



AP 6700 CIVIC CENTER USE

References:

Education Code Sections 82537 and 82542;
Public Resources Code Sections 42648 and 42648.4;
Title 5 Sections 59601 et seq.
Clark v. Community for Creative Non-Violence (1984) 468 U.S. 288

General Provisions

District property and facilities identified as Civic Centers are available for community use when such use does not conflict with programs, operations, or other activities of the District. Use of Civic Centers shall be limited to places and times identified by the Chief Business Officer or designee, but shall be sufficiently made available on specific dates and times, so as to allow meaningful use by outside groups.

The groups identified in Education Code Section 82537 may use areas designated as Civic Centers for purposes of engaging in supervised recreational activities and to meet and discuss matters which in their judgment appertain to the educational, political, economic, artistic, or moral interests of the citizens of the communities in which they reside, subject to this procedure.

The District retains the right and sole discretion to refuse to permit an individual or organization use of a Civic Center for any lawful reason.

The American Red Cross or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services deemed by the Board of Trustees to be necessary to meet the needs of the community.

The Chief Business Officer or designee is responsible for the coordination and implementation of these procedures. The Chief Business Officer or designee shall determine all applicable fees to be charged, consistent with the fee schedule set forth herein.

Fees for Use of Civic Centers

The District shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

- A. Certain Public Service Groups: For those groups identified in Education Code Section 82542(a) and for which an “alternative location is not available;” or for any event sponsored by a youth organization, senior citizen group, parent-teachers association, or other public service group whose activities are open to the public and where no fee or admission charge is made or donations are solicited



(including uses described in the joint use agreement between the City of Santa Barbara and the District) the fees imposed shall not exceed the following:

- the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
 - the cost of a District employee's presence during the organization's use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of his/her normal duties;
 - the cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's normal duties; and
 - the cost of utilities directly attributable to the organization's use of the facilities.
- B. District Co-Sponsored Events and Other Public Service Groups: For events in which the District participates in the planning or running of the event in conjunction with an off-campus individual, group, organization or vendor, where a fee or admission charge is made or donations solicited and the net receipts from such fees or donations are expensed for the welfare of the students of the District or for charitable purposes; or for an activity sponsored by a public agency, a school within the District boundaries, a non-profit civic group, or a quasi-governmental agency where a fee or admission charge is made or donations solicited and the net receipts of such fees or donations are expensed for the welfare of the students of the District or for charitable purposes, the individual, group, organization or vendor shall be charged an amount not to exceed the direct costs for use of the District's facilities. Direct costs shall include a proportionate share of the costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the use of District facilities, as well as additional costs as set forth in Education Code Section 82542.
- C. Commercial or Other Activities and Users: The following shall be charged fair rental value for the use of District facilities:
- Any church or religious organization for the conduct of religious services for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
 - Entertainments or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.
 - Any other individual, group, organization, business or commercial enterprise conducting an event for profit making or for meetings, conferences, and other activities regardless of whether a fee or admission charge is made or donations solicited.

This procedure does not apply to designated public forum areas when used for lawful expressive activities (See AP 3900 Speech: Time, Place, and Manner).



Request for Use

Requests for Civic Center use must be made at least 15 days in advance of the first date of use being requested. Requests shall be on forms provided by the District. Permission to use Civic Centers shall be granted by the Chief Business Officer or designee.

All charges for Civic Center use are payable five days in advance unless alternate terms were approved in advance by the Chief Business Officer or designee.

Permission to use District Civic Centers under this procedure shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.

Any person applying for use of a Civic Center on behalf of any group shall be a member of the group and, unless he/she is an officer of the group, must present written authorization to represent the group. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.

Insurance and Indemnity Requirements

Overnight camping is prohibited. No person or organization may use Civic Center areas for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any tents or other structure for sleeping, or doing any digging or earth breaking.

The District may require security personnel as a condition of use whenever it is deemed to be in the District's best interests.

No person applying for use of a Civic Center shall be issued a key to District facilities.

Future Civic Center requests may be denied on grounds including, but not limited to, abuse or misuse of District property, failure to pay promptly for any damage to District property or failure to pay promptly for property or facilities use.

No intoxicants, controlled substances, or tobacco *in any form* shall be brought onto the property of the District. Alcoholic beverages shall not be brought onto District property except in cases as defined in BP/AP 3560 Alcoholic Beverages. Persons under the influence of alcohol, intoxicants, or controlled substances shall be denied participation in any activity.

No structures, electrical modifications, or mechanical apparatus may be erected or installed on District property without specific written approval by the Chief Business Officer or designee.



All decorative materials, including but not limited to draperies, hangings, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.

The Chief Business Officer may impose additional restrictions on use of Civic Center areas which are not in conflict with existing law.

Recycling: Large Venues and Events

To comply with Public Resources Code Section 42648.4, as applicable, the District shall biennially on or before July 1 meet with recyclers and with the solid waste enterprise that provides solid waste handling services to large venues or large events to determine the solid waste reduction, reuse, and recycling programs that are appropriate for large venues or large events. In determining feasible solid waste reduction, reuse, and recycling programs, the District may do any of the following:

Develop solid waste reduction, reuse, and recycling rates and a solid waste reduction, reuse, and recycling plan that would achieve those solid waste reduction, reuse, and recycling rates.

Determine a timeline for implementation of the solid waste reduction, reuse, and recycling plan and solid waste reduction, reuse, and recycling rates.

"Large venue" means a permanent venue facility (including Civic Center) that annually seats or serves an average of more than 2,000 individuals within the grounds of the District per day of operation of the venue facility.

"Large event" means an event that charges an admission price or is operated by a city or county and serves an average of more than 2,000 individuals per day of operation of the event.

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