

## **Board of Commissioners**

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## **COUNTY OF MERCER**

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### **Use of County Grounds**

Use of the County Grounds for public gatherings must comply with the policy as stated below. This Policy has been adopted by the Board of Commissioners and is meant to provide equal access, to protect sensitive areas, and to respect the nature of the Courthouse and its grounds.

### **Policy**

1. Applications and accompanying documentations must be submitted to the Chief Clerk and approved by the Commissioners prior to use of the grounds for gatherings.
2. Applications are processed on a first-come, first-serve basis.
3. If an activity is not in compliance with these rules, the County reserves the right to terminate or prevent the use.
4. Applicants are responsible for restoring the site and grounds to its condition before use and for cleaning the premises after the use. Applicants must make appropriate provisions for trash removal.
5. If staff time is used for restoration of the site and grounds, the applicant will be billed for the staff time and cost. The applicant will be denied further usage until the bill is paid in full.
6. No activity shall pose a risk to public safety.
7. No activity shall impede Courthouse business or proceedings.
8. Use of the courthouse (internal and external areas, excluding sidewalks within the street right of ways) and all other county facilities are subject to the authority of the Commissioners.
9. No fees will be charged to use the grounds.
10. Firearms, candles, other incendiary devices, fireworks, alcoholic beverages and illegal drugs and the use of vehicles are prohibited.
11. The use of poles, stakes, tents, digging or excavation is prohibited.
12. The use of electricity through outlets on any buildings is prohibited. Use of electricity at the courthouse bandstand is subject to approval.

13. Nothing, including displays, banners, signs, lighting, equipment, etc., shall be affixed to poles, fences, signs, buildings, trees or any other structure.
14. Gambling, raffles, games of chance and sporting activities (including football, frisbee, etc.) are prohibited.
15. Benches or other equipment shall not be moved or removed.
16. The outside walk-ways on county property shall be used for pedestrian traffic only.
17. The user must make every effort to protect the trees, grass or other vegetation.

### **Gatherings**

1. All gatherings must be in compliance with the policy stated above.
2. Use of the grounds for gatherings (without application) is limited to 10 or fewer people for short periods of time. Gatherings of more than 10 people require advance application.
3. The application for a gathering should indicate the area(s) to be used for the gathering. The County reserves the right to restrict the specific locations of gatherings.
4. No bathrooms are provided.
5. The applicant is responsible for naming the County of Mercer as additionally insured on any required insurance policy. The minimum amount of liability insurance is not less than one million dollars.
6. Rain dates for events will not be given.

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## WAIVER OF LIABILITY INSURANCE REQUIREMENTS

Notwithstanding anything hereinbefore or hereinafter set forth, either express or implied, an exemption from the liability insurance requirement as a precondition to the issuance of a permit for assembly on county property, shall not be waived with respect to any application submitted by or on behalf of any group or organization intending on inviting the attendance or participation by the general public or of persons not on the date of application submittal member of the applicant group or organization to participate or attend the event for which a permit is sought.

An exemption from the liability insurance requirements as a precondition to the issuance of a permit for assembly on county property *will* be waived if:

- A) The total attendance at the permitted event is reasonably estimated by the permit applicant to be in number 25 or less; **and**
  - 1. the applicant supplies accurate verified information with regard to the applicant's inability to obtain insurance (as itemized on Exhibit "A"); **and**
  - 2. the applicant group or organization (or in the case of an applicant being a single individual) will not be soliciting attendance by persons not members of its group or organization as of the date of its application submittal; **and**
  - 3. the applicant, in all notices and/or publications concerning the event, will clearly and unequivocally advise potential attendees to the event that the applicant group or organization has not provided liability insurance coverage for the protection of attendees.

OR

- B)
  - 1. the applicant supplies accurate verified information with regard to the applicant's inability to obtain liability insurance (as itemized on Exhibit "A"); **and**
  - 2. the applicant group or organization (or in the case of an applicant being a single individual) will not be soliciting attendance by persons not members of its group or organization as of the date of its application submittal; **and**
  - 3. the applicant, in all notices and/or publications concerning the event, will clearly and unequivocally advise potential attendees to the event that the applicant group or organization has not provided liability insurance coverage for the protection of attendees.

## Exhibit A

Please draft a notarized statement that addresses the questions listed below:

Have statement notarized that you are an authorized representative of the group and that the facts presented are true and accurate to the best of your knowledge.

1. Registration:
  - a. Is your group registered under any state or federal law?
  - b. Which law or regulation?
  - c. What is the date of registration and docket number, if any?
2. Who are the principals of your group, list all the names and residential addresses?
3. Insurance:
  - a. Have you attempted to buy liability insurance for your proposed activity?
  - b. Was it rejected?
  - c. By whom and for what reason?
4. Are you intending on advertising the event to the general public?
5. Is your intent that the event is limited to members of your own organization?
6. How many members are in your organization?
7. Do your members pay dues?
8. Banking:
  - a. Do you have any bank account(s)?
  - b. List name of bank and current balance(s).