CHEROKEECOUNTY POLICIES AND PROCEDURES

Subject: CHEROKEE COUNTY FACILITY USE POLICY

Title: USE OF CHEROKEE COUNTY FACILITIES

Effective: 9-16-2019

Revised: 11-12-2026

The Cherokee County Board of Commissioners recognizes the necessity for guidelines for the use of County-owned facilities and therefore sets forth policy as follows:

1) Building Use:

a. Cherokee County facilities are primarily used for official County business by elected officials and staff. It is intended that these facilities be used to the fullest extent for these primary purposes and will take priority over non-county related activities.

b. Listed facilities (Attachment A) may be made available to other users on a limited basis for events that support a public purpose, benefit, service, training or interest to Cherokee County residents that otherwise could not occur without the county facility being utilized.

c. Cherokee County Administration has the right to refuse use of the facilities to any organization, group or individual if the proposed event conflicts with the intended use of the facility, is in conflict with established policies or laws, or is in conflict with any other confirmed reservation.

d. In such cases where organizations have a written agreement with the Board of Commissioners that addresses use of specific facilities or lands, the written agreement will remain in effect until there is further action taken by the Board of Commissioners.

e. Use of county-owned (public) facilities for political meetings
N.C.G.S. 163-99. Use of schools and other public buildings for political meetings.
The governing authority having control over schools or other public buildings which have facilities for group meetings, or where polling places are located, is hereby authorized and directed to permit the use of such buildings without charge, except custodial and utility fees, by political parties, as defined in G.S. 163-96, for the express purpose of annual or biennial precinct meetings and county and district conventions. Provided, that the use of such buildings by political parties shall not be permitted at times when school is in session or which would interfere with normal school activities or functions normally carried on in such school buildings, and such use shall be subject to reasonable rules and regulations of the school boards and other governing authorities. (1975, c. 465; 1983, c. 519, ss. 1, 2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

2) Reservations

a. Reservations for use of each facility will be accepted on a first come - first serve basis.

b. No department/office/agency will be given preference or priority so that the facilities are made available to serve the needs of as many different departments offices/ agencies or organizations as possible.

c. The County retains the right to refuse requests for use of non-departmental/office/ agency space or to cancel reservations before or while they are in effect if these regulations are not complied with, or if the space requested is needed for governmental functions.

d. Permission to use County facilities shall not in any way constitute an endorsement of the individual, group or organization, or their policies and/or activities.

e. The Cherokee County Board of Commissioners reserve the right to amend the requirements and regulations for use of these facilities as necessary.

f. As facilities governed herein are publicly owned, Cherokee County does not permit use of publicly owned facilities to support, subsidize or house any private enterprises or ventures.

3) Application Process

a. Applications and copies of the Cherokee County Facility Use Policy will be available at each facility where rooms are available (see Attachment A), as well as on the Cherokee County internet site (www.cherokeecounty-nc.gov).

b. Applications must be completed in full and returned with any necessary fees.

c. Applications must be submitted to the appropriate contact as listed in Attachment A.

5) Regulations for Use of Space

a. Elected officials, departments/offices/agencies or organizations shall comply with the laws of the State of North Carolina, United States and all applicable Cherokee County rules and regulations. All persons in and on the property shall comply with official signs of a prohibitory or directory nature, and with the directions of security personnel or other authorized individuals. Cherokee County has the right to have persons violating any provisions removed from the premises and to prosecute any and all violators.

b. Elected official, department/office/agency or organization shall not engage in or permit disorderly conduct, or conduct which creates loud and unusual noise, or which obstructs

the normal use of entrances, foyers, corridors, offices, elevators, stairways, parking lots or which otherwise tends to impede or disturb the general public in accessing facilities to conduct County business.

c. Adults must assure the safety of children on County premises with direct supervision.

d. Soliciting contributions, selling goods or collecting private debts on County premises is prohibited unless the solicitation is approved by the Board of County Commissioners. This does not apply to employee-to-employee transactions.

e. Hanging decorations on the grounds, walkways, driveways and parking areas, exteriors of buildings and interiors of buildings on County premises that could potentially damage the building or County property is prohibited.

f. Designated staff from Cherokee County has the right to enter any portion of the room as needed during the scheduled event or activity.

g. The maximum occupancy of the facility cannot be exceeded.

h. No additional locks can be installed on doors or equipment. The keys to all facilities shall remain in the possession of the County. Entrances and exits shall be locked and unlocked by a Cherokee County employee in accordance with the time set forth in the agreement unless other arrangements are made with the Facility Contact. No smoking, drug use or alcoholic beverages shall be allowed in any County facility.

i. Weapons, reproductions of weapons, and any items capable of being conceived as weapons are prohibited in the Cherokee County Courthouse, and in any other Cherokee County facility where posted and/or prohibited.

j. Admittance to unoccupied offices in facilities is not permitted.

k. Vehicles are not allowed on the lawns, planted areas, sidewalks or walkways of County property unless approved by Cherokee County.

l. Only service animals are permitted inside Cherokee County facilities.

m. Proper attire, including shirts, pants/shorts and shoes are required during use of County facilities. Offensive or gang-related clothing, whether printed or actual clothing, will not be permitted or tolerated.

n. Immediately call 911 for any emergency, and if safe to do so, wait to receive pre-arrival instructions such as evacuation or first aid instructions.

6) Furniture/Equipment

a. No furniture shall be moved or removed without prior approval of the facility contact. If approved by the facility contact, all furniture will be returned to its original location and position as it was found.

7) Cherokee County Courthouse Usage Policy: Refer to Attachment B

8) Use of County Facilities for Organized Athletic Events: Groups or leagues may apply to Cherokee County Government for the use of athletic facilities such as the Rock Gym, certain community centers, and athletic fields. Before use of any of these or other facilities for athletic events will be considered, applicants seeking use of county facilities shall:

1. Provide to the county proof of general liability and accident insurance of all participants in the athletic events including coaches and support individuals at a level of no less than $1,000,000.00 per incident/injury. Such insurance shall list Cherokee County as an additional insured and shall be in form to the satisfaction of Cherokee County Government, and

2. Leagues seeking to use county facilities for games and practices shall provide to County Government copies of rosters. Rosters shall be accompanied by executed copies of USE OF COUNTY ATHLETIC FACILITIES WAIVER for each participant on the roster and any other on-field coaches or assistants.

ATTACHMENT A

FACILITIES

Cherokee County Courthouse: 75 Peachtree Street, Murphy, NC 28906

Cherokee County Annex: 40 Peachtree Street, Murphy, NC 28906

Contact: County Manager's Office 828-837-5527 ext. 1814

Cherokee County Fairgrounds: 9275 Us 64 West, Murphy, NC 28906

- Fairgrounds and Buildings Contact: County Manager's Office 828-837-5527 ext. 1814
- Nora Starks Arena Contact: Cherokee County Saddle Club, Brannon Elliott 828-835-6266

Cherokee County Penland Senior Center: 69 Alpine Street, Murphy, NC 28906
Hiwassee Dam Community Center: 7829 Highway 294**,** Murphy, NC 28906
Contact: 828-837-2467 ext. 1892

Cherokee County Parks and Recreation

Murphy Park

Rock Gym: Connahetta Street, Murphy, NC 28906

Contact: Office 828-837-6617 ext. 1880 Cell 828-360-4398

Cherokee County Shooting Range
Available for use by law enforcement and other governmental agencies only.
(Agencies must provide proof of insurance indemnifying Cherokee County)

Cherokee County Sheriff's Office

Contact: 828-837-2589 Ext. 1415

ATTACHMENT B

BUILDING USE POLICY FOR CHEROKEE COUNTY COURTHOUSE
Adopted 9/16/2019

1. **PURPOSE:**

a. To establish guidelines and procedures for the use of the Cherokee County Courthouse by groups and/or individuals. It is the Intent of the Cherokee County Board of Commissioners to allow non-profit groups, local units of government, and county residents use of available public meeting areas in County buildings and grounds whenever feasible, provided the use is consistent with policies and procedures, and presents no additional liability to the County.

b. This policy shall govern the use of the Cherokee County Cherokee County Courthouse by groups and/or individuals wishing to use the facility. Public meeting areas are those accessible without having to enter offices or a work space.

2. **AUTHORITY:** The Cherokee County Board of Commissioners

3. **APPLICATION:** This policy applies to all groups and individuals using the Cherokee County Courthouse.

4. **RESPONSIBILITY:** The County Manager and/or designee shall be responsible for implementation of this policy.

5. **PERMISSIONS:**

a. A request for use of the Cherokee County Courthouse is to be scheduled by contacting the County Manager's office at 828-837-5527 ext. 1814, or mailing the request to Cherokee County Manager, Cherokee County Courthouse, 75 Peachtree Street, Murphy, NC 28906. The requestor shall provide the following: the name and address of the requestor; the date and time requested for the use; the expected length of use; the setup and any special request of use; the nature and purpose of the use and the number of people expected to attend the proposed activity. In addition, the agency or department/office/agency using the facility shall agree to accept responsibility for damages and clean up costs, if applicable. The Cherokee County Manager or designee may require additional information, if deemed necessary. Request for use must be made at least thirty (30) days before the proposed use.

b. Permission for use of the Cherokee County Courthouse may be granted by the Cherokee County Manager or designee only for meetings or other functions which are scheduled to begin and end between the hours of 8:00 AM and 5:00 PM. The Cherokee County Board of Commissioners shall have the authority to grant or deny exceptions to this policy which are in accordance with state law or county ordinances and to grant or

deny permission to use the Cherokee County Courthouse when this policy does not address the requested use.

6. **SCOPE OF PERMISSABLE USE:**

a. Normal County or State business, law enforcement training or court-related activities will take precedence over any requested use of the facility.

b. The facility may not be used for any commercial purposes, fund raisers, public sales or promotional purposes unless authorized by the written agreement of the Cherokee County Board of Commissioners.

7. **LIMITATION OF USE:**

a. Use of the facility is limited to the First and Second Floors of the Cherokee County Courthouse unless otherwise approved by the Cherokee County Manager. Notification is to be made to the Director of Facilities and Maintenance Department for coordination of custodial staff.

b. No use of County or State-owned audio-visual equipment will be allowed unless otherwise approved by the Cherokee County Manager.

c. No food or drinks will be allowed outside of specified meeting rooms.

d. Alcohol is prohibited.

e. Smoking is prohibited.

f. Illegal drugs are prohibited.

g. Weapons, reproductions of weapons, and any items capable of being conceived as weapons are prohibited in the Cherokee County Courthouse.

h. Maximum occupancy of all meeting rooms is to be followed and adhered to. Law enforcement will monitor the occupancy limits for any potential fire and safety egress issues.

8. **SETUP:**

a. The authorized user is responsible for setting up the meeting place, providing additional chairs if necessary and supplying such items as easels, tables, bulletin boards and audiovisual equipment. The user shall be responsible for returning the furniture and fixtures in the meeting area to the original configuration and condition after the conclusion of the meeting or other use. Use of any electrical equipment by user shall be subject to County approval.

b. Setup for large events may be allowed in advance of the meeting, if it does not interfere with normal business operations and must be approved by the Cherokee County Manager.

9. **CLEANUP**

a. The authorized user shall be responsible for all clean up following the conclusion of the meeting. Large trash cans and liners will be provided by the County Facilities and Maintenance Department prior to the event. All trash must be placed in the trash liners provided and tied up for disposal by the Facilities and Maintenance Department.

b. Custodial service may be required based upon the number of persons attending the meeting or event. Costs of the service will be borne by the user. The actual cost of cleanup required as a result of the user's failure to do so shall be charged to the user, and the user shall accept and does acknowledge this responsibility at the time of request.

10. **IMPLEMENTATION AUTHORITY:** This policy is implemented by the County Manager under general authority granted by the Board of Commissioners.

ATTACHMENT C

USE OF COUNTY ATHLETIC FACILITIES WAIVER

Release, Agreement to Indemnify & Agreement Not to Sue, Notice of right to expel:
I, as a participant or the parent, custodian or guardian of a participant, in recreational events at Cherokee County facilities, understand that such involves risk of injury or illness. These risks include, but not limited to, death, injuries of all kinds and manners resulting from activities and/or travel to and from such activities, equipment failures and exposure to infectious diseases, food and waterborne illness, and any and all other forms of calamities. I acknowledge and agree by my signature below that I choose, with complete knowledge of these and other risks for myself and/or my child to participate in activities on Cherokee County property. I further acknowledge and assume all risks and responsibility of injury, illness, property damage, and death connected in any way shape or form with the presence of myself or my child on Cherokee County property. I certify that I or my child have adequate insurance to cover any claim, injury or damage I or my child may cause or suffer while engaged in or observing activities occurring on Cherokee County property, or else I agree to bear the cost of any such injury or damage myself. I also acknowledge and agree that myself and my child shall follow all rules and procedures established set forth by counselors, staff members, coaches and employees of the Cherokee County Parks and Recreation Department. I acknowledge that Cherokee County and/or any of its employees or agents may expel me from any Cherokee County property due to any inappropriate behaviors by myself or my child as such may be determined by Cherokee County, its employees, or agents.

In return for that opportunity to participate and/or observe activities on the property of Cherokee County, I agree for myself and for my heirs, assigns, executors and administrators to release, waive and discharge any legal rights I may have to seek payment or relief of any kind from Cherokee County, its employees or its agents for any injury, illness, death or any other cause of action as a result of my or my child's participation in or activities on Cherokee County property. I furthermore release waive and discharge any other legal rights that I may assert on behalf of my child that I may be the parent, guardian or custodian of. I agree not to sue Cherokee County, its employees, or its agents and agree to indemnify Cherokee County for all claims, damages, losses, expenses, and attorney's fees if a suit is filed concerning any injury, illness, death or any other cause of action to me or my child resulting from the presence of me and/or my child on Cherokee County property. This document shall be effective for one year from the date below.

Acknowledgement:
By signing below, I acknowledge that I have read, understand, and agree to the Cherokee County policies and waivers listed on this form.

Date: _____

Print name of participant: _____ (Date of Birth) _____

Signature of Participant_____

Printed name of parent, guardian or custodian if
participant is under the age of 18. _____

Signature of parent/guardian/custodian _____

APPLICATION FOR USE OF COUNTY-OWNED FACILITY

Applicant Name: _____

Address: _____

Phone Number: _____

Facility Requested: _____

Date/s Requested: _____

Time of Day: Beginning at _____ (AM/PM) and ending at _____ (AM/PM)

Type of Meeting or Event: _____

Facility Meeting rooms -Daily Usage Fees: $30 and $100 refundable deposit.

Penland Senior Center - Daily Usage Fees: $30 and $100 refundable deposit.

Mountain Folk Center
Nora Starks Memorial Horse Arena - Daily Usage Fee: $200

Hiwassee Dam Community Center
Daily Usage Fees:
Auditorium – $100 and $100 refundable deposit.
Auditorium and kitchen: $150 and $150 refundable deposit.
Meeting Room only: $30 and $100 refundable deposit.

Rock Gym
Daily Usage Fee: $100 and $100 refundable deposit *
* Youth Recreation League Programs exempt.
For-profit use is prohibited.

Fee Submission:
Fees must be submitted with application.
Checks for returned deposits will be mailed within 7 business days after event ends.
Make checks payable to: Cherokee County, 75 Peachtree Street, Suite 211. Murphy, NC 28906

Special Event Insurance (if applicable): Proof of liability insurance in the amount of $1,000,000.00 must be provided prior to any special event, and must name Cherokee County as an additional insured.

Waiver of Liability: Applicant and users of the property shall hold Cherokee County harmless and shall indemnify Cherokee County from any claims whatsoever resulting from the use (or misuse) of Cherokee County property by Applicant's activities on said property.

Limitation of Use:

- There shall be no alcoholic beverages served upon, consumed upon, or brought onto County property.
- Smoking is prohibited in all County facilities.
- Maximum occupancy requirements are strictly enforced.

Key/s: Keys to access the facility can be picked up prior to event; and only after the deposit and fees have been paid. Keys must be returned promptly following event conclusion. **Failure to return key/s will result in forfeiture of deposit and possible additional fees.**

Setup: User is responsible for all set-up and take-down. If facility furniture, tables and chairs are used, user shall be responsible for returning items to their original location. **Use of County power, or any electrical equipment shall be subject to County approval.**

Cleaning: It is hereby understood and agreed that the below-named individual or organization(s) will assume responsibility for cleaning of facility and/or repair of equipment which might be damaged during use, and remove any trash from the premises after an event.

By signing this application, I am agreeing to adhere to the Cherokee County policies for facility use.

_____

(Signature and Printed Name of Responsible Party)

COUNTY USE ONLY

Date Application Received:

_____

Received By: _____
Approved/Denied_____

Fees Paid: Deposit _____ Rental _____

Deposit returned? ☐ Yes ☐ No Date returned (if applicable): _____