

<b>ADMINISTRATIVE POLICY</b>				
<b>TOWN OF CARRBORO</b>				
<b>NORTH CAROLINA</b>				
DEPARTMENT	NUMBER	REVISION	EFFECTIVE DATE	PAGE OF
Administration	420-19	2	07/01/05	1 4
SUBJECT		PREPARED BY		APPROVED BY
Use of Town Commons				Town Manager

**1.0 PURPOSE**

To establish a procedure to govern the usage of the Town Commons.

**2.0 GUIDELINES**

The Town Commons is operated by the Recreation and Parks Department as a public facility to serve the citizens of Carrboro and Orange County. The intent of this facility is to provide a community meeting place for recreation activities, community events and markets, but only to the extent that such activities and events can be held during times that do not interfere with the normal operation of Town Hall and under circumstances (in time of frequency of use and manner of operation) that do not impose an unreasonable burden upon adjoining businesses and neighborhoods.

**3.0 ORGANIZATIONS AFFECTED**

All departments and external users of the Town Commons.

**4.0 REFERENCES**

Chapter 14 of the Carrboro Town Code.

**5.0 DEFINITIONS**

Town Commons - Parcel of land owned by the Town of Carrboro lying adjacent to the Carrboro Town Hall, bounded on the west by Bim Street, on the north by the Town Hall parking lot, on the east by Laurel Street and on the south by private property.

Town Sponsored Event- The Town Manager or designee shall determine whether any event is a town-sponsored event, considering all relevant factors related to the town’s participation in or control over the event. However, the presence of one or more of the following factors shall generally lead to a determination that an event is town-sponsored:

- a. The Town expends town funds for the planning and/or staging of the event, or
- b. The Town anticipates receiving revenue from the staging of the event, or
- c. The Town makes a substantial in-kind contribution toward the planning and/or staging of the event, or
- d. The Town exercises substantial managerial control over the planning and/or

staging of the event  
Fourth of July Celebration and other events conducted by the Recreation and Parks Department or other town departments fall into this category.

Town Commons Reservation – an individual, group or business reserves the area for a certain day and time and pays the applicable fees.

Gathering or Assembly - See 5(F).

## **6.0 REFERENCES**

Chapter 14 of the Carrboro Town Code.

## **7.0 USE OF TOWN COMMONS**

- A. Use of the Town Commons shall be subject to the provisions of Chapter 14 Town Code. Among other relevant provisions Section 14-20 restricts commercial activity.
- B. The Town Commons shall be open for use from 9:00 am. - sundown every day, except as otherwise provided herein.
- C. The Town Manager or designee may determine that it is necessary to keep persons temporarily off the lawn area of the Town Commons for the purpose of maintaining, improving, or preventing damage to the same.
- D. The Town Manager may enter into an agreement allowing a private person or group to reserve the Town Commons every Saturday from the second to last Saturday in March until approximately the third Saturday in December open from 7:00 am to 12:00 noon. The market may begin setting up at 5:30 am and will be off site by 1:00 pm. Additionally, the Wednesday market will operate from 5:00 to 7:00 pm. The market will begin set-up at 4:00 pm and will be off site by 8:00 pm. This market will not operate on July 4<sup>th</sup> or October 31<sup>st</sup> nor interfere in the set-up of Town events. The Craft Market will take place on the second and fourth Sundays of April through December. The market will also take place on the third Sunday of December. The market will operate from 1:00 to 5:00 pm. Among other provisions, any such agreement shall provide:
  - That a market manager may be provided by the applicant in lieu of a facility supervisor employed by the Town.
  - That the applicant shall carry sufficient liability insurance and list the Town as an additional insured. Insurance is needed if the event includes major physical activity and moderate/severe exposure to participants; expected attendance of over 500; large amounts of cash (\$1000+) or quantities of merchandise will be brought onto Town Property; and food will be served, sold and/or given to the general public. If the reservation requires insurance, the event sponsor must sign the reservation contract to hold harmless, defend and indemnify the Town of Carrboro, provide general liability insurance with a minimum limit of \$1 million general liability coverage endorsed to name the Town as an additional insured and provide a certificate for documentation.
  - That either party can withdraw from the arrangement upon 30 days notice.

- That no activity of the applicant may conflict with a town—sponsored event, and any such event shall have precedence over use of the Town Commons by the applicant.
  - That the applicant agrees to all other guidelines and ordinances applicable to use of the Town Commons.
  - That the Town is not obligated to renew any reservation under this paragraph in future years.
- E. The Farmers’ Market will be permitted when conditions allow parking on the lawn with light weight vehicles adjacent to the gravel path that arcs across the lawn from one structure to the other. These vehicles will not be permitted on the lawn when conditions are such that a tire imprint of a half inch or greater will occur. The Farmers’ Market Manager will determine the suitability of parking on the lawn for the market. Any damages to the Town Commons ground resulting from this parking will be corrected at the market’s expense. The Town Manager or his designee will determine suitability for other events.
- F. Electronic amplification of sound shall be allowed only if and to the extent reasonably necessary to reach or communicate a message to the target audience within the boundaries of the Town Commons. In other words, electronically amplified sound shall be directed, and the volume controlled, such that the audience within the Town Commons can be reached without creating a disturbance beyond the boundaries of the Town Commons.
- G. No reservation shall be required for spontaneous *gatherings*. If however, an individual or group would like to ensure the exclusive use of The Town Commons for activities or events, a reservation is recommended.

**8.0 PAYMENT OF FEES**

- A. The Town Commons or any portion thereof may be reserved on a first come first served basis by any person or organization who resides or any organization that has a place of business in Orange County. Individuals must come to the Recreation and Parks Administrative office to reserve the Town Commons, sign the form and pay fees. A rental contract will be given after completing the reservation process including guidelines for use.
- B. Whenever the Town Commons is reserved, the applicant shall pay  
 \$100 for 0-4 hours  
 \$150 for 4 or more hours

Town Commons may be reserved for free if town staff does not work during the event, no public access to Town Hall bathrooms, no money is exchanged during the event, no electricity used, the event is open to the public, reservations limited to no more than once per month by any one group and subject to insurance guidelines.

Renters may voluntarily opt to pay a \$50.00 fee in addition to the reservation fee for cleaning prior to rental. This service is subject to a ten day advance request and staff availability.

An additional fee of \$25 is charged if the event is approved to sell goods and services.

- C. Recreation and Parks staff may require the organizers of events expected to draw more than 100 vehicles to the area of the Town Commons to provide parking attendants to protect adjoining properties from improper parking.
- D. The person or organization reserving the facility shall be responsible for cleaning it prior to leaving the premises. All trash must be placed in the dumpster. Failure to clean the site, parking areas and adjacent streets will result in the Town charging the responsible person or organization for the direct cost of cleaning the site.
- E. The person or organization reserving the facility may request, and the Town may provide at the requesting party's expense, off duty police officers to assist in crowd and traffic control.

**9.0 CANCELLATIONS AND REFUNDS**

- A. The applicant must notify the Recreation and Parks office immediately if a cancellation is needed.
- B. A full refund is given if weather prohibits the event and the organizer does wish to reschedule. The applicant must notify the office the next business day if a refund or transfer day is needed.
- C. Cancellation requests received more than three (3) days prior to the event date - a refund less a \$5.00 administrative fee or full credit or transfer reservation.
- D. Cancellation requests received within the three (3) day window prior to the reservation - a 50% refund less a \$5.00 administrative fee or full credit or transfer reservation.