



Public Space

Use Policies and Procedures

Public Space Use Policies and Procedures

<u>Introduction</u>	page 2
Overview of Reservation Procedure	page 2
Purpose and Priority	page 2
Applications and Making Reservations	page 2-4
• Fees and Payment.....	page 3
• Rights and Privileges.....	page 4
• Rescheduling Processing Fee.....	page 4
• Cancellations and Refunds.....	page 4
Set Up	page 4
Break Down & Clean Up	page 5
Hours of Use	page 5
Use Impact	page 5
Public Space Use Standards	page 5-8
• Conduct.....	page 5
• Tents.....	page 5
• Smoking.....	page 5
• Alcohol.....	page 6
• Candles, Flowers, Balloons.....	page 6
• Food, Catering, Tableware.....	page 6
• Music.....	page 6
• Litter.....	page 6
• Firearms and Fireworks.....	page 7
• Safety and Security.....	page 7
• Signs.....	page 7
• Restricted Areas.....	page 7
• Motor Vehicles.....	page 7
• Parking.....	page 7
• Pets and Animals.....	page 7
• Overnight Camping.....	page 8
• Campfires.....	page 8
• Destruction, Removal or Encroachment of Port Property....	page 8

INTRODUCTION

The following information is provided to communicate a uniform policy that shall apply to everyone while visiting or using Port of Bellingham facilities that are open to the general public and to describe the services available in certain Port of Bellingham public spaces.

Reservations and scheduling for use of these public spaces is required for any community, special or private event that involves more than visiting or routine use by the public at large.

The following public spaces have been categorized for their intended type of use and are available to the public for community or private activities:

PARKS AND OPEN SPACES

Zuanich Point Park, Squalicum Harbor, Bellingham
Fairhaven Marine Park, 300 Harris Avenue, Bellingham
Tom Glenn Common, Bellwether on the Bay, Bellingham

CONFERENCE ROOMS

Technology Development Center, Douglas G. Smith Conf. Rm and Room A, 1000 F Street, Bellingham
Bellingham Cruise Terminal, Conference Room B, 355 Harris Avenue, Bellingham

EVENT FACILITIES

Bellingham Cruise Terminal, 355 Harris Avenue, Bellingham
Blaine Boating Center, 235 Marine Drive, Blaine
Squalicum Boathouse, 2600 Harbor Loop (Zuanich Point Park), Bellingham

Overview of Reservation Procedure

1. Obtain scheduling information and reserve facilities by contacting the Port's Meeting Facility Coordinator at 360-676-2500, or fax at 360-594-4409 or by e-mail at events@portofbellingham.com/meetingrental ; or in writing at PO Box 1677, Bellingham, WA 98227-1677.
2. Obtain application forms, facility layout diagrams and general policy information at www.portofbellingham.com, or at the office of the Meeting Facility Coordinator, Port of Bellingham, 1801 Roeder Avenue, Bellingham.

Purpose and Priority

The purpose of Port public spaces is to provide public access, support Port business operations and facilitate community uses. In an effort to balance community access and private demand, the Port has decided to offer, whenever possible, certain public spaces for community and private events when they do not overly restrict access by the general public or interfere with Port business operations.

The Port retains the right to cancel any scheduled use in the event of an emergency or for other Port requirements, as determined by the Executive Director. In the event a scheduled use must be canceled, the Port will notify affected groups or individuals with as much notice as possible.

Applications and Making Reservations

Organizations practicing, supporting or promoting activities, which are contrary to local, State or Federal law, shall not be permitted to use Port public spaces.

Scheduling shall be on a first-come, first-serve basis, with the exception of the Technology Development Center. Applicants/Organizations who wish to reserve a conference room at the Technology Development Center must apply directly through the Port's Meeting Facility Coordinator. Applications for private use of the conference rooms will be accepted only as far out as the confirmed class schedules of WWU and BTC. Classes and uses related to the Technology Development Center will take precedence over all other uses.

For All Other Reservations:

Applications will be processed in the order received. Submittal of an application does not guarantee availability. Applications shall be reviewed and can either be accepted, limited, or denied.

To have confirmed reservations for a designated public space, Users need to complete the following three steps:

1. Complete, sign and return an application form (available at www.portofbellingham.com).
2. Pay the required non-refundable security deposit (the first half of the room fee) for the public space area or facility.

NOTE: The remainder of the use fees and the refundable damage deposit are due at least ten business days prior to use of the public space. The reservation will be canceled if the remaining user fees and minimum refundable damage deposit are not timely made. For users who reserve a public space within ten business days of the intended use, the use fees and damage deposit are due in full upon receipt of the application.

NOTE: The minimum refundable damage deposit may be increased at the Port's discretion depending on the type of activity. The minimum refundable damage deposit is not a limitation on the liability of the user for damage to the premises. If the damage exceeds the amount of the minimum refundable damage deposit, the user will be required to pay the excess within fifteen days of receiving an invoice.

3. Provide appropriate insurance, if determined by the Port, naming the Port as an additional insured.

NOTE: There may be some cases where the Port determines that an activity or intended use of the public space is of a nature for which insurance should be obtained. Should the Port determine that evidence of insurance is required, a copy of the insurance certificate in the amount of one million and with an insurer satisfactory to the Port naming the Port as an additional insured must be provided at least ten business days prior to use of the public space. The reservation will be canceled if the insurance certificate is not timely provided.

Upon receipt and review of the application and security deposit, Users will receive a Port receipt, which will serve as confirmation and proof of reservation.

Fees and Payment

A time minimum may apply for hourly rentals.

Community Use Rates (for events advertised as completely open to the public, free of charge, and not a fundraiser) are generally up to 50% of the Private Use Rates. This reduction in rate is based on the general public receiving an equal benefit of public space use. The community use rate does not apply to events that are revenue generating or that raise funds. It must be a community use being actively promoted as open to the public.

NOTE: To qualify as a community use the activity must be open to the general public and evidence of a community announcement, acceptable to the Port, must be provided at least ten business days prior the date of the event. The activity will be classified as a private use if proof of community announcement is not timely provided.

User fees may be paid by check, money order, cash, or credit card. Checks and money orders are to be made payable to the Port of Bellingham. If paying by cash, users are requested to have the exact amounts, as change is not readily available.

Rights and Privileges

Individuals or groups without confirmed reservations must relinquish the public space when proof of a valid Port receipt for the reservation of that public space is presented. If no receipt of reservation for the public space is presented, then the public space is available on a first-come, first-served basis.

If unauthorized or uncooperative individuals will not relinquish their hold on the public space for which you have a confirmed reservation, you should first attempt to notify the Port. However, if the situation warrants, you have the right to notify local law enforcement. In the event of an emergency, call 911.

Rescheduling Processing Fee

Applicants will not be charged for the first request to reschedule a single time and/or date; however, multiple schedule changes will be charged a rescheduling processing fee at a rate of \$25.00 per time or date change.

Cancellations and Refunds

All requests for refunds must be made in writing to the Port of Bellingham, Attention: Meeting Facility Coordinator, P. O. Box 1677, Bellingham, Washington 98227 or emailed to events@portofbellingham.com. Once received, refunds generally will be issued in 10 to 14 days.

NOTE: To receive a partial refund (any payments made in addition to the non-refundable security deposit), cancellation must be made in writing a minimum of 20 business days prior to your reservation date.

NOTE: All user fees shall be forfeited with less than 20 business days notice of cancellation, unless individuals can provide evidence of death, medical emergency or extraordinary circumstance beyond the individual's control.

NOTE: No security deposit refunds will be made due to weather conditions.

After the event, Users will receive a refund of their damage deposit upon the return of the public space to a neat, clean and undamaged condition. If the public space is not returned to pre-event condition, the Port will clean or repair any damage and deduct the labor and materials from the minimum refundable damage deposit. If the damage exceeds the amount of the minimum refundable damage deposit, the user will be required to pay the excess within fifteen days of receiving an invoice.

Should the Port be required to cancel reservations due to an emergency or other Port requirement, the applicant is eligible for a full refund.

Set up

Any use that requires site preparation or set up of equipment, furniture, fixtures or other personal property is restricted to areas which do not directly interfere with entries, exits, tenants or Port business operations and requires prior written permission of the Port. Tables, chairs, signs, banners etc. are not allowed near or in front of entry doors. Signs advertising or promoting the event are not permitted without permission of the Port.

Port equipment, furniture, fixtures or other personal property may not be moved or rearranged without prior permission and specific direction from the Port.

Should set up be required outside of regular facility or park and open space hours, additional fees may be applied for security costs.

Upon request, the Port will provide facility layout diagrams.

Breakdown & Clean Up

Use of a public space is conditioned upon the return of the premises to a neat, clean and undamaged condition **at or prior to** the ending time that user has reserved the space. Failure of individuals to vacate public space at designated time may result in forfeiture of damage deposit and denial of subsequent use of Port public spaces.

The individual or entity signing and completing the application form will be considered the responsible party for usage of the public space and shall be responsible for the actions of their guests and/or caterer. The minimum refundable damage deposit is not a limitation on the liability of the user for damage to the premises. If the damage exceeds the amount of the minimum refundable damage deposit, the user will be required to pay the excess within fifteen days of receiving an invoice.

Users must carefully adhere to each of the clean-up items specified on the back side of the application. All garbage must be removed from the public space area or facility by the users. Should excessive garbage be anticipated, it is the responsibility of the user to arrange and pay for the obtaining and removal of their own garbage receptacles.

Hours of Use

The hours of use are the following:

Port Parks and Open Spaces: Dawn to Dusk
Conference and Meeting Rooms: 7:30 AM to 11:00 PM
Event Facilities: 8:00 AM to 12:00 Midnight

Users who have reserved a public space and/or facility for all day must vacate the premises **at or prior to** its designated closing time; otherwise the User will be billed an additional labor/cleaning charge.

Use Impact

The design and purpose of Port public spaces is to support general public access, Port business operations, and facilitate community uses. It is in this spirit that the Port reserves the right to restrict or deny use of Port public spaces. Use impact assessments shall be made from review of applications submitted. Failure of individual members of the public to fully disclose the intended use of the public space may result in denial of subsequent use of Port public spaces.

Individual members of the public practicing, supporting or promoting activities which are contrary to local, State or Federal law shall not be permitted to use Port public spaces.

Activities may be classified as “high impact” based on the type of activity in the public space requested and/or the anticipated attendance of the activity. It shall be at the sole discretion of the Port to determine whether a particular use is high impact.

Public Space Use Standards

The following use standards apply to everyone while visiting or using public spaces for community, special or private events.

Conduct

All persons shall conduct themselves in a civil manner consistent with community standards and Port policies. Individuals or groups being disruptive or causing damage may be asked to leave and or denied subsequent use of facilities.

Tents

Tents are allowed for private or community rental of Port parks and event facilities with written permission from the Port. Please call the Meeting and Events office for more information on cost and rules.

Smoking

Smoking is prohibited in all Port buildings.

Alcohol

The opening or consuming of any alcoholic beverages is prohibited in all public space areas or facilities, except in those community, special or private uses where:

1. The User has completed and signed the rental contract, checked the section indicating alcohol will be served, and such contract is then initialed by the Meeting Facility Coordinator, and
2. The user has obtained insurance in an amount and with an insurer satisfactory to the Port naming the Port as an additional insured.

NOTE: Port facility rental customers who plan to serve alcohol are required to obtain a certificate of liability insurance in the amount of one million dollars, naming the Port as additional insured. Evidence of insurance or insurance certificates must be provided at least ten business days prior to use of the public space. Failure to provide documentation of insurance may result in cancellation.

Candles, Flowers, Balloons

The Port does not allow helium balloons, fog or bubble machines, lanterns, heat-producing equipment, or other smoke-emitting materials or devices. The port does not allow glitter, confetti, rice, birdseed or flower petals. The Port allows flowers in the Event Facilities and parks if they are contained, but does not allow flower petals to be spread or tossed inside the facilities. No tacks, nails, staples, or tape is to be used on walls. Candles are allowed only if they are in a container that insures wax won't spill.

Food and Catering

Users that choose to self-cater, or opt to use the services of a caterer that is not on the Port of Bellingham's Pre-qualified Caterer's list, need to obtain a Certificate of Liability Insurance policy in the amount of one million dollars naming the Port of Bellingham as an additional insured. A copy of the insurance certificate must be provided to the Port not less than ten business days prior to facility use.

The scope and cost of services provided to the User by their caterer is solely between the User and the Caterer, and the Port is not responsible for fulfillment of the catering agreement. The Port does not provide table linens, china/dishware, flatware or table service settings. If the User or Caterer chooses to cover the tables in the Port's facilities, the table covers must be flame retardant.

NOTE: Users are responsible for ensuring their caterer follow all guidelines as written in the *Public Space Use Policies and Procedures*. Failure of User and/or Caterer to comply with any of the guidelines may result in denial of subsequent use of Port public spaces.

Tables, chairs and furnishings may not be moved or rearranged without prior approval and specific direction from a Port staff member. Following an event, users are responsible for food removal, clean up, and return of facility to its original setting. Port furniture is not allowed outside the event facility.

Music

Music may be permissible as long as it does not interfere with Port business operations or tenants. Unreasonably loud music that interferes with Port business operations or tenants will not be allowed.

NOTE: The businesses at the Bellingham Cruise Terminal are in operation until 8pm, May thru October. Users may not have music outside of the dome before 8pm during these months.

NOTE: Music is not allowed in the Douglas G. Smith Conf. Rm and Room B at the Technology Development Center while class is in session in the WWU lab area and/or the BTC lab area.

Litter

No person shall throw or deposit litter on any Port property, except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the facility or grounds, or upon any street or other public place. Where public receptacles are not provided, all litter shall be carried away and properly disposed of.

Fines for littering shall be imposed in accordance to local municipal codes and regulations.

Firearms and Fireworks

The possession of firearms in or upon any Port public space is prohibited, except those in the possession of authorized law enforcement personnel.

Whether permitted by state law or not, the possession or discharge of any common fireworks are prohibited in or upon all Port public space areas.

Safety and Security

Persons using Port public spaces do so at their own risk and agree to defend, indemnify, and hold harmless the Port as to any claims or suits arising out of such use.

Individuals shall be responsible for the security of all personal items while visiting or using any Port facility. The Port is not responsible for the damage, loss or theft of personal items and does not provide security for users of public spaces.

The Port may require some individuals or groups, depending on the type of activity or use, to take precautions by acquiring security personnel acceptable to the Port. Costs incurred to acquire security personnel shall be the responsibility of the user.

Signs

It is prohibited to place any sign or advertising on or in any Port public space without permission of the Port.

Restricted Areas

It is prohibited for any person except a duly authorized Port employee in the performance of his or her duties, or other person authorized by law, to enter or go upon any area which has been designated and posted as a “no admittance” or “closed to use” or a “no trespassing” area for the purpose of protecting Port property or for protecting the public from conditions which constitute a potential hazard.

Motor Vehicles

Motor vehicles may be operated only on paved roadways and may be parked only in designated paved or graveled parking areas. “Paved roadways” as used in this subsection does not include paved ways marked for the exclusive use of pedestrians, bicycles, or wheelchairs. The general speed limit for all vehicles on Port paved roadways and within Port parks is ten miles per hour (10 mph) unless otherwise posted.

Parking

Everyone must observe and adhere to each facility’s parking regulations. Parking spaces at Port facilities are for the use of the general public and/or facility patrons during open facility hours. Parking while a facility is closed, overnight parking and residential parking on or at Port facilities are prohibited.

Reserving Port facilities for high-impact use, with large numbers of people attending, may require a special parking agreement with the Port.

Pets and Animals

With the exception of certified service animals, animals are not allowed in Port buildings open to the public except by written permission of the Port.

All pets and animals, where allowed on Port property, must be under control by means of a leash, restraints or in suitable carriers.

Owners or handlers are responsible for cleaning up their animal’s waste deposits left on Port property. Owners and handlers are required to have in their possession the equipment necessary to remove their animal’s fecal matter when accompanied by said animal on Port property or adjacent public easements or right of ways.

No person shall hunt, catch, or injure any wild animal or bird on Port property.

Overnight Camping

Overnight camping is prohibited on or in Port public spaces except by written permission of the Port.

Campfires

Campfires are prohibited on or in Port public spaces except by written permission of the Port.

Destruction, Removal or Encroachments of Port Property

It is prohibited for any person to remove, injure, deface, damage, or destroy Port property. This applies to all aspects of the natural or landscaped environment and to any structure, object, equipment, improvement, or other Port property.

It is prohibited to collect, gather, or harvest natural resources or other materials on Port property except by written permission of the Port.

It is prohibited for any person other than a duly authorized employee or agent of the Port to do any of the following:

1. Place, erect, or maintain any structure or obstruction of any kind on Port property.
2. Deposit or store any refuse, debris, vegetation, personal property, litter, or any other material on Port property.
3. Mow, prune, cut, clear, plant on, or otherwise alter or disturb any natural or landscaped property.

Thank you for contributing to the community effort to preserve the natural beauty and resources of the Port of Bellingham's public parks and facilities.