

ADDENDUM K. FORT BENJAMIN PARK BAND SHELL

The intended purpose of the BAND SHELL is for public presentations, performances, concerts, demonstrations, movies, weddings, and other art events. BAND SHELL is not a picnic shelter and will not be approved for such use.

All Carteret County Park Policies and Regulations, Carteret County Ordinances and Town of Newport ordinances and regulations are applicable to use of the BAND SHELL and surrounding area. It is the responsibility of the renter to be familiar with, and follow, all applicable restrictions and obtain any appropriate permits.

I. PRIORITY OF USAGE

- A. Carteret County Parks and Recreation programs, activities and events. Rental activities must not interfere with Department programs and offerings. The CCPR Department reserves the right to reschedule or relocate an organization or group at its discretion. When there is a need to reschedule or relocate, the organization or group will be notified in advance.
- B. County Non-Profits. County-based non-profit, civic groups or community-serving functions and organizations. Non-profit organization may be asked to present a written copy of their Internal Revenue Service 501(c)(3) designation or similar entity to the NPRC Supervisor.
- C. County Residents. Individuals who are county citizens and/or county taxpayers.
- D. Non-resident and for-profit. Non-profit and/or functions sponsored by and involving those who do not reside in Carteret County or who are not Carteret County taxpayers, or for-profit groups of any kind. For-profit groups are considered those who cannot provide copy of IRS 501(c)(3) designation.

II. RULES GOVERNING COMMUNITY USE - GENERAL

- A. The use/rental of the band shell will not be permitted if there will be a conflict with department or league use of the soccer fields, shuffleboard/bocce area, or any other event that will be adversely affected by such use.
- B. Renter/user must complete a "Fort Benjamin Park BAND SHELL Rental Application" (copy attached to these policies and procedures.) A copy may also be obtained on the CCPR website: www.ccparksrec.com. Group/Renter using BAND SHELL may be required to provide a valid Certificate of Insurance for liability, minimum coverage of \$1,000,000, naming the Carteret County Board of Commissioners and Carteret County Parks and Recreation Department as additional insureds. Rental Application (which shall also serve as contract), certificate of insurance (if required) and fee must be received at least 2 weeks in advance of usage.
- C. In order to reserve the BAND SHELL, a person must be at least 21 years of age.
- D. Profit-making or commercial events will not be permitted in this facility.
- E. The County reserves the right to require police/security for functions as deemed appropriate. Renter/User is responsible for arranging and funding police/security.
- F. Nails, hooks, tacks or screws in any part of the facility are prohibited; no decorations of any kind shall be attached to walls, floors or ceilings.
- G. No signs, banners or event information may be posted on park property without permission from CCPR.

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- H. Loading and unloading permitted from the parking lot only; no vehicles are allowed on park grounds.
- I. Facility is rented/available for use as is. Each renter/user group is responsible for any and all arrangements, activity supervision, well-being and orderly conduct of all persons involved with event, chairs, tables, set ups, equipment, etc., relating to the event, program or activity.
- J. Electricity will be available and included in rental. Please contact CCPR for details on electrical outlets and accessibility. Renter must provide extension cords. The cost of additional electrical supply beyond the permanent service in the park shall be the responsibility of the organizer.
- K. No storage is available.
- L. No generators are allowed unless special permission is granted by the Parks and Recreation department director.
- M. All events must be open to the general public, with the exception of wedding ceremonies.
- N. The use of the BAND SHELL shall be limited to between the hours of 8:00am and 10:00pm. No use of a public address system or any other amplified sound is allowed prior to 9:00am or after 10:00pm.
- O. It shall be the responsibility of CCPR representative, with possible involvement of the CCPR Department Director, to give any special interpretation or to make any decision concerning the use of the facilities not covered specifically in this policy or when there is a question concerning the use of the facilities.

III. USER RESPONSIBILITIES

- A. Rental patrons are required to do the following:
 - 1. Have representative on-site at all times, including set-up and tear down.
 - 2. Set up as necessary at the time indicated in the application for rental of the BAND SHELL. Department staff will have the restrooms open and stocked, electrical outlets and BAND SHELL lighting available.
 - 3. Arrive and depart at the times specified on the rental permit.
 - 4. Leave all rented areas clean and free of trash.
 - 5. Remove any personal items and leave the location in the same condition as it was found or better.
 - 6. The County will NOT be responsible for any items left by rental patrons.
 - 7. Make arrangements for delivery and pick-up of special items such as tents, inflatable games, tables, and chairs. NOTE: Delivery of any items on any day and time other than those specified on rental application is NOT permitted without prior written approval. Similarly, pickup of any items must be done within the time of the Application unless prior written approval is agreed upon. STAFF IS NOT RESPONSIBLE FOR SETUP OR TEAR DOWN. This is the sole responsibility of the renter.
 - 8. Confine rental event to the spaces identified and approved on the facility permit.
- B. Rental Patrons will provide for orderly dispersal of crowd following completion of the event.

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- C. Person(s) making reservation is responsible for seeing that all CCPR rules and regulations are adhered to. If deviation from the policies causes damage to building/field/park area, the sponsoring person(s)/group(s) shall be held liable
- D. Failure to adhere to any or all of the above policies may result in the rental groups being asked to leave the facility, forfeiture of rental fee and loss of future rental privileges.

IV. REVOKING OF APPLICATIONS, REFUSAL OF FUTURE RENTAL

- A. CCPR reserves the right to refuse or revoke a user's application, to close down an event, and/or refuse future rental for any or all of the following conditions:
 - 1. Failure to pay rental fee when due.
 - 2. Failure to submit required liability insurance, if required.
 - 3. Rental patrons are not conducting an event in an orderly manner.
 - 4. Damage is done to the BAND SHELL and/or to park property.
 - 5. The rental patrons repeatedly do not adhere to the users' responsibilities.
 - 6. If CCPR feels that a group's event is detrimental to the well being of staff and/or park patrons.

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**Carteret County Parks and Recreation
Application for Fort Benjamin Park BAND SHELL Usage**

Group/Individual Name _____

Chairperson/President: _____

Address: _____

Email: _____

Phone: _____

Type of event: _____ Admission fee? Yes _____ No _____

What will proceeds be used for: _____

Rental Date _____

Start setup time _____ Event time _____ End time (after cleanup) _____

Music: none _____ band _____ DJ _____ Other (explain): _____

Number or guests/attendees anticipated: _____

Will additional electrical supplies be needed? _____ If yes, specify _____

Individuals responsible for/ on-site for actual event:

Name	1. _____	Contact Phone	_____
	2. _____		_____

◀◀ATTACH SKETCH OF PLANNED LAYOUT (where audience will be, any equipment renter will bring, etc)

INDEMNIFICATION It is expressly agreed and understood that the department will not be liable for any claimed damages, losses or expenses of any kind whatsoever, whether to persons or property (including, but not limited to those claims, damages, losses or expenses resulting from or by reasons of the department's negligent acts or omissions) arising out of, related to or connected with any accident, occurrence or event on or about the department's property, when the accident, occurrence or event takes place while the group/renter is using said property pursuant to this Agreement. As a result of this expressed Agreement and understanding, each party will at all times indemnify and hold the other party harmless, and will defend the other at its own expenses whether such claims, damages, losses or expenses are covered by the other's insurance.

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INSURANCE Patron/Renter must provide a valid Certificate of Insurance for liability, minimum coverage of \$1million, naming the Carteret County Board of Commissioners and Carteret County Parks and Recreation Department as additional insureds.

Requesting Individual/Group Chairperson	Signature	Date
Person on-site/responsible at event	Signature	Date
Parks and Recreation Director	Signature	Date

Return completed original application with required documentation to:

**Fort Benjamin Park Recreation Center
100 McQueen Avenue
Newport, NC 28579**