

2023 Edward C. Grace Memorial Harbor Pavilion Agreement

Edward C. Grace Memorial Harbor enjoys the distinction of being one of the finest Harbors on Lake Michigan located in the Northwest Region of the State of Michigan. We welcome groups who will be considerate and cooperative of the Harbor's policies.

To achieve a basic understanding between Tenant and Harbormaster, this Rules and Regulation Policy have been created for easy reference. The responsibilities of each are clearly outlined in the following rules, most of which are based on state, county or local laws (ordinances) and enforced by them accordingly. Upon reading these rules and mutually agreeing to abide by them, both Harbormaster and Tenant will sign the accompanying agreement form.

Pavilion Use

The Pavilion will be open May 15th - October 15th

Public Use

The Pavilion will be available for public use to renters on a first come, first serve basis from May 15th to June 14th, and from the first Tuesday following Labor Day weekend to October 15th subject to the Pavilion policies, rules, and regulations regarding use.

Application

Confirmation of private use shall be secured through an application with a security/cleaning deposit of \$250 to the Harbormaster. Confirmation of applications will be approved/disapproved by the Harbormaster. If cancellation is necessary, the security deposit **may** be refunded if the cancellation is made at least 72 hours prior to the beginning of the event.

Rules, Regulations & Management Policy

The Pavilion is owned by the Village of Elk Rapids and operated by the Harbor and is for the use of the Harbor, boaters, their families, guests, and other renters. It is understood that all guests, slip holders, and non-slip holders must submit an application for approval of use. The use of such equipment and facilities is at the expense risk of the user who will be held responsible for all damages and breakage resulting from misuse and abuse.

To ensure proper use of both the rented premises and the entire building, renters agree to comply with the following Rules & Regulations. These **Rules & Regulations** are part of the renters' lease. Unless otherwise stated, the word "Building" means the Edward C. Grace Memorial Harbor Pavilion and the surrounding premises.

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- Maximum capacity shall not exceed 120 people
- No smoking, e-cigarettes, vape, marijuana or smokeless tobacco allowed
- Shoes and proper attire must be worn in the Pavilion at all times
- No soliciting or peddling by private or commercial enterprise is permitted
- The Pavilion is available for private rental. Regular, consecutive bookings shall be restricted to groups totally comprised of seasonal and transient boaters. All parties must complete a reservation form and pay, in advance, a security/cleaning deposit of \$250.00 to hold the reservation date. The hourly fee is \$100.00. Renters reserving the building in the evening (past 6pm) will be charged a fee of \$250.00 per hour. Full payment for rental is due 72 hours prior to the start of event. The security/cleaning deposit **MAY** be refunded if the Pavilion is cleaned and left in the same condition that it is received. All tenants shall be responsible for any and all damages to the facilities. Pavilion must be cleaned and vacated by 12:00 am (midnight).
- Activities must remain within the area reserved by the tenant. Violation of this rule will be sufficient grounds for the Harbormaster to withhold the full cash deposit.
- Any and all tenants who reserve banquet facilities and permits the serving and consumption of alcoholic beverages at the event, does so at his/her own risk and must provide proper insurance coverage of no less than \$500,000.00. The insurance shall include the Village of Elk Rapids as an insured party. Verification shall be provided 2 weeks prior to the rental date.
- No gambling activities are sanctioned except those permitted by law and restricted to non-profit service organizations properly licensed by state or local authorities.
- Harbor nor the Harbormaster will not be responsible for items left in the Pavilion.
- Gas grills on the Pavilion premises during non-private use is permitted.

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- Renters (1) will use the premises for the purpose(s) set forth in their application (including not to exceed the number of invitees) only, (2) will not conduct any business in or from the premises, (3) will obey all laws, ordinances, and health regulations, (4) and will do nothing that may injure the reputation or condition of the building.
- Renters will not use or have present hazardous material during the use of the Pavilion.
- Renters shall respect the rights of all others, including Harbor slip holders, to peace and quiet and will not disturb any of them unreasonably by shouting or other loud use of their voices, with noise, music, radios, televisions, odor, or in any other way. All abusive, disorderly, violent or harassing conduct by a renter or invitees including but not limited to abusive and/or foul language, sexually explicit comments or gestures toward renters, occupants, or Harbor personnel is prohibited and is grounds for immediate termination of rental. Stereos must be turned off between the hours of 11:00 pm and 8:00 am. Nudity is prohibited. Likewise, vandalism of any kind by a renter on or to the Pavilion is prohibited. The use of any type or class of fireworks is prohibited.
- Renters will not operate any breaker controls relating to the building's utility services.
- Renters will not obstruct entrances, public areas, exits, driveways, parking areas, walks, or fire escapes.
- Renters may only decorate the tables. Use of tape, glue, nails, or screws is not permitted.
- No open flames inside or outside of the Pavilion (i.e. candles, torches, fires, etc.)
- Animals are not allowed inside at any time, under any circumstances, except for legally authorized service pets.
- No furnishings may be taken from the premises outside or otherwise.
- Bikes, rollerblades, and skateboards are not allowed in the building.

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- Renters will act reasonably to conserve the water and energy, and will report running toilets, faucets, etc. to Harbormaster for service.
- Renters will use toilets and sinks only for their primary purpose and will never use them to dispose of sweepings, rubbish, rags, garbage, sanitary napkins, or other items likely to clog them. Renters are liable for any expense if it incurs for repairing damage (including unclogging toilets and drains) caused by the renters, their guests, or invitees.
- Parking for the Pavilion is limited to the Cedar Street Parking Lot ONLY (across from the Public Restrooms) unless prior arrangements have been made and **approved** by the Harbormaster. Limited handicap parking is available at the Harbor (see Harbormaster).
- Trash and garbage shall be placed in the trash and recycle containers provided by the Harbor.
- Renters shall not display any signs, flags, pennants, placards, advertisements, notices, pictures, ornaments, stickers, handbills, or other lettering so as to be visible on the outside of the building or premises.
- No tents with stakes shall be driven into the grounds
- Renters will never go on the roof of the building for any reason.
- Renters are responsible for the behavior of all their guests, visitors, and invitees. Such persons may not break Renter's Lease or these Rules & Regulations. Renters are responsible to pay for any damages or clean-up resulting from the conduct of their guests, visitors and invitees.
- Possessing, using, or storing lethal weapons anywhere in the building is strictly prohibited. Lethal weapon is defined as any deadly weapon which, from the manner used, is calculated or likely to produce death or serious bodily injury. This includes, but is not limited to: all firearms, hunting knives, switchblades, bows & arrows, machetes, or other knives.
- Police intervention due to renters or their invitees' conduct shall be just cause for immediate termination and loss of deposit.

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Renters are strictly liable to reimburse the Village of Elk Rapids for repair of any damage caused by violation of any of these Rules by Renters or by their guests.

I, the undersigned, being an adult, state that I have received these Rules and Regulations, that I have had a chance to read them, and that I understand them. I understand that these Rules and Regulations are part of the Lease, and I agree to comply fully with all of the requirements of the Lease, including these Rules and Regulations.

RENTER (Signature)

DATE

RENTER (Please print) _____

ADDRESS _____

TELEPHONE _____

EMAIL _____

DATE OF EVENT _____

TIME OF EVENT _____

TYPE OF EVENT _____

APPROX. NUMBER OF GUESTS _____

SPECIAL REQUESTS _____