

GUIDELINES & AGREEMENT FOR FACILITY USE

Revised 01/26/09

**St. Paul's Episcopal Church
261 South 900 East
Salt Lake City, Utah 84102
(801) 322-5869**

GENERAL OVERVIEW

St. Paul's Episcopal Church ("Parish") is organized as a religious non-profit corporation under the laws of the State of Utah. Use of Parish facilities under this permit agreement shall be limited to the purposes, dates, and conditions included in this document and shall include in addition to these Facility Use Guidelines, the Facility Use Form, and assent to the Diocesan Policy on the Use of Alcohol at Church Functions, which are attached and incorporated into this agreement as Attachments A and B.

PRIORITY GIVEN TO PASTORAL NEED

St. Paul's Episcopal Church is a place of worship. Priority of use is given to 1) Parish functions; 2) Parish Pre-School needs; 3) functions and activities held by members of the Parish; 4) other groups affiliated with the Episcopal Church, e.g. diocesan groups and functions such as Day of Discovery, Diocesan Council, Commission on Ministry, etc. and 5) non-profit, charitable outreach groups such as the Utah AIDS Foundation, Alcoholics Anonymous and other non-profit organizations. No reservation may be placed on the Parish calendar more than six (6) months in advance.

All exceptions to this policy require the written approval of the Rector. Exceptions may include funerals, weddings, memorial services, and other special events for which planning may be difficult.

Because the pastoral needs of the Parish always retain first priority, the Parish reserves the right to change or cancel a reservation if the need arises. The Parish agrees to do all in its power to provide reasonable notice of cancellation or change.

TERMS & CONDITIONS FOR USE

Non-Parish events and functions are restricted to weekdays between the hours of 8:00 AM and 10:00 PM. Non-Parish events and functions may not be scheduled during Lent or Advent, or between Christmas Day and New Year's Day, without the written permission of the Rector.

The purpose for building use must be congruent with the mission of the Parish, and those using the facility agree to be responsible for all individuals, group members, guests, representatives, and others using Parish facilities under this agreement.

Those using Parish facilities agree to indemnify, hold harmless, and defend the Parish, its officers, employees, volunteers, and parishioners from and against all losses, claims, demands, actions, damages, costs, charges, and causes of action of every kind and charter, including attorney's fees to the extent that they are the results of facility user's intentionally wrongful, reckless, or negligent actions hereunder.

If requested by the Parish, those using the facility shall provide evidence of general liability insurance for injury to persons or property, and such other coverage as may be necessary to protect the Parish from claims and actions. Said insurance limits of liability shall be no less than \$1,000,000 per occurrence. If requested, proof of such insurance must be attached to this agreement.

As stated above, the user of the facility agrees to comply with the guidelines of the Diocese of Utah for the use of alcohol at all functions relating to this permit and agreement (see Attachment B).

Users of the Parish facility further agree to the following:

- One individual from the group using the facility will serve as the contact person responsible for seeing that these guidelines are followed. The name, address, and phone number of said contact person will be on file in the Parish office prior to the day of use.
- **Non-Parish groups using the facility will pay a per use fee of \$100 to offset the cost of custodial care and utilities.** The fee is waived for members of the Parish. This fee should be paid prior to the provision of keys or of building access to the group. **A refundable deposit of \$300 is also required prior to use.**
- If furniture or other items are used or re-arranged, these items must be cleaned and returned to their original location prior to the departure of the group.
- Each group using the facility must provide their own refreshments, including coffee, as well as their own cups, plates, napkins, etc. unless explicit written permission is granted on the application form. The Parish coffee pot may be used, but must be cleaned and turned off prior to the departure of the group.
- Any room or part of the Parish facility must be left clean and swept. If food or beverages are served, the cups, utensils, etc., are to be disposed of, and any Parish utensils, coffee urns, etc., must be cleaned. All garbage or trash is to be taken to the dumpster adjacent to the building. If the room or space used is *not* properly cleaned and left in an orderly fashion, the group will be charged at the rate of \$20 per hour for the necessary clean-up with a minimum charge of three (3) hours.
- It is understood that permission is given for the use of the designated room or space only. Those attending the event or function may not enter or use other areas or rooms of the Parish facility. Failure to follow this may result in the immediate termination of this permission and agreement.
- Commercial use of the Parish buildings and grounds is not permitted.
- Parking is provided in the lot directly across 900 East and designated as St. Paul's parking lot. It is located just west of the church.
- After use of the facility, lights are to be turned off and the restrooms checked to ensure that no water is left running and no lights are left on.
- The group's contact person is responsible for ensuring that all doors are closed and locked, and that the building key is returned to the Parish office or left in a previously designated place. In the event that there are difficulties in locking and securing the building, turning off lights, or any other concerns about the security of the facility, the group's contact person should provide the Parish Groundskeeper —(801) 347-2948 —with comments and concerns.
- Any and all extra work requested by the group (set up of tables and chairs, etc.) must be approved in advance by the Rector. The group using the facility assumes an additional cost of \$20 per hour with a two (2) hour minimum for such extra work.
- Children, defined as anyone under the age of eighteen (18), are not to be left unattended at any time. All federal, state, diocesan and local requirements regulating child care must be adhered to; failure to do so will be grounds for immediate termination of this agreement. Due to liability issues, children are not allowed at non-Parish events and functions.
- It is understood that failure to comply with any portion of this contract may result in the revocation of permission to use Parish facilities.

ATTACHMENT A

Upon Completion return this page to:

St. Paul's Episcopal Church

261 South 900 East, Salt Lake City, Utah 84102

APPLICATION FOR BUILDING USE

Date Request is Made: _____

Date(s) of Event: _____

Organization/Group (Applicant): _____

Organization/Group Contact Person: _____

Title of Group's Contact Person: _____

Mailing Address: _____

Telephone: Day: _____ Evening: _____

Space(s)/Room(s) Requested: _____

Approximate Number of Persons: _____

Time(s): Starting: _____ Ending: _____
Must be between 8:00am and 10:00pm

Room Setup Desired (*tables, chairs, etc. A \$20/hour fee is required*) Yes No

If yes, please describe what set-up is needed:

- Submit application and refer questions to the Parish Administrator (801-322-5869).
- Any changes to the above information must be in writing and approved through the parish office.
- Applicant agrees to reimburse St. Paul's for any and all damage caused by the group.
- Applicant agrees to the Facilities use fee of \$100 per event.
- Applicant agrees to send a \$300 deposit in advance of the event. Refunds (less event fee and charges incurred), will be made upon completion of the event.
- Applicant will indemnify and hold harmless St. Paul's Church from all liability arising from use of the building.
- Applicant agrees to follow and abide by all Guidelines & Agreement for Building Use.

Contact Person Signature: _____

Date Signed: _____

ATTACHMENT B (Diocesan Policy)

Title: Policy on the Use of Alcohol at Church Functions

File Number: 0102

(File Numbers are assigned by the Policy Review Committee.)

1. Purpose

This policy relates to the serving of alcohol at church sponsored functions and those held on church property.

2. Relevant to:

Governing bodies, diocesan staff, clergy, committees, commissions, institutional ministries, and laity.

3. Responsible Office:

(The committee, council, commission, or staff function that is responsible for creating, administering, and updating the policy) Office of the Chancellor.

4. Related Policies/Procedures:

(Provide a listing of policies and other documents that should be referenced in conjunction, particularly those from the National Church, General Convention, and any legal entity that necessitated the creation of this policy.)
None.

5. Related Forms:

(Attach any forms that may be used in the implementation of the policy, e.g., consent forms, nomination form, report formats)
None

6. Definitions:

(Provide a definition or description of key words used in the Policy)

Intoxication: “A person is intoxicated if he is under the influence of intoxicating liquor to a degree that he may endanger himself or another in a public or private place where he unreasonably disturbs other persons.”

7. References:

Title 21A of the Utah Code, 1985

8. Approval and Revisions:

Original: File Number 0102

Approved by: The Right Reverend Carolyn Tanner Irish, Tenth Bishop of Utah

Date: May 3, 2005

9. Policy

The Episcopal Diocese of Utah supports the Church's traditional theological affirmation of the inherent goodness of God's created order, and of each individual's responsibility for his or her acts and omissions. The Church has never endorsed the prohibition of using beverages containing alcohol among adult members. Scripture clearly accepts wine as a beverage and a gift of God. Reason and experience confirm that wine and other types of alcohol may be appropriately used; however, they also may be improperly used with serious personal, social, and legal consequences. The following relates to the serving, consumption, and use of alcohol at church sponsored/related functions or on church property within the Diocese of Utah. It shall not be construed to apply to the administration of wine in the Holy Eucharist or any other sacramental administration of wine.

9.1 Any beverage that contains alcohol must be clearly labeled as such. This requirement also applies to any food (such as fruit compotes, desserts, etc.) in which the alcohol has not been volatized (cooked out).

Attachment B continued

9.2 Whenever alcohol is served in any form, non-alcoholic alternatives must always be offered. Non-alcoholic beverages and foods must be served as attractively and accessibly as those containing alcohol so that people who choose not to consume alcohol would not feel any embarrassment, discomfort or inconvenience in exercising their preferences.

9.3 Although beverages and food containing alcohol may be offered together with non-alcoholic alternatives, they must not be promoted in such a way as to imply that eating or drinking them is a social requirement. Alcoholic beverages should not be used or advertised to promote attendance at any function. Those who abstain from alcohol should be made to feel welcome and safe at any such function.

Except for the liturgy of the Eucharist, alcoholic beverages shall not be given, sold, provided or furnished

To anyone under the age of 21 years

To anyone apparently under the influence of alcohol or drugs

To anyone whom the person furnishing the alcohol knew or should have known from the circumstances was under the influence of intoxicating beverages or drugs.

9.5 Although these guidelines recognize the acceptability of serving and consuming alcohol, they also recognize that the use of alcohol may lead to unacceptable behavior. Responsible persons must be in control of the serving of alcohol. Care must be taken to insure this control. The group or organization sponsoring the activity or event at which alcohol is served must assume responsibility for those persons who become intoxicated. Such responsibility includes providing alternate transportation for anyone whose driving might be impaired.

9.6 No alcohol shall be given, sold, provided, furnished, consumed or possessed either by youth or adults at any event designed exclusively for youth; neither shall adult chaperons or others assigned to transport youth to or from youth events consume alcohol before or during the event. Adults responsible for youth groups at other church functions shall observe the same guidelines.

9.7 Except for events requiring a Single Event Permit under Utah law, invitations to church-sponsored functions or events at which alcohol is to be offered should be issued only to the congregation, church organizations, guests or friends—never to the general public.

9.8 All applicable federal, state and local laws and ordinances must be observed. Questions and requests for clarification should be addressed to the diocesan office. Provision of Utah law relating to alcoholic beverages, as contained in Title 21A of the Utah Code enacted in 1985 are applicable to this policy. The most significant are listed below:

9.8.1 32A-14a-102 Dram Shop Liability:

Section I provides that any person who gives, sells, or provides liquor to another by those actions causes the intoxication of the other persons is liable for injuries caused to a third person or the property of the third person, and is liable to the spouse or child or parent of that third person when injury results. Section II provides for a direct cause of action against both the intoxicated person, as well as the person who provided the liquor in violation of Section I.

9.8.2 32A-12-204 deals with the sale or supply of alcoholic beverages to a drunken person. This section makes it a misdemeanor offense for a person to furnish or supply any alcoholic beverages to any person who actually is, or apparently is under the influence of an intoxicating beverage.

9.8.3 76-9-701(1) defines intoxication as: "A person is intoxicated if he is under the influence of intoxicating liquor to a degree that he may endanger himself or another in a public or private place where he unreasonably disturbs other persons."

9.8.4 32A-12-216 This act further provides that no person shall allow another to become intoxicated in any premises in which he is the owner, tenant, or occupant, or shall allow any intoxicated person to consume an alcoholic beverage on the premises.

9.9 It is the responsibility of the clergy in charge, wardens and vestries, and heads of institutional ministries to disseminate this policy and ensure compliance.

10 Procedures None.