

**Fee Policies and Procedures for the
Use of the Breckenridge Grand Vacation Community Center and Summit County South Branch
Library Meeting Room Facilities**

I. Purpose. The purpose of these policies and procedures (“Fee Policy”) is to establish guidelines regarding the charging of fees for the meeting room facilities of the Breckenridge Grand Vacation Community Center and Summit County South Branch Library Meeting Room Facilities (the “Center”).

II. General Policy. It is the policy of the Town of Breckenridge Council (the “Town”) and Board of County Commissioners of Summit County, Colorado (the “County”) to promote the use of the Center’s meeting rooms (the “Meeting Rooms”) in a manner that makes such facilities available to various aspects of the Town of Breckenridge and Summit County Communities, and still presents a viable fiscal means of defraying the costs of operation of the facility. Accordingly, the Meeting Rooms in the Center shall be made available for use, subject to the fee schedule set forth below, by all members of the general community, including without limit County departments, County sponsored organizations, various civic and community based groups, as well as private organizations and personal functions, subject to availability, and for meetings related to government or civic operations and issues. Use and operation of the Meeting Rooms is specifically subject to the 103 South Harris Street Building Lease and the South Branch of the Summit County Library at the Breckenridge Grand Vacations Community Center Operational Plan, dated January 9th, 2015, as it may from time to time be amended (the “Lease and Plan”). These policies supersede any existing policies and procedures for the Center.

III. Facilities Available to the Public. The Center’s Meeting Rooms shall be available for use from 8 am – 8 pm Monday through Sunday for noncommercial use by the general public, including: public or private nonprofit organizations, civic organizations, religious groups, community oriented groups, and residents of Summit County. All meetings or activities require a key and damage deposit and those that extend beyond normal business hours require an additional key deposit unless exempted by the County Manager or his/her designee.

Meeting Room users may not conduct any illegal activities on the premises nor may users engage in activities which, in the opinion of the County and Town, create excessive noise or other disturbances, or risk of injury to persons or property. Provided, nothing herein shall be deemed to create a duty on the part of the County or Town to inspect, police, or otherwise regulate the activities conducted on the premises. In no event shall any use disrupt, interfere or impede the operations of the Center.

A complete description of the Meeting Rooms, seating capacity, and available equipment may be obtained online at SummitCountyLibraries.org or from the South Branch Library circulation desk located at 103 South Harris Street.

IV. Fees.

- A. Fee Policy. The County and Town will continue to, from time to time as deemed necessary, establish fee rates for the use of the Center facilities and equipment. Fees shall be paid prior to the event or within 30 days of receipt of an invoice. Any user failing to pay for the use of the Center’s meeting room facilities or for damages assessed by the County will be denied future use of any County or Town meeting room facilities until all accounts are paid in full.
- B. Fee Schedule. Standard fees for use of the Meeting Rooms shall be charged in accordance with Figure 1 below, at the following general rates, in accordance with the user group classifications, and/or the nature of the use contemplated, and scheduling time:

| Type of Group/Events | Examples | Hourly Room Fee: |
|--|---|---|
| County and Town Organizations | Town Council or County Commissioner meetings, County or Town staff training; Manager’s Meetings; Vote Center | No Charge |
| County or Town Funded Organizations | Breckenridge Music Festival, Family and Intercultural Resource Center, Summit Community Care Clinic, Keystone Science School | No Charge |
| BGVCC Tenants | BHA, Summit Foundation, Breck Film Festival, Yellow Arrow Coffee, Speakeasy Theatre | No Charge |
| Community and Civic Organizations and Non-profit Organizations outside of Summit County | Community Events; Governmental Organizations; Educational Programs; public health trainings or events; events which are primarily intended to provide a direct public benefit to the Town of Breckenridge and Summit County communities, its residents and visitors | Hopefull/Discovery Room -\$25/hour (includes kitchen) Tip Top Room - \$10/hour |
| Other Organizations and Private Events | Campaign activities; HOA’s; Owners/Shareholders Meetings; Private Parties; Weddings No use or rental allowed for any business for the use purpose of engaging in commercial, profit-making activities | Hopefull/Discovery Room -\$50/hour (includes kitchen) Tip Top Room - \$10/hour Subject to availability, with priority given to the other categories herein. |

The determination as to the type of group any user is categorized in, and the fee rate assigned to that group, shall be made by booking staff based upon analysis of the function of the subject group and the nature of the event proposed, in light of all available information including the representations made by users in their request for use. This Center shall be equally available and accessible to all persons without regard to race, color, creed, national origin, religion, sex, political ideology or any other similar factor. Said determination shall be implemented in a content neutral manner without any distinction based upon the political, religious, or social philosophies of the user.

C. *Definitions:* for the purpose of this Fee Policy, and the fee schedule set forth in Figure 1 above, the following definitions shall apply:

1. **Campaign Events/Fundraisers** – any event from a political party, candidate for public office, or elected official that is conducted for the direct or indirect purpose of raising funds for campaign purposes, for political rallies, or other activities not directly related to the governmental role of such elected official. In order to fully comply with the Colorado Fair Campaign Practices Act, C.R.S. §1-45-101, et. seq., avoid the appearance of County endorsement or favoritism of any political content, and minimize the chance of abuse and the risk of imposing upon an unwilling audience, any event by any elected official or political party conducted within three months of a general election, or within the period between a primary election and a general election, shall be automatically classified as a campaign event, and fees for such event shall be charged accordingly.
2. **Community and Civic Groups** – any group which has a focus of providing any non-commercial services, benefits, education or some other direct relationship to the immediate needs and interests of the Town of Breckenridge or Summit County communities at large, its residents and visitors, including without limitation events held by religious organizations, educational entities, local political parties, and public health organizations, provided said events are not conducted for any commercial or

for profit purposes or means, and are not considered to be campaign events. This category may include non-profit organizations/events, which are primarily intended to provide a direct public benefit to the Town of Breckenridge or Summit County communities, its residents and visitors.

3. **County and Town Organizations**– shall mean the Town of Breckenridge and Summit County Government, including any Department, Division, or direct agent or representative of the Town of Breckenridge or Summit County Government, or any group under the administrative control and discretion of the Town of Breckenridge or Summit County Government, including by means of example but not exclusion the Town Council, Board of County Commissioners, any Town or County Planning Commission, the Summit County Sheriff’s Office or any sub-group or task force administrated by the Sheriff’s Office, any other Summit County Government elected office.
4. **County and Town Funded Organizations** –shall mean any organizations receiving direct funding or other direct sponsorship and/or support from the Town of Breckenridge or Summit County Government, including without limit the Summit County Community Care Clinic, Breckenridge Creative Arts, Early Childhood Options, Mind Springs Health, or other such groups carrying on tasks of some public nature at the direct or indirect behest of the Town or County.
5. **Governmental Organizations** – shall reference any governmental organizations that are not either County Organizations or County Sponsored Organizations, including without limitation other Town Governments, the Summit School District, any other Special District, any Divisions or Departments of the of the State of Colorado, including the Colorado Department of transportation and the Colorado State Patrol, and any elected official conducting any event for the purposes of discussing governmental matters with their constituents, that is not intended for or defined as a campaign or fundraising event.
6. **Private Events** – any event that is neither Town or County funded or administered, that also does not qualify as a community/civic event, or conducted by any group not deemed to be a community/civic group, and that is held for purposes of private enjoyment, such as wedding celebrations or family reunions.

D. *Additional charges.* In addition to the general use fee rates set forth in Figure 1 above, any user of the Meeting Rooms is responsible for all costs and responsibilities of setting up and breaking down said rooms for the use contemplated, and County and Town reserve the right in any circumstance to charge any use its actual costs for additional event services, provided by County or Town directly or through the use of a third party contractor, for any user, including the following:

1. Meeting room set up;
2. Meeting room break down and/or cleaning;
3. Kitchen management or clean up;
4. A standard rate for significant use of kitchen facilities;
5. Audio/Visual and/or Technology equipment, training, and/or service
6. Parking attendants or special uses of parking lot
7. Additional staffing demands;
8. Security;
9. Damage to any Meeting Room equipment, fixtures, or the facility itself;
10. All other costs incurred as a result of the use of the Meeting Room, beyond standard wear and tear of such Meeting Rooms or incidental expenses in the operation thereof (i.e., standard utility costs, regularly scheduled cleaning, etc.).

E. *Waiver requests.* All fees shall be charged based upon the classification of the User group made by the County, in accordance with Figure 1 and the user group definitions set forth above. Any group may, however, apply directly to the Summit County Manager’s Office for, a forbearance of part or all of the fees charged, or for reconsideration of the user group category that such group was initially placed in for purposes of determining the proper rate of

fees. All such forbearance requests must be made at least one (1) month prior to the scheduled event, in writing, directly to the Summit County Manager's Office and no more than 7 days after such group is notified by the County of the fee determinations made for any scheduled use of the facility.

V. Denial of Request. The County and Town reserve the right to refuse approval for the use of the Meeting Rooms by any user or user group when it is deemed that such action is consistent with these policies, necessary and in the interest of the public health, safety and welfare. The use of the Meeting Rooms may also be denied for the following reasons:

- A. Requested activity would block building access or walkways, or interfere with the ongoing operation of the Center or official County or Town business;
- B. Proposed activities are inappropriate for the size or physical features of the Center or the Meeting Room(s) to be utilized will either be denied or rescheduled;
- C. Prior misuse or abuse of privilege to use any County or Town buildings, facilities, or equipment may result in denial of future use to any individual user or user group;
- D. Any activities deemed to be a threat to or unacceptably compromise the public health, safety, security and general welfare, or the efficient and safe operation of the Center;
- E. No commercial activities will be permitted, space will not be reserved to any business for the purpose of making a profit;
- F. Failure to follow the policies and procedures established by the County or Town.

VI. Relationship between Fee Policies and Procedures for the Use of the Breckenridge Grand Vacation Community Center and Summit County South Branch Library Meeting Room Facilities, and overall Center Policies.

- A. This Fee Policy is intended to supplement, and be read and interpreted in conjunction with rather than in abrogation of, any policies and procedures as set forth in the general Policies and Procedures for the Use of the Breckenridge Grand Vacation Community Center and Summit County South Branch Library Meeting Room Facilities ("General Policy"), previously adopted by the County and Town and remaining in effect. All other terms and conditions of that Policy, are hereby reaffirmed and shall remain in full force and effect. Nevertheless, to the limited extent that the terms and conditions of this Fee Policy are deemed to be unavoidably inconsistent with the terms and conditions of the General Policy on matters directly pertaining to the setting of and imposition of fees for use of the Meeting Rooms, the specific provisions contained in this Fee Policy shall control and prevail as to such particular issues.
- B. General Policies on Use. All general policies related to the use of the Meeting Rooms as set forth in the General Policy, including without limit Section IV - Applications for Use and Reservations, Section V – Scheduling, Section VII -- Key and Damage Deposit, and Section IX -- Kitchen, shall remain in full force and effect and compliance with such policies shall continue to be absolute conditions of all use of the Meeting rooms.
- C. If any provision of this policy is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not invalidate this ordinance in its entirety, and to this end the provisions of this ordinance are declared to be severable.