

## Town of Falmouth

### USE OF FALMOUTH TOWN AND SCHOOL FACILITIES

The Town of Falmouth and the Falmouth School Department recognize that all public facilities are supported largely by local tax dollars and they wish to make facilities available to responsible community groups and individuals when not in use by school or community programs sanctioned activities. The Falmouth School Department and Community Programs Department (or their designees) retain the exclusive right to make necessary decisions regarding schedule changes; and the acceptance, refusal or withdrawal of permission for use of all facilities at their discretion as stipulated by the school and town facility use guidelines. It is expected that Falmouth citizens and all other users will be responsible and considerate in their use of town or school facilities while abiding by the rules and regulations set forth in this document.

#### PRIORITY USE OF SCHOOL FACILITIES

- 1.) Falmouth School Board sanctioned activities will take precedence over any other requested or previously permitted use of school facilities, except for the following limitation: members of the Falmouth community shall have priority to use all school facilities in a manner compatible with the operation of school related programs during the hours from 6:00 a.m. to 10:00 p.m. for a portion of each school week.
  
- 2.) Falmouth Community Programs will be the immediate secondary user and take precedence over any other requested or previously permitted use of school facilities. The Falmouth School Department and the Falmouth Community Programs Department reserve the right to assign alternate space if other needs for the space arise, or to revoke any permission for the use of school or community facilities, at any time and without prior notice or liability, should the School Department or Community programs Department determine that such action is necessary or desirable.
  
- 3.) Falmouth Organizations or Falmouth Residents may be afforded the use of school or town facilities for recreational, civic, cultural, educational or political activities which in the opinion of the Falmouth School Department/Community Programs Department (or its designees) do not interfere with the conduct of school/community programs or the best interests of the school system/town and whose activity appears appropriate for the actual facility requested. The theatre shall not be used for worship unless the group is actively pursuing a plan to obtain or construct its own facility.
  
- 4.) Groups or individuals from outside the Town of Falmouth may be afforded the use of school or town facilities at the discretion of the Falmouth School Department/Community Programs Department (or its designees).

5.) The Falmouth School Department and the Falmouth Community Programs Department reserve the right to assign alternate space if other needs for the space arise, or to revoke any permission for the use of the school facilities, at any time and without prior notice or liability, should the School Department or Community Programs Department determine that such action is necessary or desirable. Any appeal regarding the use of the School facilities shall be made to and decided by the Schools' Superintendent.

#### PRIORITY USE OF COMMUNITY FACILITIES FOR NON-SCHOOL ACTIVITIES

1.) The Falmouth Community Programs Department will have first priority use of all community facilities and will take precedence over any other requested or previously permitted use, except for precedence agreements with the Falmouth School Department for specified activities or facilities.

2.) Falmouth School Board sanctioned activities will be the immediate secondary users and will take precedence over any other requested or previously permitted use of community facilities.

3.) Falmouth organizations and individuals as described in Section 3 of "Priority Use of School Facilities".

4.) Outside groups or individuals as described in Section 4 of "Priority Use of School Facilities".

5.) The Falmouth Community Programs Department and the Falmouth School Department reserve the right to assign alternate space if other needs for the space arise, or to revoke any permission for the use of the Town facilities, at any time and without prior notice or liability, should the Community Programs Department or the School Department determine that such action is necessary or desirable. Any appeal regarding the use of the Town facilities shall be made to and decided by the Falmouth Community Programs Director.

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The Falmouth School Department and Falmouth Community Programs reserve the right to deny facility use if the proposed activities would jeopardize equipment and/or facilities; conflict with school or community program activities; violate local, state, or federal law; present a hazard to the general public; or be contrary to the best interests of the Falmouth School Department or the Town of Falmouth and the welfare of its residents.

#### SCHEDULING AND SUPERVISION RESPONSIBILITIES

- 1.) The Falmouth School Department's building principals or their designees are responsible for the scheduling of all Falmouth School Board sanctioned educational/extra-curricular activities and facilities and shall disseminate these schedules with the Superintendent, assistant principals, athletic administrators, director of buildings and grounds, special activity/facility directors, staff and the Falmouth Community Programs Department as far in advance as possible. Facility use updates and changes must also be reported to all of the above individuals as quickly as possible.
- 2.) The Falmouth Community Programs Department Director or his/her designee is responsible for scheduling all the school and town facilities for non-school sanctioned organizations or

individuals after consulting with the building principals or their designees to determine the availability of school facilities and surveying his/her own department to assess the availability of town facilities as requests for facility use are made.

- 3.) The Falmouth Community Programs Department will be responsible for collecting all rental fees from third and fourth priority facility users and dispersing them fairly between the school department and town depending on such criteria as: the facilities utilized, the cost to maintain and repair the facilities, and the cost to supervise the use of the facilities. The Town and the School Department will review annually such costs and revise the fee schedule and allocation of fees accordingly.
- 4.) The Falmouth Community Programs Department will be responsible for providing appropriate supervision and insuring policy enforcement for all activities approved by the department utilizing school and community facilities.
- 5.) The Falmouth School Department will be responsible for providing appropriate supervision and insuring policy enforcement for all Falmouth School Board sanctioned activities utilizing school or community facilities.
- 6.) For third and fourth priority users the individual whose signature appears on the use permit application will be considered the person responsible for supervision of the facility requested. He/she will also be responsible for the safety and well being of all people at the facility and any damages inflicted on the facility or equipment during the permitted time period. The Falmouth School Department or Community Programs Department may require additional supervisory personnel to be on site at the cost of the permit user.

#### RULES, REGULATIONS AND DISCLAIMERS

- 1.) Priority of facility use will be periodically reviewed to review accommodation of school/community use priorities, to evaluate the impact on the facility, to review allocation of costs and fees between the School Department and the Town, the length of a past pattern of acceptable use, Falmouth Youth needs, the number of individuals involved, including Falmouth adults, Falmouth adult needs, field conditions and weather reports, profit/nonprofit, staffing/parking/ security/safety/supervision/equipment requirements, insurance, and other logistical concerns. To qualify as a third priority user, youth group participants must be 18 years old or younger and all teams and organizations must have a minimum of two-thirds Falmouth residents.
- 2.) All application forms for the use of a specific school or community facility use must typically be submitted to the Falmouth Community Programs Director or his/her designee at least two weeks prior to the requested date of use but not more than three months before such date to help facilitate fair and equitable scheduling. All fees must be paid, proof of insurance provided, and

all other stipulations met before the permit is issued. If the permit must be withdrawn due to a scheduling conflict caused by the school or community programs, all fees will be refunded. If the user chooses not to use the facility as requested and notifies the Falmouth Community Programs Department at least two weeks before the scheduled usage date, there will be a full refund. There will be no refund of fees if notification occurs less than two weeks before the scheduled usage date unless there is an unusually compelling reason for such a default.

- 3.) A copy of each application will be kept on file at the Falmouth Community Programs Department Offices.
- 4.) The individual whose signature appears on any such application form will be considered the individual responsible for the supervision and use of the facility/facilities requested and he/she must provide adequate and appropriate supervision at all times. He/she will also be responsible for all rental fees, proof of liability insurance/bodily harm, facility/equipment damages, theft, or loss of any kind that occurs related to usage of the facility.
- 5.) The Falmouth School Department/Falmouth Community Programs Department property insurance and general liability insurance does not extend to community groups or individuals utilizing school or town facilities. Therefore, any individuals or groups using Falmouth School or Community facilities for any purpose are advised to obtain an insurance bond for liability (\$1,000,000) and damage (\$25,000) before signing for a facility permit. The Falmouth School Department or Falmouth Community Programs Department may insist upon such insurance as a requirement before issuing a usage permit. The Falmouth School Department and the Town of Falmouth shall be named as additional insured in all such policies and all insurance provided by the facility user shall be primary to any insurance which the School Department or Community Programs Department may have. All insurance required by this agreement shall be placed with insurers licensed to do business in the State of Maine and acceptable to the Falmouth School Department and the Falmouth Community Programs Department.
- 6.) The Falmouth School Department and Community Programs staff are only expected to service their own sanctioned programs. All other users are allowed to utilize the town or school facilities at their own risk on an "as is, where is" basis. There should not be any expectation from permit users that the building or grounds will be "set up" for their specific use or situation. If the School or Town facilities staff is able to provide a special service over and above their normal employment requirements, it will have to be at an extra expense and considered an "act of goodwill", not an expectation for any future use.
- 7.) It is the responsibility of the persons or organizations using school or community facilities to leave them in the same condition in which they were received. If this is not done to the satisfaction of the appropriate building principal (or his/her designee) or the Falmouth Community Programs Director (or his/her designee), a charge shall be levied for any required "clean-up", "pick-up", or "fix-up" costs (including labor) in excess of any fees that would otherwise be applicable. A lack of respect and responsibility could result in the denial of future permits to the permit

applicant or group. Any proposed alteration to a school or community facility must be approved in writing in advance.

- 8.) It is the responsibility of the persons or organizations using school or community resources to inform all K-8 families of program cancellations if such programs are scheduled immediately after school.
- 9.) No permitted or walk-in user shall change the appearance, rearrange, or attempt to improve the school or community facility to meet his/her needs without the express consent of the Falmouth School Department and/or the Falmouth Community Programs Department.
- 10.) To the extent feasible, the hours during which school or community facilities are used shall coincide with the hours during which custodians are on regularly scheduled duty. To the extent after- hour use results in overtime pay for custodians or other staff, the additional cost will be the permitted user's expense.
- 11.) The Falmouth School Department and Falmouth Community Programs Department reserve the right to require school or community personnel to be present during the permitted period at the expense of the individual or group in question. In many instances custodians, school staff, school directors, and others may be required to be in attendance because of negotiated contracts.
- 12.) All individuals or groups using school or community facilities are responsible for the preservation of order during all activities and are required to comply with all applicable statutes, ordinances, and regulations, in addition to any policies or conditions imposed by the Falmouth School Department and the Falmouth Community Programs Department. If security is deemed to be necessary, arrangement and payment for police services shall be the responsibility of the individual or group in question. Proof of police protection or private security may be required to receive the initial permit.
- 13.) The possession, consumption or sale of alcoholic beverages, tobacco/electronic smoking devices or illegal drugs at any community or school facility is prohibited.
- 14.) Gambling on school or community property is prohibited unless allowed as an approved, legal, fund raiser (i.e. casino nights, fifty-fifty raffles and bingo) for school or community booster groups. Such activities must be approved by the Falmouth Building Principal (or his/her designee) or the Falmouth Community Programs Director (or his/her designee).
- 15.) The use of weapons, open flames (including candles), or other incendiary special effects is prohibited at all facilities unless approved in advance by the Falmouth School Building Principal or (his/her designee) or the Falmouth Community Programs Director. At all times, the user or owner of such devices will remain liable for any harm or damages inflicted on other human beings, private property, or school and community facilities.

- 16.) Bringing animals to school or community facilities is to be discouraged due to liability and health issues. Bringing animals into school or community buildings requires the approval of the Falmouth School Building Principal (or his/her designee) or the Falmouth Community Programs Director (or his/her designee).

Although the presence of animals outdoors is also discouraged, if an animal is present, it must be on a leash or other type of restraint and the person in charge of the animal must be prepared to clean up any bodily fluids released by the animal. The person in charge of the animal will be liable for any personal harm or damage caused by the animal while at the permitted facility. Exceptions will be granted for animals providing assistance for a person's disability (seeing-eye dogs) or providing rescue or emergency services.

- 17.) All permit applicants must restrict themselves to appropriate use of all facilities. (Facility use should be dictated by its design.) Falmouth School buildings, playing fields, trails, and tracks are for foot traffic only. The only motorized vehicles in or on school facilities should be maintenance vehicles. All other vehicles or recreational equipment such as four-wheel drives, snowmobiles, roller blades, scooters, skateboards, bicycles, motorcycles etc. are prohibited without permission of the Falmouth School Department. All school facilities require permitted use by third and fourth priority users as do most all community facilities. Park facilities will be handled by the Falmouth Community Programs Department on a case by case basis in accordance with the Towns Park and Trail Use Ordinance. Golfing is prohibited on all school and community facilities.
- 18.) Any individual or group utilizing Falmouth School or Community facilities for any purpose (including non-permitted walk-on use) agrees to save, indemnify and hold harmless the Town of Falmouth and all its employees, the Falmouth Town Council and all its members, the Falmouth School Department and all its employees, the Falmouth School Board and all of its members, and the Falmouth Community Programs Department and all of its employees, from and against, any and all liabilities, actions, courses of action and damages arising out of any negligent or torturous acts on the part of the facilities applicant, applicants' employees or agents, and from any and all fines, suits, claims, demands and actions of any kind or nature of any and all persons by virtue of or arising from the use of said facilities, equipment, or activity participation. It is also important to note that participation in recreational and athletic activities can cause bodily injury, sickness, disease, or death or injury to or destruction of tangible property, including the loss or use thereof. Therefore, all of the aforementioned groups and individuals shall also be held harmless from and against all claims, damages, losses, and expenses, just or unjust, included but not limited to costs of defense, including attorney's fees arising out of or resulting from the performance of any facility usage agreement.
- 19.) Permitted users acknowledge and agree that they will be solely responsible for all royalties or charges which are due or may become due on material used for or during an event. The facility user warrants to the Falmouth School Department and Falmouth Community Programs Department that such royalties or charges have been paid or will be paid promptly in accordance with law. The permitted facility user further agrees to hold the Falmouth School Department and Falmouth Community Programs Department harmless and to indemnify both for all costs or losses, including attorney's fees in defense claims, just or unjust, relating to

payment of any royalty, charge or fee for use of material by the permitted user during the use of the school or community facilities.

- 20.) The Falmouth School Department or the Falmouth Community Programs Department reserves the right to waive, modify, or institute requirements in addition to those listed herein should it be deemed necessary and/or in the best interest of the Falmouth School Department or the Falmouth Community Programs Department. The Falmouth School Department and Falmouth Community Programs Department encourage all youth sport administrators to certify their coaches.
- 21.) The Falmouth School Department and the Falmouth Community Programs Department have approved a schedule of fees for the use of school and community facilities, based upon actual costs or similar fees charged by surrounding communities that can be fairly applied to third and fourth priority users. In addition, groups which charge admission or otherwise raise money at the permitted event may be assessed a user fee not to exceed fifteen percent of the profit. The check is to be made out to Falmouth School Department and sent to Falmouth Community Programs as referred to on KG-R3.
- 22.) The Town of Falmouth and the Falmouth School Department will cooperate at all times with recognized organizations such as the Red Cross and Civil Defense in order to make the Town and School facilities available during emergencies and for purposes of emergency planning.
- 23.) Theatre: In the rental of the theatre:
  - a. Any non-school or non-Falmouth government group must have an insurance bond for liability (\$1,000,000) and damage (\$25,000). This provision can be waived or modified for good cause. Any facilities used by the applicant will be examined carefully after use and the applicant agrees to make restitution promptly for any loss or damage occurring during the applicant's use of the facilities.
  - b. The Town of Falmouth and its school and town representatives shall be named as additional insured in all such policies and all insurance provided by the applicant and shall be primary to any insurance which the School Department may have.
  - c. The applicant will furnish certificates of insurance indicating that it has provided the coverage required herein no later than fourteen (14) days prior to the use of the Theatre.
  - d. All insurance shall be placed with insurers licensed to do business in the State of Maine and acceptable to the School Department.

- e. If the user needs to make any alterations to the facility, the user must fill out an alteration request sheet and have the alterations pre-approved by building administration and authorized by the Falmouth Community Programs Department.
- f. Minors (under the age of 18) using the Theatre are to be supervised at a ratio of at most 15 minors to 1 adult.
- g. The theatre's stage lighting, sound system studio or projection areas may be used only with prior approval. Their use requires the employment of an authorized school technician. Cost of this technician is to be paid by the applicant at the rate established in the attached table. Special regulatory or technical requirements may necessitate the hiring of an additional employee. The costs for such arrangement must be borne by the applicant.
- h. The applicants are responsible for their own publicity and hiring or providing necessary support and technical staff.

#### OTHER COSTS:

Janitorial Services: Janitorial services are charged at the existing contract rate and may include set-up, break-down, locking/unlocking doors, and general maintenance. During regular school days before 10:00 p.m., janitorial fees will accrue only for actual services. On non-school days and after 10:00 p.m., janitorial fees will apply to the entire time the facility is in use.

Kitchen Help: A regular Falmouth School Department kitchen worker shall be required when renting any school kitchen facility. Kitchen help shall be charged at the existing contract rate per person per hour.

Adopted: Prior to 1989

Revised: April 10, 1995

Revised: September 21, 1998

Revised: April 23, 2001 (to become effective upon adoption by Town Council of same policy)

Revised: April 14, 2003

Revised: November 16, 2015

# Falmouth School Department Rental Fees

**KG-R1**

|                                                                                                                             | Gym(s)          | Classroom(s) | Field(s)         | Cafetorium       | Kitchen | Theatre                                                  | Other          |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------|--------------|------------------|------------------|---------|----------------------------------------------------------|----------------|
| 1.<br>Resident<br>Teams<br>and/or<br>Groups                                                                                 | Cost            | Cost         | Cost             | Cost             | Cost    | Cost                                                     |                |
| 2. Resident<br>Profit/Non-<br>Profit Teams<br>and/or<br>Groups<br>Utilizing<br>Facilities for<br>Fund Raising<br>Activities | \$25/hr         | \$10/hr      | \$25/hr          | \$25/hr          | Cost    | \$350/4 hr.<br>\$50/add. hr.<br>\$50<br>Rehearsal<br>fee |                |
| 3.<br>Non-Reside<br>nt Non<br>Profit<br>Individuals,<br>Teams<br>and/or<br>Groups                                           | \$50/hr         | \$25/hr      | \$50/hr          | \$50/hr          | Cost    | \$350/4 hr.<br>\$50/add. hr.<br>\$50<br>Rehearsal<br>fee | + 15%<br>gross |
| 4.<br>Non-Reside<br>nt for Profit<br>Activities                                                                             | \$100<br>per hr | \$50/hr      | \$100<br>per hr. | \$100<br>per hr. | Cost    | \$500/4 hr.<br>\$70/add. hr.<br>\$70<br>Rehearsal<br>fee | + 15%<br>gross |

Payment of Fees

- The above listed fees may be subject to change.
- Any additional costs for staffing/materials, fixtures, equipment, or supervision may be added to the above listed fees.
- The applicant agrees to pay interest at the rate of 1.5% per month on any payment that is not made within the time limits set forth in this agreement.
- The above hourly fees are based upon one team per facility.
- School Department, school-affiliated and Town sponsored activities do not pay a fee.

**File: KG-R3**

School Facility Reservation Form Falmouth  
Community Programs  
271 Falmouth Road  
Falmouth, ME 04105  
(207)-781-5253 (FCP)

Please keep this form on you during times of reservation. Facility Requested:

Elem. School \_\_\_\_\_ Middle School \_\_\_\_\_ High School \_\_\_\_\_

Area(s) Requested:

Gym \_\_\_\_\_ Music Room \_\_\_\_\_ Cafetorium \_\_\_\_\_ Theater \_\_\_\_\_ Kitchen \_\_\_\_\_  
\_\_\_\_\_

Classroom (indicate #) \_\_\_\_\_ Library \_\_\_\_\_ Athletic Field (indicate field) \_\_\_\_\_

Other \_\_\_\_\_

Dates to be reserved: \_\_\_\_\_ Hours to be reserved: \_\_\_\_\_

Type of Use: \_\_\_\_\_ Name of Organization: \_\_\_\_\_

\_\_\_\_\_

Insurance Carrier: \_\_\_\_\_ Policy Number: \_\_\_\_\_

\_\_\_\_\_

Person designated as primarily responsible:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Facility Fee: \_\_\_\_\_ Additional Fee: \_\_\_\_\_

Total Charge: \_\_\_\_\_

The person or representative will clear the availability of the space with Falmouth Community Programs before making application for use.

Falmouth Community Programs maintains a calendar of facility use: Call 781-5253 for information or look on the Internet at "<http://www.town.falmouth.me.us>".

The person designated as the representative of the group mentioned above, agrees in signing for that group to be responsible, and to understand the school policies IGAFa and KG (available at the schools and at the Falmouth Community Programs office). Payment for the facilities, if it applies, is expected at the time of application unless other arrangements have been made. The check is to be made out to Falmouth School Department and sent to Falmouth Community Programs at the above address.

The applicant agrees to pay interest at the rate of 1.5% per month on any payment that is not made within the time limits set forth in this agreement.

Facility Scheduler Signature \_\_\_\_\_ Date \_\_\_\_\_

Approved / Denied

## THEATER FEE SCHEDULE

### Room Fee

#### **Non-Profit Organization and Not-For Profit**

\$350.00 four-hour period  
\$50.00 each additional hour  
\$50.00 per hour rehearsal fee

#### **For Profit Organization**

\$500.00 four-hour period plus 15% of gross  
\$70.00 each additional hour  
\$70 per hour rehearsal fee

Theatre rental includes use of house lighting. System, basic stage lighting configuration and one microphone (fixed illumination of proscenium opening and stage area).

#### **Guidelines for Potential Additional Fees**

#### **KG-R2**

|                                 | Non-Profit     | For Profit     |
|---------------------------------|----------------|----------------|
| Piano                           | \$75.00        | \$100.00       |
| Technician                      | \$15.00/hr.    | \$15.00/hr.    |
| Ticket Taker & Ushers           | \$10.00/hr     | \$10.00/hr.    |
| Video Projector & VCR           | \$100.00       | \$150.00       |
| Security                        | \$20/hr/person | \$20/hr/person |
| Spot Light (2 available)        | \$30.00 each   | \$40.00 each   |
| Additional Lighting Instruments | \$10.00 each   | \$15.00 each   |

Rev. 03/04/03

11/16/15