

SOCORRO COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2009-29
PUBLIC BUILDING USE POLICY

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

WHEREAS, NMSA 1978, Section 4-38-13 (1876) provides that the board of county commissioners shall have power at any session to make such orders concerning the property belonging to the county as they may deem expedient; and,

WHEREAS, NMSA 1978, Section 4-38-16 (1876) provides that the board of county commissioners shall have power keep in repair all county buildings; and,

WHEREAS, NMSA 1978, Section 30-20-13 (1981) prohibits the interference with members of staff, public officials or the general public on county property, trespass and damage to county property and provides for penalties; and,

WHEREAS, the Socorro County Board of Commissioners has determined that the health, safety and general welfare of the residents of Socorro County, and the efficient, safe and orderly conduct of county business by county officials, employees and members of the public, would best be served by the adoption of a policy regulating conduct within county buildings;

NOW THEREFORE BE IT RESOLVED that the Socorro County Board of Commissioners does hereby establish this policy regulating use and conduct within Socorro County Buildings, as follows:

I. INTENT:

- A. The intent of this policy is to regulate conduct within Socorro County Buildings so as to promote the efficient, safe and orderly use of the building facilities by county officials, employees and members of the public.
- B. This policy prescribes the rules and regulations under which Socorro County facilities may be made available for use by community organizations or individuals.
- C. Questions concerning the interpretation of this policy will be referred to the County Manager.

II. PRIMARY USE:

Socorro County Buildings are first and foremost for the use of the County of Socorro for to conduct the business of government and then for use by residents of Socorro County. When a building is not in use by County Government or a program administered by Socorro County, the State of New Mexico or the United States Government for the benefit of Socorro County residents, certain buildings and rooms therein may be reserved by individuals and/or social, educational, hobby, civic cultural, community service and religious groups. The use of buildings for personal or corporate profit is prohibited.

The following buildings may be utilized pursuant to this policy:

- County Community Centers
- County Senior Centers
- County Annex Building
- Other buildings upon special written approval by the County Manager

III. APPROVED PERMITS:

- A. Permission for use of a building facility is granted upon the condition that all rules and regulations governing the use of the facility shall be followed, as permission may be revoked at anytime for failure to do so.
- B. Community groups or individuals wishing to use a County Building Facility must make application at least two (2) weeks in advance of the proposed date of use. Permits will not be considered if the application is applied for more than four (4) months in advance of the proposed date of use.
- C. Permits are issued on a first come first serve basis for non-governmental functions, permission will depend on availability.

- D. All permits shall be applied for and issued by the County Manager or his/her designee to be used.
- E. Security fee must accompany the application.
- F. The County has the right to revoke any permit due to unforeseen circumstances, or infractions of the policies.

IV. BUILDING USE HOURS:

- A. 9:00am-4:00pm, Monday-Friday
- B. Evening & weekend programming as authorized by the Director.

V. CERTIFICATE OF INSURANCE:

- A. All groups will be requested to, when applicable, provide a Certificate of Insurance in the amount of one million dollars (\$1,000,000) naming the County of Socorro "additional insured" prior to use of the building facility. Vendors related to groups using a building facility shall also provide a Certificate of Insurance to the County Manager or his/her designee.
- B. At a minimum, tenant will be required to obtain Tenant User Liability Insurance Program (TULIP) insurance through the County's insurance provider.
- C. Applicability will be determined by the size of the group, scope of meeting, time involved and element of risk determined by the County Manager or his/her designee

VI. SECURITY:

- A. All groups and individuals using the facility are responsible for the contents and security of the building.
- B. Opening and closing the building securely will avoid cost of damages to the users(s) from vandalism.
- C. A security deposit of one-hundred dollars (\$100.00) is required of all groups/individuals using the facility, on a one-time basis. Deposit will be returned if the facility is left as it was found.
- D. Groups using the facility on a regular basis (i.e. every first Thursday of the month) will have the deposit returned following the final date of scheduled use. An additional fifty dollar (\$50.00) refundable deposit is required for use of a kitchen, with additional fees assessed for use of kitchen equipment.
- E. No County supplies are to be used by groups or individuals.
- F. Be aware that buildings with kitchens must maintain the kitchen to a commercial standard, strict adherence to kitchen policies and procedures is required. Failure to do so will result in denial of future permit requests.

VII. DAMAGES:

- A. The individual responsible for the group and the group as a whole shall be responsible for all damage to the building or facility.
- B. Groups/individuals allowed to use a building facility must agree to leave the facility in an acceptable condition.
- C. All damages to County property will be the responsibility of the user, and cost of damages will be taken from the security deposit, plus any additional expenses the deposit does not cover.
- D. The group will be notified within thirty-six (36) hours of the damage, provided an itemized list of damages and estimated cost of repairs and or cleanup. Payment for damage will be deducted from the security deposit. Any additional expense the deposit does not cover will be required in thirty (30) days. Failure to make payment may result in suspension of further use of the building facility, as well as legal action to recover costs and damages.

VIII. PREPARATION AND CLEAN-UP:

Users of a building facility are responsible for any changes in room arrangements prior to use and all clean up after use. This must be done within the time frame the building facility has been reserved. Any expenses for special clean up and/or room arrangements performed by County Staff as a result of non-compliance with this provision will be deducted from the security deposit.

IX. CANCELLATIONS:

Any changes/cancellation in a scheduled reservation must be made at least two (2) days prior to the requested date. Notification of cancellation to member of the group organization is the sole responsibility of the organizer.

X. CONDUCT:

The person(s) responsible for the permit are requested to observe and help enforce the rules, respect all County property, personal property rights of others, and avoid unnecessary noise disruptive to neighbors.

XI. PROHIBITED CONDUCT.

The following conduct shall be prohibited upon county property.

- A. **Smoking.** This policy is designed to reduce the hazards of smoking to non-smokers and to comply with the New Mexico Clean Indoor Air Act, NMSA 1978, § 24-16-1 *et seq.* (1985). **Declaration of policy and intent.** The Board of County Commissioners finds and declares that the smoking of tobacco, or any other weed or plant in enclosed places is

a substantial danger to the health of others and that smoking in such areas of county property should be prohibited. The Board of County Commissioners further declares its intention to protect the public health from such hazards in County Buildings. **Smoking prohibited.** Smoking is not permitted, within county buildings.

- B. **Weapons.** Use, possession or storage of any weapon on county property is expressly prohibited. This section shall not apply to a law enforcement officer acting in the lawful performance of his or her duties, to personnel of the District Attorney's Office or individuals with a valid Concealed Carry Permit.
- C. **Animals.** Animals of any kind are prohibited from entry into County Buildings except for qualified assistance animals. Any person with a qualified assistance animal shall be liable for any damage done by his or her qualified assistance animal.
- D. **False Alarms.** Initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency is prohibited at county facilities. Misusing or damaging fire safety equipment on county property is prohibited.
- E. **Controlled Substances.** Illegal use, possession, or distribution of any controlled substance, illegal drug or alcohol is prohibited.
- F. **Fireworks.** Use or possession of fireworks, unless expressly authorized in writing by the County Manager or his/her designee, is prohibited.

XII. LIMITATIONS

Nothing in this policy shall be construed to prevent lawful assembly and peaceful and orderly petition for the redress of grievances, including any labor dispute.

XIII. CHARGES

Any users not associated with County business will be charged a usage fee outlined below. The County Manager will determine usage fees for any buildings not listed in this policy. The County Manager is tasked with reviewing these charges annually to ensure fair-market value.

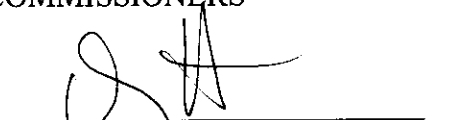
Annex Building:	\$35.00 per hour
Senior Centers:	\$30.00 per hour
Youth Center:	\$15.00 per hour (youth program & activities only)
San Antonio Community Center:	\$30.00 per hour

APPROVED, ADOPTED, AND PASSED on this 24th day of March 2009.

BOARD OF COUNTY COMMISSIONERS OF SOCORRO COUNTY

BOARD OF COUNTY COMMISSIONERS


ROSALIND F. TRIPP, CHAIR

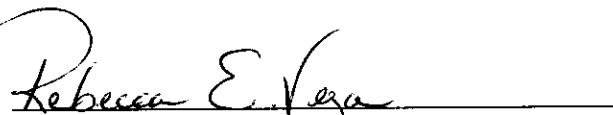

DANIEL P. MONETTE, VICE-CHAIR

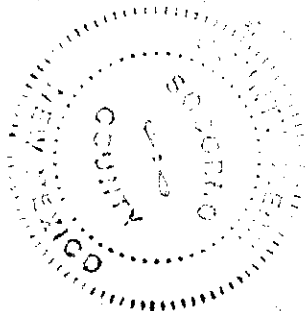

PHILLIP ANAYA


RUMALDO J. GRIEGO


JUAN JOSE GUTIERREZ

ATTEST BY:


REBECCA (BECKY) VEGA, COUNTY CLERK



Socorro County Building
Application for Usage Permit – Effective March 24, 2009

Applicant: _____ Today's Date: _____

Address: _____ Phone: _____

Is this for an Organization or Group use?

_____ yes

_____ no

Name of Organization: _____

Purpose _____

Will a fee be charged individuals? _____ amount \$ _____

Proceeds will benefit: _____

Name of person who will be responsible: _____

Daytime phone: _____ Evening phone: _____

Best time to reach: _____

Address: _____

Is the responsible party a Socorro County resident? _____ yes _____

Is kitchen use requested? _____ yes _____ no

If yes please circle the kitchen equipment your group is requesting use of:

Stove Refrigerator Microwave Coffee Maker

Deposit and Insurance: Deposits and Certificates of Insurance are due with application

Building Usage Deposit \$100.00 (the facility must close at 11:00pm)

Kitchen \$50.00

If building is not cleaned and vacated by 11:00pm an additional \$50.00 per hour fee will be accessed.

Building Usage Fee (circle one)

Annex Building:	\$35.00 per hour
Senior Centers:	\$30.00 per hour
Youth Center:	\$15.00 per hour (youth activities only)
San Antonio Community Center:	\$30.00 per hour

Hours of use requested: _____

I hereby am aware and agree to abide by all rules and regulations governing the use of the facility and equipment.

Applicants Signature/Date

The County of Socorro authorizes the County Manager or his/her desingee to grant permission for facility use.

For Office Use Only

Approval Signature/Date

Deposit:

Room: \$100 Kitchen \$50 Total Deposit \$ _____

Total Deposit Due: _____

Insurance

\$1,000,000 certificate of liability naming Socorro County as additional insured; or

TULIP insurance purchased through NMAC

Usage Fee

Total Fee Due: _____

Security Deposit paid Date __/__/__

Usage Fee paid Date __/__/__

Refund of Deposit Date __/__/__

Cash _____ Check # _____