



TOWN OF TYNGSBOROUGH

Office of the Select Board

Town Offices

25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 x100 | Fax: (978) 649-2320

POLICY FOR THE USE OF PUBLIC BUILDINGS BY COMMUNITY GROUPS

REVIEWED BY THE SELECT BOARD ON DECEMBER 11, 2023

APPROVED BY THE SELECT BOARD ON JANUARY 8, 2024

1. PURPOSE

- a. The purpose of this policy shall be to define and provide for the use of applicable public buildings by certain registered community groups as further defined by this policy.
- b. This policy shall replace the existing policy entitled “Town Facility Use Regulations Town Hall Community Room and Meeting Room One and Littlefield Library” which was adopted by the Select Board on August 8, 2011.

2. APPLICABILITY

- a. This policy shall provide for the use of the following buildings under the control of the Select Board as further outlined in this policy:
 - i. Council on Aging – 169 Westford Road, Tyngsborough MA 01879
 1. Specifically, the Town makes only the large meeting room at the Council on Aging available for use.
- b. The Select Board may, at a duly posted public meeting, vote to add or remove buildings covered by this policy at their discretion.
- c. This policy shall **not** apply to the use of the First Parish Meeting House (216 Middlesex Road) or the Old Town Hall (10 Kendall Road) which are covered by a separate building use policy.
- d. The Town Hall located at 25 Bryant Lane shall be reserved for official government use only.
- e. This policy does not apply to any building not specifically listed under Section 2a above.
- f. Town employees, boards, and departments are exempt from this policy.

3. DEFINITIONS – for the purpose of this Policy, the following terms shall have the corresponding meanings:

- a. Registered Community Group: Any group that registers with the Town Manager’s Office under the registration process described in Section 4. In order to be considered a community group, the group shall not be a business or for-profit organization and shall have ties to the local community, as demonstrated by the composition of its membership or stated purpose.
- b. Responsible Party: The primary contact person responsible for the group. The Responsible Party must be 21 years of age or older and is charged with adhering to this policy.



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4. REGISTRATION

- a. Any group that seeks to utilize a meeting space covered by this policy shall first register with the Town Manager's Office. The Town Manager shall have the authority to reject any registration that is not compliant with the requirements of this policy. Use is subject to availability. Town officials, boards and committees are exempt from this policy and given first priority.
- b. The Town reserves the right to reject a request to use the Town's meeting rooms if the anticipated meeting is likely to be unreasonably disruptive to regular Town functions or use, too large for the applicable room capacity, disorderly, dangerous to persons or property, or in any other way inconsistent with any of the terms and conditions of this policy or any other Town policy. In determining whether such a likelihood exists, the Town may take into consideration the contents of the application form, the history of the group's or individual's meeting room use, the history of the group's or individual's use of meeting facilities elsewhere, and such other information as the Town deems appropriate.
- c. No group or individual may use the Town meeting rooms for any purpose that would directly or indirectly violate the civil rights of others; as set forth in 42 USC 1983; Mass. G.L. c. 151B, and Article 1 of the Declaration of the Rights of the Massachusetts Constitution; as well as any other Federal, State, or local law or regulation.
- d. Due to the limited availability of meeting space, priority will be given to Tyngsborough Community Groups. A group shall constitute a Tyngsborough based group by providing the names & addresses of six (6) Tyngsborough residents unless the group primarily serves youth in which case the names & addresses of (3) Tyngsborough residents shall be provided.
- e. The registration process shall be completed online at tyngsboroughma.gov under "Town Buildings". The application shall be complete and include the name, address, and phone number of all members. For groups that primarily serve or involve youth services, the name, address, and phone number of all adults over the age of twenty-one (21) shall be provided. Adult chaperones shall be responsible for children under the requisite age.
- f. Registration shall be valid for one year from original approval. Each group must renew their registration annually.
- g. The fee to register shall be \$50.00 annually, payable to the Town of Tyngsborough to cover associated staffing and janitorial costs.
- h. Should a registered group be found to have violated the terms of this policy, the Town Manager may revoke the groups' registration and may ban the group from re-registering in the future.
 - i. If a group's registration is revoked, there shall be no refund of the annual registration fee under any circumstances.



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- i. If a registered group's Responsible Party changes, they are required to update their registration with the Town Manager's office prior to the next use of a public building. Updates to existing registration do not require a new fee.

5. RULES FOR USE

- a. No group shall use the buildings covered in this policy more than two (2) times in a calendar month unless they receive prior written authorization from the Town Manager. In considering such a request, the Town Manager must find that there are unusual or special circumstances that warrant such a request.
- b. No group shall use the buildings covered in this policy for the purposes of fundraising, selling items or goods for private gain, or for hosting any event that is open to any members other than those of the group or that includes ticketed admission.
- c. No group shall use the buildings covered in this policy for any purpose other than a meeting of the group. This means no event with entertainment or food shall be permitted. Any request that includes any level of food shall be first approved by the Town Manager.
- d. Groups are responsible for returning the room to the condition that it was in at the time they began their meeting. Any group found to leave the room in poor condition may have their ability to rent rooms temporarily suspended or have their registration revoked.
- e. Drugs and alcohol are strictly prohibited in public buildings.
- f. Groups are prohibited from hanging anything on the walls, using candles or other open flames, confetti, balloons, or installing any fixtures temporary or permanent in the building.
- g. There is absolutely no storage of items in public buildings. Groups are responsible for taking all of their items with them when they leave. Items left behind are forfeited.
- h. Groups must be accompanied by an adult at all times when using the building. No groups shall convene in the building without the presence of an adult (21 years or older).
 - i. At least one (1) adult must accompany every six (6) children under the age of fourteen (14) years of age. At least one (1) adult must accompany every twelve (12) children over the age of fourteen (14) years of age.
- i. Groups are responsible for paying for the replacement or repair, at the Town's discretion, of lost, stolen, or damaged equipment and furnishings.
- j. The Town assumes no responsibility for the loss, theft, or damage of any property of any group or individual using the facility.
- k. Groups are responsible for ensuring that their meeting does not exceed the maximum capacity for each room as posted.
- l. Groups using Town facilities agree to indemnify and hold harmless the Town and its employees, officers, agents, and representatives from any and all suits, actions,



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claims, or demands of any nature arising out of or brought on account of any injuries or damages sustained by any person as a consequence of or resulting from the use of the room, its furnishing, or its equipment.

- m. The Town shall have the right to access or to make inspections at any time and on any occasion to ensure compliance with the rules outlined within this policy.
- n. The Town does not relinquish the right to control the management of the facility and to enforce all necessary and proper regulations for the management and operation of the facility.

6. SCHEDULING

- a. Groups may schedule use of the space available under this policy up to 60 days in advance.
- b. All requests for use of the building must be made no less than 14 days in advance of the requested date.
- c. Requests must be submitted in writing using the “Application for Use Form” and delivered to the Town Manager’s office either by mail, in-person, or email to jschnackertz@tyngsboroughma.gov.
- d. All requests shall constitute a release by the group and each and all of its members of any claim against the Town, the Select Board, and its agents, volunteers, representatives and employees for any injury to persons or damage to property suffered by such group or of its members during or as a result of the use of the building, except insofar as such injury or damage is directly and solely caused by the negligence or intentional misconduct of the Town, its agents, volunteers, representatives, or employees.
- e. Priority for use shall be given to Town employees, boards, and committees. Requests from groups will be approved on a first-come first serve basis, subject to availability.
- f. Availability of the meeting space shall be Monday through Friday between 4:00 PM and 9:00 PM, Saturday between 8:00 AM and 5:00 PM, and Sunday between 8:00 AM and 1:00 PM.
- g. No reservation shall be made on any holiday observed by the Town.
- h. The Town reserves the right to cancel a reservation in the event of emergency, inclement weather, or other circumstance when in the best interest of the Town.
- i. Groups are asked to provide at least 48-hours’ notice if cancelling a reservation. Groups who repeatedly cancel reservations with insufficient notice may have their privileges suspended or revoked at the discretion of the Town Manager.