



# **HENDERSON COUNTY**

## **FACILITY USE POLICY**

Tab 35 – Administrative Manual  
Facility Use Policy  
Adopted by the BOC: December 3, 2007  
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## TABLE OF CONTENTS

<b>PURPOSE</b> .....	3
<b>AUTHORITY</b> .....	3
<b>LIST OF DESIGNATED FACILITIES</b> .....	3
<b>RULES GOVERNING PUBLIC FORUMS</b> .....	4
<b>RULES GOVERNING THE USE OF ALL FACILITIES AND GROUNDS</b> .....	5
<b>SPECIFIC INSTRUCTIONS GOVERNING DESIGNATED FACILITIES AND GROUNDS</b> .....	7
<b>APPLICATION FOR USE OF HISTORIC COURTHOUSE LAWNS AND COURTYARD</b> .....	8
<b>APPLICATION FOR USE OF HISTORIC COURTHOUSE GRAND COMMUNITY ROOM</b> .....	9
<b>STATEMENT OF DISCLAIMER</b> .....	10
<b>PUBLIC LIBRARY MEETING ROOM USE POLICY</b> .....	11
Eligibility .....	11
Available Meeting Spaces .....	11
Application Process .....	12
Room Setup and Usage .....	12
Regulations Governing Use of Meeting Rooms.....	12

## **PURPOSE**

The Facility Use Policy is designed to govern the use of County-owned facilities by individuals, groups and/or organizations that are not directly associated with Henderson County Government. The designated meeting rooms and grounds which are listed below may be reserved for non-county government, public activities, provided certain conditions are met. However, for security and operational reasons, the remaining County facilities will not generally be made available for public use. County government functions shall in all cases take precedence over all other activities at any county facility.

## **AUTHORITY**

This policy is adopted pursuant to N.C. Gen. Stat. §153A-169, which directs that the Board of Commissioners “shall supervise the maintenance, repair, and use of all county property”, and allows the Commissioners to adopt “regulations concerning the use of county property”.

## **LIST OF DESIGNATED FACILITIES**

The designated County facilities available to the public for non-county government use are as follows. More specific instructions for each building may be found at the end of this policy.

1. Historic Courthouse Building and the “square” area on the exterior of the building facing Main Street, but not including its grassed areas or parking lot (1 Historic Courthouse Square).
2. King Street Office Building (100 N. King Street) meeting room.
3. Designated rooms and the grounds of the Courthouse Building (200 N. Grove Street), subject to the provisions of N.C. Gen. Stat. §14-225.1.
4. N.C. Cooperative Extension Building (800 Glover Street) meeting room.
5. Certain rooms (designated herein) of the Henderson County Public Library.

Facilities of the Henderson County Parks and Recreation Department are covered under separate policy.

## **RULES GOVERNING PUBLIC FORUMS**

The following rules denote and govern Public Forums on property which is owned by Henderson County.

1. The following places are designated as public forum areas:
  - a) The sidewalks and square area (but not grassed areas) of the exterior of the Historic Courthouse building (1 Historic Courthouse Square, hereafter the “Historic Courthouse”) on the side facing Main Street.
  - b) The walkways and other pedestrian access areas on the exterior of the Courthouse Building (200 N. Grove Street, hereafter the Courthouse Building), subject to the provisions of N.C. Gen. Stat. §14-225.1.
2. A permit is required for gatherings for Public Forums, to reserve these areas solely to prevent simultaneous conflicting uses.
3. The County Manager, or the Manager’s designee, may adopt rules for the granting of such permits, subject to the following:
  - a) Permits must be obtained at least three (3) business days, but not more than six (6) months prior to the proposed use.
  - b) Permits will be granted in order of application without regard to the purpose of the proposed gathering.
  - c) Applicants must present photographic identification compliant with United States Public Law 109-13, and valid mail, e-mail, and telephone contact at the time of application.
4. The applicant is responsible for any and all damages to any facility or grounds, including costs for cleanup. The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place associated with the use, and shall agree to hold the County harmless and indemnify the County for any injury or damage to persons or to property. This shall include the times the area is being readied for the use and for all follow-up activity related to the use. Any damage or accident must immediately be reported to the facility coordinator, or as soon thereafter that the office is open for business.
5. Access to the Historic Courthouse and to the Courthouse Building may not be blocked or impeded during periods in which business (including governmental business, meetings, court, and related functions) is being conducted, or during business hours of the museum at the Historic Courthouse. Sound amplification is not permitted during County or State Government business hours, including regular or special called meetings of the Board of Commissioners.

**RULES GOVERNING THE USE OF ALL FACILITIES AND GROUNDS**

1. The applicant requesting the use of a county facility or grounds must complete the necessary application accepting liability as outlined below in #2, and present a photo ID.
2. The applicant is responsible for any and all damages to any facility or grounds, including costs for cleanup. The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place associated with the use and shall agree to hold the County harmless and indemnify the County for any injury or damage to persons or to property. This shall include the times the area is being readied for the use and for all follow-up activity related to the use. Any damage or accident must immediately be reported to the facility coordinator, or as soon thereafter that the office is open for business.
3. Facilities are not available to exclusive groups; meetings must be open to the public.
4. The County facilities may not be reserved by commercial groups.
5. Solicitation is not permitted.
6. The County will not accept reservations for meetings which would designate any county meeting room as the regular meeting place for any organization.
7. Fees and deposits for the Designated Facilities are approved by the Board of Commissioners.
8. A Statement of Disclaimer must be signed by all facility users unless the Disclaimer is incorporated into the Designated Facilities Specific Application Process.
9. Depending on the type of event, proof of insurance may be required. If required, a copy of the insurance policy must be submitted with the application. The policy is to be one of comprehensive general liability in the amount of not less than \$300,000 for bodily injury per person and \$1,000,000 per occurrence and not less than \$100,000 for property damage per occurrence.
10. The County will not provide personnel except for security purposes in the County Courthouse.
11. Disruptive behavior is prohibited.
12. No eating or drinking is permitted inside facilities unless advance provisions have been approved with the application and comply with all laws and regulations of the State Department of Human Resources, Division of Health Services.
13. Animals of any kind are not allowed in any facility, except for service animals in the performance of their duties or with approval in advance.

14. Open, pit, or other types of fires are prohibited.
15. No alcoholic beverages will be permitted.
16. Federal and State firearm laws must be obeyed.
17. The applicant is responsible for providing proof of proper disposal of trash and debris in advance.
18. The applicant is responsible for returning any furniture and fixtures to the original configuration immediately after use.
19. Signs, decorations, or other attachments may not be hung on any building or permanent structures in a manner that may potentially damage the property.
20. Parking for those attending meetings in these facilities will only be permitted in designated areas.
21. This policy does not apply to sidewalks or streets that are under the jurisdiction of the local municipality or State of North Carolina.
22. The applicant is responsible for registering the function with the applicable local law enforcement authority as well as determining the need for any crowd control and security enforcement that may be necessary.
23. All uses must be in compliance with local, state and federal laws, including the Americans with Disabilities Act.
24. The applicant must comply with any further or additional restrictions the county chooses to place on the use of the grounds or facility.
25. The County Manager, or department director in charge of a facility, may revoke the authorization to use a facility up to or during the use if a violation of this ordinance is discovered.
26. The County Manager or designee is authorized to approve applications, and the County Manager has the right to waive any subsection of this section when doing so would more effectively serve the public's interest, except where prohibited by law.

**SPECIFIC INSTRUCTIONS GOVERNING DESIGNATED FACILITIES AND GROUNDS**

**1. Historic Courthouse and Grounds**

- a) Point of Contact: Public Information Officer, except for the Commissioners’ Meeting room, the Clerk to the Board.
- b) Events must not block entrance and exit from the courthouse during business hours Monday through Friday 8:30 a.m. to 5:00 p.m., during regular or special called meetings, and the weekend hours of operation for the Heritage Museum, Saturday 10:00 a.m. to 5:00 p.m. and Sunday 1:00 p.m. to 5:00 p.m.
- c) The rooms available are the Commissioners’ Meeting Room and the Community Room.
  - i. The use of the Commissioner’s Meeting Room for non-County Government business must be approved by the Board of Commissioners during a regularly scheduled meeting, except as otherwise stated in this paragraph. All requests must be received by the Clerk to the Board at least two weeks in advance of the Board of Commissioners’ meeting at which approval of the use is sought. The equipment in the room is not available for use.
  - ii. Departments of the Henderson County Government (including not-for-profit corporations the Board of Directors of which are wholly appointed by the Board of Commissioners) may use this room with the advance written permission of the County Manager and the Clerk to the Board. Use of the room may not conflict with the Board’s use of the room. Any permission granted under this paragraph shall note that such permission is revocable by the Board should the need arise for the Board’s use of the room during the time for which permission is given.
  - iii. For any use of the interior of the Historic Courthouse, no bags, packages, or parcels of any sort are permitted within the Commissioners’ meeting room in the Historic Courthouse without either (1) prior inspection by law enforcement personnel, or (2) carrying of credentials previously approved by the County Manager.
- d) Signs, decorations, or other attachments may not be displayed on the building. Signs may be displayed on the grounds, but are limited to the duration of the event. The only exception to this is banners provided by a county agency, in support of county government functions.
- e) The museum portion of the Historic Courthouse is not available for public use.
- f) Large community-wide events, which are sanctioned by the County, may have use of the Historic Courthouse grounds during the event, and may be exempt from the prohibition of sound amplification during County Government business hours.
- g) Restrooms in the Annex are available to the annual Apple Festival.

**2. King Street Office Building**

- a) Point of Contact: Planning Department
- b) The room available is the large meeting room, #140

**3. Courthouse**

- a) Point of Contact: Clerk of Court

**4. N.C. Cooperative Extension Building**

- a) Point of Contact: Henderson County Center, NC Cooperative Extension Service







**Henderson County**

1 Historic Courthouse Square, Suite 2 ▪ Hendersonville, NC 28792  
Phone (828) 697-4809 ▪ Fax (828) 698-6014 ▪ [www.hendersoncountync.gov](http://www.hendersoncountync.gov)

**Application for Use of the Historic Courthouse Grand Community Room – Room 219** <sup>1</sup>

**1 Historic Courthouse Square Hendersonville, NC 28792**

\_\_\_\_\_  
Name of Applicant Making Request<sup>2</sup> Date of Application

\_\_\_\_\_  
Mailing Address of Applicant Phone Number of Applicant E-mail Address of Applicant

\_\_\_\_\_  
Purpose for Use of Facilities

\_\_\_\_\_  
Date of Event Beginning Time End Time

\_\_\_\_\_  
Applicant Signature  
• By signing above, applicant acknowledges that they are responsible for any and all damages to facilities and grounds, as outlined in "Rules Governing the Use of all Facilities and Grounds" found on Page 5 of the Facility Use Policy.

**The remainder of the application to be completed by the Office of the County Manager**

**PERMISSION GRANTED TO USE HISTORIC COURTHOUSE GRAND COMMUNITY ROOM**

\_\_\_\_\_  
Public Information Officer Date Request Approved

**PERMISSION DENIED TO USE HISTORIC COURTHOUSE GRAND COMMUNITY ROOM**

\_\_\_\_\_  
Public Information Officer Date Request Denied

**Reason Denied:**  
\_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> Effective July 7, 2008, the Henderson County Board of Commissioners approved a Facility Use Fee to cover expenses to utilize county staff to secure the building when the community room is used for non-county government purposes after business hours, 5:00 p.m. until 9:00 p.m., Monday through Friday and 5:00 p.m. until 9:00 p.m. Saturday and Sunday. The Facility Use Fee is \$25.00 per hour with a \$50.00 minimum. The fee is based upon the number of hours listed in the beginning and ending time on this application and is payable to Henderson County upon presentation of this completed application. No refund is given for hours reserved but not used; no extension of hours is permitted.

<sup>2</sup> The individual(s) signing this application are responsible for providing a photo id as part of the application process. The community room must be cleaned (trash emptied) after use and restored to the original configuration. The person named on the application is responsible for room use.

**STATEMENT OF DISCLAIMER**

Public Use Policy  
County of Henderson

In renting, leasing, or making available the County of Henderson’s facilities and grounds, neither the Henderson County Board of Commissioners, nor the Henderson County employees, assume any responsibility for the loss of or damage to any property placed on the premises by the user, or for loss or damage of any property or personal effects, including but not limited to, vehicles and their contents, or for any injury to the user, its members, employees, agents, guests, or participants, all of whom hereby agree to hold the County of Henderson, the Henderson County Board of Commissioners, the County Manager and County employees harmless for any loss or damage sustained while using Henderson County facilities and grounds.

The County of Henderson is committed to providing opportunities in access and employment in all programs, services, activities, grounds and facilities without regard to age, sex, race, color, religion, national origin, creed, political affiliation, or disability.

I have read and agreed to the policy for using the County of Henderson’s facilities and grounds.

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Organization/Group Representative:

---

Signature

Date

---

Print Name, Organization and Title

**FOR COUNTY USE ONLY**

Approved:

Denied:

County Manager or Designee:

---

Signature

Title

Date

**HENDERSON COUNTY  
PUBLIC LIBRARY MEETING ROOM USE POLICY**

When not being used for Library sponsored activities, the Library’s meeting rooms are available for use by non-profit Henderson County based community organizations. Proof of tax exempt status may be required to establish eligibility. Library use of the meeting rooms is a first priority and the Library reserves the right to cancel a reservation if a room is needed for that purpose. Use of the meeting rooms does not constitute an endorsement of the views of the user of the room by the Library. The Library subscribes to the tenets of the Library Bill of Rights, which states in part, Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

**Eligibility:**

Groups may use a library meeting room if:

- The organization is a non-profit
- The meeting is open to anyone
- No admission is charged

Meeting rooms cannot be used for:

- Private parties
- For-profit activities
- Any activity where admission is charged
- For any exclusive group

**Available Meeting Spaces:**

**Main Library**

- Kaplan Auditorium
  - Seated Capacity: 155
  - Standing Only Capacity: 215
  - Seated with tables capacity: 72
- Children’s Auditorium
  - Capacity: 50, Children’s Activities Only
- Study rooms
  - First come first served basis, no reservations
  - May be used for up to 3 hours at a time

**Fletcher Library**

- Meeting Room
  - Seated capacity: 50
- Basement
  - Seated Capacity: 102
  - Standing Only Capacity: 140
  - Seated with tables capacity: 48

**Etowah Library**

- Meeting Room
  - Seated Capacity: 70
  - Standing Only Capacity: 100
  - Seated with tables capacity: 35

### **Application Process**

- Meeting Room reservations must be submitted at least 7 days prior to the date of the event. Requests can be completed through the Library's website: [www.hendersoncountync.gov/library](http://www.hendersoncountync.gov/library)
- Forms must be completed by a representative (over age 18) of the organization who will be responsible for the conduct of the meeting and proper use of the meeting space.
- Reservations are tentative until approved by a Library representative.
- Individual groups may only use a Library facility one time per month.
- Rooms may be booked up to three months in advance, but to avoid monopolization an organization may only have one room at any Henderson County Library location on reservation at any one time. The Library cannot guarantee or provide a monthly meeting space, same time same day.
- Meetings can only be scheduled during the Library's normal operating hours and must be completed 30 minutes prior to closing time. Meeting room doors will be locked 15 minutes prior to closing time.
- Meetings can be cancelled by following the cancellation link in the reservation confirmation email or by notifying the Main Library Administrative Assistant.

### **Room Setup and Usage**

- It is the responsibility of the user to schedule the room allowing time for setup and takedown. Library staff is not available to assist with room setup or takedown.
- Requests for Library equipment must be included in the original meeting room reservation request. A group representative must contact the Programming Librarian or appropriate Branch Manager after receiving approval of their room reservation to confirm the availability and use of any audiovisual (AV) equipment. All AV equipment requests must be made no later than 7 days prior to the program date. Confirmation for the use of the room does not guarantee use of the AV equipment.
- Only trained Library personnel may operate auditorium equipment.
- Library personnel will turn on projection or audio equipment at the start of a film or sound recording and will turn off equipment at the end of a film or compact disc. Groups requiring multiple starts and stops of media must provide their own equipment. DVDs and CDs may be played and the contents projected through a laptop computer.
- It is the responsibility of the user to pick up all garbage and leave the library facility in the same condition as when the scheduled meeting began. This includes rearranging all chairs and tables to previous location.
- Groups must inform a library representative when their meeting is over so that library staff can secure the equipment and the facility.

### **Regulations Governing Use of Meeting Rooms**

1. All publicity for meetings must clearly state the meeting is not sponsored by the Henderson County Public Library. Copies of the aforementioned must be sent to the Main Library Administrative Assistant, or appropriate Branch Manager, at least 3 days prior to the meeting.
2. Only pre-approved posters may be placed in the library to advertise meetings and they MUST be given directly to a library representative for proper approval and display.
3. Access to the room prior to your scheduled time is not possible.

4. It is not permitted to charge registration fees or to require the purchase of an item as a condition of attending a meeting. Donations may not be solicited nor may any funds be collected, promised or pledged.
5. The use of the name, address, or telephone number of the Henderson County Public Library (or any of its branches) as the address or headquarters of any group using the library for meetings is prohibited.
6. Library staff may attend or observe any meeting or program at any time.
7. Messages cannot be relayed to people attending meetings except in emergencies.
8. Refreshments are permitted only for Henderson County Government or Public School groups. Refreshments for community group programs are not permitted.
9. Smoking or use of alcohol or malt beverages is not permitted.
10. Groups of young people under eighteen years of age must have the meeting room application signed by a sponsoring adult who must also be present at the meeting.
11. Displays may not be affixed directly to the walls of the meeting rooms without prior consent. Library fixtures may not be removed from the walls. The use of staples or thumbtacks on library walls is prohibited.
12. Users of the auditorium may not canvass or otherwise disturb library patrons.
13. Use of Library equipment is a privilege, not a right. In the event of equipment failure it is not the Library's responsibility to find alternative equipment for a meeting.
14. The Library is not responsible for patron equipment or exhibit materials. Equipment may not be stored at the library.
15. The Library reserves the right to make special accommodations for other county agencies.
16. The Library reserves the right to limit or prohibit at any time the use of the meeting room spaces which present a threat to the health or safety of library users, or the orderly use of the library.
17. Users of the Main Library Kaplan Auditorium should request attendees use the overflow parking lot to the south of the main parking lot.
18. For and in consideration of the use of the meeting room and library facilities, any person or group using same hereby agrees to indemnify and hold harmless the Henderson County Library from any and all actions, suits, relating to its use of such rooms and facilities. Further, such person or group agrees to reimburse the Library for any and all costs for repair of any and all damage as may be caused directly or indirectly to the room and/or facilities by such use thereof. If any organization refuses to pay for the damage, the matter will be referred to the County Attorney for legal action.