

CITY COUNCIL POLICY FOR USE OF CITY HALL

A. Intent of Policy. It is the City's intent to allow the use of specific locations of City Hall for only limited purposes according to the policy below. By allowing this limited use, the City does not intend the City Hall to become a location which is open to public assembly and debate¹. In this regard, the City still will continue to specifically prohibit uses of City Hall not in strict compliance with this policy. The City Manager, or his authorized designee, has full authority to implement this City Council Policy for Use of City Hall.

B. Use of City Hall is Limited to the Following:

1. The sole use of City Hall is for the purpose of conducting official City business on behalf of the City, including meetings of City Council and other City boards and commissions, as well as to provide for the legislative and administrative operations and programs of the City. Therefore, City Councilpersons and City staff conducting official City business, programs and activities shall have priority use over all City Hall facilities.² The City Manager, or his authorized designee, has full authority to cancel scheduled events at any time due to an act of God, catastrophic events, emergencies or other unforeseen circumstances.
2. Elected officials whose constituents include City of Portage residents may use City Hall subject to the limitations and exclusions contained in this policy and only if the use is for a meeting or special event which is related to and within the elected official's responsibilities as an elected official.
3. Civil ceremonies (weddings) are permitted in the City Council Chambers during normal business hours (Monday through Friday from 8:00 a.m. to 5:00 p.m.) subject to the availability of the Council Chambers and by appointment with the Mayor. No candles, decorations or rice/confetti are permitted.

C. Uses Prohibited. All other uses are strictly prohibited and include, but are not limited to, the following:³

1. The use of City Hall under Section (B)(2) above shall not be permitted: i) within 90 days of a primary or general election in which the elected official is a candidate; or ii) subsequent to the elected official's declaration of candidacy for election or reelection to an elected position.

¹ In essence, this policy does not establish City Hall as a "public forum" under Michigan law. It is the City's intent that the City Hall is still a non-public forum.

² The conditions and limitations contained in this City Council Policy for Use of City Hall do not apply to the use of City Hall for official City business and any other related use described in Section (B)(1).

³ The prohibitions do not apply if permitted at a meeting subject to the Open Meetings Act or if permitted under any State or Federal law or City ordinance.

2. Activities by persons or organizations for election, campaign, or political purposes.
3. Purposes contrary to Federal, State or City law.
4. Activities involving fund-raising, advertising, promoting or selling of merchandise or services for profit or not for profit, including charitable gaming.
5. Public rallies.
6. Activities by persons or organizations for religious purposes.
7. Any other use not consistent with the general business purpose of City Hall.

D. Fees and times for Use of City Hall. The following fees apply for the use of City Hall:

1. During normal business hours (Monday through Friday from 8:00 a.m. to 5:00 p.m.) there is no fee for the use of City Hall.
2. If contracted services or City staff need to be scheduled for the use of City Hall, the fee is for the actual costs associated with staffing City Hall (at a rate of \$17.50 per hour) and any necessary janitorial services required as a result of the use.
3. No use of City Hall shall begin before 7:00 a.m. nor continue past 10:00 p.m.
4. No use of City Hall shall be held on Sunday or holidays when City Hall is closed.
5. Any use of City Hall which will incur fees shall be required to submit a \$100.00 deposit prior to the event and will receive an invoice for actual associated costs after the event.

E. Areas for Use of City Hall.

1. The use of City Hall shall take place only in one or more of the following areas: i) City Council Chambers; ii) lobby of City Hall; iii) Conference Room 1; iv) Fountain area and v) Green Space/Grounds.
2. No event, activity or meeting shall be held in any other location in City Hall, including the parking lot or any grounds of the City Hall property.

F. Application required:

1. All persons, groups or organizations using City Hall under this Policy shall make application for such use on an application approved by the City Manager.
2. The information in the application shall include, but is not limited to: i) contact information for the person, group or organization making the application; ii) the responsible person or entity; iii) the number of persons expected to be in attendance; iv) the purpose of the event or meeting; v) the permitted area of the City Hall needed; and vi) a statement that the person, group or organization

agrees to hold the City of Portage, its agents, officers, elected officials, employees and

representatives, harmless from any and all claims by any person arising from the use of the facility.

G. Request to Use City Hall.

1. All requests for the use of City Hall shall be made to the Office of the City Clerk at 7900 South Westnedge Avenue, Portage Michigan 49002; (269) 329-4411.
2. All requests for use of City Hall shall be approved by the City Manager.
3. If use of City Hall is denied by City Manager, the applicant may appeal the City Manager's denial to City Council by written request filed with the City Clerk within ten (10) days of the City Manager's denial. The City Council shall decide the appeal within thirty (30) days of receipt of the appeal.

REVISED November 1, 2011