

PURPOSE

All authorized persons or organizations must comply with the following rules and regulations for use of the Main Hall and the Upton Town Hall. The Town reserves the right to make changes to these rules and regulations.

POLICY

1. It is the policy of the Town of Upton to permit use of the Main Hall and related Town Hall facilities to incorporated charitable or non-profit organizations engaged in municipal, educational, recreational, and/or cultural activities. Other activities, whose proceeds are directed entirely to the benefit of the Town of Upton, other municipalities, and/or government agencies, may be authorized by the Town Manager.
2. The Main Hall and related Town Hall facilities may be permitted to a religious organization for non-religious purposes on the same basis as those available to the general public. Permits for commercial activity and political campaign fundraising will not be authorized.
3. Scheduling priority will be given to Town of Upton Departments, boards, commissions, and committees, and then to Upton-based charitable or nonprofit organizations, and then to other organizations meeting the guidelines of these regulations.
4. Municipal events will take precedence over other activities and events for scheduling purposes. Special or unforeseen events may supersede previously scheduled permitted events. The Town reserves the right to cancel a permit in these circumstances.

IMPLEMENTATION PROCEDURE

1. APPROPRIATE USE

- a) The Town Manager/designee will determine whether requested uses are in conformance with the policy, and will process appropriate permit requests for use of the Main Hall and related Town Hall facilities, and collect the designated fees.
- b) The Town Manager/designee will make the determination on the specific space available that is appropriate for the individual request.
- c) Except in extraordinary circumstances as determined by the Town Manager/designee, the Main Hall will be available for use after 12:00 p.m. on Friday afternoons, and all day Saturday and Sunday. All events must be concluded by 11:00 p.m. on Friday and Saturday, and 9:00 p.m. on Sunday unless authorized by the Town Manager. The Main Hall will be available for use Monday through Thursday in the evening depending on the

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schedule of other events in the building, and the type of use requested. No non-municipal use will be allowed during the day Monday through Friday, or on recognized holidays.

- d) The room or facility occupancy capacity cannot be exceeded. Occupancy of the Main Hall is as follows:
 - Seating capacity of the balcony: 38
 - Seating capacity of the hall (meeting style): 450
 - Main Hall – occupancy capacity 500
 - Little Town Hall Meeting Room - occupancy capacity 49
 - Board of Selectmen Conference Room - occupancy capacity 10
 - Lower Level Conference Room - occupancy capacity 20
- e) The permit request may include a request for length of time allowed to keep sets, scenery, or equipment in place for performances. The final determination will be made by the Town Manager/designee and will be based on other known uses and needs for the space.
- f) Use of the hall includes access to 200 chairs and 8 rectangular folding tables. Overhead lighting is also available. The Hall is approximately 45 feet wide and 79 feet long with hardwood floor throughout and a ceiling at 30 feet. The stage is approximately 40 feet wide and 15 feet deep with hardwood floor throughout and overhead clearance at the stage of 16 feet.
- g) The Hall includes no kitchen facilities, and no food preparation will be allowed on site. Sale of food and beverages and consumption of same will be allowed in the area outside the Main Hall only with a permit from the Board of Health. An entity wishing to serve food will also be required to retain a custodian for the event.
- h) Access to the Main Hall during the evening hours is limited to the front door and the accessible doors facing Main Street. A lift providing access to the stage level is located at stage left.
- i) All areas used for a function, including floors, stairs and bathroom, must be left in the same condition as they were found.
- j) Access to areas beyond the Main Hall and any other permitted areas, except the bathrooms, is prohibited. Access to the balcony is prohibited unless specifically authorized by permit.
- k) All doors must be locked and all lights shut off after use of the Town Hall. If you picked up the Town Hall key at the Police Department, keys must be returned to the dispatcher after lock-up.

2. PERMITTING REQUIREMENTS

- a) Applicant must be at least 21 years of age and a representative of an eligible organization as set forth above.

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- b) Applications for permits must be submitted in writing or electronic format and received at the Office of the Town Manager at least 10 business days (excluding holidays) in advance of the requested event. The Town Manager/Designee may waive this requirement at his or her discretion in unusual circumstances.
- c) Permit requests with an anticipated attendance level of more than 50 people, or with special circumstances that warrant review will be forwarded to the Upton Police Department and Upton Fire Department. In some instances, the Chief of Police and/or the Fire/EMS Chief will require a police detail and/or fire detail. Arranging for the police and/or fire detail will be the responsibility of the applicant, and a deposit for same may be required.
- d) The person submitting the permit request will be the primary contact for the program to be held under that permit. That person's signature on the final permit will signify understanding and acceptance of all rules and regulations, responsibility for payment of all designated fees, and the responsibility for ensuring that all rules are followed by participants in the event. Failure to follow regulations and/or make appropriate payments will affect the applicant's ability to obtain permits for the use of the Main Hall.
- e) A written notice of cancellation is due at least 24 hours prior to the scheduled use for weekday events, 48 hours prior to Saturday events, and 72 hours for Sunday or holiday events to the Office of the Town Manager. Failure to provide written cancellation notice will result in forfeiture of the deposit.
- f) A Certificate of Liability Insurance, with the Town as an additional named insured or liability releases (in accordance with the most current insurance requirements), depending on the event, must be submitted to the Town Manager's Office prior to the issuance of the final permit. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury liability and \$1,000,000 per occurrence and \$2,000,000 aggregate for property damage liability. In some situations, both may be waived by the Town Manager.
- g) Permit holders may not alter the premises or install equipment. Posting of signs or hanging of decorations of any type is prohibited without the approval of the Town Manager/designee, and if it is approved, hanging materials must be used that will not damage the wall surface, i.e. no sticky tape.
- h) The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
- i) No balloons are permitted in the Main Hall.
- j) Should applicants plan to advertise their event using signs, approval to put up signs on Town property must be done in conformance with the Town's sign policy.
- k) The Town is not responsible for lost, stolen or damaged items.

3. USE FEE AND CUSTODIAL AND MONITORING FEES

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- a) A use fee, to account for energy, additional maintenance, and permitting costs may be charged in accordance with the schedule in Appendix A, and is subject to change.
- b) Depending on the event to be held, a custodian may be required for events in the Main Hall, and/or events in which food will be served. Depending on the size and set-up of the event, more than one custodian will be required, at the sole determination of the Town Manager/Designee. There may also be additional fees depending upon the setup required for the event, such as put up and take down of tables and chairs. There will be a four-hour minimum for custodial services. The custodial and building monitor fees are subject to change and are listed in Appendix B.
- c) A security deposit of \$250 will be required of all groups holding events in the Main Hall except those scheduled by Town Departments, boards and commissions. The deposit will be returned unless additional custodial services are needed to clean up the facility or damage has been caused as a result of the event.
- d) Under no circumstances shall a custodian, either on regular duty or assigned for a specific program, be responsible for supervision of participants before, during, or after an activity. Adequate and responsible adult supervision shall be provided at all activities throughout the event. Entry into the facility will not be permitted until the responsible supervision is present, and at the conclusion, the supervisor must remain until the last participant has safely left Town Hall.
- e) The custodian will only provide spaces/equipment that are approved on the permit, and will not authorize any other space/equipment without approval of the Town Manager or his/her designee.
- f) Groups using the Main Hall may be subject to a trash removal fee of \$50.00.

4. FIRE SAFETY REGULATIONS

- a) Use of a smoke machine will not be permitted. Use of matches, candles, incense, and pyrotechnics are strictly prohibited.
- b) Each permit with expected attendance of more than 50 people or with special circumstances will be forwarded to the Upton Fire Department for compliance with the Massachusetts Board of Fire Prevention Regulations (527 CMR) for a determination as to whether fire detail is required. The Firefighter's role will be to insure that occupancy limits have not been exceeded; to monitor that all egress areas remain available for use and are marked; to check that all fire protection devices are working; to insure that all fire codes are followed; to respond to any immediate fire emergency and evacuation; and to perform as first responder to any medical emergency.
- c) In the event that a fire detail is required, the applicant will comply with Fire Department rules and regulations governing details and a deposit may be required.

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- d) Use of any equipment/material that is judged to potentially jeopardize fire safety will require review, permission and a permit from the Upton Fire Department.

5. POLICE SAFETY REGULATIONS

- a) Each permit with expected attendance will be forwarded to the Upton Police Department for compliance with Massachusetts General Laws and local regulations to determine whether a police detail is required. The Police Officer's role will be to provide security to the facility; insure that vehicles are parked legally; insure that emergency vehicles have access to the facility; and provide first responder first aid in the event of an accident or injury.
- b) In the event that a police detail is required, the applicant will comply with Police Department rules and regulations governing details and a deposit may be required.
- c) In accordance with MGL, Chapter 138, Section 1, no person shall possess or consume an alcoholic beverage within the limits of any park, playground, public land or public building owned or under the control of the Town of Upton, except with written permission of the appropriate controlling Town tribunal. In the event that a one-day license for the sale of alcohol is approved by the Board of Selectmen, a Police detail will be required.

6. BOARD OF HEALTH REGULATIONS

- a) Smoking is not permitted in Town Hall in accordance with Upton Board of Health regulations.
- b) A temporary food permit and license fee is required for any event that involves the sale or distribution of food, in accordance with of the Upton Board of Health regulations and federal food regulations.

7. RAFFLE AND BAZAAR REGULATIONS

- a) A request for a permit must be submitted to the Upton Town Clerk's Office in order to hold a raffle or bazaar, according to MGL, Chapter 271. A raffle is defined as "an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes." A bazaar is defined as "a place maintained by the sponsoring organization for disposal by means of chance of one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed twenty-five dollars each." An example of a bazaar is a Las Vegas Night. There is a permit fee charged at time of application.
- b) Any person wishing to hold an auction must apply for a permit through the Upton Town Clerk's Office, according to MGL, Chapter 100. A copy of the application will be

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reviewed by the Upton Police Chief and returned to the Town Clerk with a recommendation. There is a permit fee charged at time of application.

8. USE OF TECHNOLOGY AND AUDIO VISUAL EQUIPMENT

- a) There is no equipment available as in the Main Hall. Users may provide their own equipment utilizing electrical outlets in the Main Hall. Should a user wish to have an event recorded by Upton Cable TV, separate arrangements must be made with the Cable Access Coordinator.

9. PARKING

- a) There is limited parking at Town Hall. Overflow parking is available in the Town owned lot on Milford Street in front of the Town playground and the municipal lots on Grove Street.

10. ACCIDENTS AND DAMAGE TO TOWN FACILITIES

- a) In the event of an accident during the time of the permit, the permit holder must complete an accident form and submit it to the Office of the Town Manager within twenty-four hours of the accident or on the first business day after the accident. A blank accident form will be provided with the permit.
- b) The permit holder is responsible for the cost of repairs needed for damage occurring during his/her use. Failure to pay will lead to denial of future permits for that individual and organization.
- c) The permit holder is responsible for surveying the room(s) provided by the permit prior to use, and notifying the custodian immediately if there are any problems that could jeopardize the safety of any individual.
- d) In the event that damage to the facility or equipment occurs, the custodian must be notified immediately. Permit holders may not make any repairs without the approval of the Town Manager or his/her designee.

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APPENDIX A

USE FEES

January 1, 2021

MAIN HALL*

Upton Town Government Organizations No Charge

Non-Profit Organizations

Town of Upton No Charge
\$250.00 security deposit

Out-of –Town No Charge
\$250.00 security deposit

Public or Private Events

Town of Upton Base fee of \$100/hour not to exceed \$250/day
\$250.00 security deposit
4 hour limit

Athletic Leagues \$250.00 security deposit
Town of Upton 4 hour limit

Out-of –Town Base fee of \$100/ hour not to exceed \$250/day
\$250.00 security deposit
4 hour limit

MEETING ROOMS

Upton Town Government Organizations No Charge

Non-Profit Organizations No Charge

Public Base fee of \$20 per hour
4 hour limit

*NOTES

***Insurance release forms and/or liability insurance will be determined depending on event**

***Custodial fees will be assessed depending on event**

Use fee and security deposit is payable at the time of application.

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APPENDIX B

HOURLY RATES FOR CUSTODIAL AND MONITORING STAFF

January 1, 2021

Rates Subject to Change

Staff Security/Custodian

Weekday/Saturday time and one-half

Sunday/Holiday time and one-half

Detail Officers As described in the Police and/or Fire Collective Bargaining Agreement

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APPENDIX C

Town of Upton
Board of Selectmen
One Day Special License Guidelines
Events Held on Public Property

APPROVED BY:

Board of Selectmen, Chair: Brett Simas



Board of Selectmen: Maureen Dwinnell



Board of Selectmen: Steven Matellian



Original date: September 22, 2014

Revised dates: April 7, 2015

Revised dates: December 15, 2020

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