

# **REGULATIONS GOVERNING USE OF THE SEARLES SCHOOL AND CHAPEL:**

## **SECTION I: GENERAL**

- A) The Town of Windham has made the historic Searles School & Chapel (hereinafter “Searles”) available to rent by individuals, organizations and businesses for educational, recreational, civic and cultural activities.
- B) The Town of Windham has made Searles available for the use by Town appointed boards, committees, other approved organizations and non-profit organizations as set out in the attached Searles School & Chapel Fee Schedule. However, as the facility is intended to be financially self-sustaining, paid rentals shall take precedence in scheduling.

## **SECTION II: GENERAL USE REQUIREMENTS**

- A) Use of Searles shall be permitted only with an executed rental agreement that includes the requirement that renters assume full responsibility for any damage to the building or contents resulting from such use.
- B) A security deposit of \$100.00 (One Hundred Dollars) is required for all uses except for Town appointed boards, committees and other approved organizations. The Town will deduct from the security deposit any costs for repair or cleaning which result from the use, ordinary wear and tear excluded. The security deposit will be returned by the Searles Coordinator or designee (hereinafter “Coordinator”) after a satisfactory inspection of the building.
- C) Fees for rental of the Searles shall be at the rate set by the Searles Trustees and approved by the Board of Selectman as shown on the attached Searles School & Chapel Fee Schedule. In order to reserve the building, a non-refundable deposit of 50% of the rental fee is required at the time the contract is signed. Payment of the balance of the rental fee and the \$100.00 security deposit is required no later than ten (10) days prior to the rental event.

*Note that for rentals that necessitate the presence of the Coordinator for the duration of the event, additional rental fees will be required.*

- D) Non-profits shall provide verification of their 501(c) 3 status in order to qualify for non-profit rental fees.
- E) The Coordinator, will be responsible for opening, closing, and securing the facility, overseeing the use and enforcing compliance with the Rental Agreement and these Regulations.
- F) Smoking and vaping are prohibited everywhere in the building. There is a designated smoking and vaping area outside the facility. Proper disposal of smoking materials in the receptacles provided is required.
- G) Use of open flame in the building, including sterno or candles, is prohibited without the express written permission of the Coordinator, after consultation with the Fire Department. “Fog machines” are also expressly prohibited.
- H) Use of temporary electrical equipment must be coordinated with the Coordinator, (e.g. audiovisual equipment, flood lights).
- I) **BUILDING CAPACITY:** All users of the building must conform with the following occupancy limits as established by the Windham Fire Department:

Chapel Room: A maximum of 56 occupants is allowed when seated at tables. In the event tables are not used or required at the event there may be a maximum of 100 occupants with chairs only.

School Room: A maximum of 85 occupants is allowed when seated at tables. In the event tables are not used or required at the event there may be a maximum of 150 occupants with chairs only.

- J) The sale of alcoholic beverages and “set-ups” for alcoholic beverages are prohibited. Private parties serving alcoholic beverages are responsible for the service and for following all state and local regulations pertaining to such service. Per such regulations, a copy of the renter’s liability insurance shall be provided to the Town, as applicable.

Renters assume all liability resulting from the service of alcoholic beverages.

- K) Equipment and flower delivery and pick-up, and food service arrangements must be coordinated and scheduled by the Coordinator.
- L) Any person or group using the building is responsible for ensuring all rubbish and recyclables are placed in the appropriate containers provided. Searles must be left in the same clean condition in which it was found.
- M) Searles is a beautifully restored, historic structure. You will be responsible for any damage to walls, floors, tile, etc. Absolutely **NO TAPE, TACKS, STAPLES, BUBBLES, OR ADHESIVES OF ANY KIND IN THE BUILDING. BALLONS MAY NOT BE ATTACHED TO ANY BUILDING FIXTURES.** No rice, birdseed, and confetti is permitted on the premises. The use of real rose petals is allowed outside only. The use of silk rose petals is allowed inside only.
- N) The lift is to be used to transport people in need of the lift only, (e.g. persons in wheelchairs or other persons with disabilities). Maximum weight load is 450 lbs. The lift may absolutely not be used to move chairs, furniture and equipment.

### **SECTION III: OUTSIDE RENTALS**

- A. Outdoor rental is subject to the Searles School & Chapel Rate Schedule.
- B. Location and construction of temporary structures must be approved in writing by the Coordinator.
- C. The use and placement of any grills, cooking, and heating set-ups must be approved in writing by the Coordinator, as defined in the Town of Windham Regulations.

### **SECTION IV: ON-GOING RENTAL PROGRAMS**

Mutually advantageous, long-term rentals on a regular basis may be agreed to under the following conditions:

- 1) The proposed long-term rental must be reviewed by and receive the support of the Searles Trustees and approved by the Board of Selectmen.
- 2) Any proposal seeking consideration for a special fee arrangement must show that:
  - a. Rental income will exceed the cost of utilities, set up, clean up, opening and closing by staff, and wear and tear and maintenance for the facility, in addition to providing some income to Searles.
  - b. The user provides events or services that are deemed an overall benefit to the Townspeople of Windham.
  - c. The use maintains high standards of operation and is not inconsistent with the long-term restoration of the building.
- 3) Any rental agreement for the use of the Searles entered into as part of this section, must state or contain the following information:
  - a. The anticipated use of the building.
  - b. The anticipated wear and tear experienced by the events.
  - c. The required set up and accommodations needed, if any.

- d. A schedule of expected dates and hours of ongoing events.
- e. The number expected to attend said events.
- f. The expected maintenance level to be provided by the Town of Windham.
- g. A list of any exceptions to the above criteria that must be agreed upon by the Searles Trustees and Board of Selectmen.
- h. An agreement to delay or defer any regularly scheduled event/program in the interest of allowing for the maximization of income during optimal rental periods.
- i. A termination clause allowing either party to cancel the contract for non-compliance; or if the events or arrangements do not continue to meet the above criteria.

**SECTION V: VIOLATIONS**

Violations of these regulations will result in denial of further use of the building by the individual or organization.

**SECTION VI: WAIVERS**

The Searles School and Chapel Board of Trustees (“Trustees”) reserve the right and has the authority, for cause shown, to make special regulations, waive any portion of the regulations, and to deviate from the associated rate structure relating to the use of the building for a specific function or on-going rental program. Decisions of the Trustees may be appealed to the Board of Selectmen who’s decision shall be final and binding.

**Searles Coordinator & Trustee Use Only**

Attachment A of this policy addresses groups that shall be allowed to use the Searles Chapel for regular meetings, free of charge. These meetings shall be coordinated through the Designated Town Representative Coordinator and shall not take priority over standard, income-producing rentals.

Functions or events (e.g. annual holiday party, fundraising events, etc.) held by these same groups shall be considered rentals and billed at the Non-Profit rental rate. Attachment A shall be maintained as an attachment to these regulations and the Board of Selectmen may add or delete names from this list from time to time.

**Adopted by the Board of Selectmen - March 3, 1997**

<b>Elizabeth A. Dunn</b>	<b>Charles E. McMahon</b>
<b>Ralph R. Williams</b>	<b>Carolyn B. Webber</b>
<b>Douglass L. Barker</b>	Board of Selectmen

**Re-codified and affirmed by the Board of Selectmen - May 11, 1998**

<b>Charles E. McMahon</b>	<b>Margaret M. Crisler</b>
<b>Douglass L. Barker</b>	<b>Galen A. Stearns</b>
<b>Carolyn B. Webber</b>	Board of Selectmen

**Amended by the Board of Selectmen – August 22, 2011 and December 29, 2011**

<b>Ross McLeod</b>	<b>Kathleen DiFruscia</b>
<b>Bruce Breton</b>	<b>Phil LoChiatto</b>
<b>Roger Hohenberger</b>	Board of Selectmen

**Amended by the Board of Selectmen – May 21, 2018**

<b>Ross McLeod</b>	<b>Joel Desilets</b>
<b>Bruce Breton</b>	<b>Jennifer Simmons</b>
<b>Roger Hohenberger</b>	Board of Selectmen

Searles Coordinator & Trustee Use Only

**ATTACHMENT A**

*Updated December 5, 2011*

Subject to addition/deletion by the Board of Selectmen, any Department, Board, Committee or Commission established by Town Meeting, State Statute or the Board of Selectmen, or any sub-committee thereof, shall be allowed to utilize the Searles facility at **no charge** for regular meetings.

Subject to addition/deletion by the Board of Selectmen, certain non-governmental Town groups shall be allowed to utilize the Searles facility at no charge, in accordance with Section R of the "Regulations Governing Use of the Searles Chapel and School". Working with the Designated Town Representative, groups requesting use of the building for no charge shall submit a written request to the Board of Selectmen for consideration. Windham groups currently eligible to use the facility for regular meetings at no charge are as follows:

- Canobie Lake Protection Association
- Cobbetts Pond Improvement Association
- Community Band
- Windham Endowment
- Windham's Helping Hands[MS1]