

**Patrick Heath Public Library
Use of Facilities
Amphitheater**

The purpose of this policy is to set forth the rules and regulations for use of the amphitheater by community entities or individuals for programs or events not sponsored by the library (a department of the City of Boerne) or the City of Boerne.

The amphitheater is available for use after library operational hours:

7 p.m.-12 a.m. Friday

5 p.m.-12 a.m. Saturday

12 p.m.-10 p.m. Sunday

At other times rental requests will be reviewed on a case-by-case basis pending approval of both the Library and Parks departments.

Capacity and Amenities

Parking and number of bathroom stalls restricts attendance at amphitheater events to 200 people. Parking is limited with 99 spaces. Overflow parking is available for amphitheater events at Boerne City Hall.

Stage capacity: approximately 1,400 square feet of stage space; accommodates approximately 97 chairs on stage

Restrooms are available on site, but there is no green room. No kitchen facilities are available.

Electrical floor outlets are provided on the stage. Audio and other equipment, chairs, and tables are not provided. Stage lighting can be provided for a fee.

Application Process

Reservations are made on a first come, first-served basis. Each request will be assessed on a case-by-case basis.

All fees and forms are due at the time of reservation. Checks are payable to the City of Boerne.

Rental fees and damage deposits will be deposited by the City of Boerne.

The City of Boerne reserves the right to increase a deposit fee without prior public notice.

All City of Boerne ordinances must always be followed. See ordinances at https://www.municode.com/library/tx/boerne/codes/code_of_ordinances.

Some events require special events permits to determine any impact to city infrastructure.

The person signing the application form is the responsible party for the actions of all attendees at their event.

Facility Refund:

- Cancellation > 2 weeks prior to rental--full refund less \$25 administrative fee
- Cancellation < 2 weeks prior to event--25% refund for rental less \$25 administrative fee
- No show on date of rental--loss of rental fee

Guidelines for Use

The library subscribes to the tenets of the American Library Association's Library Bill of Rights (attached), which states in part, "Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use".

The library does not discriminate in making its premises available based on age, education, race, ethnicity, language, religion, gender, sexual orientation, income, political affiliation, physical limitations, geographic barriers, or any other criteria that may be a source of discrimination.

Any group utilizing the facilities for any purpose shall comply with the Americans with Disabilities Act (ADA).

City staff is not available to assist with setup or takedown of any event.

The City of Boerne reserves the right to cancel an event due to inclement weather and facility condition. Full refund will be given, or the group will be given the opportunity to reschedule the event.

Use of the amphitheater does not imply endorsement, support, or co-sponsorship by the Patrick Heath Public Library or the City of Boerne of the activities that take place or of the beliefs of the group using the facility.

Neither the name nor address of the library may be used as the official address or headquarters of an organization.

In publicity materials, the library cannot be listed as the sponsoring organization, but only as the "location site." All publicity, including on social media, about the program must state that the meeting is not sponsored by the library.

The City of Boerne reserves the right to limit or prohibit uses that represent a threat to the health or safety of library users, or the orderly use of Library Premises.

Permission to use the amphitheater will be denied to any organization and/or event

- Whose purpose is illegal.
- Whose conduct would interfere with the proper functioning of the library premises.
- Whose activity does not have adult sponsorship.

Organizations or individuals holding events on city property must provide proof of insurance with a "hold harmless" clause naming the City. If, on the advice of the Chief of Police or his designee, the Library Director or Library Advisory Board determines that the safety of library staff, patrons or members of the public may be threatened, based on experience of the group or speaker at this library or at other occasions where the group has held an event that has been disruptive or had a potential for violence, the following shall be required: the individual or group reserving the facilities shall be required to pay in advance by cashier's check the reasonably estimated cost of any special security measures needed to be taken for the event; and the individual or group reserving the meeting room shall post a bond or policy of insurance approved by the City Attorney in the amount of \$1,000,000.00 to indemnify the City of Boerne and the Patrick Heath Public Library for personal injury, death, or damage to property occurring at the event.

The library should be notified immediately whenever a scheduled event is canceled.

Open flames are strictly prohibited.

The use of fireworks or pyrotechnics inside or outside of the building is strictly prohibited. Smoking (except where designated) is prohibited on Library Premises.

Hazardous chemicals and materials are prohibited.

Outside food/beverages are permitted at the amphitheater with prior approval.
No food or drinks except for water on stage.

Glass containers are prohibited.

Use of Alcohol:

1. The city does not have a liquor license. If Renter wants to sell alcohol at their event(s), Renter must contact the Kendall County Clerk's Office at 830-249-9343 to make appropriate arrangements. Applicable permit/license to sell alcohol must be provided no later than FOURTEEN (14) DAYS prior to event(s).
2. On the PHPL premises, the Renter must arrange for two security officers (State Certified Peace Officers) for events where alcoholic beverages will be permitted. The security costs will be paid by the Renter prior to the event. The officers must stay until the event is over and all guests have left. The Parks Department will submit requests for officers to the Boerne Police Department.
3. Renter is solely responsible for compliance with all laws and regulations pertaining to serving alcohol.
4. Alcohol consumption is not allowed in parking lots.

All personal materials, equipment and furnishings must be removed at the conclusion of the event.

The City of Boerne is not responsible for damaged, lost, or stolen items.

Renters are responsible for cleaning the facilities at the conclusion of their event. This includes cleaning the restroom and restocking of all products, picking up all ground litter, emptying trash cans, disposing of trash, and replacing trash can liners.

Please leave the facilities in the same, if not better, condition than you found them. Damages above the deposit amount will be charged at a rate of \$40 per hour per staff member required to address damages. The individual, group, or organization will be invoiced for any repairs made because of damages that occurred during the rental and/or trash that was left behind, and the deposit does not cover.

The City of Boerne may withhold all or part of deposit or deny future requests for any group not following the rules as stated.

Individuals may be asked to leave if they disturb others or engage in destructive behavior.

The amphitheater must be vacated at the agreed-upon time.

Groups are welcome to use their own equipment.

Displays may not be affixed directly to the walls of the amphitheater without prior consent. Fixtures may not be removed from the walls.

Pins, tacks, nails, or other puncturing devices are prohibited. Scotch, masking, duct tape and glue are not allowed on any surface. All other adhesives must be approved.

Glitter, confetti, sand, rice, or any substance that causes litter or debris on the grounds is prohibited.

The City of Boerne will not provide storage or workspace for any organizations.

Exceptions

At the discretion of the City Manager, exceptions may be made for certain events.

Appeals

If an organization/individual is denied the use of the amphitheater, the organization/individual may appeal to City Manager or his/her designee. If the organization/individual is not satisfied with the decision of the City Manager, they may elect to pursue the matter with Boerne City Council, whose authority is final.

Disclaimer

For and in consideration of the use of city facilities, any person or group using same hereby agrees to indemnify and hold harmless the Patrick Heath Public Library and the City of Boerne from any and all actions, suits, relating to its use of such rooms and facilities. Further, such person or group agrees to reimburse the City of Boerne for all costs for repair of any and all damage as may be caused directly or indirectly to the facilities by such use thereof. If any organization refuses to pay for the damage, the matter will be referred to the City Attorney for legal action.

Attachments to Policy:

- a. Fee Schedule
- b. Library Bill of Rights (Appendix 1)

Last review or revision: July 8, 2021

Initially adopted: July 11, 2015

**Amphitheater
Fee Schedule
Effective January 1, 2021**

Facility Damage Deposit	1-100 Attendees	101-500 Attendees
	\$200	\$300
Facility Rental Fee	City Resident	Non-City Resident
Weekend *	\$400	\$500
Vendor Fee **	\$10 per	\$10 per
Stage Lighting***	\$150 base fee plus \$40 per man hour	

Non-profit rate available for rentals at 50% discount off normal rental rate.
Excludes lighting/labor.

* Weekends: Friday-Sunday

** Maximum of two mobile food vendors per event. Health permit required for food vendors. (Generators are needed for mobile food vendors).

*** 10 days' notice required to utilize city staff for stage lighting

Public events may require a special event permit and additional fees for permit and damage deposit.

Damages above the deposit amount will be charged at a rate of \$40 per hour per staff member required to address damages, plus all actual costs incurred to clean, repair or otherwise mitigate damages.

Library Bill of Rights (Appendix 1)

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

Although the Articles of the Library Bill of Rights are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as [Interpretations of the Library Bill of Rights](#).