

**CITY OF SEABROOK  
RESOLUTION NO. 2017-04**

**UPDATED REGULATIONS FOR CITY PARK RENTAL FACILITIES**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AMENDING AND UPDATING REGULATIONS GOVERNING THE USE OF VARIOUS CITY PARK RENTAL FACILITIES, INCLUDING DRUSILLA CAROTHERS COASTAL GARDENS, THE SEABROOK COMMUNITY HOUSE, CITY PAVILIONS, CABANAS, AND PARTY ROOMS. THIS RESOLUTION REPLACES ALL OR PARTS OF RESOLUTION 2014-04 APPROVED ON JUNE 17, 2014, AND RESOLUTION 2012-21 APPROVED ON SEPTEMBER 4, 2012**

WHEREAS, the City Council of the City of Seabrook previously determined that certain regulations should be established for various City rental facilities; and

WHEREAS, the regulations have been previously amended by the passage of Resolution 2014-04 AND Resolution 2012-21; and

WHEREAS, amendments to the City Park Rental Facility regulations have now been recommended by City staff; and

WHEREAS, the City Council has reviewed these recommended regulations amendments and the amendments shall be set by Resolution, as specifically defined by the City Manager and are in the best interest of the City.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Seabrook, Texas:

THAT, This Resolution hereby repeals Resolution 2014-04, "Amendment to Regulations for Carothers Coastal Gardens" and Resolution 2012-21 "Regulations for Various City Parks Facilities"

THAT, effective immediately the following regulations shall apply for use of all City Park Facilities including Drusilla Carothers Coastal Gardens, the Seabrook Community House, City Pavilions, Cabanas, and Party Room In case of any confusion or ambiguity, the City Manager shall make a determination concerning this resolution. The City Manager shall have rights and privileges of enforcing this resolution. Appeals regarding any ruling must be submitted in writing to the City Manager for review.

## **SECTION 1. RESERVING A FACILITY**

- All changes or requests for the use of a City Park Facility shall be made in writing and submitted to the City of Seabrook a minimum of 2 business days prior to the event
- Reservations cannot be made on behalf of another party. Failure to abide could result in the loss of deposit
- The person signing the request for a City Park Facility will be designated as the applicant. The applicant will be the contact for the reservation and is the only person authorized to make changes to the reservation. All transactions will be between the City and the applicant
- The City may deny a rental based upon the applicant's past use of City facilities
- The applicant is required to be present at the facility and available to City personnel during the entire course of the event for which the applicant made the reservation. If the applicant is not at the function, the event may be canceled and all attendees may be required to leave
- Applicant may have access to the City Park Facility only during the times approved by the City Manager or designee
- Advance reservations for recurring weekday events or activities at any City Park Facility for up to 12 months in advance, may be considered on a case-by-case basis. The annual rental agreement shall be reviewed and approved by the City Manager or designee. Advance reservations may not be made for recurring events or activities on Fridays, Saturdays, or holidays
- City Park Facility rentals shall not extend beyond City Park Facility posted hours unless approved by City Manager or designee
- The following Holidays may not be available for reservations before 2 PM: New Year's Day, Good Friday, Easter Sunday, Independence Day, Memorial Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day

- Definition of Non Resident Applicant: Individuals who do not reside or own property within the City Limits
- Definition of Resident Applicant: Individuals who reside or own property within the City Limits
- Definition of Non Profit/Local Group Applicant: Group must be located and based within Seabrook City limits and their roster must include 51% residency (listing participants name, addresses and phone numbers). The information will be kept confidential and will only be used for roster proof of residency.
- Rental fees may be waived or adjusted for non-profit local groups that provide a roster with 51% residents and are able to justify or demonstrate in writing to staff that their use of that facility will provide a significant service to City of Seabrook residents. The City Manager or designee will determine whether it is a significant benefit to the community.
- Rental fees may be waived or adjusted on a case by case basis
- If a roster is not available until after the event has taken place, the rental rate will not be waived. Within 7 days following the event, a roster can be submitted along with a written request for the rental fee to be waived. If approved by City Manager or designee, an adjustment will be made to funds collected and a refund will be mailed to applicant
- A rental fee and deposit shall be charged to the users of City Park Facilities, according to the Master Fee Schedule Ordinance 2017-11. If the total rental fee plus deposit is \$1000 or less, deposit and rental fee shall be paid when the rental application is submitted. Payment arrangements can be made for fees in excess of \$1000, but must be paid BEFORE ACCESS TO THE PROPERTY IS ALLOWED
- A Custodial Fee is required for full day rentals at Carothers Coastal Gardens. Custodial services may be requested for City Facility rentals on the application where the fee will be added to the rental rate

- City Manager may require additional liability insurance or insurance on behalf of the applicant
- Acceptable payment methods are cash, check or credit card. Check or credit card must be in the name of the signing party
- All Parks and Facilities are rented “*as is*”
- Use of a Bouncy House/Moonwalk requires approval from the City Manager or Designee and a copy of a certificate of liability
- Facility Reservations will take precedent to patrons use or occupancy of a City Facility as per Ordinance No. 2008-07; Sec. 65-33; B
- Patron of a City Park Facilities may be bumped for good cause as determined by the City Manager or designee. Individuals or organizations desiring to appeal this action must submit the appeal in writing to the City Council
- Elections and other governmental or civic functions shall have preferential use of any City Park Facility. Questions of priority will be resolved by the City Manager or designee

## **SECTION 2. SPECIAL EVENTS**

- A Special Event permit may be required if an event is open to the public, charges for entry, anticipates more than ninety (90) attendees, may impact public safety, has a mobile food provider present, or includes the sale or consumption of alcohol
- The Special Event permitting process may be found in Ordinance 2017-08 in Chapter 65, Parks, “Recreation, and Municipal Facilities”, Division 1. – Special Events.

## **SECTION 3. ALCOHOL / SECURITY AGREEMENT**

- Alcohol and Security fees are listed in the Master Fees Schedule Ordinance 2017-11 and referenced on the Alcohol/Security Agreement Form (Attachment 1). Security services shall be provided for all events unless waived by the City

Manager or designee. Security must be provided by the assignment of off-duty peace officers from the Seabrook Police Department

- An Alcohol Administrative Fee, listed in the Master Fee Schedule Ordinance 2017-11, is charged if alcohol will be served at the event. A copy of the Alcohol Security Agreement is required to be posted during the event
- Alcoholic beverages shall only be served when renting a facility in accordance with this resolution. The following regulations shall apply at all times when alcohol is served:
  - A. Applicant will utilize off duty peace officers assigned by the Seabrook Police Department. Applicant will pay the current hourly rate to the officers in cash when they arrive at the event as posted in the application form
  - B. Alcohol/Security Agreement form must be on file with the City and posted at the event
  - C. Attendees under the age of 21 will not be allowed on premises if unaccompanied by a parent or guardian
- There is a four hour minimum payment required for each officer. Failure to pay security fees in a timely manner result in the immediate cancellation/termination of the event

#### **SECTION 4. REFUNDING DEPOSIT**

- Deposit may be withheld if facility and its contents are damaged, not cleaned, or any contents are missing
- Deposit may not be refunded if the rental facility is not properly cleaned. Cleaning responsibility include: dispose of garbage into exterior dumpster/trash can, remove all decorations including tape used, clean all tables and kitchen, dispose of any materials left inside the refrigerators or stove, sweep interior and porch/patio area, spot mop, and otherwise return the building and grounds to the condition they were in before the applicant's rental period. Applicants who do not properly follow their responsibilities of clean up will be charged from their initial security deposit

- Deposits will not be refunded until keys or gate remotes (if applicable) are returned to the City, and inspection of the property has been completed by a City official.
- Deposit may be withheld if any rules and regulations are not followed
- The person who signs the application for use of any City Park Facility, on behalf of an organization, may be held personally liable as principal, in place of the organization
- Deposit will be mailed in the form of a check to the address listed on the rental application once facility has cleared inspection and the deposit refund has been approved by department manager

#### **SECTION 5. CANCELLATION**

- All cancellation requests must be made in writing by the applicant
- The cancellation penalty schedule provides that if an event is cancelled at least 30 days in advance of the date of the event date, all deposits and fees will be refunded
- Cancellations less than 30 days in advance of the date of the event may result in a loss of the cost of the rental
- Cancellations due to severe weather, natural causes or governmental intervention: City Park Facilities that are in a rural environment can be impacted by the weather and natural forces, and the City of Seabrook shall not be held liable for any impact on the quality or feasibility of the event due to weather or other natural causes. Refunds of deposit and fees shall be evaluated and approved by the City Manager or designee

#### **SECTION 6. CAROTHERS COASTAL GARDENS SPECIFIC REGULATIONS**

- Curfew is midnight, with events ending at 10:00 p.m.
- Deposit will not be applied to the Rental Fee
- Additional lawn preparation is an optional service for rentals at Carothers Coastal Gardens that may be requested on the application where the fee will be added to the rental rate

- A maximum capacity of 96 people inside the main building of Carothers Coastal Gardens shall be allowed at any one time as determined by the Fire Marshal
- No more than 150 people shall be allowed at any event that utilizes the Carothers Coastal Gardens building, including outside space, as determined by the Fire Marshal. Events utilizing the grounds will be reviewed on a case by case basis
- With the exception of processions, recessions and similarly brief dedicated pieces, all music shall be played inside the building with all doors and windows closed. Ordinance No. 2010-17 "Noise Ordinance" shall be enforced at all times

**SECTION 7. COMMUNITY HOUSE SPECIFIC REGULATIONS**

- Curfew is midnight
- A maximum capacity of 200 people in the Community House is allowed at one time as determined by the Fire Marshal

**SECTION 8. EFFECTIVE DATE**

- This Resolution shall become effective immediately upon passage.

AND IT IS SO ORDERED.

PASSED AND ADOPTED THIS 21st DAY OF March 2017.



Glenn Royal  
Mayor

ATTEST:



Robin Hicks, TRMC  
City Secretary

