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RANAE WILDE, Recorder
DAGGETT COUNTY
For: DAGGETT COUNTY

**DAGGETT COUNTY
ORDINANCE NO. 06-11**

**AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS AND POLICIES
AND PROCEDURES FOR THE USE OF DAGGETT COUNTY PARKS AND FACILITIES**

WHEREAS, Daggett County, a political subdivision of the State of Utah, is the owner of certain parks, rodeo grounds and facilities, and buildings in Daggett County; and,

WHEREAS, those facilities and properties have been acquired for and are maintained by public funds for the use of Daggett County government and for the use and enjoyment of the citizens of Daggett County; and,

WHEREAS, under some circumstances it is appropriate that residents of Daggett County and members of the public be authorized to use those grounds and facilities subject to certain rules and regulations designed to protect and preserve and enhance the grounds and facilities; and,

WHEREAS, use of those facilities by residents and members of public should not create a burden or liability upon the County or its taxpayers.

NOW, THEREFORE, the County Legislative Body of Daggett County ordains as follows:

**SECTION I
PARKS AND GROUNDS**

1.1 Unlawful acts.

A. It is unlawful for any person or persons to scratch, cut, injure or deface any of the buildings, fences, structures, or any other improvement, or to cut or injure flowers, flower beds, trees or shrubs within the parks, or for the owner of any dog to allow the same to run at large within the parks and grounds of Daggett County.

B. It is unlawful to engage in any activity that threatens the safety or well being of other persons.

1.2 Exclusive use - permit required - commercial sales prohibited.

A. Any person, group or organization desiring to use a park, or any portion thereof, on an exclusive basis, or any person, group or any organization desiring to use the park equipment for a public gathering to the exclusion of other persons or for the purpose of holding meetings, either public or private in nature, shall do so only after obtaining a reservation permit from the authorized agency and upon payment of an appropriate fee for the privilege of reserving the area for a given period of time.

B. It is unlawful to sell anything in a County park, County building or County facilities, or to engage in any commercial activity in a County park whether for profit or otherwise, without the prior written consent of the County Commission.

1.3 Extent of effect of regulations.

The actions prohibited in this ordinance are unlawful and punishable as misdemeanors when done within the area embraced by any public park, parkway, airport, or upon any public property belonging to Daggett County, or any auxiliary thereof, or upon any public street contiguous to said property.

1.4 Vehicular and animal traffic.

It is unlawful to drive any vehicle or animal, or to allow any vehicle or animal to proceed on or over any garden, lawn, sidewalk, wall, or any other portion of such public place as described in Section 1.30 unless the same are designated for vehicular or animal traffic. It shall be presumed for the purposes of this chapter that in any area in use at the time as a picnic or recreational area or otherwise in use by pedestrian traffic that the same is prohibited for use by vehicular or animal traffic. This section shall not be construed or prohibit the presence of dogs and cats and similar other small animals while leashed and under the control of their owners from being allowed upon such public property unless such are vicious and are shown to be such either by their general nature or by the facts of the case.

1.5 Parking regulations.

It is unlawful to park any vehicles within the public property in such a way as to block the roads provided for public traffic; or where public parking is provided to park other than in the public parking areas. It is unlawful to drive vehicles on lawns or gardens on public property.

1.6 Possession or consumption of alcoholic beverages.

It is unlawful to possess or consume beer, liquor, or any other alcoholic beverage within a County park or County building or facility unless duly licensed by Daggett County to possess, consume or sell any alcoholic beverage at that specific event. An application and law enforcement background check is required prior to approval by the Commission.

1.7 Use of radios and recorders.

A. It is unlawful to operate, play, or cause to be operated or played, in a County park, or in a motor vehicle located in a County park or parked on a road adjacent to a County park, any radio, television, phonograph, stereo, tape player, disk player or other similar device which produces, reproduces or amplifies sound in such a manner as to be audible beyond the boundaries of the park or at a distance of more than fifty (50) feet from such radio, television, phonograph, stereo, tape player, disk player, sound amplifier or similar device.

B. Subsection A of this section shall not apply if the device described therein and the volume of the sound therefrom are specifically allowed by the County in conjunction with a scheduled activity and in conformance with other County ordinances.

1.8 Park curfew and penalty.

A. It is unlawful for any person to be in a County park between the hours of 12:00 midnight and 5:30 a.m., unless prior written approval is properly obtained from the authorized agent managing the County parks and facilities.

B. Any violation of this provision shall be punished as a Class B misdemeanor.

1.9 Overnight Camping

A. No overnight camping or overnight stays will be allowed on County lands, in County parks, buildings or facilities unless approved by the commission or unless the County develops an area especially for camping or overnight stays.

B. Any violation of this provision shall be punished as a Class B Misdemeanor.

**SECTION II
RODEO GROUNDS**

The provisions of Section I above dealing with parks and grounds shall apply to the rodeo arena and facilities except as otherwise specifically provided herein.

**SECTION III
BUILDING USE SCHEDULING**

3.1 Department use.

The individual departments of the County are provided office and support space for their departmental use. In addition, other facilities are available to County officials and departments on a scheduled basis for County functions and business. When meeting rooms, conference rooms, and other facilities are not being used to accommodate County needs, they may be made available on a fee basis to other users and the public. All users are expected to treat the facilities properly. Each County employee is expected through their department to watch for inappropriate behavior or use in the buildings and facilities. Problems should be reported immediately to the County Clerk or the Sheriff's Department.

3.2 Commission Responsibility.

The Daggett County Commission is ultimately responsible for proper maintenance, care, and use of the buildings and facilities and the scheduling and use of those buildings and facilities.

3.3 Security

The Sheriff's Department is assigned responsibility for security of all Daggett County buildings and facilities, unless otherwise specifically designated.

SECTION IV SCHEDULING BUILDINGS AND FACILITIES

Proper scheduling is essential to maintain order and control and to avoid conflicting use. The first priority for all facilities and buildings and rooms is for use by the County and its departments and officials for the conduct of County business. At times when the facilities are not needed for County business, facilities can be scheduled by calling 435-784-3154. All scheduling requests shall be submitted on a Daggett County building use application form as far in advance as possible. Schedules cannot be confirmed in any event more than 180 days in advance and on facilities or rooms that may be needed for County business scheduling cannot be confirmed until it is determined that it will not conflict with a use required by the County or any of its departments.

SECTION V RULES OF USE FOR COUNTY BUILDINGS, MEETING AREAS, AND FACILITIES

5.01 Proper conduct is required of all participants and guests using County facilities. No smoking or drug use is allowed. Alcohol beverages are not allowed. County facilities shall not be used for commercial purposes such as selling products or charging entrance fees.

5.02 Time for preparation and cleanup must be scheduled as part of the time reserved for meetings and activities.

5.03 Preparation, setup and cleanup are the responsibility of the party reserving the facility.

5.04 Meetings and activities must be conducted in a manner to avoid any damage to the buildings and its furnishings. Users will be billed for actual labor and material costs of damages.

5.05 Participants and guests are to remain in the area of the building that has been reserved for the meeting or activity. Playing in the halls, restrooms, or other unreserved areas by children is prohibited. The party reserving the facility is responsible for the conduct of all participants and guests.

5.06 Meetings and activities shall end on time. Sufficient time shall be given for cleanup within the scheduled time for the reservation so that back to back events may be scheduled.

5.07 Lights should be turned off in the scheduled room at the conclusion of the activity.

5.08 Pets or animals are not allowed in the buildings.

SECTION VI SUPERVISION OF CHILDREN

Children attending meetings or activities in County facilities must be supervised at all times by adults. If children are unwilling to be supervised, they shall be invited to leave or be referred to Security. Children shall not be allowed to play in halls, or restrooms. Children shall not be left unattended in the parking lots, on the grounds or in other unreserved areas during meetings or activities.

SECTION VII TABLES AND CHAIRS

The County has a limited number of tables and chairs for use with meetings and activities within the building only. Arrangements for tables and chairs should be made at the time the facility is reserved. If tables or chairs are brought into the building by the user, they shall have non-mar feet and shall be delivered to and removed from the building using the service entrances. Outside tables and chairs are not to be in the building prior to or after the time of the reservation.

SECTION VIII OTHER EQUIPMENT

Arrangements for equipment should be made at the time of reservation for meetings and activities held in County buildings. Equipment brought into the building from the outside must be delivered and removed using service entrances. Equipment cannot be stored in the building prior to the start of the reservation time or be left after the conclusion of the reservation time.

SECTION IX SAFETY

Applicable County safety laws and regulations are to be observed in Daggett County buildings. All users of Daggett County buildings are obliged to keep the buildings safe for building tenants, other users and the general public. Activities that jeopardize the buildings, furnishings or occupants shall not be permitted.

If water, drinks or food items are spilled on the floor, they shall be cleaned up immediately.

Hallways, stairways, exits and traffic areas are to remain free of tables, chairs, boxes and other items at all times.

SECTION X FIRE CODES

County Fire Codes apply in all Daggett County buildings. Fire extinguishers are provided at strategic locations in the buildings in case of emergency. Fire extinguishers are not to be removed unless they are used to put out a fire. Fire exits are available and are clearly marked with exit signs. Emergency exits are equipped with crash hardware for immediate exit in case of emergency.

Portable electric heaters are not allowed in the buildings. Only one electrical appliance or lighting fixture is to be used on each outlet. Extension cords, if needed, should be three-wire variety (#14 three-wire). Care should be taken not to overload electrical circuits.

SECTION XI EMERGENCY PROCEDURE

Should an emergency occur while the building is occupied, users should sound the alarm and alert everyone in the building. Everyone should be instructed to immediately evacuate the building in an orderly manner. Panic should be avoided. The Sheriff's Office and fire authorities should be notified as soon as possible. Those who are educated in the use of fire extinguishers may attempt to contain small fires until fireman arrive. The designated meeting place during an emergency is the parking lot of the building.

In an earthquake emergency, care should be taken to stay in doorways or under furniture rather than exiting the building.

SECTION XII CONTRACTS FOR OUTSIDE USE

Use of County facilities, for non-County functions, requires a **signed contract** (fourteen days processing time) with the Daggett County Commission. Standard forms of contract for various types of events are available for review.

**SECTION XIII
FEES**

All non-County users (not County agencies or tenants of the County) are required to pay a fee for use of the facilities.

Fees must be paid at least fourteen days prior to the scheduled use. Deposits will be refunded to the user if the above rules are observed and the area is left in a clean condition and there is no damage.

**SECTION XIV
EXCEPTIONS TO FEE SCHEDULE**

A. Non-County users may petition the Board of Daggett County Commissioners for a waiver of fees for the use of County-owned facilities by addressing a letter to the Board prior to the execution of the requirement agreement.

B. The Board of Daggett County Commissioners may elect to waive fees for use of County facilities if it determines that the County is receiving fair value by allowing use of the facilities and such waiver is otherwise permitted by law and is in the best interests of County.

C. There shall be no rental fee assessed for the meetings of Daggett County Road District.

**SECTION XV
REFUND POLICY**

Cleaning deposits will be refunded to users if the above rules have been followed and if the facilities are left clean and in good order. County Commission will determine eligibility for refund immediately after the event and prepare a request for reimbursement to the Auditor. Check disbursement takes about twenty-one days. **Users will be billed for costs associated with improper cleaning and damage to the facilities.**

**SECTION XVI
INSURANCE**

Non-county users are required to purchase event insurance for their use of Daggett County facilities. Attach proof of liability insurance in the amount of one million dollars naming the county as additional insured. If you are unable to provide proof of insurance, the county does have a Tenant Users Insurance program available for an additional charge which is rated per event.

**SECTION XVII
FEE SCHEDULE**

<u>FACILITY</u>	<u>DEPOSIT</u>	<u>FEE</u>
Rodeo Grounds	As Determined By The County Commission	
Park and Pavilion	\$75.00	\$25.00/4 Hrs.-\$100/Day
Court Room	\$50.00	\$12.00/Hr.
Commission Chambers	\$50.00	\$12.00/Hr.
Dutch John Community Center	\$50.00	\$12.00/Hr.
Jury Room	\$50.00	\$12.00/Hr.

**SECTION XVIII
EFFECTIVE DATE**

This Ordinance shall become effective immediately upon adoption and publication/posting.

Passed, adopted, and ordered posted this 2nd day of May, 2006^{AM}.

Commissioner Collett

Aye Nay

Commissioner Walters

Aye Nay

Commissioner Reed

Aye Nay



Chad L. Reed
Daggett County Commission

Duby McKee
County Clerk

I certify that a copy of this ordinance was duly posted on the 2nd day of May, 2006^{AM}, on the front door of the Daggett County Offices in Manila, Utah, and certify that this ordinance was posted at three public places within Daggett County on or before the 2nd day of May, 2006^{AM}.

Sara Lamb

(Ch)dgt 10/public facilities ord.wpd