

DRAFT 7/17/26

**CITY OF NOVI
USE OF CITY FACILITIES POLICIES**

I. Purpose and Objective

The City of Novi's facilities include community rooms, parks, parking lots, recreation areas, multipurpose rooms and other government buildings and facilities. The intent of this policy is to establish uniform procedures for the use of City facilities; to provide sufficient forums for gathering and expression of speech, to identify the purposes of City facilities; to ensure the efficient uninterrupted administration of the City government and City facilities and their premises; and to ensure the enjoyment of City facilities by all users. To the extent that this policy regulates First Amendment activity, it is not the intent of this policy to allow uniformity of expressive conduct at all locations, or within all areas of a specific location. Any attempt to limit use of a forum is not intended to silence speech or engage in prohibiting expressive conduct at all locations, or within all areas of a specific location.

The policy describes the terms, conditions, and user qualifications for the following public parks and facilities owned by the City of Novi:

- Novi Civic Center
- Township Hall
- Lakeshore Park/Lodge and 3 park shelters
- Rotary Park/Shelter
- Meadowbrook Commons
- ITC Community Sports Park/Shelter
- Power Park
- Wildlife Woods Park/Shelter
- Fuerst Park/Amphitheater
- Ice Arena
- Fire/Police Stations
- Village Barr
- DPW Facilities

II. Definitions. As used in this policy, the following terms are intended to have the following specified meanings:

- A. Designated Facility Manager. The Designated Facility Manager shall be the department responsible for processing applications and enforcing this policy in relation to any City facility, as identified in Section VII of this policy. The term shall include any specific individual(s), including, but not limited to an on-site facility manager, designated by the department as the City's or facility's contact person for matters relating to the facility rental including but not limited to cancellations and special requests identified in this policy as requiring the Designated Facility Manager's permission. For most of the facilities covered by this policy, the Parks, Recreation, and Cultural Services

Department (PRCS) will be the Designated Facility Manager; other facilities may be the responsibility of other entities or City departments.

- B. Limited Public Forum. Any City facility, City-owned property, or portion thereof that is not within the definition of a Traditional Public Forum, but which has been expressly designated in this policy as a Limited Public Forum, that express designated in this policy as a Limited Public Forum for specific purposes identified in this policy. It is the intent of this policy that, where a portion of a facility or property is designated as a Limited Public Forum, that designation shall be narrowly construed as applying only to the identified portion of the facility or its premises (e.g. common hallways, lobbies, and sidewalks and parking lots that are not part of the City's general transportation network) into either a limited or Tradition Public Forum.
- C. Non-Public Forum. Any City facility, City-owned property or portion thereof that is not within the definition of a Traditional Public forum, and which has not expressly been designated in this policy as a Limited Public Forum, and which has not expressly been designated in this policy as a Limited Public Forum. It is the intent of this policy that Non-Public Forums are not to be the site of any activity or use by non-cityCity individuals or entities for purposes unrelated to the purpose for which the facility or property exists. To the extent that this policy and/or City Ordinances regulate First Amendment Activity in Non-Public Forums, such regulations are intended as reasonable regulations to promote the efficient and undisturbed use of the forum for its intended purpose.
- D. User Representative. The person who is identified in a facility's usage application, arranges the reservation of a facility, and/or who is otherwise the primary contact for a User.
- E. User. Any individual, group, organization or other entity that has arranged for the use of a City facility, whether through reservation, usage agreement, or other means, and regardless of whether the facility is a fee-based or on-fee-based facility.
- F. Traditional Public Forum. City parks (to the extent that they are open-air and not designated for specific uses such as sports fields and reservation-based picnic shelters), and public streets and public sidewalks that are part of the City's general transportation network are recognized as Traditional Public Forums. These properties are open to a broad range of expressive purposes consistent with applicable state and federal law. To the extent that this policy and/or City Ordinances regulate activities withing Traditional Public Forums, such regulations are intended only to reasonably regulate the time, place, and manner of activities within the forums under relevant law.

III. General Application Procedures and Disclosures and Reservation of Rights for all City Facilities.

Unless otherwise stated in this policy, these General Procedures shall apply to all City of Novi facilities. Where a procedure for a particular facility elsewhere conflicts with or expands upon a General Procedure, the facility-specific procedure shall control.

- A. Application Required. No User may use a City facility without requesting and scheduling said facility through the appropriate Designated Facility Manager. Applications must be submitted to the Parks, Recreation and Cultural Services (PRCS) Department at least three weeks prior to the date requested, signed and completed and delivered in person, by email, or by fax.
- B. Discretion to Deny Application. The eCity, at its sole discretion, reserves the right to limit and/or deny requests for meetings, parties, or other events. In reviewing a request, the eCity shall consider factors including but not limited to: (a) the applicant's history of compliance with use policies; (b) the conformity of the application to this policy and all other applicable policies, ordinances, laws, and regulations; (c) whether using the facility as proposed would threaten public health, safety, or welfare based on factors including but not limited to the ability to manage crowds at the facility, expected public interest, need to maintain order due to expected protests at event; (d) the consistency of the proposed use with the purposes for which the room is designed and intended, such as but not limited to the size, dimensions and existing furniture, fixtures and equipment in the room; (e) the availability of the room or facility; (f) whether proposed use would conflict with administration or needs of, or uses by, the City government; and (g) any other factor deemed relevant by the Designated Facility Manager of the facility involved.
- C. Age Restrictions for Renters. Any individual or group representative must be at least 21 years of age to reserve use of the facility. Groups comprised of individuals younger than 18 years of age must have two (2) adults (21 + years) in attendance for every 20 people during the time of the rental.
- D. Insurance. The City of Novi does not provide individual accident health insurance for the use of its facilities. Groups of individuals may be required to procure and maintain a General Liability Insurance Policy, at its sole cost and expense, for any death or injuries to persons or loss or damage to property that may arise from or in connection with its use of the facility and the activities associated with it, to supply a certificate of such insurance to the City of Novi as additional insured. Minimum acceptable limits of such insurance will be \$1 million each occurrence and \$1 million aggregate. The City of Novi must receive Policy verification including dates of coverage and financial limits for the event at least 30 days prior to the first rental date.

- E. First Aid. No on-site treatment is available at City facilities. First aid is the direct responsibility of any User of City facilities.
- F. Gratuities. City facility personnel are not allowed to accept gratuities
- G. Assignment/Transfer. No usage, usage agreement, permit, or facility reservation shall be assigned or transferred without the City's consent.
- H. Right of inspection and Control. The City reserved the right to inspect and control all events, private parties, meetings and receptions held on its premise. The User shall be responsible for paying the ~~city~~City the costs of replacement for any and all destroyed, damaged or missing facility property caused by the Users' guests, independent contractors, User, User's agent or any person on User's behalf. The User is responsible to reimburse the City for all fees and costs incurred by the City should additional staff be required to control User's event.
- I. Damage to Facility. Any damages to the building and/or grounds will be charged to the User or User Representative that signed the agreement. The User or User Representative is responsible for checking the room for damages and cleanup in a manner that is acceptable to the City. A City of Novi employee will check the User or User Representative in and out. The check-in/out form is to be signed by the User or User Representative upon the rental's completion. This does not apply to park shelters.
- J. Personal Property. The City shall not be responsible and assumes no liability for lost or stolen equipment, personal property, money, effects and goods. The City will assume no liability for any equipment, personal property, money, personal effects, and goods left in a City facility or any damages to such items if they are moved or cleaned by our employees in the performance of their duties. Users and User Representatives are not allowed to store items before their event at any City facility.
- K. Hold Harmless and indemnification Agreement. The User Representative and User they represent shall pay on behalf of, indemnify, and hold harmless the City of Novi, its elected and appointed officials, and volunteers and others working on behalf of the City of Novi, against any and all claims, demands, suits, or loss, including all costs connected therewithin, and for any damages which may be asserted, claimed or recovered against or from the City of Novi, by reason of personal injury, including bodily injury or death and/or property damages, including loss of use thereof, which arises out of or is in any way connected or associated with use of a City of Novi facility. Where a facility requires a written agreement, a hold harmless and indemnification provision that consists of language substantially similar to that of this paragraph shall be included and signed.

- L. Cancellation. The City of Novi reserves the right to accept, reject, or cancel any event, use, usage agreement or reservation for any reason and in its sole discretion. If a facility is mistakenly scheduled for more than one event, use or reservation of a City facility at the same time, the Designated Facility Manager or their designated representative shall contact each party involved to identify the mistake and ascertain whether any party shall will voluntarily agree to reschedule, and if not then the Designated Facility Manager shall, within their discretion, decide which party's event, use, usage agreement, or reservation is cancelled due to a scheduling mistake as describe above or circumstances beyond control of the ~~city~~City of Novi, including but not limited to weather, loss of utilities, civil unrest, or other uncontrollable happenstance, the event will be rescheduled at the earliest convenience of all parties. If a usage fee has been paid in connection with an event use, or reservation must be must be cancelled due to scheduling mistake by the City as described above or cancellation by the City for any reason (other than circumstances beyond the City's control) and the event, use, or reservation cannot be rescheduled for any reason, the City shall refund such usage fees to the User, which shall be the full extent of the liability of the City in connection with such a cancellation incurred by a User (other than a refund if applicable), User Representative, any person, guest, vendor or contractor associated with the event, use, reservation, rental, or usage agreement, or any third party. If a User or User's Representative cancels an event or use 30 days prior to the event the User will be refunded their deposit minus a 15% administrative fee. Less than 30 days prior to the event the User will be refund 50% of any fees (rental and/or deposit). No refunds are issued for cancellation less than 15 days prior to the event.
- M. Policy Enforcement / Penalties. Failure to comply with this policy may result in all or any of the following; forfeiture of some or all of the security deposit; cancellation of the event, meeting or other use; immediate termination of event, meeting or other use without notice or warning; immediate removal of individuals from the premises by City staff or the Novi Police Department without notice or warning; payment of the City the costs of replacement for any and all destroyed, damaged or missing City property caused by User's guests, independent contractors, User, User's Representative or any person on User's behalf; rejection of any or all future requests to use the City's facilities; criminal prosecution for any violations of law or ordinance; and any other civil remedies to which the City may be entitled law or in equity.
- N. City Sponsored Events. The City and ~~city~~City--sponsored uses and events are specifically excluded from compliance with this policy.
- O. Fees. The Designated Facility Manager, in coordination with the City Manager or City Manager's designee, is authorized to establish usage fees and other fees relating to the use of City facilities for which this policy contemplates a fee.

- P. Exceptions to Policy. The City Council may allow exceptions to this policy to accommodate and enable events of regional, state-wide or national significance to be held at City facilities, such as but not limited to, visits by the President of the United States or Michigan Governor, or candidates for such positions.

IV. General Regulations for All City Facilities.

Unless otherwise stated in this policy, these General Regulations shall apply to all City Facilities. Where a regulation for a specific facility elsewhere in this policy conflicts with or expands upon a General Regulation, the facility specific procedure shall control.

- A. Compliance with laws and Ppolicies. All persons using the ~~city~~City of Novi's facilities shall observe and comply with the regulations of this policy, all applicable ordinances, rules, and regulations of the City of Novi, and all federal and state laws.
- B. Prohibited Uses. City facilities and equipment shall not be used for: a) activities that are in conflict with City policies, rules or ordinances, state or federal laws; b) activities that are discriminatory in the legal sense; c) illegal gambling; d) the primary purpose of petition signature gathering, except as allowed in Section V of this policy; e) political campaign events or fundraisers, except as allowed in reserved rooms in the Novi Civic Center, Township Hall, Fuerst Park Amphitheater or park shelters or Ice Arena as provided by Section V of this policy; or f) religious services or regular worship activities, except in reserved rooms in the Novi Civic Center, Township Hall, Fuerst Park Amphitheater or park shelters as provided by Section VI of this policy. Rentals may not be for profit or for a continual recreational-type program. The City of Novi does not allow private functions to charge a fee, admission, or accept donations. Sales of merchandise, products, and services are prohibited.
- C. Notice/Control of Renter's Invitees. The User Representative is responsible for ensuring that all policies, rules and regulations are strictly adhered to by all persons participating in the activity for which they are the User Representative. To the extent that rooms or areas of City facilities are reserved, the User, the User's Representative and the User's invitees shall contain their activities to the area reserved or interior of the reserved room, and shall not use hallways or other common areas of the facility in connection with their event
- D. Non-Interference with Facility. No User's activities shall interfere with the administration of the City of Novi, the primary purpose of the facility being used, or the enjoyment of the facility by other users of the facility

- E. Room capacities. Room capacities must be adhered to. Users and User's invitees may not overflow into hallways and/or disturb City staff, City business, other activities, or events at the facility.
- F. Maintenance and Clean-up. Routine maintenance will be done by City staff. However, trash pickup and other clean up duties are to be performed by the User, and it is expected that the User will clear and clean any areas of the facility used by the User or the User's invitees. Furniture, fixtures and equipment may not be moved from room to room or removed from the building without permission. At the conclusion of a User's use, the room must be returned to the condition in which it was found. Any decorations used must be removed and disposed of properly, immediately following the function.
- G. Prohibited items. No sparkle, glitter, confetti, etc. is permitted. Double-sided tape, pins, nails, staples and adhesives are not allowed on walls, tables, chairs etc. Only painters' tape is allowed on walls and partition walls. Open flames are not allowed with exception of Sterno for chaffing dishes, lighters for a cake candle. If theatre stage is used, nothing can be pinned or adhered to the curtain or side panels. No helium balloons or flower petals are allowed without permission.
- H. Control of Children. All children in attendance must remain in the reserved rooms(s). Children are not allowed to roam unsupervised in other areas of a cityCity building, such as hallways, rooms or lounges.
- I. Alcoholic Beverages. Alcohol permits for the Novi Civic Center require eight weeks processing time, a TIPS certificate, insurance and endorsement and additional fees. Only beer and wine are allowed. Beer and wine are allowed at Lakeshore Park, Novi Ice Arena, and Villa Barr but no other City of Novi Park. Glass bottles are prohibited.
- J. Paper Goods. Paper goods are the responsibility of the User and are not provided by the cityCity of Novi.
- K. Equipment. Equipment provided to or used by the User must be utilized for its intended purpose.
- L. Non-smoking facilities. Guests may only smoke and vape in designated outside areas where ash containers are provided, and only in accordance with posted rules prohibiting smoking or vaping in certain areas. Smoking and vaping included tobacco and non-tobacco products including, but not limited to cigarettes, cigars, non-cigarette smoking tobacco, smokeless tobacco, herbal or clover cigarettes, e-cigarettes, smoking gels. Smoking marijuana is not permitted in or at City facilities.
- M. Animals. No animals or pets allowed in or at City facilities except the following: (a) police dogs; (b) service animals that have been allowed as

define by title II and title II of the Americans with Disabilities Act; (c) other animals that have been allowed as part of an approved or City sponsored program or event; (d) dogs in the City's dog park.

- N. Signs. The display, posting, or placement of any sign, poster, or flag is not allowed within or on the grounds of City facilities, except (1) City-owned signs; and (2) holding a sign, poster, or flag on the grounds of a Traditional Public Forum. Special permission may be granted by the City Manager or Facility Manager for signs relating to User events at the facility for which there is a User Representative. The City reserves the right to request and require the User or User Representative to provide a copy of promotional materials (including social networks) and/or invitations that User creates for the event/meeting.
- O. Food and Beverage Sales. Food and beverage sales within or at a public facility are prohibited.
- P. Merchandise sales. The sale of any merchandise goods within or at a public facility is prohibited unless authorized by the City Manager or their designee.
- Q. Reservation of City's Rights. The City reserves the right to act in the best interest of the City on matters not specifically covered in these rules.

V. Political and Fundraising Activities in City-Owned Buildings and on City-Owned Properties

- A. General Policy. Except as and where specifically allowed under this policy (e.g., reserved fee-based rooms), City facilities shall not be used for political activities, events, fundraisers, or assemblies. Where specified political activities, events, fundraisers, or assemblies are permitted, they must be open to the public subject to occupancy limits and security concerns.
- B. Political Campaign Events and Fundraisers. Political campaign events and fundraisers advocating a political candidate, ballot proposal, or other political cause may occur only in fee-based rooms in the Novi Civic Center, Township Hall, Fuerst Park amphitheater, and park shelters available for rent at ITC Community Sports Park, Lakeshore Park, Rotary Park, and Wildlife Woods Park. In these facilities the activity must be confined to the reserved room or shelter and be carried out consistent with all other applicable provisions of this policy.
- C. Campaign Finance Law. No City facility shall be used in a manner that would cause the City to be in violation of the Michigan Campaign Finance Act., Act 388 of 1976, as amended, or any other applicable state or federal law.

- D. Government Officials in their Official Capacities. This policy shall not be construed to limit the ability of elected or appointed government officials from using either fee-based or non-fee based facilities in furtherance of performing the public duties associated with their office.
- E. After-Hours Meetings with Government Officials. It is recognized that, from time to time, elected or appointed officials desire opportunities to schedule after-hours meetings with citizens on their personal time that are not required as part of their public duties (e.g. office hours, coffee socials town hall meetings). For purposes of this policy, such meetings shall be considered in furtherance of the public duties associated with the officials' office, provided that they are open to all, and do not include campaigning or fundraising. City facilities designated in Section VII as Limited Public Forums for specified political activities may be used by elected and appointed officials for such meetings with citizens subject to the Michigan Campaign Finance Act and all other applicable law, and subject to all rules, regulations, and fees in the same manner as any other applicant. No such event shall occur that requires the expenditure of public funds or the provision of in-kind services by the City (e.g. coffee service, refreshments, photocopies, labor costs) that could be construed as making a public expenditure or providing a contribution of volunteer public services in violation of the Michigan Campaign Finance Act. In no case shall such an event be held in such a manner as to constitute a violation of the Michigan Open Meetings Act.
- F. Signature Gathering. No portion of a City facility (including but not limited to meeting rooms, hallways, corridors, and internal sidewalks, parking lots, and drives) other than a Traditional Public Forum shall be used by any person or group having the primary purpose of soliciting signatures for candidate nominating petitions, ballot proposal petitions, or similar documents. This policy, however, is not intended to prohibit an invitee attending the same event within the same room to sign a petition.
- G. Political Fundraisers. Political Fundraisers are prohibited except in fee-based rooms at the Novi Civic Center, Township Hall, Fuerst Park, and shelters available for rent in ITC Community Sports Park, Lakeshore Park, Rotary Park, and Wildlife Woods. This policy, however, is not intended to prohibit invitees of a User from incidentally asking other invitees attending the same event in the same room to support a fundraising effort of an individual attendee or the User of the room (e.g., selling tickets for a future event; circulating a fundraising brochure; selling products such as cookies; or holding a 50/50, door prize or similar raffle solely among attendees of the event), or to engage in activities within the scope of the meeting for which the room was reserved related to the administration of an off-site fundraiser (e.g., collecting monies owed from an off-site fundraiser, distributing fundraiser materials such as brochures or raffle tickets; replenishing supplies for a product-based fundraiser; or distributing goods ordered through a prior fundraiser).

- H. Elections and Election Laws. Various City facilities are used as polling locations for elections and for other election related purposes. During the period of time that a City facility is being used as a polling location, no part of that facility shall be used for a political activity, of any kind. No person shall use a City facility for any purpose that is not allowed under state election laws, rules, and regulations.

VI. Religious or Faith-Based Uses of City Facilities.

- A. Religious Services / Regular Worship. In recognition of the City's interest in complying with the Establishment Clause of the First Amendment of the U.S. Constitution, no City facility other than rooms at the Novi Civic Center shall be used for the purpose of conducting worship activities of any religious organization. Where facilities are allowed to be used for religious services or made available on a first-come, first-served basis, subject to all applicable usage regulations in the same manner as any other user of the facility.
- B. Faith Based Groups and Incidental Faith-Based Activities. For City facilities that have not been opened for religious services, the limitation shall be narrowly construed so as not to prohibit the use of Traditional or Limited Public Forum by an applicant because the applicant is faith-based, offers a religious perspective on matters relevant to subjects for which the forum has been opened and/or engages in faith-based activity (including but not limited to prayer, singing, and reciting religious texts) that is incidental to a permissible use of the forum and does not amount to conducting a religious service. For purposes of this policy, weddings or other ceremonies and events that could be carried out in a purely secular manner, but which the User chooses to have conducted by a minister of any religion, shall be considered an event with an incidental faith-based component as opposed to a religious ceremony or worship event.

VII. Facility-Specific Regulations.

The following facility-specific regulations are intended to be supplemental and additional to the General Application Procedures and Disclosures and General Regulations for All Facilities, except where a facility-specific regulation conflicts with a general procedure or regulation, in which case the facility-specific regulation shall control.

- A. Novil Council Chambers, Novi Civic Center Rooms, Township Hall
 - 1. Forum Designation and Permitted Uses. The Council Chambers, Civic Center and Township Hall are open as a Limited Public Forum without charge to civic, community, and non-profit organizations for the same purposes as Novi Civic Center Meeting Rooms and for political meetings and assemblies, including meet the candidate days, debates, public policy forums and similar public events,

subject to the requirements and restrictions in this Subsection VII.2.

2. Designated Facility Manager: Applications shall be made to the Parks, Recreation, and Cultural Arts office.
3. Priority. Priority for use of the City Council Chambers, Novi Civic Center Rooms, Township Hall shall be given to the City government (including officials, administrators, and employees acting in their official capacities), public bodies that use the Council Chambers for their meetings, City-sponsored assemblies, and assemblies co-sponsored by the City. All other users shall be considered non-priority users. No proposed use of the Council Chambers by non-priority users shall be scheduled as to conflict with these priority uses. If a public body requires use of the City Council Chambers for a meeting or other purpose not anticipated at the time that the use of the Council Chambers was approved for a non-priority user (e.g. for a special meeting of the City Council or other public body), the City reserves the right to cancel the non-priority user's reservation of the Council Chambers and may relocate the non-priority user's event to an alternate City facility if available. In this circumstance, if the only available suitable alternate location is a fee-based facility, the usage fee shall be waived administratively.
4. Political Uses. Political party organizations and similar political or policy-oriented organizations may reserve City Council Chambers for meetings or assemblies (but not campaign events or fundraisers) in the same manner as any other civic or community organization, subject to Section V and all other applicable rules and regulations of this policy.
5. Food and Beverage. No food or beverages may be served in City Council Chambers without the authorization of the Designated Facility Manager. Food and beverages may be served in Novi Civic Center Rooms and Township Hall.

B. Meadowbrook Commons. Meadowbrook Commons a City of Novi residential community for active older adults. Meadowbrook Commons apartments is connected to the ~~city~~City's Meadowbrook activity center, the main location for many of its special events and activities for our 55 and older residents.

1. Forum Designation and Permitted Uses. The Meadowbrook Commons as a whole, shall be regulated as a Non- Public Forum. No activities unrelated to the purpose of the forum or the purpose for which a room has been reserved, shall take place in the forum. The Meadowbrook Commons rooms available for reservation shall be regulated as Limited Public Forums for the purpose of providing space for meetings, lectures, seminars, banquets, political events,

religious activities, and similar gatherings or events to the public, civic and community groups, charitable organizations, and the business community.

2. Designated Facility Manager. Applications shall be made to the Meadowbrook Commos front desk.
 3. Scope of Use. To the extent that rooms are reserved at the Meadowbrook Commons for a specific purpose, the User, the User's Representative and their invitees shall contain their activities to the interior of the reserved room and shall not use hallways or other common areas of the facility in connection with their event.
 4. Political Uses. Political activities, including campaign events, fundraisers, and partisan events, are not allowed at the Meadowbrook Commons.
 5. Religious Uses. Meadowbrook Commons rooms may be reserved for the purpose of conducting worship services on a first-come, first-served basis, subject to all applicable rules and regulations of this policy, including Section VI, payment of the usage fee, and the availability of a room suited to the applicant's needs.
- C. Novi Ice Arena. The first floor of Novi Ice Arena consists of the ice surface and related facilities. The second floor, known as the "main floor" contains space available for reservation that includes a conference room and gym. The pro-shop is operated by an outside vendor via contract.
1. Forum Designation and Permitted Uses.
 - (a) The Ice Arena, as a whole, shall be regulated as a Non- Public Forum. No activities unrelated to the purpose of the forum or the purpose for which a room or other portion of the facility has been reserved, shall take place in the forum.
 - (b) The first floor of the Ice Area is intended to be regulated as a Non-Public Forum, within which the ice surface and accessory facilities (e.g. locker rooms) is available for rental only for Ice Area-related purposes (e.g. hockey and other ice-based events, practices, etc.) on a fee-based, first-come first-served basis, subject to the following regulations.
 - (c) The Ice Arena Club's second-floor rooms available for reservation shall be regulated as Limited Public Forums for the purpose of providing space for meetings, lectures, seminars, banquets, political events, religious activities, and similar gatherings or events to the public, civic and community groups, charitable organizations, and the business

community.

2. Designated Facility Manager. Applications shall be made at the Novi Ice Arena.
3. Scope of Use. To the extent that any portion of the Ice Arena is reserved for any specific purpose, the User, the User's Representative and their invitees shall contain their activities to the interior of the reserved room and shall not use hallways or other common areas in connection with their event.
4. Political Uses. Political activities, including campaign events, fundraisers, and partisan events, are allowed at reserved rooms of the second-floor, provided that the applicant pays all fees and charges for use of the facility, subject to Section V and all other applicable rules and regulations of this policy.

D. All City Parks.

1. Forum Designation and Permitted Uses. City Parks are open as a Traditional Public Forum (to the extent that they are open-air and not designated for specific uses such as sports facilities/fields and reservation-based picnic shelters), subject to the Rules and Regulations established in Chapter 19 of the Novi Code of Ordinances, all other applicable ordinances, statutes, and regulations, including but not limited to those pertaining to disturbing the peace, noise, and nuisance, and to the requirements and restrictions set forth in this Subsection VII.D.
2. Designated Facility Manager. Applications for reservation-based park facilities are to be made to the Parks, Recreation and Cultural Arts.
3. Scope of Use. Users of City Parks shall conduct their activities so as to not disrupt the operations of portions of parks designated for specific purposes, including but not limited to: baseball, soccer, and other athletic fields.

E. Fee-Based Reservation Park Facilities. The following park facilities are available on a first-come first-served fee-based basis, subject to the terms of this policy and the following rules and regulations:

1. ITC Community Sports Park, Lakeshore Park, Rotary, and Wildlife Woods Shelters-Specific Rules and Regulations:
 - (a) Shelters at ITC Community Sports Park, Rotary Park and Wildlife Woods are rented on a per day basis. Lakeshore

Shelters can be rented for a half day (9am-3pm, 4pm-9pm) Memorial Day weekend through Labor Day weekend. Shelters shall not be reserved or used earlier than 8am or later than sunset.

- (b) Reservations are for the shelter only. Park equipment, volleyball courts, and other park facilities are not available for use, and are open to the general public on a first- come-first-served basis.
 - (c) Outside equipment such as inflatables, mechanical rides, amplified sound systems, etc., are not permitted.
 - (d) Small portable propane grills are allowed. Users may use the City provided charcoal grills on-site, but Users are responsible for providing their own charcoal. Grills must be cleared off/cleaned. Coals should be left in the grill, not placed in trash bins.
2. Designated Facility Manager. Users are required to obtain permission from the Designated Facility Manager or the Designated Facility Manager's designee to have catering, but the caterer must be properly licensed by Oakland County. Renter must also provide a copy of caterer's \$1 million liability insurance and endorsement. The general liability insurance rider from the vendor must name the following:
- City of Novi
45175 Ten Mile Road
Novi, MI 48375
3. All decorations must be removed at the conclusion of the event. Nails and staples are not allowed. No confetti, birdseed, rice allowed. No fireworks, sparklers, smoke bombs or any other flammable devices/items. Powders such as color run or gender reveal are not allowed.
4. A full refund (less administrative fee) will be issued if the reservation is canceled more than 30 days from the reservation date. A 50% refund will be issued if the reservation is canceled 30 days or less from the reservation date. No refund if cancelled within 15 days of the event. Refunds will only be issued in the event of severe weather as determined in the discretion of the Designated Facility Manager.

~~5. Alcohol Allowance Policy. Beer and wine are only allowed at Lakeshore Park. No glass bottles are permitted. Alcoholic beverages are not permitted at ITC Community Sports Park, Rotary Park, and Wildlife Woods.~~

6.5. No fees charged by User. The City of Novi does not allow private functions to charge a fee, admission or accept donations at park shelters.

7.6. Lakeshore Beach

- (a) Participants must enter/exit beach area through the tunnel only. (No swimming to or from designated swim area to or from watercraft).
- (b) Swim at your own risk.
- (c) Watercraft launching or docking is not available and not permitted.
- (d) Animals are not permitted on the beach.
- (e) Swimming allowed only in designated areas.
- (f) No glass containers allowed.
- (g) No fishing from any area on ~~city~~City property.

7. Lakeshore Lodge.

Public rentals are available only from October 1 through May 15. Operational hours are Monday–Friday: 5pm - 9pm and Saturday & Sunday, 8am - 9pm (subject to staffing). Maximum occupancy would be limited to 110 individuals for small and mid-size gatherings, including but not limited to:

- Baby and bridal showers
- Small company events
- Family gatherings
- Birthday and retirement parties
- Weddings

In addition to the general City of Novi rental rules, the following would apply:

- No amplified sound, including DJs, live music, karaoke, large speakers, or inflatable movie screens.
- Sound must be fully contained within the rented indoor space.
- Small speakers used solely for background music would be permitted.

- Outdoor patio use would be limited. No tables or chairs may be set up outdoors.
- Alcohol permits would follow the same approval process used for the Novi Civic Center.
- No discounted rentals for non-profit groups and homeowner association meetings.

8. Cancellation/Refund Policy.

- (a) A date or location change is allowed once with a \$25 administrative fee, provided there is availability. Changes must be done at least two weeks before the rental date in person at the Novi Civic Center.
- (b) No refunds or date changes due to weather.
- (c) Cancellations must be three weeks prior to rental date. A \$50 cancellation fee for a full day rental and \$25 fee for half day will be charged. No refunds for cancellations less than three weeks before rental date.
- (d) Reservation requests made three weeks before the rental date is non-refundable.
- (e) Cancellations must be in writing and include name, shelter, park, date, and reason for cancellation by the person who made initial reservation. Cancellations can be emailed to noviparks@cityofnovi.org

9. Fields (Tournaments). The following requirements and regulations shall apply to reservations of park fields for tournaments:

- (a) During the period of the reservation and field use, the User shall procure and maintain a General Liability insurance policy in accordance with this policy.
- (b) The User will not charge a parking fee, however it may charge an entrance fee.
- (c) Outside concessions and vendors are not permitted unless the User has obtained approval from the Parks, Recreation and Cultural Services. Any food vendor approved by Parks, Recreation and Cultural Services must be properly licensed by Oakland County.
- (d) The User shall provide tournament game schedule and field set up information a minimum of one week prior to the event

to the Parks, Recreation and Cultural Arts department.

- (e) The amounts of a non-refundable deposit and all fees and charges for field reservations shall be established by Parks, Recreation and Cultural Services. The deposit is due at the time of reservation. Full payment of all fees for the reserved fields must be made a minimum of 30 days prior to the tournament for new tournaments, and 30 days after the tournament for returning tournaments.
- (f) User and its participants and guests shall abide by all City and park ordinances and rules.
- (g) The User shall provide the name and daytime phone number of the event's on-site contact person.
- (h) Users may rake a baseball field, but not use any mechanical devices or vehicles for said purpose.
- (i) Inclement weather may result in the cancellation of field use.

F. €6. Facilities Not Available for Use by Outside Groups/Individuals. The following City facilities and properties, or portions thereof, are Non-Public Forums. No space within these facilities is available for fee-based or non-fee-based use, and no portion of these facilities nor any portion of their premises that is not entitled to regulation as a Traditional Public Forum is intended to be opened as forums for activities unrelated or disruptive to the purpose of the facility.

1. Fire Stations 1, 2, 3 and 4
2. Police Department Building
3. Department of Public Works Facility (including outbuildings)
4. Park Maintenance Facility
5. Villa Barr house
6. Any other facility not identified in this policy as a Traditional Public Forum or Limited Public Forum.

VIII. Alcohol at City Properties

Purpose

In response to inquiries and requests from residents, local businesses, and community organizations, the City of Novi has determined to authorize, on a limited basis, the use of

alcohol at certain City-owned or City-managed facilities. The use is limited to specific locations and is subject to the rules set forth below. The purpose of this policy and corresponding Rules is to prevent common and recognized problems that can arise from alcohol consumption, to ensure a safe and enjoyable environment for all those who use City facilities, and to reduce the risk of liability.

General Policy

The City does not maintain a liquor license for any of its facilities. In addition, by City ordinance, alcohol may not be consumed at public facilities except as authorized by City Council resolution. The City Council has determined that, at the specific facilities designated in this policy **only**, alcohol can be possessed and consumed either:

- (1) Under to a special event license issued by the State of Michigan/Liquor Control Commission to a non-profit organization for a specific event; or alternatively
- (2) As part of a private event for which no license is required from the State of Michigan.

Private events for which no special event license is required are those in which a limited number of people are invited in connection with a private gathering—such as a wedding shower or reception or a banquet sponsored for a particular group of individuals and their guests—and alcohol is provided free of charge by the host or Sponsor or brought to the event by individuals for personal consumption.

Events requiring a special event license are those that the general public is permitted to attend and which involve the provision of alcohol by the non-profit entity sponsoring the event for a charge, as Michigan law does not allow the provision of alcohol to the general public free of charge.

Some of the following rules apply to either type of event. Additional rules may apply depending on which type of event is held.

The City reserves the right to deny the request for the use of alcohol, and to deny the Alcohol Use Application, if it finds that the Sponsor cannot or likely will not meet the requirements of this policy and these Rules, cannot sufficiently indemnify or hold harmless the City, or if the proposed event is in any way inconsistent with the use of the public facilities and the purpose of this policy as stated above.

Generally-Applicable Rules

In addition to any and all applicable state and local laws, ordinances, or regulations relating to the sale, service, consumption, and possession of alcohol, the following rules shall apply to carry out the policy stated herein.

1. Unless otherwise specified in this policy and under these Rules, an Alcohol Use Application shall be completed indicating the intent to serve or sell

alcoholic beverages. Approval shall be received from the City Manager and the Police Chief or their designees. An Application for a **private event** shall be submitted at least five (5) business days before the event. An Application for an event under a **special event license** shall be submitted at the time the application for the license is submitted to the State of Michigan Liquor Control Commission.

2. A \$500 deposit is required to be paid 7 days in advance of the event to guarantee compliance with these rules. The deposit is refundable at the conclusion event unless forfeited in accordance with these rules.
3. No alcohol may be consumed at any City facility during hours of operation for the conduct of official business. (8:00 am to 5:00 pm, Monday through Friday.)
4. No alcohol may be taken from the City facility. All alcoholic beverages shall be consumed on the premises where use has been authorized.
5. Alcohol service is limited to beer, wine, and champagne packaged in bottles. Hard liquor and beer kegs are not allowed.
6. Low and non-alcoholic drinks must be available at all times that alcohol is available. Non-alcoholic drinks must be available at a lower price than alcoholic drinks.
7. Food must be available at all times when alcohol is being served.
8. If bar service is provided, a maximum of two drinks may be served to an individual at any one time.
9. If bar service is provided, no special sales or reductions will be permitted for volume purchases.
10. Alcohol may be possessed or consumed only by individuals over the age of 21. The event Sponsor shall ensure that identification is in accordance with applicable law, to ensure that no one under the age of 21 is served alcohol. The only acceptable forms of identification shall be a state or other official identification card, a driver's license with photo, or a passport.
11. No alcohol shall be served to any person who is obviously intoxicated. Doing so may result in criminal prosecution.
12. The availability of liquor at an event shall not be advertised without the prior written approval of the City.
13. If bar service is provided, no announcement of "last call" may be made. The bar shall simply close at the required time.

14. Alcohol must be possessed, consumed, and served only in areas designated for the specific event by the City.
15. City representatives may enter the event at any and all times to review compliance with this policy and these rules.

Event Sponsor Obligations

For purposes of this policy, "Sponsor" means the person or group responsible for organizing an event involving alcohol in a City facility or on City lands.

Individual representatives(s) of the event Sponsor shall be identified in the Alcohol Use Application and the event Sponsor, if an individual, or at least representative of the event Sponsor, if a group, must be present at the event at all times.

The event Sponsor is responsible for:

1. Submitting the Alcohol Use Application, if required, and posting the required deposit.
2. Securing and paying the premium for insurance and providing proof of insurance (to the extent required by this policy and these Rules).
3. Securing the required special event license from the State of Michigan/Michigan Liquor Control Commission, if alcohol is to be sold at the event.
4. Providing "server trained" supervisors or bartenders as required in this policy and these Rules.
5. Providing the required hold harmless/indemnification agreement to the City.

Insurance

Insurance requirements differ depending on whether the event involves the sale of alcohol to invited members of the public in connection with an event sponsored by a non-profit organization or is a private event at which the Sponsor provides the alcohol free of charge or alcohol is brought for personal consumption.

A. Non-profit "special event"

A certificate of insurance coverage of not less than \$500,000 per occurrence and a minimum aggregate coverage of not less than \$1,000,000, including \$1,000,000 of alcohol liability coverage, is required to cover any liability arising out of or associated with the event. The City of Novi and its City Council, officers, agents, and employees must be named as "additional insured." The certificate is required five (5) days in advance of the event. The certificate shall be provided to the City

Clerk's office, which shall be responsible for verifying that the required coverage is provided.

B. Private event/party

Sponsors must provide a copy of their Personal Liability Home Owners, Condominium Owners, or Renters liability policy reflecting coverage for the event of not less than \$500,000 per occurrence and a minimum aggregate coverage of not less than \$1,000,000, including \$1,000,000 of Host Liquor Law/Liquor Law Liability coverage, or other evidence of sufficient coverage for the event as determined by the City. Sponsors are strongly encouraged to advise their insurance broker that they will be serving/selling alcohol at an event away from their residence in order that their Personal Liability Home Owners or Tenants and Condominium Owners Liability can be extended and endorsed to include such coverage.

Indemnification/Hold Harmless Agreement Required

The event Sponsor must agree to defend, indemnify and hold harmless the City of Novi, its officers, agents and employees from all claims, liabilities, demands, damages and actions, or whatever form or nature, for property damage, personal injury or death, arising out of or in any way relating to the event and the use by the Sponsor.

Alcohol to be served by Trained Servers (Licensed Events and Large Private parties)

At every event conducted under a **special event license** at which alcohol is sold, the sponsor must provide at least one (1) bartender who has completed a Michigan Server Training Program established pursuant to the Michigan Liquor Control Commission, and specifically MCL 436.1906 (such as TAM, TIPS, C.A.R.E., or ServSafe Alcohol. The trained server must oversee all other servers during the event. All servers shall be over the age of 21.

At any **private event** at which more than 25 people will be present and at which alcohol will be provided by the Sponsor at no charge, the Sponsor shall provide least one (1) bartender who has completed a Michigan Server Training Program, except as otherwise provided in this policy and these Rules.

Violation of Policy/Rules

A City of Novi staff member will intervene whenever he or she encounters a violation of the policy. Depending upon the severity of the infraction, City of Novi staff may ask the Sponsor of the event to stop the violation, or may close down the portion of the event involving alcohol. Should the Sponsor fail to comply, staff members may call the police for enforcement. Violations of this policy and these Rules shall result in a forfeiture of the deposit.

No Gambling or Games of Chance

No gambling or games of chance will be permitted at any event except as specifically authorized by the City Council.

City Facilities at which Alcohol is Permitted

Alcohol may be possessed and consumed in the following facilities or on the following properties, subject to the above rules except as noted below and to the extent authorized by Resolution of the City Council:

1. The Civic Center, Township Hall, and Villa Barr Art Park, in locations identified in the approval of the Alcohol Use Application by the City Manager and Police Chief or their designees.
2. The Novi Public Library, in locations authorized by the Library Director and identified in the approval of the Alcohol Use Application by the City Manager and Police Chief or their designees. The City will grant the Application only if and to the extent the Board of Trustees of the Library similarly authorize the use of alcohol at the Library facility.
3. Lakeshore Park, subject to the following:
 - a. Alcohol may be possessed and consumed by individuals who provide their own alcohol, or may be provided at no charge by an event Sponsor.
 - b. Unless the event is conducted under a special event license, a trained server is not required to be provided by the event Sponsor.
 - c. Unless the event is conducted under a special event license, no alcohol may be sold.
 - d. Park hours must be observed; no consumption is permitted outside of park hours.
 - e. No insurance is required.
4. Novi Ice Arena, subject to the following:
 - a. Non-profit "special events" only (i.e., licensed through the State of Michigan).
 - b. The non-profit must be connected to or involved in activities that relate to the City of Novi (i.e., a local Novi-area youth hockey or skating group) and that generate rental fees for the ice arena in excess of \$100,000 per year.
 - c. The City will grant the Application only if and to the extent the Director of Parks, Recreation, and Cultural Services and the Arena Manager authorize the use of alcohol at the Library facility.

- d. No more than three (3) events may be held by any one non-profit within any 12-month period.

5. Other Park Shelters (Rotary, Wildlife, ITC, Power), with rental agreement. Subject to the same regulations as to Lakeshore Park??

Farmers' Market Permits

The City Manager and Police Chief, or their designees, may approve an Alcohol Use Application in connection with a Farmers' Market Permit issued by the Michigan Liquor Control Commission, provided that the applicant complies with all conditions and requirements of the Michigan Liquor Control Code, including MCL 436.1415, and any rules, regulations, and requirements of the Commission in connection therewith.

VIII.IX. Repealer, Conflicts, and Severability

- A. Prior Facility Use Policies Repealed. This policy amends, restates and supersedes any and all prior facility use and political activities policies adopted by the City Council. Any prior facility use and political activities policies are hereby repealed.
- B. Conflicts. If any provision of this policy is inconsistent or conflicts with the City Code of the City of Novi, or any other binding state or federal statutes, regulations, or law, this policy shall be superseded to the extent that it conflicts with those statutes, laws, ordinances, regulations, or other laws.
- C. Severability. In the event that any of the terms or provisions of this policy are held to be partially or wholly invalid or unenforceable for any reason whatsoever, such holding shall not affect, alter, modify, or impair any of the other terms, provisions or covenants of this policy or the remaining portions of any terms, provisions or covenants held to be partially invalid or unenforceable

<u>Facility</u>	<u>Public Forum?</u>	<u>Available for Rent/Reservation?</u>	<u>Fees Required?</u>	<u>Alcohol Permitted?</u>	<u>Political/Religious Use?</u>
<u>Novi Civic Center</u>	<u>Limited</u>	<u>Yes</u>		<u>Yes</u>	<u>Fundraiser Services</u>
<u>Township Hall</u>	<u>Limited</u>	<u>Yes</u>		<u>Yes</u>	<u>Fundraiser</u>
<u>Lakeshore Park</u>	<u>Traditional</u>	<u>No</u>		<u>Yes</u>	<u>No.</u>
<u>Lakeshore Lodge</u>	<u>Designated</u>	<u>Yes</u>		<u>Yes</u>	<u>Fundraiser</u>
<u>Lakeshore Shelter</u>	<u>Designated</u>	<u>Yes</u>		<u>Yes</u>	<u>Fundraiser</u>
<u>Rotary Park</u>	<u>Traditional</u>	<u>No</u>		<u>No</u>	<u>No.</u>
<u>Rotary Shelter</u>	<u>Designated</u>	<u>Yes</u>		<u>TBD</u>	<u>Fundraiser</u>
<u>Meadowbrook Commons</u>	<u>Non-public</u>	<u>No</u>		<u>N/A</u>	<u>No.</u>
<u>ITC Community Sports Park</u>	<u>Traditional</u>	<u>No</u>		<u>No</u>	<u>No.</u>
<u>ITC Shelter</u>	<u>Designated</u>	<u>Yes</u>		<u>TBD</u>	<u>Fundraiser</u>
<u>Power Park</u>	<u>Traditional/Designated</u>	<u>Yes (fields only)</u>		<u>No</u>	<u>No</u>
<u>Wildlife Woods Park</u>	<u>Traditional</u>	<u>No</u>		<u>No</u>	<u>No.</u>
<u>Wildlife Woods Shelter</u>	<u>Designated</u>	<u>Yes</u>		<u>TBD</u>	<u>Fundraiser.</u>
<u>Fuerst Park</u>	<u>Traditional</u>	<u>Yes</u>		<u>No</u>	<u>No.</u>
<u>Fuerst Amphitheater</u>	<u>Designated</u>	<u>Yes</u>		<u>TBD</u>	<u>Fundraiser</u>
<u>Ice Arena</u>	<u>1st floor-No</u> <u>2nd Floor-limited</u>	<u>Yes</u>		<u>Yes</u>	<u>2nd floor-Yes</u>
<u>Fire/Police Stations</u>	<u>Non-public</u>	<u>No</u>		<u>N/A</u>	<u>N/A</u>
<u>Villa Barr Park</u>	<u>Yes</u>	<u>Yes</u>		<u>Yes</u>	<u>No</u>
<u>Villa Barr House</u>	<u>Non-public</u>	<u>No</u>		<u>N/A</u>	<u>N/A</u>
<u>DPW Facilities</u>	<u>Non-public</u>	<u>No</u>		<u>N/A</u>	<u>N/A</u>