

CITY OF IMPERIAL BEACH COUNCIL POLICY		
<b>SUBJECT: POLICIES AND REGULATIONS GOVERNING USE PERMITS FOR MARINA VISTA CENTER AND COMMUNITY ROOM</b>	<b>POLICY NUMBER: 805</b>	<b>PAGE</b> Page 1 of 11
<b>ADOPTED BY: Resolution No. 2012-7139</b>	<b>DATED: February 15, 2012</b>	

## **PURPOSE**

The City of Imperial Beach has facilities that are designed for a variety of purposes including recreational, civic and cultural activities; public meetings; non-profit and private events for residents and non-residents. The purpose of this policy is to define appropriate facility usage, fees, and regulations.

The City Council further recognizes that a fee is appropriate in most circumstances, particularly to recover the City's cost to provide and or maintain the various facilities.

These guidelines and regulations are established to properly define the conditions under which the facilities may be used and preserved for future users and may be changed or modified as necessary by the City Manager and approved by the City Council. Facility use policies will be administered by the City Manager's Department.

## **POLICY**

The primary use of these facilities is for activities sponsored by the City which shall have priority over other uses. Use by community groups and the general public will be available as the schedule allows.

Additional conditions of approval may be required. These additional conditions may include, but are not limited to, providing additional City staff, increased insurance coverage, or extra security. Costs incurred for additional requirements shall be the responsibility of the applicant. Costs incurred prior to the Facility Use Permit being issued are solely at the applicant's risk.

## **FACILITY RENTAL HOURS AND DATES**

Facilities are subject to closure on all holidays and days designated by the City. Rentals will not begin prior to the hours of operation, and all activities, including clean-up, must be completed and the premises vacated by the end of the hours of operation. No person shall use, occupy, or otherwise remain in a building, structure, facility, parking area, or other area for which a permit is required unless in possession of a valid permit.

Hours of operation are subject to change by authorization of the City Manager. Additional hourly rates will apply to all events that exceed the approved rental group's ending time.

Rental of the Imperial Beach Facilities will be available as follows:

- Marina Vista Center, 1075 8<sup>th</sup> Street, Imperial Beach, CA 91932  
Sunday through Thursday 8:00 a.m. to 10:00 p.m.  
Friday and Saturday 8:00 a.m. to 11:00 p.m.

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- Community Room  
825 Imperial Beach Blvd., Imperial Beach, CA 91932  
Monday through Friday (closed alternate Fridays) 8:00 a.m. to 9:00 p.m.

*Closure Dates*

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Cesar Chavez Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve
- December Furlough

**APPLICATION PROCESS AND PERMITS**

All applicants must complete a City of Imperial Beach Facility Rental Application. Applications for use of the facilities are available on the City's website at [www.cityofib.com](http://www.cityofib.com) or may also be picked up at City Hall, 825 Imperial Beach Blvd., Imperial Beach, CA 91932, during business hours.

Tours of the facilities can be made (by appointment only) by calling the Imperial Beach City Manager's Office at (619) 423-8303 or (619) 628-2346 during business working hours Monday – Friday (closed alternate Fridays) 7:30 a.m. to 5:30 p.m.

Applications may be submitted in person, by mail, email, or fax. Applications will be reviewed, use will be prioritized, and fees assessed. The submission of an application does not constitute approval. The City reserves the right to limit the number of uses by any one group so that the entire community has access to the limited available facilities.

If the rental request is approved, a Facility Reservation Use Permit will be issued in approximately 14 days. All deposits and rental fees are due at the time the application is submitted. The applicant is required to sign and agree to the terms of the application agreement.

Facility Use Applications will be approved for specific rooms, depending on group size, type of activity, and availability. No activity shall be scheduled for more than the maximum occupancy room capacity. Smaller size groups may be assigned to smaller rooms for maximum utilization of facilities. Multiple room reservations may be taken for the same date if the schedule allows.

Facility applications are accepted Monday - Friday 7:30 a.m. to 4:30 p.m. City Hall is closed on alternate Fridays.

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Facility uses that require extra services, equipment set up, or staff supervision may be charged additional fees for extra staff services. See fee schedule for a list of fees.

Approval for use is not granted to a person less than twenty-one (21) years of age.

**DENIAL/REVOCAION OF USE AND APPEAL PROCESS**

The City of Imperial Beach has the right to refuse or cancel any application/permit. A written or verbal notice of refusal and cancellations with an appropriate explanation will be provided by the City designee. Applications for use may be denied or permits cancelled for the following reasons but not limited to:

1. Date not available
2. Application submitted less than 30 days in advance
3. Unsatisfactory record in prior use, defined as failure to comply with City of Imperial Beach Facility Use Regulations
4. Proposed use would create hazardous conditions
5. Non-payment of fees/deposit before due date
6. Facility or staff not available
7. Insurance or Security requirements not met

If the City cancels an event because the facility is unusable or unsafe a full refund shall be made.

The City of Imperial Beach may revoke any permit for use if it is determined that the permittee has violated any provision of the City of Imperial Beach Facility Use Regulations. Notice of revocation, along with appropriate explanation, will be made by first class mail, addressed to the person in whose name the permit was issued.

If an application is denied or revoked by the City Manager’s Office, the applicant may appeal said decision to the City Council.

An appeal for the denial or revocation of a facility use permit shall be filed with the City Manager’s Office. The appeal must be in writing, include a brief recitation of the basis for the appeal and any other information, which the appellant may wish to submit, and must be postmarked or hand delivered within fifteen (15) days from the date the notice of denial or revocation was deposited in the U.S. mail, to:

City of Imperial Beach  
City Manager’s Office  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932

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The appeal must include a copy of the notice of denial or revocation.

**LIMITATIONS/CONDITIONS OF USE**

Regular recurrent or long term use will be limited and subject to City Manager approval.

**DAY OF RENTAL CONTACT PERSON REQUIREMENT**

One person must be designated as the contact person to coordinate with facility staff on the day of the event.

**CATERING REQUIREMENTS**

The Imperial Beach facilities are equipped with kitchens. The City maintains a pre-approved list of caterers. Caterers not on the pre-approved list must contact the City to complete the approval process (619 628-1423) before providing catering services in City of Imperial Beach facilities.

After you have reached an agreement with an approved caterer please send a copy of the catering agreement to the City.

A Caterer is not required if the applicant:

1. Serves store bought, pre-packaged food, or baked goods; and
2. Does not sell the food; and
3. Serves the food only to guests of the event and within the area designated for the event.

**RULES AND REGULATIONS**

The City Manager or designee has the authority to implement rules and regulations of use that provide consistent use of facilities, but are not limited to the rules and regulations listed in this policy. Applicants using the Imperial Beach Facilities will observe, obey, and comply with all applicable City, County, State, and Federal laws, rules, and regulations.

1. At no time shall exits be covered or obstructed.
2. Gambling in all forms is prohibited.
3. Machines that discharge smoke or other elements that would compromise the health and safety of guests, or activate the smoke alarms, are prohibited.

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*Noise Control*

All rental groups are responsible for controlling noise that is disturbing to other activities in the building or the surrounding neighborhood. The City's Noise Ordinance must be followed at all times.

City staff has the right to require groups to reduce sound/noise level of music or P.A. systems. Doors are to remain closed in the facility when loud music is being played. Groups that do not comply with this request may be required to close the event and may forfeit any future use of facility.

A sound permit will be required for all events that use the patio area of the Marina Vista Center for bands, music, and related.

*Decorations*

1. All decorating is to be done by applicant or hired service.
2. Decorations may consist of balloon bouquets, floral arrangements, freestanding arches, or table top displays. No free-floating balloons are permitted because of lights and air vents. Applicant will be charged extra staff fees for removing balloons from ceilings after the rental.
3. Decorations are not permitted to be hung, tacked, screwed, stapled or nailed to walls, windows, ceilings, or fixtures.
4. Applicants will be required to describe event decorations and some decorations may be disallowed due to safety and clean-up needs.
5. Birdseed, confetti, glitter, rice, and silly string will not be permitted inside or outside the building. Limited amounts of decorative confetti will be permitted on table linens.
6. Clean-up of decorations must be done by applicant following the event during allotted time. Any time that exceeds the regularly scheduled contract time will be charged to the applicant, including staff overtime charges and hourly room fee.

*Alcohol*

The use, possession, sale, or consumption of alcoholic beverages is strictly prohibited in the Marina Vista Center and Community Room. If alcohol is observed, the city has the right to terminate the event immediately and all future facility use may be revoked. No person shall drink or possess an open container of any alcoholic beverage in any facility; on any sidewalk, or public parking lot.

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*Open Flames*

The use of an open flame is prohibited (excluding birthday candles and chafing dishes). Cooking food in barbecues within fifteen (15) feet of any building, facility or restricted area is not permitted.

*Smoking*

It is illegal to smoke within 25 feet of city facilities. Smoking within this area will result in the loss of cleaning/damage deposits.

*Animals*

Animals are not permitted in the facility unless they are service animals used in aiding an individual or when approved by the facility staff designee for a supervised event presentation/demonstration under the care of a professional animal handler/trainer.

*Minors*

Groups composed of minors shall be supervised by one adult (18 years of age or older) per each 15 minors at all times while using the facilities. The adult who will be responsible for the activity must make the application for use of the facility. Minors are defined as those under the age of 18.

*Advertising*

Any advertisement of the event (flyers, signs, banners, etc.) must contain a statement disclaiming the City from any association or support of the event. Advertisement of event shall not occur until the event has been approved by City staff. Any items posted or distributed which have not been approved, will be removed and discarded.

Solicitation of donations, sales and distribution of pamphlets using City facilities will not be permitted without pre-approval.

*Storage*

There shall be no storage of equipment and supplies for facility users. All facility user's equipment and supplies must be removed from facility at the end of the user's rental.

*Equipment Loading and Unloading*

Driving on walkway and patio areas is prohibited. Use permitted parking areas only. Repair costs of damage to walkways/patios will be assessed to the applicant.

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*City Right to Enter*

Designated staff and officials shall have the right to enter all portions of the facility at all times and occupancies.

*Commercial Sales*

Commercial Uses including the collection of any funds or the sale of any item on City Property must provide the following, in addition to all standard facility use permit requirements.

- a. City of Imperial Beach Business License for the permitted group as well as any other commercial vendor.
- b. San Diego County Health Permit (for food sales).
- c. Alcoholic Beverages are prohibited.

*Equipment*

The City of Imperial Beach owned tables and chairs are available for use. Applicant must specify at time of application if use of city tables and chairs is required. City Staff must provide the tables and chair set up for the applicant, except for Non-profit 501(c)(3) groups *only*. A room set-up diagram is required at the time of application. Other equipment may be available for use and subject to appropriate use fees. Equipment available for each room is listed on the Facility Use Application.

**DAMAGE RESPONSIBILITY**

The City of Imperial Beach is not responsible for damage or theft to any equipment or property of caterers, bands, DJ's, vendors, or other facility user groups. All facility user groups are solely responsible for the care, safety, and security of their own, leased, or contracted equipment and supplies.

**RESERVATION AND FEE POLICY**

Groups or individuals will be assessed facility rental fees in accordance with the established City of Imperial Beach Fee Schedule. All fees are final and approved by the City Council. Fees will not be waived for any reason.

*Classification of Users*

Any group utilizing City of Imperial Beach facilities will be classified in one of the following categories for the purpose of determining fees. All reservations will depend on availability. Group A may book facilities 18 months in advance; all other users may book facilities 12 months in advance.

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**Classification A Official City Use/Function-City Sponsored event:**

Events organized and conducted by the City of Imperial Beach or events co-sponsored by the City of Imperial Beach. No fee is associated with Group A events regardless of facility location.

Examples: Meetings, workshops, programs, classes, and official activities of the City.

**Classification B Non-Profit 501(c)(3):**

A 501(c)(3) organization must be organized and operated exclusively for tax exempt purposes and none of its earnings may inure to any private shareholder or individual.

Examples: charitable organizations.

**Classification C Recreational, Educational, Service or Civic Community Groups, Youth Organizations:**

Examples: Youth sports groups, Boy Scouts and Girl Scouts, Little League, Unions, and other organizations. School sports team, physical education instruction, PTA meetings.

**Classification D Government Agencies:**

A federal, state, county or municipal government agency.

Examples: Port District, SANDAG, Caltrans, School Districts, County agencies, City-formed Agencies (i.e. Business Improvement District- BID).

**Classification E Resident, Individual:**

A resident is one who resides within the official city limits of Imperial Beach (91932 zip code) and who does not fall under any other group classification. Proof of residency is required. Acceptable forms of residency documents are listed on the application.

Examples: resident private parties, family gatherings, and weddings.

**Classification F Non-Resident, Individual:**

A non-resident is one who resides outside the official city limits of Imperial Beach and who does not fall under any other group classification.

Examples: non-resident private parties, family gatherings, and weddings.

**Classification G Commercial Use:**

Businesses, commercial organizations or users who do not fit into other classifications.

Examples: Profit-making organizations, seminars, trade shows, film companies, company training.

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*Non-Profit 501(c)(3)*

Non-Profit 501(c)(3) organizations are required to pay the required refundable security/damage deposit for room use.

Non-Profit 501(c)(3) organizations may provide their own table and chair set-up with no charge. All security damage deposit and loss guidelines will apply if any equipment is lost, stolen, or damaged.

Non-Profit 501(c)(3) organizations may provide their own opening and closing of the facility for use, during City working hours ONLY, Monday through Friday 7:30 a.m. to 5:30 p.m. with alternate Friday closures. Any event after normal working hours will require an official city staff person to open and close the facilities and the event will be charged the appropriate hourly rate.

*Room Rental Rates*

Any rates quoted by Staff prior to signing the Facility Use Permit are for general information, and should not be considered final.

Marina Vista Center

3 hour minimum rental required

Refundable Security/Damage Deposit Required: \$500.00

Hourly Rate Monday-Friday 7:30 a.m. to 5:30 p.m.

Group A	Group B	Group C	Group D	Group E	Group F	Group G
N/C	N/C	\$15.00	\$20.00	\$30.00	\$50.00	\$100.00

Hourly Rate Monday-Friday after 5:30 p.m. AND weekends

Group A	Group B	Group C	Group D	Group E	Group F	Group G
N/C	\$30.00	\$30.00	\$40.00	\$60.00	\$100.00	\$150.00

Community Room

3 hour minimum rental required

Refundable Security/Damage Deposit Required: \$500.00

Community Room use is not available for Groups E-G AND is not available for weekend use.

Group A	Group B	Group C	Group D
N/C	N/C	\$15.00	\$20.00

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*Additional Fees that may apply:*

Sound Permit	\$36.00
Air Jump Permit (resident)	\$50.00 (\$25.00 is refundable after event)
Air Jump Permit (non-resident)	\$67.00 (\$25.00 is refundable after event)
Cleaning Fees	\$107.00 per hour
Recycling Fees	\$50.00
City Purchased Insurance	\$83.32-\$116.15 ( <i>this current fee is subject to change without notice by the insurance carrier</i> )

*Equipment Use Fees:*

Podium	\$15.00
Portable Projector	\$25.00
Portable Projector Screen	\$25.00
2 Portable Speakers and Microphone	\$25.00
TV	\$25.00

*Cleaning/Damage Security Deposit*

A refundable damage deposit is required to reserve facilities for events, to ensure proper clean up, and to cover repair/replacement costs from breakage, loss, or damage.

In order to secure a reservation all refundable cleaning/damage deposits and full room rental fees are required at the time of application. When the facility is not left in satisfactory condition, the applicant will be required to pay full cost of materials, labor, replacement, repairs, or damages (over and above the deposited funds) regardless of the amount. If damage occurs and it is less than the deposited amount, the difference will be refunded.

*Finance Fee*

There will be a \$25 fee charged for returned checks or any insufficient funds payment. The Facility Rental will be cancelled if fees are owed.

*Late Fee*

When an applicant leaves a facility later than their listed permitted ending time, a late fee will be charged based on the hourly rate per room, plus the additional staffing fee. Late Fees will be deducted from any refundable deposits and the facility user will be invoiced for any remaining fees. Failure to pay this fee or repetitive late usage will result in discontinuation of future facility uses.

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**INSURANCE REQUIREMENTS**

The City of Imperial Beach is not liable for accidents, injuries, or loss of individual property in connection with any facility rental at any of its facilities. All persons requesting use of a City facility are required to provide the City of Imperial Beach with a Certificate of Insurance naming the City of Imperial Beach as an additionally insured with liability coverage of \$1,000,000 as minimum. The Certificate of Insurance will not be accepted unless it states all the correct information. Proof of liability insurance may be purchased from the City of Imperial Beach. The cost of coverage is determined by type of event and number of participants. Please call the finance department for further information.

**CANCELLATION POLICY AND FEES**

Requests to cancel a use of facilities must be submitted in writing to the City Manager's Office five business days prior to event. A refund of remaining fees, if applicable, will be issued to the applicant in approximately four weeks. No refunds will be processed if the applicant fails to provide proper cancellation notice.