



# FACILITY USE APPLICATION

City of Battle Creek  
10 N. Division Street, Room 206  
Battle Creek, MI 49014  
269.966.3378

## Applicant

Name: \_\_\_\_\_

Group Represented (If any): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

## Room to be Reserved

**City Hall**, 10 N. Division Street

Room 112, Conference Room  
Room 301, City Commission Chambers

Room 302A, Conference Room  
Room 302B, Conference Room  
Room 305, Conference Room

**Department of Public Works**, 150 S. Kendall Street

Room 204, Conference Room

Room 214, Multi-Purpose

**W.K. Kellogg Airport**, 15551 S. Airport Road

Room 130, Conference Room

Room Airport Multi-Purpose

## Event Date and Time

Date of Event \_\_\_\_\_ Room \_\_\_\_\_

Setup Time for Event \_\_\_\_\_ AM/PM to \_\_\_\_\_ AM/PM

Time Period for Event \_\_\_\_\_ AM/PM to \_\_\_\_\_ AM/PM

Cleanup Time for Event \_\_\_\_\_ AM/PM to \_\_\_\_\_ AM/PM

## Event Information

Number of People Expected to Attend Event: \_\_\_\_\_

Please provide a brief overall description of the event: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# City of Battle Creek Facility Use Application

## Responsible Party Signature

The applicant hereby agrees to indemnify and hold harmless the City of Battle Creek for any liability for damages to any person or property in or about the facility from any cause whatsoever. All persons or groups using the facility shall be responsible for the proper supervision, control and accommodation of persons attending the event. The applicant agrees to be financially responsible for damage to the facility and/or equipment. The applicant agrees to comply with all City ordinances and regulations in connection with the event. The applicant agrees that they have read, understood, and will comply with the City of Battle Creek Facility Use Policy, including the payment of fees, if any.

Signature: \_\_\_\_\_ Date \_\_\_\_\_

**Submit completed application to:  
(24 hours prior to guarantee review)**

City Manager's Office  
10 N. Division Street, Room 206  
Battle Creek, MI 49014

### Facility Hours

#### City Hall

Monday - Friday	8:00 a.m. - 5:00 p.m.	No Fee
Monday - Friday	5:00 p.m. - 9:00 p.m.	Fee
Saturday	8:00 a.m. - 9:00 p.m.	Fee
Sunday	12:00 p.m. - 6:00 p.m.	Fee

#### Department of Public Works

Monday - Friday	4:00 p.m. - 9:00 p.m.	Fee
Saturday	8:00 a.m. - 9:00 p.m.	Fee
Sunday	12:00 p.m. - 6:00 p.m.	Fee

#### Airport

Monday - Friday	7:30 a.m. - 4:00 p.m.	No Fee
Monday - Friday	4:00 p.m. - 9:00 p.m.	Fee
Saturday	8:00 a.m. - 9:00 p.m.	Fee
Sunday	12:00 p.m. - 6:00 p.m.	Fee

All Facilities are closed on Official City Holidays and Holiday Weekends\*\*\*

**\*\*\*Please see Facility Use Policy for additional information and requirements**

For Office Use Only	<b>Department</b>	<b>Approved</b>	<b>Disapproved</b>
Please initial approved or disapproved	City Manager's Office		
	Building Manager		

# City of Battle Creek

## Facility Use Policy

### **A. Statement of Purpose**

This policy is designed to govern the use of city-owned facilities by individuals, groups, and/or organizations that are not directly associated with the City of Battle Creek ("City"). This policy describes the terms, conditions and user qualifications required for the utilization of the facilities listed in the *Available Facilities* section below. This Policy governs all city-owned property, even if such property is not specifically listed within the Policy, unless a contrary use is specifically permitted under the terms of a City-approved and issued Special Events permit. The rules and regulations have been adopted with the intent to better serve those who have occasion to use the facilities while protecting the public's interest.

### **B. Interpretation and Implementation of Policy and Waiver**

The City Manager shall interpret and implement this Facility Use Policy. The City may waive any requirement of this policy if the result of said waiver would be in the best interest of the City in the discretion of the City Manager or his or her designee.

### **C. Available Facilities**

1. City Hall, 10 N. Division Street
  - a. Room 112, Conference Room
  - b. Room 301, City Commission Chambers
  - c. Room 302A, Conference Room
  - d. Room 302B, Conference Room
  - e. Room 305, Conference Room
2. Department of Public Works, 150 S. Kendall Street
  - a. Room 204, Conference Room
  - b. Room 214, Multi-Purpose Room
3. W.K. Kellogg Airport, 15551 S. Airport Road
  - a. Room 130, Conference Room
  - b. Airport Multi-Purpose Room

### **D. Facility Hours**

**City Hall** - The building may be available for public use during the following times:

Monday - Friday	8:00 a.m. - 5:00 p.m.	No Fee
Monday - Friday	5:00 p.m. - 9:00 p.m.	Fee
Saturday	8:00 a.m. - 9:00 p.m.	Fee
Sunday	12:00 p.m. - 6:00 p.m.	Fee
Official City Holidays and Holiday Weekends		Closed

**DPW** - The building may be available for public use during the following times:

Monday - Friday	4:00 p.m. - 9:00 p.m.	Fee
Saturday	8:00 a.m. - 9:00 p.m.	Fee
Sunday	12:00 p.m. - 6:00 p.m.	Fee
Official City Holidays and Holiday Weekends		Closed

**Airport** - The building may be available for public use during the following times:

Monday - Friday	7:30 a.m. - 4:00 p.m.	No Fee
Monday - Friday	4:00 p.m. - 9:00 p.m.	Fee
Saturday	8:00 a.m. - 9:00 p.m.	Fee
Sunday	12:00 p.m. - 6:00 p.m.	Fee
Official City Holidays and Holiday Weekends		Closed

## **E. Allowable Activity Types**

- **Activity Type One.** Type One activities are those of the City of Battle Creek government, including elected and appointed officials, City employee meetings, official City committees, its boards and its groups.
- **Activity Type Two.** Type Two activities are those of other governmental agencies, including cities, counties, the state of Michigan, regional governments, the federal government, school districts, elected officials, and other similar governmental or quasi-governmental organizations.
- **Activity Type Three.** Type Three activities are those of non-governmental entities, including non-profit organizations, neighborhood groups, community organizations and other similar organizations.

## **F. Usage Priorities**

Type One activities shall have priority over all other uses. In the event of a conflict, the City Manager (or his or her designee) shall contact the groups or individuals whose activities conflict as soon as possible and attempt to reschedule the conflicting activities.

An annual or ongoing event shall be given preference over a one-time event. Otherwise, all facilities are reserved in the order in which requests are received and approved, with consideration given to the size of the group, type of program and available space. The City reserves the right to assign and if necessary, reassign facilities to assure the most efficient and appropriate utilization of facilities.

The City reserves the right to cancel any and all reservations without providing any other accommodations in the event the facility is needed for municipal government purposes.

## **G. Prohibited Uses**

City facilities shall not be used for the following:

- Any commercial business, fee-based or promotional activity
- Any meeting or activity that solicits funds or donations or accepts such from attendees
- Any meeting whose noise levels will interfere with activities in City offices
- Any groups which will have participants in excess of the occupancy limit
- Any political campaign activity
- Any illegal activity
- Any purposes contrary to federal, state, or local law
- Any activity not consistent with the general business purpose of the building
- Any other use deemed inappropriate by the City Manager or City Commission

## **H. General Prohibitions**

- There shall be no alcoholic beverages or drugs/illegal substances served upon, consumed upon, or brought into the City facility.
- In accordance with Michigan law and County Health Department Regulation, all City facilities are entirely smoke-free environments, which shall be deemed to include e-cigarettes.
- There shall be no open flames, such as lighted candles, in any City facility.
- No foul or abusive language shall be used at any time.
- Areas not specifically reserved shall not be entered or occupied by the applicant, the group, any of its individuals, or any participants and guests.
- No nails, tape or tacks may be used on the walls.
- Pets or animals are not allowed in any facility, except for service animals.
- Gambling in any form is prohibited.

## **I. Use Requirements**

Building Access - At least one City staff member must be on-site for the duration of the event, including set-up and clean-up. For after-hours or weekend events, the building will be open for access at the time designated on the approved application.

- Only City staff may provide access to the building after hours. Under no circumstances will the Applicant be allowed on the premises after hours without prior arrangement with the City.

Space/Room Setup - The responsibility for setting up tables and chairs shall remain with the individuals or organizations making the reservation. The City does not provide staff or material(s) to aid with the setup or cleanup of the facility.

Space/Room Cleanup - Tables, chairs, and any provided equipment must be returned to the original location and arrangement when the use of the facility is complete. Individuals and organizations must remove all trash, equipment, decorations and any other items at the end of the reservation time. Facilities must be left in good, clean condition when the activity is complete.

Responsibility for Property - The City assumes no responsibility for any property placed in the facility in connection with the use of the facility.

Responsibility for Damages – The Applicant is responsible for any damages to the facility during the reservation period. The City reserves the right to assess additional charges as warranted. Damages to the facility by individuals or organizations may result in removal from the facility and/or the denial of future reservation requests.

## **J. Reservation Procedures**

### **Application**

Any individual or group wishing to reserve an available facility shall contact the City Manager's Office, during the regular business day, 24 hours in advance of the proposed reservation date and complete a reservation application form. Applications received after 24 hours prior to the reserved time cannot be guaranteed consideration before the event. Reservations for time after normal hours, listed in paragraph D, will need to submit applications 96 hours prior to guarantee consideration (24 hours prior to the three day fee deadline described in paragraph K).

The applicant must provide the following information upon application:

1. Name, address and phone number of individual or group making the reservation;
2. Group represented (if any);
3. Area(s) to be reserved;
4. Date or dates reservation is desired;
5. Total hours to be reserved, including time to begin setting up, time activity is scheduled to begin, time activity is scheduled to end, and time needed to complete cleanup. All hours must run consecutively;
6. Purpose of meeting or activity; and
7. Number of people expected to attend the activity.

### **Confirmation**

If the facility is available on the date and times requested and the City determines that the proposed use is lawful and in compliance with this Use Policy, the City Manager's Office shall notify the applicant that the activity has been tentatively scheduled subject to timely payment of any use charges imposed pursuant to the below paragraph K.

### **K. Use Charges**

In instances where the reservation is scheduled after the normal business hours enumerated above, at least one City staff must be on-site for the duration of the event. The fee for each staff person shall be set forth in the schedule provided for in Section 802.24 of the Codified Ordinances.

Submittal of fees is required within three business days following approval. If not received, the tentative approval is withdrawn. A full refund will be made if the reservation is cancelled by the Applicant at least 24 hours prior to the scheduled event or the City cancels the reservation. There will be no partial refunds.

### **L. Dispute Resolution**

In the event that a dispute arises regarding an application for use of a facility, the City Manager or his or her designee will make a determination as to whether a proposed activity is legal and complies with this Use Policy and resolve questions regarding fees. If the applicant disagrees with the decision rendered by the City Manager or designee, the applicant may appeal the decision to the City Commission so long as the request to appeal has been submitted within 10 calendar days of the date of the denial.

### **M. Hold Harmless**

Anyone who reserves a facility shall hold the City, its representatives, agents and officers and employees, harmless for any personal injury, theft or damage of private property during the period of usage, using a form to be provided by the City.

### **N. Indemnity/Waiver/Release of Liability**

Indemnity - With the submittal of the use application, Applicant shall release, defend, indemnify and hold harmless the City of Battle Creek, its City Commission members, officers, agents, representatives, employees and volunteers from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses (including attorney's fees and expenses incurred in enforcing this indemnity), to the extent caused, in whole or in part, by the negligent,

grossly negligent, and/or intentional wrongful act and/or omission of requester, its officers, agents, representatives, employees, subcontractors, licensees, invitees or any other third parties from whom the Applicant is legally responsible, in its/their performance of this agreement and/or arising out of the use of the facilities pursuant to this policy and the application, regardless of the joint or concurrent negligence or strict liability of the City of Battle Creek. Applicant is expressly required to defend the City of Battle Creek against all such claims.

Waiver - Applicant, its officers, directors, representatives, volunteers, agents and employees do hereby waive any and all claims for damage, injury or loss to any person or property, including the death of any person, that may be caused, in whole or in part, by the act or failure to act of the City of Battle Creek, its City Commission members, officers, agents, directors, representatives, and/or employees. Applicant, its officers, directors, representatives, volunteers, agents and employees assume the risk of all conditions, whether dangerous or otherwise, in and about the premises/facilities, and waive any and all specific notice of the existence of any defective or dangerous condition in or about the said premises/facilities. The provision of this paragraph shall survive the termination of the use of the premises/facilities described herein.

Release - Applicant hereby releases the City of Battle Creek, its City Commission members, officers, agents, directors, representatives, and/or employees from any actions for any loss or damage sustained by reason of any defect of any part of the facilities and/or any other premises, and for any loss or damage resulting from fire, theft, water, tornado, rain, or snow.

## **O. Non-Discrimination**

City facilities shall be made available in accordance with this policy without discrimination on the basis of gender, national origin, religion, race, color, disability, or sexual orientation, pursuant to Chapter 214 of the Battle Creek City Ordinances, as well as, state and federal statutes.

## **P. Disclaimer**

Use of City facilities does not imply approval of the usage activity by the City and may not be advertised or implied as such approval or endorsement.