00</u> per table cloth <u>\$ 4.00</u> per napkin |
|---------------------------|---|

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|-----------------|-----------------|
| (4) China (use) | \$75.00 per use |
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(C.) Helena Community Center

(1) Building Charges

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|--------------------------|--|
| Meeting Room and Kitchen | \$125.00 per half day \$200.00 per full day |
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(2) Setup & Cleanup Deposits/Charges

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|--------------------------|----------|
| Meeting Room and Kitchen | \$ 75.00 |
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7. Access to Properties and Use Restrictions

Access to the properties identified herein will remain under the control of the County at all times, with all provisions for access being determined by the County. All applicable use charges and deposits must be paid prior to access to the property by the user.

8. Restrictions on the Use of Identified Properties

- (A.) The person making application for use of the property must remain on the property for the duration of the event.
- (B.) The person making application for use of the property must execute a waiver document provided by the County at the time of application.
- (C.) Meetings and other events are subject to applicable federal, state, county, and municipal laws and regulations.
- (D.) The fairgrounds is the only County facility that users may be allowed to charge admission and users shall disclose to the county the amount they intend to charge to enter the event.
- (E.) The consumption and possession of alcoholic beverages at or on the properties cited herein must be pre-approved. The consumption and possession of alcoholic beverages is limited to wine and beer at Newberry County Fairgrounds and Community Hall. The consumption and possession of alcoholic beverages is prohibited at the Helena Community Center. The requirement of pre-approval from Newberry County to consume and possess alcoholic beverages, as described herein, is a requirement *in addition to* compliance with all federal, state, county, and municipal laws and regulations pertaining to the consumption and possession of alcoholic beverages.
- (F.) Hours of operation for the identified properties are from 7:00 a.m. until midnight, except at Helena Community Center, hours of operation shall be 7:00 a.m. until 9:00 p.m., unless specifically extended by special permit from County administration. Users must report any damages to County property and/or equipment occurring during or in connection with usage of properties.
- (G.) Persons under the age of eighteen (18) must be accompanied by at least one adult over the age of eighteen (18) for every fifteen (15) persons under the age of eighteen (18).
- (H.) The exchange, sale, solicitation, or promotion of goods and services, other than for charitable purposes, is prohibited, unless permitted under paragraph six (6), subparagraph (A.)(4).
- (I.) Users may neither claim nor imply endorsement of their event, organization, or purpose by Newberry County.
- (J.) Event publicity should not include Newberry County Government phone numbers or any other reference.
- (K.) All applicable use charges and deposits must be paid prior to access to the property by user.

- (L.) Users violating the restrictions cited herein may, in the sole discretion of the County, be disqualified from the future use of County-owned properties.

9. Contact and Scheduling

All uses of the properties cited herein will be scheduled through property management and procurement director in the county administration offices at 1309 College Street, Newberry, Courthouse Annex (803 321-2100)

10. Right to Refuse Application to Use Identified Properties

Newberry County reserves the right to refuse any application to use the properties identified herein for purposes that, in the County's sole discretion, threatens the repair, condition, preservation, or integrity of such properties. Newberry County also reserves the right to refuse any application to use the properties identified herein where the applicant is in arrears for use charges or damage claims related to the prior use of County-owned property.

ADOPTED by Newberry County Council this 3rd day of March 2012, in meeting duly assembled at Newberry South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

BY: Henry H. Livingston III
Henry H. Livingston, III, Chairman

Attest:
Laurie N. Renwick
Laurie N. Renwick, Clerk to Council