

## **Historic Burgaw Train Depot Usage Policy**

**Hours and Availability:** “Full day” rental hours are from 8:00 am until 11:59 pm. Per Town ordinance, events are to conclude by 11:00 pm, with clean-up beginning immediately afterwards. All event activities and cleaning are to conclude by 11:59 pm. ***Half of the security deposit will be withheld from any lessee who enters the building prior to reserved hours or remains in the building after reserved hours.***

**Burgaw Police Department Duty Phone:** The lessee is responsible for contacting the Burgaw Police Department Duty Phone once they arrive at the Depot to ask an 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 Historic Burgaw Train 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 the Burgaw Parks, Recreation & Tourism Department. Written notice must be acknowledged by the department to be valid. The Parks, Recreation & Tourism Department 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 the Town of Burgaw, 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 & Tourism Department will make every effort to reschedule the cancelled event. The Town of Burgaw shall not be held liable for losses incurred by the lessee due to cancellation.

**Payment:** A deposit of \$400 is due at the time of rental. Upon receipt of the deposit and reservation request, the reservation becomes official, and the date will be reserved. The final payment must be received thirty (30) days prior to the event. If the reservation is made within thirty (30) days of the scheduled event, 100% payment will be due at the 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 a full refund when they have given a notice of at least 30 days. Only the security deposit will be refunded if the reservation is cancelled fewer than 30 days prior to rental date.

**Refundable Deposit:** A refund of the security deposit will be issued if all the conditions and terms are met as defined by this policy. The Town of Burgaw reserves the right to withhold any deposit for violation of the usage policy. The security deposit will be refunded within two (2) weeks after use of the building, provided the building is left neat, clean, and undamaged. The security deposit may be applied at the discretion of the Town of Burgaw 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 that cost more than the security deposit received. The unused portion of said security deposit shall be refunded to the "Payee" listed in the reservation.

***Half of the security deposit will be withheld from any lessee who enters the building prior to reserved hours or remains in the building after reserved hours.***

**Audio/Video Equipment:** If you need access to the TVs, speakers, or microphones at the Train Depot, please contact the Parks, Recreation & Tourism Department the week of your rental to set up a meeting so that you can be shown how to use the equipment.

**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 by the lessee is prohibited. If the event caterer needs access to the kitchen, a \$200 fee will be charged, and the Parks, Recreation & Tourism office must be notified at least 30 days prior to the rental. Only licensed caterers may use the kitchen and must provide a copy of liability insurance listing the Town of Burgaw as additionally insured within 7 days of rental. For questions, contact 910-661-3100. A copy of insurance and the date of the event can be emailed to [jaugst@burgawnc.gov](mailto:jaugst@burgawnc.gov).

**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. Tables and chairs number as follows:

- 120 chairs
- 20 five-foot round tables
- Various size rectangular tables

**Alcoholic Beverages:** Beer, wine, and champagne are the only alcoholic beverages that may be served or used in the Historic Burgaw Train Depot or on the grounds. Liquor is not permitted. The legal drinking age in the State of North Carolina is 21. No permits are required for beer and unfortified wine.

The applicant for themselves, their heirs, personal representatives and on behalf of their guests does 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 on the Historic Burgaw Train Depot property.

**Animals:** No animals are allowed in the Historic Burgaw Train 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 Historic Burgaw Train 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 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 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.

**Schools and Government Organizations:** Under approval from the Town Manager, private and public schools in Pender County and 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). A formal request must be submitted to the Parks, Recreation & Tourism Department prior to being added to the calendar.

**Local Organizations/Clubs:** All organizations must receive permission from Town of Burgaw Board of Commissioners to waive fees for the Burgaw Train Depot. A fee waiver request must be filled out. This can be obtained from the Parks, Recreation & Tourism Department. 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 requests must be submitted to the Parks, Recreation & Tourism Department two weeks prior to the scheduled board meeting.

**Legal Ordinances:** Lessee agrees to abide by all local, state, and federal laws and ordinances. The 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 Town of Burgaw, 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.