

**WEST PIKELAND TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION #2010-07-21

**A RESOLUTION ESTABLISHING RULES AND REGULATIONS ALLOWING USE OF THE
WEST PIKELAND TOWNSHIP YELLOW SPRINGS CULTURAL CENTER AND
ASSOCIATED FACILITIES**

NOW, this 16th Day of July, 2010 the Board of Supervisors of West Pikeland Township, Chester County, Pennsylvania hereby resolves to enact Rules, Regulations and Procedures governing the use of the West Pikeland Township Yellow Springs Cultural Center and its associated facilities as follows:

USE REGULATIONS

1. The use of the Yellow Springs Cultural Center and/or Municipal Meeting Room for artistic and cultural events shall be scheduled with the Township Secretary in the Municipal Office in conjunction with the Arts and Cultural Committee and shall be restricted to the following groups:
 - Official activities of West Pikeland Township, including public meetings and township-sponsored activities.
 - Other governmental agencies, as long as a West Pikeland resident agrees to be responsible for having all rules obeyed
 - Officially recognized civic and neighborhood associations, groups or organizations serving developments within or residents of West Pikeland Township
 - Political parties and groups (but not for fund-raisers) as long as member of such group is a West Pikeland resident and agrees to be responsible for having all rules obeyed
 - Group(s) sponsored by West Pikeland Township Department of Parks and Recreation that support and are consistent with the mission of the department
 - Performing Arts Group(s) approved by the Township and recommended by the Township Arts & Culture Committee.
2. All group(s) and persons shall assume the risk of damage to the property or injury while West Pikeland Township facilities are in use. Any applicant shall provide a Certificate of Insurance for \$50,000.00 coverage to the Township prior to the grant of permission for any such use.
3. Said group(s) shall follow all rules and instructions enumerated by West Pikeland Township regarding use of the facilities.
4. Said group(s) shall leave the premises in a clean and tidy condition, including disposing of all trash in the proper receptacles.

APPLICATION AND APPROVAL PROCESS

1. A Permit to use the Yellow Springs Cultural Center and/or the Municipal Meeting Room or any portion thereof for artistic or cultural events may be granted only after a completed Permit Application is submitted to the Township. All dates of use shall be scheduled through the Township Office, at least three months in advance prior to the event by filing a permit application with the Township. The Township acknowledges there may be circumstances with respect to a specific event that may merit special consideration to the three-month application requirement. The West Pikeland Township Manager in conjunction with the Arts and Cultural Committee is willing to discuss any special requests for these unique events. The permit shall include dates, location, admission costs, a resume, a one-page description of the event, and a letter of recommendation or published review. Individuals with handicaps who are in need of special

accommodations in order to complete said application may call the Township at 610-827-7660 for assistance. If the date and time requested are available, the application for use may be considered and if granted, the Township's official calendar will be marked accordingly with the name and time. No group, other than the Township, will be able to use the facility more than once a week without first obtaining special permission from the Township Manager.

2. Applications for artistic or cultural events are given to the Chairman of the Arts and Cultural Committee one business day after receipt. The Committee will recommend approval or denial to the Board of Supervisors for consideration at their next Board meeting.
3. The Board of Supervisors will make a decision accepting or rejecting each application only after it has received a recommendation from the Arts and Cultural Committee.
4. Right to Deny Permit: The Township hereby reserves its right to deny any group access to use the facility whether membership in said group is comprised of Township residents or not, **if the Township deems the proposed use to be inappropriate**, or if said group desires to utilize the Township facilities solely for retail sales, fund raising or profit making events for the benefit of a commercial or profit-making business venture. This section should not be read as a prohibition against the use of Township facilities by authorized organizations who wish to use said facilities for purposes of fund raising or any other activity incidental to the non-profit goals of the organization or group.

RULES OF USE

1. Responsibility: The person signing the application is responsible for the following:
 - Any adverse change in the condition of the facility
 - Payment for all damage to building, furniture, walls, floors and/or any equipment owned by the Township occurring during the use.
 - Ensuring that the facility is clean (within 2 hours after conclusion of event) and interior lights are turned off (As necessary). The Township will provide lighting equipment (number of instruments should be noted), lighting control board, grand piano, and extra chairs (number of chairs should be noted).
 - The Applicant is responsible for focusing the stage lighting (note: a lighting technician can be hired, rolling ladder may not be used), production, audience management, piano tuning, and response to any emergency.
 - Costs for janitorial services required because of improper cleanup of the facility.
 - Return of any Facility keys, if applicable
2. Access: A Facility key may be obtained on the date of the use or as alternatively arranged by the Township Manager
3. Occupancy Limits: Maximum occupancy and use shall be restricted to the areas and in the numbers as determined by the Township.
4. Care of Building:
 - No nails, screws, scotch tape, wire, etc., may be used to place decorations, signs, or banners in any part or any wall of the facility.
 - Trash/refuse shall be placed in plastic bags provided by the facility user
 - Thermostats are set and should not be readjusted.

5. Use by Minors: Any function involving use of the facility by minors shall be properly chaperoned by adults as approved by the Township. The Township based on the activity and number of individuals expected to attend shall determine the number of chaperones necessary for the function.
6. Prohibited Activities: The following activities and actions are prohibited:
 - Smoking
 - Use of alcoholic beverage without prior approval by the Township. If such use is requested, it shall be noted on the application provided to the Township.
 - Activities not in conformance with the application.
 - Advocacy or performance of illegal or unlawful acts.
 - Noise or other activity which interferes with the normal conduct of business in the building or adjacent structures
 - Fog machines, bubbles machines, confetti and the throwing of rice, artificial petals and glitter
 - Use of candles or open flames
 - Use of paint, thumbtacks, staples and tape on walls, ceilings, tables and chairs
 - Additional amplification equipment is not permitted without Township consent
 - Additional signage is not permitted without written Township consent.
7. The Township reserves the right to review all advertisements prior to publication for events within Township-owned facilities.
8. Fees: All groups using the Yellow Springs Cultural Center will pay a security deposit as pursuant to the West Pikeland Township Schedule of Fees. The Security Deposit shall ensure West Pikeland Township the Yellow Springs Cultural Center Theatre and/or Meeting Room will be maintained in a proper manner. In addition, all groups will pay a non-refundable rental fee pursuant to the West Pikeland Township Schedule of Fees duly adopted by Resolution by the Board of Supervisors. The Board of Supervisors may waive security deposit and fee requirements for non-profit organization activities, such as use by officially recognized civic and neighborhood associations. Fees and Security Deposits are excluded for official activities of West Pikeland Township, including public meetings and Township-sponsored activities, or use by other governmental agencies.
13. On the initial day of rental, the Township will open the facility, conduct a tour, point out existing damage, explain emergency procedures, and answer questions.
14. On the day following the rental, the Township will document any damage.
15. Security Deposit: All groups shall pay a security deposit to ensure that the Cultural Center facility is maintained in a proper manner. The Township reserves the sole right to waive any security deposit. The security deposit shall be returned to the organization after use of the Yellow Springs Cultural Center Theatre and/or Meeting Room, minus any costs incurred.
16. Indemnification: All parties shall indemnify and hold harmless West Pikeland Township, its officials, agents and representatives, by completion of appropriate facility reservation forms.
17. Reservation of Rights: Township reserves the right to reject or revoke any application or amend these rules at any time.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors of West Pikeland Township hereby resolves as follows:

1. Resolution 2009-03-16 enacted March 2, 2009, establishing rules and regulations allowing use of the West Pikeland Township Yellow Springs Cultural Center Theatre and Associated Facilities is hereby amended in accordance with the aforementioned provisions of this Resolution.
2. The amendment to Resolution 2010-07-21 shall be effective July 19, 2010

ENACTED AND ORDAINED this 19th day July 2010.

Attest

Board of Supervisors of West Pikeland Township

Joan C. Matthews,
Twp. Secretary

Robert Shemonsky, Chairman

Richard Bright, Jr., Vice Chairman

Harold M. Hallman III, Supervisor

Tom Tucker, Supervisor

Ernie Holling, Supervisor