



## BURGAW TRAIN DEPOT USAGE POLICY

**Hours and Availability:** The banquet room hours of availability when the facility is rented for the entire day are from 8am to 12am. Events are to conclude at 11pm, with clean-up beginning immediately afterwards. All event activities and cleaning are to conclude by 12am.

**Burgaw Police Department Duty Phone:** The lessee is responsible for contacting Burgaw Police Department Duty Phone once they arrive at the Depot to ask the officer to unlock the facility on the day of the event. Upon leaving, the lessee will be responsible for contacting the Duty Phone to inform the officer that the facility can be locked. If an officer is unavailable, other contact information will be provided in case of emergency. **The Duty Phone Number is (910) 604-1999 or (910)-259-1515.**

**Denial of Use:** The Parks & Recreation Director, in consultation with the Town of Burgaw Town Manager or assignee, may deny use of the facility for any of the following reasons:

- The user cannot or will not meet one or more obligations of facility use.
- The event or use is or will obviously be in violation of laws or ordinances or is likely to cause severe damage to the building or injury to individuals.
- The potential user has repeatedly made and then canceled previous reservations.
- The user has longstanding and unfulfilled financial obligations to Burgaw Depot.
- The user has previously broken Burgaw Depot rules or county or state laws.

**Event Cancellation:** Once the reservation has been made and deposit received, the individual or organization signing the contract may cancel an event only upon written notice to Burgaw Depot. Written notice must be acknowledged by Burgaw Depot to be valid. Burgaw Depot may terminate a reservation if it determines one or more of the following:

- The space is not useable due to circumstances beyond the control of Burgaw Depot, such as damage to the facility.
- The user cannot or will not meet one or more of the obligations of facility use as defined in this usage policy.
- In consultation with the Town of Burgaw Town Manager or assignee, the Parks & Recreation Director determines that the event or use is, or will be, obviously in violation of laws or ordinances or is likely to cause damage to the facility or injury to individuals.

**Inclement Weather:** If an event is cancelled due to inclement weather, the Parks & Recreation Director will make every effort to reschedule the cancelled event. The Burgaw Depot shall not be held liable for losses incurred by the lessee due to cancellation.

**Payment:** A refundable cleaning/security deposit and a deposit of 50% is due at the time of rental. Upon receipt of deposits and reservation requests, the reservation becomes official, and the date will be

reserved. The final payment must be received sixty (60) days prior to the event. In the event that the reservation is made within sixty (60) days of the scheduled event, 100% payment will be due at time of reservation. Payments may be made by cash, check, or credit card. Please make checks payable to "Town of Burgaw".

**Refunds:** For private and corporate events, the lessee will receive 75% of fees paid when giving Burgaw Depot written notice of cancellation a minimum of 6 months prior to the event date. User will receive 50% of fees paid when giving Burgaw Depot written notice of a minimum of 3 months prior to the event date. No refund will be available if event is cancelled with less than three months notice. For non-profits, 50% refund will be given if cancelled a minimum of 45 days prior to the event. No refund after 45 days.

**Refundable Deposit:** A refund of the cleaning/security deposit will be issued if all of the conditions and terms are met as defined by this policy. The security/cleaning deposit may be applied at Burgaw Depot's discretion towards repairing, replacing, or the extra cleaning of any damage to the facility or property caused by the lessee, lessee's guests, or persons contracted by the lessee. The lessee shall also be responsible for any damages and cleaning in excess of the cleaning/security deposit received. The unused portion of said cleaning/security deposit shall be refunded to the "Payee" listed in the reservation.

**Caterers:** Caterers and the lessee are welcome to use the small kitchenette that is equipped with a refrigerator and microwave. The lessee is responsible for removing all food products at the end of the event, wiping out the microwave and refrigerator if used, and sweeping the area.

**Commercial Kitchen:** Use of the Commercial Kitchen for the event is forbidden unless the caterer is pre-approved by the Parks & Recreation Director. If your caterer wishes to use the commercial kitchen for your event please have them contact the Parks & Recreation Director a minimum of three weeks prior to your event to become a certified user. Failure to do so may result in denied use of the commercial kitchen. A list of approved caterers can be provided upon request. The Parks & Recreation Director may be reached at (910) 300-6401.

**Tables and Chairs:** The Burgaw Depot Events Center can provide banquet tables and chairs upon request, and they are included in the rental of the banquet room. The lessee is required to contact the Parks & Recreation Director at least seven (7) days prior to the event with details of required tables and chairs. Tables and chairs will be on carts located in the banquet room prior to the event. Tables and chairs may be left out after event for cleaning. All tables and chairs are to be indoors at the conclusion of your event and are not to be left outside or on the dock area.

**Alcoholic Beverages:** Beer, wine, and champagne are the only alcoholic beverages that may be served or used in the Burgaw Depot Events Center or on the grounds. Liquor is not permitted. The legal drinking age in the State of North Carolina is 21. A onetime limited special occasion permit will be required for all applicants who wish to have alcoholic beverages during their event. Applications must be submitted/approved by the ABC commission and Town of Burgaw Staff prior to event date. Please follow the ABC Commission webpage for instructions. The applicant for themselves, their heirs, personal representatives and on behalf of their guests do hereby release and forever discharge, the Town of Burgaw and its public officials, officers, employees and legal representatives from any and all claims and demands, whether known or unknown that the applicant may claim arising out of or in any way relating to the serving and consumption of alcohol on the premises by applicant and/or their guests.

**Smoking:** Smoking is not permitted anywhere inside the building or outside (on the dock, concrete open area, or walking around premises). Any guest or person hired by the lessee who smokes in unauthorized areas is subject to immediate removal by the Burgaw Police Department.

**Animals:** No animals are allowed in the Burgaw Depot except those trained to assist disabled persons.

**Security:** If required by the Parks & Recreation Director, the lessee will provide security officers at the expense of the lessee. The responsibilities of the security officer are as follows:

- Security officers may be required to have arresting authority in Burgaw.
- Security officers must arrive a minimum of 15 minutes before event is scheduled to begin.
- Upon arrival, security officers should check in with event staff.
- Security officers are expected to be dressed in such a way as to be readily identifiable during the event.
- Security officers should assist guests with parking and direct them to designated lots.
- Security officers are expected to patrol the Burgaw Depot building and grounds during the event and not participate in the event.
- Security officers must support event staff if situations arise where individuals become unruly or disruptive. The Burgaw Depot is private property and anyone loitering should be asked to leave.
- Security officers are expected to monitor guests as they walk to their cars until all guests have left the premises.
- Before leaving, security officers should notify event staff of pending departure.

**Clean Up:** The following minimum clean-up standards are as follows:

- All trash must be removed from the building and placed in the proper receptacles. This includes trash in all areas rented/used. If trash is not removed, the lessee shall forfeit \$50.00 from the cleaning and security deposit.
- All materials brought into the facility must be removed immediately after the event. This includes decorations, food/beverages, signs/banners, kegs, etc. Items not removed immediately are subject to a penalty for their return or will be disposed of at the discretion of the Parks & Recreation Director.
- Tables and chairs should be left out in the banquet room for cleaning by the Burgaw Depot cleaning staff.

Excessive clean-up or damage to the facility and/or its furnishings and equipment caused by the lessee, lessee's employees, assistants, audience, guests or contracted personnel will be billed to the lessee at cost. Abuse of the facility by the lessee or his/her agent (florist, event planner, etc.) may result in the inability to use the Depot in the future for both the lessee and his/her agent.

**Government Organizations:** Under approval from the Town Manager, Pender County government organizations may use the Train Depot Monday-Thursday at the cleaning fee rate of \$150.00. Non-profit rates will apply for weekend rentals (see fee schedule). Formal request must be submitted to the Parks & Recreation Department prior to being added to the calendar.

**Local Organizations/Clubs:** All organizations must receive permission from Town of Burgaw Commissioners in order to waive fees for the Burgaw Train Depot. If approved, all organizations must pay the cleaning fee (\$150.00) Monday-Thursday to be placed on the calendar. All weekend rates will apply. Formal request must be submitted to the Parks & Recreation Department two weeks prior to the scheduled board meeting.

**Legal Ordinances:** Lessee agrees to abide by all local, state, and federal laws and ordinances. Burgaw Police Department has the authority to end any event with unlawful behavior such as drunkenness, damage to the building, noise violations, etc. The lessee will be instructed to leave the premises immediately; in which case the lessee shall not receive any refunds.

**Liability Release:** The lessee, guests, attendees, family, friends, vendors and those associated to the same, will indemnify and hold harmless the Burgaw Depot Events Center, its employees, staff, volunteers, and friends and family of the same, from and against any and all claims, demands, expenses, losses, suits or causes of action, including attorney fees, resulting from and arising in connection with the lessee's use of the facility.