

## CHAPTER 187

### TOWN BUILDINGS AND GROUNDS

**[HISTORY: Adopted by the Board of Selectmen of the Town of Pembroke 6-16-2003 by Ordinance No. 03-03; *Editor's Note: This ordinance also repealed former Chapter 187, Town Hall, Art. I, Use of Meeting Rooms, adopted 10-28-1996 by Ordinance No. 96-22. amended in its entirety 5-4-2006. Subsequent amendments noted where applicable.*]**

#### GENERAL REFERENCES

Facilities and Grounds Committee — See Ch. **159A**.

Parks — See Ch. **172**.

#### ARTICLE I Smoking Prohibition

##### § 187-1 Prohibition

Per the provisions of RSA 155, smoking is strictly prohibited in any area of all Town-owned buildings. "Smoking" shall be defined as having in one's possession a lighted cigarette, cigar or pipe.

##### § 187-2 Enforcement

Department heads shall be responsible for the enforcement of this smoking prohibition and shall post adequate signs to ensure compliance. Any Department Head who fails to enforce the policy shall be subject to discipline according to the Town's personnel plan.

#### ARTICLE II Alcoholic Beverages

##### § 187-3 Prohibition

No person shall possess, sell, or have an open container or consume, any alcoholic beverages in any municipal building in the Town, or on any Town-owned property.

#### **§ 187-4 Violations and penalties**

Any person violating said article shall be fined no more than \$100, and any employee found to be in possession of alcohol shall be subject to the disciplinary procedures outlined in the Town of Pembroke Personnel Plan.

*Editor's Note: See Chapter 175, Personnel Policies.*

### **ARTICLE III Gambling**

#### **§ 187-5 Prohibition**

Gambling, as defined by state and local statutes, is prohibited in any municipal building in the Town, or on any Town-owned property.

#### **§ 187-6 Violations and penalties**

Any person violating said prohibition shall be subject to a fine of not more than \$100.

### **ARTICLE IV Use of Municipal Facilities**

#### **§ 187-7 Classes of users**

All users of Town facilities shall be classified in one of the three following classes. This class shall determine the user's eligibility to use specific Town facilities as well as any special rules and procedures applying to that class of user. The classes are:

- A. Town of Pembroke municipal or school government bodies performing necessary, required governmental duties.
- B. Pembroke community interest and nonprofit groups devoted to meeting the educational, social, or recreational needs and the development and betterment of Pembroke residents.
- C. Other Pembroke residents, nonprofit and for-profit entities.

#### **§ 187-8 Rules of use**

- A. All individuals and/or organizations wishing to use Town facilities must complete the relevant use of facility application form.
- B. The responsible party shall be at least 18 years of age and a Pembroke resident.

C. User shall remove all materials brought into the facility. This includes cleaning up and removing all trash generated by the user. The facility should be left in the same or better condition than it was found in.

D. All furniture and equipment shall be returned to the position it was found in.

E. No tape, tacks, nails, or other type of adhesive may be used to affix items to walls.

F. In the event that any damages to the facility or equipment occur, the listed responsible party shall be held responsible to make complete restitution for the full amount of the cost of repairs or replacement within 30 days after receipt of notification by the Town of Pembroke.

G. In the event that any provided facility key is lost or not returned, the responsible party shall be charged the cost to change any relevant locks and for the replacement of all keys and associated costs as stipulated by the Town Administrator.

#### **§ 187-9 Insurance**

All users of Town facilities shall, at their own expense, deliver to the Town Administration Department a certificate of liability insurance against accidents with at least \$1,000,000 combined single limit coverage. The Town shall be named as an additional insured. The user shall indemnify and hold the Town of Pembroke harmless for damages to persons and property resulting from the use of Town facilities by the user.

### **ARTICLE V Use of Town Hall Meeting Rooms**

#### **§ 187-10 Classes of users**

It is the intent of the Town of Pembroke Board of Selectmen to permit maximum use of the meeting rooms at the Pembroke Town Hall by local fraternal, service, civic, and social organizations on a not-to-interfere basis with official municipal activities. Therefore, the use of the meeting rooms will be limited to class (A) and (B) users, as defined in § 187-7, in priority order.

#### **§ 187-11 Permitted hours and days of use**

The use of the Town Hall meeting rooms shall be limited to the hours of 8:30 a.m. - 11:00 p.m., Monday - Friday. Exceptions to these hours and days may be approved on a case-by-case basis by the Town Administrator.

#### **§ 187-12 Application procedure**

A. The Use of Town Hall Meeting Rooms form may be obtained from the Town Administration Department at the Town Hall, 311 Pembroke Street. The form must be submitted at least two weeks in advance of the date of intended use.

B. Use of the facilities may be denied by the Town of Pembroke for reasons determined to be appropriate within the discretion of the Town Administrator, including but not limited to activity which might appear to cause undue liability for the Town.

C. If the date is open and the use is approved, a copy of the application will be returned to the requesting party. The responsible party must pick up a key from the Town Hall the day of the event.

#### **§ 187-13 Damage deposit**

No damage deposit shall be required for use of the Town Hall meeting rooms if required insurance is provided.

### **ARTICLE VI Use of Perry L. Eaton Building**

#### **§ 187-14 Classes of users**

The Perry L. Eaton building shall be available for use by class (A) and (B) users as defined in § 187-7, as well as class (C) users as approved on a case-by-case basis by the Town Administrator.

#### **§ 187-15 Permitted hours of use**

The use of the Perry L. Eaton Building shall be limited to the hours of 8:30 a.m. - 11:00 p.m. Exceptions to these hours may be approved on a case-by-case basis by the Town Administrator.

#### **§ 187-16 Application procedure**

A. The Use of Perry L. Eaton Building form may be obtained from the Town Administration Department at the Town Hall, 311 Pembroke Street. The form must be submitted at least two weeks in advance of the date of intended use.

B. Use of the facilities may be denied by the Town of Pembroke if the proposed activity would appear to cause an undue liability risk to the Town.

C. If the date is open and the use is approved, a copy of the application will be returned to the requesting party. The responsible party must pick up a key from the Town Hall the day of the event.

#### **§ 187-17 Fee.**

A. The fee for use of the Eaton building shall be determined on a per diem basis by the class of the user as defined in § **187-7**, as well as the length of the use.

- (1) Class (A) users shall not be charged a fee for use of the building.
- (2) Class (B) users shall not be charged a fee for use of the building.
- (3) Class (C) users shall be charged a fee of \$50 for uses of less than four hours and \$100 for uses between four hours and a full day.

B. The Board of Selectmen may approve special annual fees on a case-by-case basis for users who wish to utilize the Eaton Building on a weekly, monthly, or other recurring basis.

#### **§ 187-18 Damage deposit**

In addition, class (B) and class (C) users will be required to submit a separate \$100 damage deposit. Violations of the rules of use in § **187-8** and/or damage to the building may result in a partial or total loss of the damage deposit as well as additional charges if cleanup or repair costs exceed the damage deposit. The damage deposit should be in the form of a separate certified or bank check and will be held and returned to the user so long as no damage or cleanup costs are incurred by the Town of Pembroke as a result of the use of the building.

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