



## Takoma Park City Council Meeting – March 6, 2024 Agenda Item 3

### **Work Session**

Review of Revised Administrative Regulation on Use of Certain Public Facilities

### **Recommended Council Action**

Review and recommend changes to the draft regulation.

### **Context with Key Issues**

In 2011, the City established reservation procedures and requirements, fees, rules and guidelines for the use of certain public facilities in accordance with Takoma Park Code Chapter 14.20 Public Space and Public Buildings. The regulation contains language that the document will be reviewed by the City Manager, or designee, on an annual basis and any modifications will be adopted pursuant to the procedure set forth in Chapter 2.12 (Administrative Regulation) of the Takoma Park City Code.

City staff have communicated with several recreation departments (local and national) to discuss industry best practices and to gain input on the City's rental guidelines. Local jurisdictions contacted include City of Rockville, Gaithersburg, Montgomery Parks, City of Baltimore and The Maryland-National Capital Park and Planning Commission. In addition, input was received from several internal partners to include the City's Public Works Department, City Clerk, Housing and Community Development, and City Administration. The current regulation was established in 2011 and has not been adjusted since. This current document brings fees in line with our current structure and adds provisions for larger functions such as gatherings for teens and adults.

Staff is seeking Council's input on several items, highlighted with blue text, in the draft revised regulation which include guidance on the number of free rentals for recognized community groups, and guidance on higher security deposits for groups of 30 or more at Heffner Park and the Takoma Park Recreation Center.

After Council discussion, the draft regulation will be posted on the website and notice of the opportunity to comment will be published in the Takoma Park Newsletter. After the public comment period and staff review of comments, the regulation will be finalized. Notice of final action will be published in the Newsletter. No formal action by the City Council is required. However, the Council does have the authority to accept, modify or withdraw the regulation. If the Council does nothing, the regulation will become effective on July 1, 2024. The regulation will supersede the 2011 regulation.

### **Council Priority**

Engaged, Responsive & Service-oriented Government; Advancing a Community of Belonging

### **Environmental Considerations**

None

**Fiscal Considerations**

The Administrative Regulation sets the rates for pavilion, field and facility rentals throughout the City. Eligible spaces can be rented by residents, non-residents, community groups, and City partners.

**Racial Equity Considerations**

Regular critical evaluation of municipal regulations and processes and their consistent application is integral in reversing historic institutional racism and bias.

**Attachments and Links**

- Draft Revised Administrative Regulation on Use of Certain Public Facilities

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## **Purpose**

To establish reservation procedures and requirements, fees, rules and guidelines for the use of certain public facilities in accordance with *Takoma Park Code Title 14, Health and Safety, Chapter 14.20 Public Space and Public Buildings*.

## **Review**

These regulations will be reviewed by the City Manager or their designee periodically and any modifications will be adopted pursuant to the procedure set forth in Chapter 2.12 (Administrative Regulations) of the Takoma Park City Code.

Upon request of the Mayor and City Council, all comments received during the public comment period will be submitted to the City Council for consideration prior to their finalization and adoption.

## **Applicability**

This regulation governs use of the following public facilities.

### Buildings

Takoma Park Community Center / Sam Abbott Citizens' Center (7500 Maple Avenue)  
Takoma Park Recreation Center (7315 New Hampshire Avenue)  
Heffner Community Center (42 Oswego Avenue)

### Parks

Belle Ziegler Park (Takoma Avenue and Albany Avenue)  
Forest Park (Prince George's Avenue and Elm Avenue)  
Heffner Park (42 Oswego Avenue)  
Spring Park (Poplar Avenue and Elm Avenue)

### Fields

Ed Wilhelm Field (Darwin Avenue)  
Lee Jordan Field (Piney Branch Road / Takoma Park Middle School)

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### **Programming Priorities**

Requests for the use of public facilities will be processed on a first come basis within the following priorities.

First Tier: Official City Meetings, City Elections, and Emergency Management Operations

Examples include, but are not limited to, City Council meetings, public hearings, meetings called by the City Council, regularly scheduled meetings of Council appointed Boards, Commissions and Committees, and City elections. During emergencies, use of all public facilities may be redirected to emergency operations at the direction of the City Manager.

Second Tier: City Managed Programming

Examples include, but are not limited to, youth and adult programming offered by the Recreation Department; recreational events organized by the Recreation Committee; cultural events organized by the Arts and Humanities Commission or the Library; informational sessions, seminars and other trainings organized by the City; and town hall meetings of broad public interest held by elected officials or public entities such as the Montgomery County Council, Maryland National Capital Park and Planning Commission (MNCPPC), and the State Highway Administration (SHA).

Third Tier: Community Groups and Rentals

Examples include, but are not limited to, activities organized by individuals or groups, nonprofit organizations, for profit entities or community groups recognized in accordance with the standards set forth in Exhibit C for purposes of education, entertainment, fundraising, celebrations, family events, commerce, political campaigns, or worship.

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**Use of Public Facilities**

Hours of Operation: The use of all public facilities is limited to established hours of operations. Requests for reservations outside of established hours of operation may be approved on a case by case basis by the City Manager or their designee.

Hours of operation will be established by the City Manager or their designee on an annual basis. Schedules for all public facilities will be published on or about July 1 of each year and may be adjusted more frequently to reflect increases or decreases in the cost of operating and/or maintaining the facility. The current schedule is included as Exhibit A and **can be found on City website: [takomaparkmd.gov](http://takomaparkmd.gov)**

The Takoma Park Community Center / Sam Abbott Citizens’ Center, Takoma Park Recreation Center and Heffner Community Center will be closed on the following holidays and holiday weekends: New Year’s Eve, New Year’s Day, Martin Luther King Day Weekend, Presidents Day Weekend, Memorial Day Weekend, **Juneteenth Weekend**, Independence Day, Labor Day, Veterans Day, Thanksgiving weekend, Christmas Eve and Christmas Day.

Facility Capacity: Capacity limits of each facility cannot be exceeded. The City reserves the right to change a reservation in the event another facility is determined to be a more appropriate venue.

**These capacities are without tables and chairs, maximum will be less if tables and chairs are needed.**

Takoma Park Community Center / Sam Abbott Citizens Center	
Multi-Purpose Rooms:	Lilac Room (max 25) and Azalea Room (max 66)
Meeting Room:	Rose Room (max 17)
Conference Room:	Hydrangea Room (max 29)
Special Purpose Room:	Auditorium (max 170)
Takoma Park Recreation Center	
Gymnasium:	Full (max 294) and <b>Half Gym (max 147)</b>
Meeting Room:	Front Room (max 30) and Back Room (max 40)
Heffner Community Center	Community Center (max 50)
Parks and Fields	Park <b>Pavilions</b> (reviewed on a case by case basis) Parks and Fields (reviewed on a case by case basis)

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Use of Gymnasium: Use of the Takoma Park Recreation Center Gymnasium is limited to City sponsored recreational programs and events, athletic programs, contractor classes, health fairs, elections and special events approved on a case by case basis by the City Manager or their designee.

Use of Auditorium: Use of the Takoma Park Community Center Auditorium for third tier programming is limited to meetings with anticipated audiences of 50 or more, film screenings, live cultural performances and rehearsals, trainings, workshops or informational presentations with AV or broadcasting needs, and special events approved on a case by case basis by the City Manager or their designee. **Audio visual equipment in the auditorium can only be operated by City TV staff and comes at an additional cost.**

**Use of Heffner Park Community Center: Due to parking limitations, we suggest that the use of Heffner Park Community Center be limited to small gatherings, meetings, classes and rehearsals. Larger gatherings can take place at other City facilities.**

Use of Common Areas and Storage: Use of common areas is not included in the reservation and is not permitted. Auditorium reservations include the use of the Atrium lobby for no additional cost for the collection of admission fees, sale of merchandise, and small receptions. The reservation does not include overnight or long term storage and all materials and supplies of the Permit Holder must be removed from the facility at the end of each reservation period.

**Reservation Procedures**

Reservation Process: **Reservation requests may be submitted online or in person. Requests will be reviewed by staff with final approval by the City Manager or their designee.** The request will be processed and a space reserved for the specified date and time upon receipt of the required security deposit, rental fee and execution of a rental agreement. Written confirmation of the reservation will be issued to the individual or entity (the “Permit Holder”), authorizing the use of the facility under the terms and conditions set forth herein.

Reservations will be accepted on a first come – first served basis.

Advance Reservations: Advance reservations for third tier programming are encouraged, though, with the exception of the Auditorium, public facilities may not be reserved more than three months in advance. Requests for reservations for first and second tier programming will be accepted one year in advance.

Reservation Period: The facility must be reserved allowing adequate time for set-up and breakdown of the scheduled event. The facility must be vacated within the time allocated on the permit.

Cancellation by Permit Holder: In the event of a cancellation, the City is to be notified **in writing to recreation@takomaparkmd.gov or a letter to our office, 7500 Maple Ave** by the Permit Holder at least seven **business** days prior to the scheduled event. A cancellation fee **of \$25.00** will be assessed to the

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Permit Holder. **Failure to provide adequate notice of cancellation will result in the forfeiture of the security deposit and or rental fee.**

Cancellation by City: City reserves the right to cancel all reservations. Every effort will be made to provide as much advance notice as possible in the event the building is closed. A full refund will be given if the event cannot be rescheduled.

Termination of Reservations / Revocation of Rental Access: The City reserves the right to terminate a reservation at any time without written notice to the Permit Holder for cause or to deny future access to any facility. Violation of the terms or conditions of these regulations will be cause for immediate revocation of the reservation, loss of privileges, and forfeiture of any fees paid.

### **Rental Fees, Security Deposits and Payment**

Rental Fee: Rental fees will be established by the City Manager on an annual basis. Fee schedules will be published on or about July 1 of each year and may be adjusted more frequently to reflect increases or decreases in the cost of operating and/or maintaining the facility. **The Fee schedule can be found on the City website.** The current fee schedule is included as Exhibit B.

**Recognized community groups are eligible to receive five free rentals per calendar year.** A rental fee equal to the Resident Fee (Exhibit B - Fee Schedule) will be assessed for all reservations in excess of **five** reservations per calendar year. Facilities to be provided at no cost are limited to specific meeting rooms, conference rooms, multi-purpose rooms and the Heffner Community Center. Eligibility criteria are detailed in Exhibit C.

There is no rental fee for first and second tier programming offered by the City or conducted by outside governmental entities.

Staffing Fee: For events and activities held outside of normal business hours **or at the discretion of the City Manager or their designee,** an additional fee may be assessed to cover staffing costs.

Maintenance Fee: Additional fees may be assessed at the discretion of the City Manager or their designee for extraordinary maintenance services.

Security Fees: An additional fee may be assessed at the discretion of the City Manager or their designee for required security measures provided by the City of Takoma Park's Police Department.

Multi-Media Fee: An additional fee may be assessed for use of presentation and audio-visual equipment provided and operated by the City.

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Recording Fee: A fee may be assessed at the discretion of the City Manager or their designee for the recording, editing and production of third tier programming.

Security Deposit: A security deposit **may** be assessed for rentals. Deposits will be refunded for cancellations received at least seven working days in advance of the scheduled event. **Certain events may require a higher security deposit.**

Failure to vacate the facility within the reservation period or to leave the facility clean and neat will result in forfeiture of all or part of the deposit to cover any additional rental time, maintenance expense, repair costs, unscheduled staffing or security measures. Users may be billed for the cost of any repairs, maintenance, staffing or security in excess of the security deposit.

Deposits are refundable after inspection of the facility and grounds. **Refunds are processed within 30 days of the event date.**

Interest is not paid on deposits.

Insurance: **The Permit Holder assumes all liability for activity related to their use of the facility. A Certificate of Insurance naming the City as additional insured may be required. Limits and type of insurance will be determined by the City.**

Payment: All rental fees and required security deposit payments for all multi-purpose, meeting and conference rooms, the gymnasium and Heffner Community Center are due in full at the time of reservation. Security deposit must be paid in full at the time of the reservation of the Auditorium and all rental fees are due in full seven business days prior to the scheduled reservation period. Failure to pay in full all rental fees within seven business days of the reservation will result in the cancellation of the reservation. An additional processing fee will be assessed for all credit card payments.

Fee Waivers: Fees assessed to recognized community groups that have exceeded their free rental limit or that wish to use the Auditorium may be waived if approved by Resolution of the City Council.

### **Admission Fees, Donations and Sale of Merchandise**

Admission fees may be charged for events organized and hosted by individuals, groups, nonprofit organizations and for profit entities in the Auditorium only.

An admission fee may not be charged for events for which no rental fee was charged. Donations may be solicited but cannot be a condition of admission to the event.

The sale of merchandise such as CD's, DVD's, books, artwork and other items is permitted when offered in conjunction with a scheduled event.



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The City assumes no responsibility for the collection or safeguarding of admission fees, donations or sales proceeds.

### **Food and Beverages**

The preparation, consumption or distribution of food or beverages is not permitted in the following public facilities: Auditorium, Rose Room and Hydrangea Room.

All food and beverages, containers and utensils must be removed from the facility at the end of the reservation period with all debris bagged and deposited in the dumpsters located on the building grounds. Recyclable materials must be sorted and deposited in the appropriate containers. The use of polystyrene is strictly prohibited. We recommend the use of reusable or compostable flatware and cups.

### **Alcoholic Beverages**

The sale or consumption of alcoholic beverages is not permitted in any facility. The prohibition on the sale or distribution of alcoholic beverages may be waived at the discretion of the City Manager or their designee. Waivers are limited in nature and if approved apply only to the sale and/or distribution of wine and beer at cultural and fundraising events held in the Auditorium on Friday, Saturday and Sunday evenings.

If a waiver is granted, the Permit Holder must secure a Class C One Day Special License from the Montgomery County Department of Liquor Control for the event. A copy of the completed Application form and the alcohol plan, if required for the License, must be provided to the City. The Permit holder may be required to secure the services of a licensed (and bonded) caterer, approved by the City.

All wine and beer containers must be removed from the premises at the end of the reservation period.

The City assumes no legal or financial responsibility or liability for the storage, sale or distribution of any food or beverages offered by the Permit Holder.

### **General Responsibilities of the User**

In addition to being required to comply with the City's Use of Public Facility Regulations, the Permit Holder is responsible for ensuring that:

- The event does not exceed capacity limits for the reserved facility or extend beyond the reservation period.

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- An adult is present and responsible at all times. All child and youth activities must be supervised by an appropriate number of adults (**no less than 1 to 10 ratio**).
- All participants comply with the Takoma Park Recreation Department's Code of Conduct (can be found on the City Website).
- Required supplies such as paper goods, serving utensils, table cloths, art supplies, batteries, and ice, have been obtained and transported to the facility as they are not included in the rental fee nor will they be provided by the City.
- Furniture is not moved from one room to another unless authorized by the City. If the use of additional furniture is approved, all furniture must be returned to its original location prior to vacating the facility.
- Noise levels are kept within reasonable standards and do not disturb the peaceful enjoyment of the facility by others. Noise levels in the Auditorium may not exceed 85 decibels.
- No illegal drugs or unauthorized alcohol are used or consumed in the facility or the grounds. Smoking is not permitted in any public facility.
- All posters, decorations and directional signage are removed from the facility and the grounds. No nails, tacks, screws, glue or similar means of securing any material or signage to any surface in the facility or the building may be used to display materials. Removable painters tape is the only permitted adhesive that can be used at City facilities.
- The facility is left in a clean and neat condition and that all items brought to the facility are removed and all foods, trash, and debris are recycled or discarded in the appropriate containers.
- The activities of the Permit Holder do not create a hazardous environment as determined by the City or other governmental agency. Prohibited activities include, but are not limited to, open flame, blocked hallways, and hazardous chemicals or other materials.
- All posted park rules and regulations are followed.
- Only sports and game equipment authorized by the City are used during the scheduled activity or event. **Stage, moon bounces and other similar equipment must be approved in advance and only used in locations designated by the City.**
- Participants park in designated, authorized, or available on street parking areas that do not block driveways or the roadway. Double parking is not permitted under any condition.

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### **Authorized Representative**

The Permit Holder is assumed to be the authorized representative of the organization or entity reserving the facility. As the authorized representative, the Permit Holder is responsible for ensuring that the organization or group complies with the terms and conditions set forth in the rental agreement and in this regulation.

**EXHIBIT A**  
**HOURS OF OPERATION (Effective Date)**

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The use of all public facilities is limited to the following hours of operation. Requests for reservations outside of normal hours of operation may be approved on a case by case basis by the City Manager or their designee. **Setup and cleanup times are subject to the hourly rental cost and must be included in the contract.**

Takoma Park Community Center / Sam Abbott Citizens' Center

Monday through Friday: **9 a.m. to 9 p.m.**

Saturday: **10:30 a.m. to 5:30 p.m.**

Sunday: **12:30 to 4:30 p.m.**

The Auditorium may be reserved outside of normal business hours though events must be ended and the building vacated by 11 p.m. Monday through Thursday and Midnight on Friday through Sunday.

Takoma Park Recreation Center

Monday through Friday: 2:30 p.m. to **8:30 p.m.**

Saturday: **9 a.m. to 4:30 p.m.**

Sunday: Closed

Heffner Park Community Center

Monday through **Saturday: 9 a.m. to 9 p.m.**

**Sunday: 10 a.m. to 8 p.m.**

Parks and Fields

Monday through Sunday: Sunrise to Sunset .

Hours may be extended for certain official public functions

The Takoma Park Community Center / Sam Abbott Citizens' Center, Takoma Park Recreation Center and Heffner Community Center will be closed on the following holidays and holiday weekends: New Year's Eve, New Year's Day, Martin Luther King Day Weekend, Presidents Day Weekend, Memorial Day Weekend, **Juneteenth Weekend**, Independence Day, Labor Day, Veterans Day, Thanksgiving weekend, Christmas Eve and Christmas Day.

**EXHIBIT B**  
**FEE SCHEDULE** (Effective March 22, 2010)

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**Rental Fee / Security Deposit:**

Takoma Park Community Center

Lilac Room Resident: **\$35** per hour (a)  
 Non-Resident: **\$60** per hour  
**Business:** **\$80** per hour  
 Security Deposit: **\$50**

Azalea Room Resident: **\$45** per hour (a)  
 Non-Resident: **\$70** per hour  
**Business:** **\$90** per hour  
 Security Deposit: **\$50**

Rose Room Resident: **\$35** per hour (a)  
 Non-Resident: **\$60** per hour  
**Business:** **\$80** per hour  
 Security Deposit: **\$50**

Hydrangea Room Resident: **\$35** per hour (a)  
 Non-Resident: **\$60** per hour  
**Business:** **\$80** per hour  
 Security Deposit: **\$50**

Auditorium For profit entities and private rentals:  
**\$220** per hour with a minimum rental of four hours (b)  
 10% discount for scheduled series with 5 to 8 rentals  
 20% discount for scheduled series with 9 to 12 rentals  
 30% discount for scheduled series with 13 or more rentals  
**\$55** per hour rehearsal fee

Nonprofit 501c3 organizations and recognized community groups (Exhibit C):  
**\$150** per hour with a minimum rental of four hours (b)  
 10% discount for scheduled series with 5 to 8 rentals  
 20% discount for scheduled series with 9 to 12 rentals  
 30% discount for scheduled series with 13 or more rentals  
**\$55** per hour rehearsal fee

**Staffing Fee:** Security Deposit: One Hour Rental Fee  
 \$30 per hour fee for staffing outside of normal hours of operation (per staff).

Fee for maintenance or required security to be determined on a case by case basis.

**Multi-Media Fee:** \$50 per hour fee for specialized AV services (per staff).

Heffner Park Community Center

Resident:	\$45 per hour (a)
Non-Resident:	\$70 per hour
Commercial:	\$90 per hour
Security Deposit:	\$50
Security Deposit:	\$150 for groups of 30 or more

Takoma Park Recreation Center

Gymnasium	<b>Resident:</b>	\$50 per hour (a)
	<b>Non-Resident:</b>	\$75 per hour
	<b>Business:</b>	\$95 per hour
	Security Deposit:	\$50
	Security Deposit:	\$150 for groups of 30 or more

Meeting Room (Front)	<b>Resident:</b>	\$35 per hour (a)
	<b>Non-Resident:</b>	\$60 per hour
	<b>Business:</b>	\$80 per hour
	Security Deposit:	\$50

Meeting Room (Back)	<b>Resident:</b>	\$35 per hour (a)
	<b>Non-Resident:</b>	\$60 per hour
	<b>Business:</b>	\$80 per hour
	Security Deposit:	\$50

Parks and Fields

Pavilion	Resident:	\$105 per day (a)
	Non-Resident:	\$125 per day
	Security Deposit:	\$50

Field	Resident:	\$40 per hour (a)
	Non-Resident:	\$55 per hour
	Security Deposit:	\$150

**The City may require insurance in lieu of a deposit for certain events.**

- (a) Proof of Residency must be provided by Permit Holder
- (b) Minimum four hour rental requirement may be waived at the discretion of the City Manager or their designee.
- (c) Business rate applies to all organizations, nonprofits, and for-profit entities

## EXHIBIT C RECOGNIZED COMMUNITY GROUPS

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**Community groups are eligible to receive five free rentals per calendar year.** Rental facilities are limited to the Heffner Community Center and the meeting rooms, conference rooms and multi-purpose rooms located in the Takoma Park Community Center – Sam Abbott Citizens’ Center and the Takoma Park Recreation Center. Rental fees equal to the Takoma Park Resident fee will be assessed for reservations in excess of **five** per calendar year. To receive the free room rentals, the group must meet one of the following criteria:

- A recognized neighborhood, tenant, or condominium association on file with the Office of the City Clerk.
- A non-profit organization (501c3) **or an association** whose membership is **at least 75 percent** Takoma Park residents. The organization’s mission must directly benefit the City of Takoma Park or Takoma Park residents. To be determined eligible under this **category**, an **association** is required to provide a membership roster, **including names and home addresses**, as well as a statement listing activities undertaken by the organization during the previous twelve months that benefited the City of Takoma Park or Takoma Park residents. **If a new organization, the organization should provide a statement listing activities planned for the upcoming year.**
- Organizations to which the City provides financial support or with whom the City co-sponsors events/programs, such as the Takoma Park Folk Festival Committee and the Takoma Park Independence Day Committee.
- Organizations that have provided financial support to the City or provide a direct public service to the Takoma Park community, such as Friends of the Library, the Takoma Horticulture Club, the Takoma Foundation, and the **Takoma Park Community Band**.
- Youth-oriented organizations with partnership arrangements with the City, such as Takoma Park Youth Soccer, Takoma Park Silver Spring Youth Baseball and Softball League, and Takoma Park Boys and Girls Club.
- **Scouting organizations, 4-H Club, and similar youth organizations whose membership is at least 75 percent Takoma Park residents. Member rosters showing name and home address must be provided.**

A group which believes that it meets the aforementioned criteria should request the free room rentals by submitting a written request to the City Manager or their designee, including any required supporting documentation. Groups meeting the aforementioned criteria that require more than **five** room rentals during a year may reserve space in accordance with the fee schedule included herein as Exhibit B.

**Organizations providing member rosters to prove eligibility must be recertified annually.**