

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2015-659**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING AN AMENDED POLICY FOR
NON-PROFIT USE OF CITY FACILITIES.**

WHEREAS, the City of Sammamish maintains and operates a number of public facilities;
and

WHEREAS, these public facilities are available for private rental use; and

WHEREAS, the City of Sammamish desires to make public facilities available at a discount
for services that benefit the residents of the City of Sammamish; and

WHEREAS, the City of Sammamish desires to support local non-profit organizations; and

WHEREAS, the City of Sammamish Municipal Code, Chapter 7.12 provides general
guidelines for public facility use; and

WHEREAS, a previous policy governing non-profit use of City facilities was approved by
Resolution 2007-309 and amended by Resolution 2015-630; and

WHEREAS, the City of Sammamish now desires to update the previously adopted policy.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Policy on Non-Profit Use of City Facilities, Adopted. The City Council hereby
adopts the amended policy for non-profit use of City facilities, attached hereto as Exhibit "A" and
incorporated herein by reference.

Section 2. Effective Date. The effective date of this Policy shall be January 1, 2016.

**PASSED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE
8th DAY OF DECEMBER, 2015.**

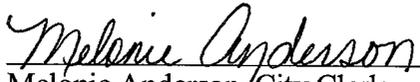
CITY OF SAMMAMISH

APPROVED



Mayor Thomas E. Vance

ATTEST/AUTHENTICATED:



Melonie Anderson, City Clerk

Approved as to form:



Michael R. Kenyon, City Attorney

Filed with the City Clerk: December 4, 2015

Passed by the City Council: December 8, 2015

Resolution No.: R2015-659



CITY OF SAMMAMISH POLICIES AND PROCEDURES

Subject: NON-PROFIT USE OF CITY FACILITIES			Department: PARKS
			Number: 076.01.06
Effective Date: 01/01/16	Supersedes: R2015-630	Approved By: City Council	Date: 12/08/15

1.0 PURPOSE

To establish a process by which non-profit organizations are provided complimentary or discounted rental use of public facilities.

2.0 DEFINITIONS

Applicant: Refers to individuals or groups reserving a facility and completing a facility usage/rental application.

Beaver Lake Lodge: The log cabin located at 25101 SE 24th Street in Beaver Lake Park.

Beaver Lake Pavilion: The open air, wood structure located in Beaver Lake Park between the Lodge and the lake.

Business Hours: 8:30 AM to 5 PM, Monday through Friday, except holidays.

City Hall: Building located at Sammamish Commons at 801 - 228th Avenue SE.

City Co-Sponsored: City provides funding or in-kind services in the support of a program, activity, special event or meeting.

City Sponsored: City funded, operated and managed programs, activities, special events or meetings.

Civic: Of or relating to the business of the City of Sammamish and other government agencies.

Commercial: Individuals, groups or businesses engaged in profit making activities that charge admissions, fees for services, sell tickets, food or other items, solicit funds or donations, offer other money-making activities or promote a commercial business.

Dusk: The time that is thirty (30) minutes after sunset. At this time and under good weather conditions, there is enough light for objects to be clearly distinguishable. Outdoor activities without artificial illumination should end at this time. A civil twilight schedule will be used to establish this time of day throughout the year.

Facilities: City-owned and operated buildings, picnic shelters and athletic fields.

Long-Term Rentals: Rentals that book a consistent day and time for three (3) or more consecutive months.

Non-Profit: Refers to an organization whose principal purpose is public service and is recognized as a 501(c) organization under the Internal Revenue Code.

Resident: Individuals whose primary residential or business address is within the City limits of the City of Sammamish.

Special Events: Activities that typically have more than fifty (50) attendees and involve entertainment, catering, major space setup or reconfiguration and/or use of rental equipment. Activities of this nature typically impact the use of adjacent spaces and parking areas.

3.1 POLICY

All non-profit facility reservations are to be in accordance with the following policies:

3.2 Eligibility for Non-Profit Facility Use

Non-profit organizations are eligible for complimentary or discounted rental use at designated City facilities.

3.3 Non-Profit Facility Usage Restrictions

- A. Reservations approved for a non-profit discount or fee waiver shall be open to all City of Sammamish residents or a meeting of non-profit staff, volunteers and/or members. This requirement does not apply to picnic shelter reservations.
- B. The following facility uses are not eligible for non-profit discounts or fee waivers:
 - i. Special Events
 - ii. Personal or social occasions (*e.g.*, holiday parties, retirement parties, birthday parties, etc.)
 - iii. Commercial or profit-making activities.

- iv. Political Activities (e.g., campaign purposes, fundraising events, etc.); however, open candidate forums are allowed consistent with RCW 42.17A.555(3).

3.4 Non-Profit Facility Usage Rental Fees

- A. Qualified organizations as established in Section 3.01 are eligible for up to four (4) hours of complimentary facility rental use per month at City Hall and the Beaver Lake Lodge.
- B. Qualified organizations as established in Section 3.01 and youth sports teams located within the City limits of the City of Sammamish receive a fifty percent (50%) discount on picnic shelter rentals.
- C. Hourly Facility Monitor fees may apply for evening and weekend rentals at City Hall and the Beaver Lake Lodge.
- D. Organizations that reserve facilities in excess of four (4) hours per month shall pay for the additional rental time according to the rental fee schedule approved by the City Council. A copy of the current fee schedule is available at City Hall and on the City’s website.

3.5 Designated Facilities

- A. Non-profit facility rental use is available at the following facilities and according to the schedules provided:

- i. Beaver Lake Lodge

Monday – Thursday	8 AM – 10 PM
Friday	8 AM – 4 PM
- ii. Beaver Lake Pavilion

Monday – Thursday	8 AM – Dusk
Friday	8 AM – 4 PM
- iii. City Hall - Council Chambers

Friday	5 PM – 10 PM
Saturday	8 AM – 4 PM
Sunday	8 AM – 4 PM
- iv. City Hall - Executive Briefing Room

Friday	5 PM – 10 PM
Saturday	8 AM – 4 PM
Sunday	8 AM – 10 PM
- v. Picnic Shelters (During the Shelter Season)

Monday – Sunday	9 AM - Dusk
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3.6 Right of Refusal

The City reserves the right to limit or deny rental of City facilities due to staff availability, incompatibility of the rental request with the City's facilities, or for other similar reasons.

3.7 Non-Discrimination

The City does not discriminate on the basis of race, creed, color, national origin, religion, gender, marital status, age, sexual orientation, political affiliation, or sensory, mental or physical disability or any other unlawful basis. Any persons or group using City facilities must follow the same non-discriminatory policy.

3.8 Facility Usage Priority

City programs, activities, special events and meetings take precedence over all other facility usage requests. City sponsored or co-sponsored programs, activities, special events and meetings and organizations that have a contractual relationship with the City take precedence over non-City sponsored or non-City co-sponsored events. The same priority structure applies to facility resources, including tables, chairs and other equipment.

3.9 Non-Endorsement

Permission to use City facilities does not constitute an endorsement of an Applicant's philosophies, policies, beliefs, mission or purpose.

3.10 Liability

- A. The Applicant agrees to defend, indemnify and hold the City, its elected officials, officers, employees, agents, and volunteers harmless from any and all claims, demands, losses, actions and liabilities, including costs or attorney's fees, to or by any and all persons or entities, including, without limitation, their respective agents, licensees, or representatives, arising from, resulting from or connected with the Applicant's use of the facility or by the Applicant's breach of the rental agreement, except for such injury or damage as shall have been occasioned by the sole negligence of the City.
- B. The City is not responsible for the loss, theft or damage to the Applicant's property.

3.11 Security

The City reserves the right to require and establish ratios of security personnel and/or adult supervision to monitor the safety and welfare of the attendees of any function at City facilities at the Applicant's expense.

3.12 Special Conditions

The City reserves the right to add requirements or restrictions, including but not limited to the payment of an additional damage deposit as a condition of the rental.

3.13 Cancellation

- A. The City reserves the right to close a facility or cancel a rental at any time due to an emergency, severe weather, situations that may result in facility damage or personal injury or for any other reason deemed necessary by the Parks and Recreation Director or his/her designee.
- B. A full refund will be issued for City-initiated cancellations.

3.14 Policy Violation

Violation of these policies may result in the immediate termination of the rental agreement with or without a refund.

3.15 Policy Interpretation

The City Manager or his/her designee shall make any necessary interpretations of this policy, and such interpretations shall be final and binding.

4.1 PROCEDURE

4.2 Non-Profit Facility Reservations a

- A. Requests for non-profit facility use may be made in accordance to the timelines provided in the governing policies for each facility.
- B. A minimum of fourteen (14) days advance notice is required for all non-profit reservation requests. Requests received with less notice than previously specified may not be accommodated.
- C. Organizations applying for a non-profit facility rental fee waiver or discount shall provide a completed facility rental application listing the name of the qualifying non-profit at the time of application.
- D. Requests for non-profit rental fee waivers or discounts are processed by the Parks and Recreation Department, located at City Hall.
- E. An application for non-profit facility usage must be made by a person eighteen (18) years of age or older. The Applicant must be on site for the entire duration of the rental.
- F. The City does not “hold” rental dates. Reservations are confirmed and the rental date and time are secured after the non-profit rental application has been approved and fifty percent (50%) of the rental fees (if applicable) have been paid.
- G. All non-profit reservation requests are subject to review and approval by the Parks and Recreation Director or his/her designee.

4.3 Payment for Non-Profit Facility Usage

If applicable, payment is due in accordance to the governing policies for each of facility.

4.4 Damage Deposits

- A. Damage deposits may be required for non-profit reservations as determined by the Parks and Recreation Director or his/her designee.

- B. Damage deposits are fully refundable provided the following conditions are met:
 - i. The rented facility is left in a clean and orderly manner.
 - ii. The carpet/flooring was not stained or damaged as a result of the rental.
 - iii. The facility was not damaged as a result of the rental.
 - iv. Use of the facility did not exceed the scheduled reservation time.
 - v. All facility equipment is accounted for and not damaged or broken.
 - vi. Additional staff time was not required as part of the rental.
 - vii. All rules/guidelines governing rental use of the facilities were met.

- C. If all conditions are met to the satisfaction of the City, a refund will be processed within six (6) weeks of the rental date. If the conditions are not met to the satisfaction of the City, an appropriate fee will be deducted from the damage deposit. If necessary, rental groups will be charged to cover any additional costs incurred by the City as a result of the rental.

- D. Appeals regarding the decision to withhold all or a portion of a damage deposit shall be directed to the Parks and Recreation Director or his/her designee.

4.5 Rental Date and Time Changes

All facility rental date and time change requests are subject to staff and facility availability and are subject to approval by the Parks and Recreation Director or his/her designee.

4.6 Insurance Requirements

- A. Liability insurance naming the City of Sammamish as an additional insured is required when any of the following apply:

- i. Alcohol will be served;
- ii. The event is open to the public;
- iii. Admission fees will be collected for the event or fees collected for anything provided during the event (*e.g.* fees for goods, food, dues, etc.);
- iv. Law enforcement or security will be required; and/or
- v. For other reasons as deemed necessary by the Parks and Recreation Director or his/her designee.

- B. Applicants required to obtain insurance shall provide proof of Commercial General Liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence, two million dollars (\$2,000,000) general aggregate. Such insurance shall be primary over any coverage held by the City and shall name the City as an additional insured.

- C. One (1) month prior to the facility rental, the Applicant shall submit a copy of the insurance policy declaration page to the City as evidence of acceptable insurance coverage. The following items shall be included on the certificate of insurance:

- i. Location of activity;
- ii. Type of activity;
- iii. If Alcohol is being served, the certificate must include "Liquor Liability is Included;"
- iv. Separate Endorsement Sheet; and

v. Date(s) of coverage.

D. Insurance may be available through the Washington Cities Insurance Authority (WCIA) website under the Tenant User Liability Insurance Program (TULIP).

5.1 GENERAL REGULATIONS

5.2 Policy Concurrence

The general regulations established by policy for each City facility shall apply to all non-profit facility rentals.

Adopted: 12/18/07
Amended: 4/21/15
Amended: 12/08/15