

**TOWN OF FENWICK ISLAND  
VILLALON HALL  
REQUEST FORM**

NAME OF ORGANIZATION \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_ PHONE \_\_\_\_\_

CONTACT ADDRESS \_\_\_\_\_

ORGANIZATION DEFINITION REFERENCE POLICY \_\_\_\_\_

DATES / TIMES REQUESTED \_\_\_\_\_

PLANNED ACTIVITY \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If permitted to use Town facilities, I agree to abide by the Building Use Policy, assume liability for any personal injury or property damage that occurs during the above requested periods, will abide by the Fire Marshall's occupancy limits, and not sell alcoholic beverages. A \$40.00 non-refundable rental fee and a \$40.00 deposit (for a total of \$80.00) is attached. The \$40.00 deposit will be returned if the facilities are left in good order.

Applicant agrees to defend and hold the Town of Fenwick Island, Delaware, harmless from any liability for damages to any person or any property in or upon the premises, the entrances and parking area adjoining the same, said liability to be limited to the persons and property of the applicant and its employees and all persons in or upon the premises at the invitation or with the consent of the applicant. The applicant agrees to hold harmless and indemnify the Town of Fenwick Island, Delaware, for any damages, claims, lawsuits against the Town, its Council, officers, agents, employees, legal representatives, Managers, successors and assigns of and from any and every claim, demand, action or right of action of whatever kind or nature in law or in equity arising or resulting from any accident or other incident that occur as a result of use of the Town's premises whether caused by negligence or otherwise.

Signed: \_\_\_\_\_ Relationship to Requestor \_\_\_\_\_

APPROVED \_\_\_\_\_ REFUSED \_\_\_\_\_ REFER TO COUNCIL \_\_\_\_\_

\_\_\_\_\_  
For the Town of Fenwick Island

## **TOWN OF FENWICK ISLAND, DELAWARE**

### **BUILDING USE POLICY**

#### **1. General.**

As a public facility, Villalon Hall in the Town Hall of Fenwick Island is available, on an as available basis, for reasonable use by Fenwick Island property owners and organizations that benefit the public interests of the Town.

The decision as to who may use the facilities will be based on this policy and made by the Town Manager. In certain circumstances, the Town Manager may request Council guidance before accepting or rejecting a reservation request. Such guidance may be provided by a simple majority of Council at the first regularly scheduled meeting after the request is made. The Town Manager's decision may be appealed at the next regularly scheduled meeting, to the Council may support or reverse the decision based on a simple majority.

#### **2. Definitions.**

- a. Fenwick Island Property Owner and/or Resident. Shall be as defined in the Town Charter.
- b. Public Service Groups. Not for profit groups that have as their primary objective serving the public interest of residents of Fenwick Island and surrounds.
- c. Government Organizations. Local, County, State and Federal government organizations that have some measure of legal responsibility and or control over activities in Fenwick Island.
- d. Commercial Organizations. Associations or groups that represent or include "for profit" businesses located in Fenwick Island.
- e. Local business. Individual commercial entities that lease or own commercial space, and have a Town issued license to conduct business, in Fenwick Island
- f. Political Parties. Groups of like-minded individuals who join together to encourage the election of specific individuals to Federal, State and local offices.
- g. Permitted Activities. Town sponsored social events, public service meetings, Government meetings, organizational social events and gatherings, and meetings of clubs, associations and Chambers of Commerce. If a group wishes to undertake an activity not listed special permission may be sought from and granted by a simple majority of Council at its next regularly scheduled meeting after receiving the request.
- h. Denied Activities. Any form of commercial activity, e.g. buying selling and or trading for profit; political uses, e.g. rallies, fund raising or endorsement of individual candidates; religious meetings or activities.

- i. Those that may reserve Villalon Hall for permitted activities (G above) are limited to employees of the Town and those defined in A through E above.

### 3. Liabilities

The Town is not liable for personal injury or damage to personal property that occurs while the facilities are being used under this policy. The Town will not guarantee that an employee will be available to assist with any problem or situation that arises.

The individual and or organization that use the property in accordance with this policy must agree and demonstrate the ability to assume liability and responsibility for personal injury and or loss of property. In addition they must agree to abide by the fire marshal's capacity limitation and not permit smoking in the building.

### 4. Procedure

All requests for reservations must be made in writing to the Town Manager who will maintain the "Villalon Hall Calendar".

If the requested time is available the requestor must complete the Building Usage Form acknowledging the terms, conditions, liabilities and responsibilities of usage. The completed form and payment must be given to the Town Manager before the reservation is entered on the calendar. The Town Council reserves the right to cancel the reservation for the needs of the Town. All funds will be refunded.

Public access to Town Hall cannot be restricted. The public must be permitted entrance to the facility and be allowed to avail themselves of Town services during the activity.

### 5. Fee Schedule.

- a. Public Service and Governmental organizations are exempt from deposits and fees as long as the facilities are left in good condition.
- b. All other users will be required to pay a \$80.00 deposit with application. \$40.00 will be returned after the event if the facility is left in good order. There is a \$40.00 rental fee.

6. Failure to adhere to this policy will result in suspension of the privilege to use Town facilities, forfeiture of deposit plus payment of fines as appropriate.

7. Miscellaneous Alcoholic beverages may be served but shall not be sold. Any necessary permits are the responsibility of the applicant. Sound systems and electronic devices may be installed if done so without damaging the facility. In accordance with tradition, there will be no dancing in Town Hall. The Town Manager in consultation with Council shall have the final determination of equipment that will be permitted in Villalon Hall.