

## ARTICLE VIII. USE OF CITY HALL

### Sec. 2-800. PURPOSE.

To establish administrative procedures to regulate the use of the City Hall by the public and to require a permit for such use.

### Sec. 2-801. ADMINISTRATION.

(a) The City Council or their Agent shall administer the provisions of this ordinance that pertain to the use of the City Hall Auditorium Arts Center. All other provisions of this ordinance shall be administered by the City Manager.

(b) The Agent may receive a percentage of the rental fees and/or use of space and/or other consideration approved by the City Council in exchange for administering and overseeing usage of the City Hall Auditorium Arts Center. The City Hall Auditorium Improvement Fund shall receive the remainder.

### Sec. 2-802. PERMITTED USES.

The City Hall, or any part thereof, including the land owned by the City and contiguous to the land which the building occupies, may be utilized for any lawful use that will not be injurious to the property or individuals. The determination of lawful use shall be made by the City Manager.

### Sec. 2-803. RENTAL:

The City Council shall adopt, by resolution, a policy and procedure for rental of the city hall arts center including security deposit, liability, insurance and terms and conditions of use. This resolution may be amended periodically as needed.

### Sec. 2-804. RENTAL FEES.

The City Council, by resolution or policy, may adopt fees for the use of the City Hall Arts Center. Fees may be assessed for uses including, but not be limited to, rehearsal, workshops/classes, performances and meetings. Fees may include use of technical equipment or personnel. The Council may waive or reduce fees at its discretion subject to any criteria for such waiver or reduction as may be included in the fee resolution.

### Sec. 2-805. RENTAL FEES (MEMORIAL ROOM).

(a) The rental fee for the use of the City Hall Memorial Room shall be established by City Council resolution or policy, and must be paid in advance to the City Clerk.

(b) All rental fees imposed under this section shall be payable in advance. At the discretion of the City Manager, fees and charges imposed under Sec. 2-806 may be secured by deposit or bond.

(c) The City Manager is granted the right to waive any rental fee for Montpelier resident-initiated community events, community uses which are not directly or indirectly marketing a product, and community uses which provide a direct public benefit to Montpelier residents. Organizations which can only demonstrate indirect benefits by regional or statewide activities may be granted a waiver by the City Council at the Council's discretion.

Sec. 2-806. MAINTENANCE, POLICE AND FIRE SERVICES.

The fees for police and fire services shall be at the rates established by the City of Montpelier Personnel Plan and Union Contracts. The Agent shall advise the applicant or his/her agent to make arrangements with the Building Inspector and Chief of Police (or designee) for these services. The maintenance fee shall be established by City Council resolution or policy.

Sec. 2-807. LIABILITY.

Permits shall be subject to the conditions that the permittee shall be liable to any person who shall receive actionable injury through the exercise thereof, and shall also be liable to indemnify and save harmless and name the City as an additional insured in all things relating to the exercise of such permit; and such conditions shall be obligatory upon permittees without other notice than that to be implied from this section. This section can be appealed as detailed in Section 2-808.

Sec. 2-808. APPEALS.

Applicants shall have the right to appeal the decision of the Agent or the City Manager to the City Council. This appeal should be in writing and addressed to the City Manager for inclusion on the agenda for a regularly scheduled meeting. It should be presented to the City Manager's office at least seven (7) days prior to the meeting during which it will be discussed.

Sec. 2-809. ELECTIONS, OFFICIAL MUNICIPAL MEETINGS.

Nothing contained in this ordinance shall preclude the right of the City Council, City Clerk or City Manager from continuing to schedule elections, municipal meetings or other official City business, free of charge, and in lieu of other previously approved events, if emergency circumstances dictate. It is the responsibility of the City to schedule such events as far into the future as possible and to notify the Agent as quickly as possible if emergency circumstances dictate such a change in the schedule.

Enacted April 8, 1970.

Amendment enacted August 23, 1972 [Sec's. 2-805 and 2-806; and as Article VIII].

Amendment enacted January 23, 1980 [Sec. 2-806 rewritten]. Date of Publication: 1/30/80. Effective Date: 2/05/80.

Amendment enacted February 25, 1981 [Sec's. 2-805 and 2-808 rewritten]. Date of Publication: 3/04/81. Effective Date: 3/11/81.

Amendment enacted August 11, 1982 [Sec's. 2-803 and 2-805 rewritten]. Date of Publication: 8/18/82. Effective Date: 8/25/82.

Amendment enacted March 14, 1984 [Sec. 2-805(a) and (b) rescinded; new (a) and (b) substituted. Date of Publication: 9/16/85. Effective Date: 9/23/85.

Amendment enacted June 8, 1988 [Sec. 2-805 rewritten]. Date of Publication: 6/20/88. Effective Date: 9/19/88.

Amendment enacted March 28, 1990 [Sec. 2-805A inserted]. Date of Publication: 4/09/90. Effective Date: 7/01/90.

Amendment enacted September 26, 1990 [Sec. 2-801 rewritten; Sec. 2-803 (a), (b) and (c) rewritten; Sec. 2-804 (a) and (c) rewritten; Sec. 2-805 (a), (b), (c), (d), and (e) rewritten and new Subsections (f), (g) and (h) added; Sec's. 2-806 and 2-808 rewritten; and a new Sec. 2-809 added]. Date of Publication: 10/04/90. Effective Date: 10/10/90.

Amendment enacted 3/13/91 [Secs. 2-805(c) and (g), 2-806 and 2-807 rewritten. Date of Publication: 3/25/91. Effective Date: 4/01/91.

Amendment enacted 5/12/10. Full rewrite.