

St. Lucie County Facility Use Policy
Adopted April 3, 2012

A. FACILITY USE REQUIREMENTS

1. The Board of County Commissioners (BOCC), its members, County Departments or programs, BOCC advisory committees and Constitutional Officers have priority for use of County facilities, including recreational facilities, for County business.
2. Written procedures for facility use, consistent with this policy, shall be established by the County Administrator or designee. The County reserves the right to impose any additional regulations or procedures, whether or not expressly provided herein, which may be in the best interest of the County and operation of its facilities and to deny use of a facility when the proposed use of the space is not appropriate for the facility or does not comply with these policies or procedures.
3. Any organization or individual denied use of a facility may appeal the denial to the County Administrator in writing within 10 business days of the denial.
 - a. The County Administrator will render a decision on the appeal in writing within 5 business days.
 - b. If the denial is upheld by the County Administrator, the organization or individual may appeal to the BOCC within 5 business days of the County Administrator's denial. Such appeal must be in writing and outline the basis for the appeal.
 - c. The appeal will be placed on an agenda for a regularly scheduled meeting of the BOCC within 14 business days of receipt of the appeal.
 - d. Organizations and individuals may not appeal fees, other charges or policies and procedures.
4. Permission for use of a County facility does not imply County endorsement of the views, opinions, policies or activities of groups or organizations using the facility. Any announcement or publicity implying such endorsement is prohibited. The County is not responsible for the accuracy, use or consequence of statements made during use of a facility.
5. Nonprofit organizations, for-profit corporations and individuals are required to provide a certificate of insurance naming St. Lucie County BOCC as an additional insured for coverage and limits specified by Risk Management, in consultation with the County Attorney.
 - a. Insurance requirements may be waived for private meetings and events at which no alcoholic beverages will be served and with an expected total attendance of 40 people or less.
 - b. Insurance requirements for catering, concessions and serving alcoholic beverages may not be waived.
6. All organizations and individuals using a County facility shall execute a facility use agreement or contract approved by the County Attorney. The County Administrator or designee(s) is authorized to execute facility use agreements/contracts that are consistent with this Policy.
7. Any activity in a County facility will be conducted according to applicable laws, rules, regulations and ordinances. Any individual or organization which fails to comply with the laws, rules, regulations, ordinances, County policies and procedures and/or terms of the facility use agreement or contract, including required payments when due, may be prohibited from using County facilities for a period of time in the future at the discretion of the County Administrator. The County Administrator's decision may be appealed to the Board of County Commissioners per Paragraph 3 of this Policy.
8. Alcoholic beverages may be served at events, contingent upon the applicant receiving approval of the County Administrator or designee and payment of an additional fee or as required by a contract between the County and a vendor. The applicant must provide copies of all required permits prior to the event and must meet insurance requirements as specified by Risk Management and the County Attorney.
 - a. Persons must be at least 21 years of age to possess or consume alcohol and identification must be checked as required by law.

- b. The County assumes no responsibility for the improper or illegal serving of alcoholic beverages during use of a County facility. Additional staffing or security may also be required.
- c. The County Administrator's decision may be appealed to the Board of County Commissioners per paragraph 3 of this policy.

B. FACILITY USE FEES

1. A written facility use fee schedule, including but not limited to, additional charges for staff, supplies, equipment and deposits, will be established by the County Administrator or designee. Fees for facility use shall be based on a comparison of rates charged for similar facilities by other local governmental entities. Fees should offset the operational costs incurred by the County in providing use of the facilities.
2. Even if the facility use fee is waived or reduced, the user is responsible for paying County expenses for facility use, including but not limited to, staff, contract labor, security personnel, equipment and supplies. If staff is required to be present for more than one hour during normal business hours, staff charges shall be paid by the user.
3. Except as noted, St. Lucie County nonprofit and local governmental organizations will receive a 50% reduction of the facility use fee paid by for-profit organizations for use of non-recreational facilities.
4. Except as noted, St. Lucie County nonprofit and local governmental organizations will receive a 25% reduction of the facility use fee paid by for-profit organizations for recreational facilities. As determined by the County Administrator, these facilities include, but are not limited to, Digital Domain, South County and Lawnwood stadiums, community centers and pools.
5. The Havert L. Fenn Center and the St. Lucie County Fairgrounds are designated venues of the BOCC, intended to stimulate the local economy by attracting large events and/or users from beyond the Treasure Coast.
 - a. Use of these facilities by local governmental organizations should be judicious and flexible.
 - b. The following organizations will receive a 25% discount on the facility use fee paid by for-profit organizations:
 - i. Active nonprofit organizations which have received tax exemption under Section 501(c)(3) or other section of the Internal Revenue Service (IRS) Code which allows donations to the organization to be tax deductible as charitable donations; and
 - ii. Local governmental organizations.
6. No facility use fees will be charged to Designated Youth Sports Providers for use of County athletic fields for practices and games.
 - a. A Designated Youth Sports Provider shall meet the following criteria:
 - i. Active status as a nonprofit organization located in St. Lucie County per the Florida Department of State, Division of Corporations.
 - ii. Compliance with the rules and guidelines of a nationally-recognized youth sports organization such as Little League Baseball and Softball, Inc., Pop Warner Little Scholars, Inc. or American Youth Football, Inc.
 - iii. Inclusive approach for all youth who meet basic age, health and related requirements. Try-outs are not a requirement and/or participants are not limited, selected or recruited based on higher levels of skill. Travel teams are typically not Designated Youth Sports Providers.
 - iv. Documentation is provided that coaches and assistant coaches are trained volunteers who have been cleared by a background screening against state and federal sexual offender and sexual predator registries in compliance with FS 943.0438, as it may be amended.
 - b. Additional criteria may be imposed by the County Administrator to ensure that Youth Sports Providers comply with requirements of local, state and national laws and regulations and to ensure that the intent of the Board in designating Youth Sports Providers is met.
 - c. Youth Sports Providers will execute and maintain current facility use agreements with the County.

- d. If staff is requested or required to be present for games or practices for more than an hour during work hours, additional charges will apply. Additional charges will also apply for tournaments and other special events, including lighting.
7. With the approval of the County Administrator or designee, facility use fees may be waived or reduced for:
 - a. Organizations executing a written partnership agreement with the County to provide needed or desired services and/or contributions in lieu of the facility use fee. The estimated value of such services or other contributions shall be similar to the value of fees being waived or reduced. A partnership agreement may not be used in lieu of payment for staff or equipment charges associated with any use.
 - b. The Treasure Coast Sports Commission and other organizations providing major events which generate or can reasonably be expected to generate a minimum of 200 hotel room nights and/or \$300,000 of economic impact. Negotiated terms should be in relative proportion to the expected local economic impact and/or hotel room nights.
 8. Facility use fees may be waived by the Board of County Commissioners for:
 - a. A program or event which will provide services which are a public benefit and are available to all citizens of St. Lucie County. The program or event must be provided by a St. Lucie County nonprofit organization which has received tax exemption under Section 501(c)(3) of the IRS Code or other section of the IRS Code which allows donations to the organization to be tax deductible as charitable donations;
 - b. A program or event sponsored by a local governmental agency which will provide services which are a public benefit and which are available to all citizens of St. Lucie County; or
 - c. A program or event which is a fundraiser for an organization which provides services which are available to all citizens of St. Lucie County and which are a public benefit.
 - d. Fees for staff, supplies and equipment may not be waived.
 - e. Organizations seeking a waiver of the facility use fee by the Board of County Commissioners must contact the appropriate Department Director as soon as possible for a determination of eligibility. If the Director determines the organization is eligible for a waiver of the facility use fee, the Director will place the request on the agenda for a regularly-scheduled Board meeting.
 9. Fees for equipment that are part of a facility use agreement may not be waived. Lending of County equipment and supplies is also prohibited except as noted below:
 - a. The County may lend equipment to local governmental entities, with the exception of the MSM3600 Showmaster Mobile Sound Shell Stage for which the rental fee must be paid by all entities and individuals, including local governments.
 - b. The County Administrator may approve the lending of equipment to organizations (nonprofit or for-profit) if needed to protect public health, safety and welfare during an emergency.
 10. Revenue generated by facility use fees will be credited to the Department managing the facility and incurring the expenses.
 11. To be eligible for reduced rates, it is the responsibility of each organization to provide timely documentation of nonprofit, 501(c)(3) or other eligible IRS status. Groups which cannot provide such documentation must pay applicable fees. The fee reduction does not apply to staff, equipment, supplies or deposits.