

Birmingham Museum Grounds Group Use Rules

The four-acre site of the Birmingham Museum is one of the most historically and topographically complex in the city. The flower gardens at the Allen house, the steeply sloping lawn, the spring-fed pond and pool, and the woodlands that lead down to the adjacent Rouge River corridor make it a haven for wildlife. It is also unique in the city in that it has historic landscape structures that date to the 19th and the 20th centuries that require protection and preservation. In addition, the entire site and the two buildings (the Allen House and the Hunter House) are part of the city's Mill Pond Historic District.

The following guidelines have been developed to allow group use within the limits of preserving and protecting the landscape's natural and historic resources. They are designed to manage the use of the landscape responsibly while permitting public enjoyment. Not every use is compatible with this primary objective. The City of Birmingham and/or its designee reserves the right to deny any permit applicant if it deems an activity is not in keeping with this objective.

A permit is required:

- For use of the grounds (see areas below) for any organized group activity of ten (10) or more people, with a maximum number of one hundred (100) people
- Groups larger than 100 will be considered only on a case by case basis by the Museum Board with final approval by the City Commission

The following areas are available for permitted use (see map):

- The paved patio and immediately adjacent lawn and walks on the north side of the Allen House and the Allen House back porch
- The Hill School Bell plaza area between the Allen and Hunter Houses
- The grassy lawn area and slope below the Allen House and the Hunter House, adjacent to Willits Street
- Access to the Allen and Hunter House buildings is NOT part of permitted use of the grounds.

To allow time for complete review, applications must be received by the Museum Director as follows:

- 21 days before a planned activity for 10-20 people (administrative approval)
 - 90 days before a planned activity for 21-100 people (Museum Board and City Commission approval)
- For your convenience, the following additional documents are attached to these rules:

1. Birmingham Museum Grounds Group Use Permit Application and fee structure
2. Clean up checklist
3. Insurance liability requirement
4. City of Birmingham Parks Rules and Regulations

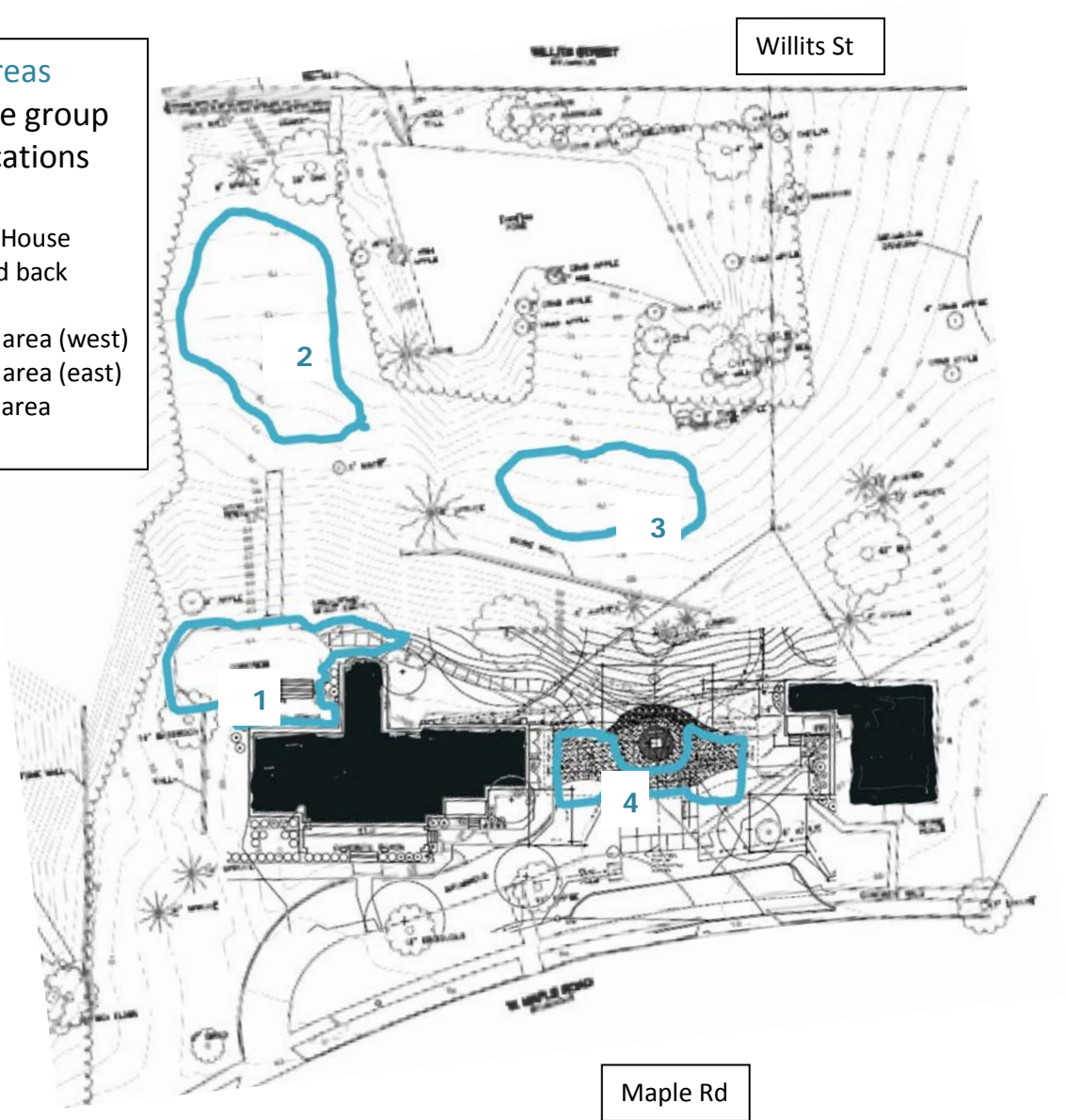
Conditions of Permitted Use

1. The intent of the group use permit is to allow low impact use of the grounds to enjoy the natural beauty and historic setting. Sports activities, political rallies and/or outdoor concerts are more appropriate in other Birmingham parks, and that parties interested in hosting those types of activities should contact the Director of Public Services.
2. The Birmingham Museum site is a public park. Any permitted use according to these rules is considered non-exclusive use; the public may not be prevented from access to any area of the grounds. **Applicants are responsible for following all existing city ordinances and city park rules not otherwise specified by the Birmingham Museum group use rules (see**

- attached).** Alcohol is not allowed in any park in Birmingham.
3. Permitted group activities are limited to 4 hours during normal park hours between dawn and dusk, inclusive of set up and clean up.
 4. Insurance is required and must be supplied with application (see attached).
 5. No permitted use will be allowed that will interfere with normal museum programming, exhibits, or general operations in or around the buildings. Permitted group use is encouraged outside ordinary museum operating hours of Tuesday-Saturday, 1 to 4 pm and 1-8 pm the second Thursday of the month. The City of Birmingham and/or its designee reserves the right to deny the use or the continued use of its facility to any person or organization not in compliance with rules or at its discretion to protect the grounds and buildings of the Birmingham Museum.
 6. Access to the museum buildings will not be included in any permitted group use of the museum grounds. A portable toilet facility may be rented for a permitted activity, subject to approval at time of application and must be placed at the north end of the driveway adjacent to the Allen House. The portable toilet facility must be dropped off no earlier than the evening before the event and must be picked up no later than the morning after the event. Portable toilet facility use is non-exclusive; the public may not be prevented from using any portable toilet facility on the museum grounds.
 7. Catered food by licensed caterers is allowed with pre-approval by the Birmingham Museum; no cooking of food is permitted on the property, and no flames, fires, sterno, or lit candles are permitted.
 8. Parking and vehicle access is not permitted on Willits Street except as currently provided by posted ordinance, or on museum property except for loading and unloading in driveway. Public parking is available at the Chester Street parking deck. Under no circumstances may the handicapped parking area or barrier free paths be obstructed.
 9. For any permitted group activity use of the grounds, a minimum of two (2) museum staff must be on site. Museum staff persons are not available to assist with the permitted activity; their purpose is to oversee the safety of the site and the museum. Group use fees reflect the cost of providing these staff.
 10. Canopy tents of 12 X 12 may be used. Tents must be stabilized with sandbags; no stakes are allowed. Canopy tents are restricted to the patio area near the Allen House porch and the Hill School Bell Plaza area. Signage may be permitted provided nothing is staked, fastened to plants, trees or structures, or otherwise prohibited (see #14) and must be described on the application.
 11. Electrical supply requests are subject to review at the time of application and must be requested in advance on the permit application.
 12. Minor children must be in direct supervision from a parent or guardian at all times.
 13. Please be aware that the Birmingham Museum grounds are within a residential area and any amplification of sound is discouraged. Requested sound amplification is subject to review on a case-by-case basis at the time of application and is subject to city-wide standards relating to public noise.
 14. In consideration of the environment and of the preservation of the site, nothing whatsoever may be thrown on the premises, e.g., glitter, confetti, rice, bird seed, flowers. No fastening or securing of decorations, lighting, devices or materials on any building, structure, tree or plant is permitted, and no balloons are allowed. Nothing whatsoever can be placed in or around the pool or other water features. No staking or driving of holes or disturbance of the ground for any purpose is permitted.
 15. A security deposit is required at time of application. If approved, the fee balance is due within seven days of final approval. A clean up checklist must be approved by museum staff the day of the event for return of security deposit **(see attached)**.
 16. As the museum grounds is an outdoor setting, no provisions can be made regarding inclement weather. The museum buildings will not be available for participants at an outdoor permitted event.

BIRMINGHAM MUSEUM GROUNDS AND PARK

- Blue areas indicate group use locations
1. Allen House Patio and back porch
 2. Lawn area (west)
 3. Lawn area (east)
 4. Plaza area





Application for Museum Grounds Group Use Permit

Date application received _____ (Note: Application is not a guarantee of final approval)

Name of applicant: _____

Address: _____

Telephone/cell number: _____ Email: _____

Type of event or special occasion: _____

Describe intended use: _____

Date requested: _____ Start time (include set up) : _____ End time (include clean up): _____

Area of grounds requested: (see map) _____

No. of expected participants: ___ up to 20* ___ 21-100** ___ more than 100*** (explain): _____

*requires administrative approval; 21 day notice. ** requires Museum Board and City Commission approval; 90 day notice.
***may be considered on a limited basis through review by Museum Board and City Commission, and requires 90 day notice.

Alcohol on site is not allowed in any Birmingham park. Applicant and guests are responsible for following all existing city ordinances and city park rules not otherwise specified by the Birmingham Museum Grounds Group Use Rules.

Number and proposed location of 12 X 12 or smaller canopies _____

Other proposed equipment (e.g., seating, tables) and source: _____

Portable toilet facility rental (must be placed at extreme back of driveway) _____

Proposed outdoor caterer (must be licensed and pre-approved) _____

Please describe proposed sound amplification _____

Electrical supply requested: _____

Please describe proposed signage (see rules 10 and 14): _____

| Number of participants | Permit Fee- Resident | Permit Fee- Non- Resident | Additional Security deposit |
|------------------------|------------------------------|---------------------------|-----------------------------|
| Up to 20 | \$250 | \$500 | \$100 |
| 21-100 | \$400 | \$800 | \$100 |
| Over 100*** | (Additional fees will apply) | | \$250 |

***Special review and approval on a limited basis only

| | |
|---|----------|
| Please complete this section with application and include a check made out to City of Birmingham for the required security deposit. If approved, balance is due within 7 days of final approval. | |
| My permit fee: | \$ _____ |
| My security deposit: | \$ _____ |
| Total: | \$ _____ |

I agree to abide by the permit requirements and the Birmingham Museum Group Use/Event Rules and understand that failing to comply may result in revocation of permit or removal from premises and loss of security deposit.

Signature of Applicant/Contact: _____ Date: _____

Print Name: _____

Administrative Approval: _____ Date: _____

Print Name/Title: _____

Museum Board and City Commission approval dates: Museum Board _____ City Commission _____

Security inspection approved by _____ Date _____

Deposit refund processed by _____ Date _____



Birmingham Museum Group Use Insurance Requirements

1. Please attach a copy of your standard certificate of insurance. The required limits and conditions may vary depending upon the scope of the event and the organization of the event sponsor. You will be notified of additional insurance requirements, if applicable, upon completion of the review process. An event-specific insurance rider is required, for the date and purpose referenced in the application, and **shall include an endorsement stating the following shall be Additional Insureds: “The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.”**
2. A separate Hold Harmless Agreement is required on the event sponsor’s letterhead, with signature of an authorized representative of the organization, with the following language: “Hold-Harmless Agreement: To the fullest extent permitted by law, the **(applicant/organization name)** and any entity or person for whom the **(applicant/organization name)** is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Birmingham against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed, or recovered against or from the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this activity/event. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of the City of Birmingham, its elected or appointed officials, employees, volunteers or others working on behalf of the city of Birmingham.

_____ **Applicant Signature.”**



**BIRMINGHAM MUSEUM
GROUNDS GROUP USE CLEAN UP CHECKLIST**

This checklist must be completed to the satisfaction of the museum personnel on duty upon completion of the event and before the permit holder leaves the premises in order for a refund to be provided per permit rules. Museum personnel is not available for clean-up.

- All trash and leftover food have been bundled and removed from the museum grounds.
- All equipment not the property of the museum (such as tables, chairs, serving dishes and the like) has been removed from the premises.
- All caterers have completed their clean up.
- No debris has been left anywhere on the premises.
- All areas where food and/or beverages were served have been checked for clean up.
- All areas occupied have been checked for damage, and all damage has been noted below. Damage to plant materials, buildings, structures, and other parts of the museum premises will result in forfeit of the security deposit.
- Museum personnel have noted the following damage:

The above checklist has been completed to the satisfaction of museum personnel on duty and with the agreement of the renter as to all damage noted.

Signature of Renter or Authorized
Representative

Date

Signature for Birmingham Museum Staff

Date

Rules and Regulations

Use of Parks & Park Permits

1. The use of any City of Birmingham park or facility is at your own risk. The City does not assume responsibility for injury or for any loss, theft or damage to personal items.
2. A rental permit is required for reservation of all city facilities. No refund of the rental fee shall be made due to inclement weather. Park permits may not be assigned or otherwise transferred. A hold harmless agreement must be executed in order to obtain a permit.
3. A person holding a park permit shall maintain such permit in his or her possession at all times while utilizing the municipal facility. Such permit shall be presented by its holder upon request by a City official or employee. A permit does not give its holder exclusive use of the entire park, except for Springdale Shelter.
4. All set-up/clean-up must be done by the permit holder.
5. All parks must be maintained and left in a neat and clean condition, with garbage and refuse prepared for proper disposal. The person or entity in whose name the rental permit is issued shall be responsible for leaving the facility in a clean and orderly condition. Further, the permit holder accepts full responsibility for all damage to City property as a result of its activities. A fee may be assessed should clean up or repair by the City become necessary. This fee shall include, but is not limited to, all labor, equipment and administration expense incurred by the City.
6. Any equipment, valuables, or clothing left in or around the park shelter on closing shall be kept at the City of Birmingham Parks and Recreation office for two weeks. Contact the office at (248) 530-1642 to make arrangements for pick-up.
7. The City reserves first priority with regard to the use of all City Parks. A park permit grants its holder a permit to use the park or public property for a specified date and time and is revocable by the City. The City may order revocation of a park permit, at any time with refund of fees paid, and all permits are granted with this understanding.
8. The Director of Public Services may, subject to the approval of the City Manager and the City Commission, establish supplemental

regulations for all uses requiring the issuance of a permit for use of municipal facilities and fees for the use of the various facilities.

Alcoholic Beverages & Intoxicants

9. It shall be unlawful for any person to possess or consume any alcoholic liquor, intoxicants, including spirits, beer or wine, in any recreational facility, city owned property or park operated by the City or during any function, sporting event, skating exhibition, dance or other event; unless such alcoholic beverages were purchased on city owned premises from a duly licensed vendor or served in accordance with a Special Event permit issued through the City Clerk's office. Birmingham Golf Courses have MLCC-issued liquor licenses.

Smoking

10. Smoking of tobacco or any other substance, or smoking, consumption or use of marijuana products, or use of vapor producing products such as an e-cigarette or similar device, is strictly prohibited pursuant to city ordinance, in all buildings, facilities, parks and playgrounds operated and maintained by the City of Birmingham.

Park Hours

11. City parks and public property are open between the hours of 6:00 am to 10:00 pm except as noted below or as posted. Between the hours of 10:00 pm to 6:00 am, parks and public property are closed and during such hours, no person shall enter into or remain on such property, except those persons whose presence is related to or in connection with a municipal activity.

(1) Springdale Park hours shall coincide with Springdale Golf Course hours and park rentals. The closing of the park is up to the discretion of the City of Birmingham Representative on duty.

(2) The Skate Park is open from 8:00 am to 10:00 pm.

For purposes of this section, public property shall be deemed to be property zoned as public property under the provisions of chapter 126.

Animals

12. Leashed dogs are allowed in any public park except in those areas as designated and posted by the Department of Public Services. Dogs are allowed on public property as long as they are restrained by a six foot maximum length chain or leash and under the reasonable control of some person. Owners and walkers of dogs on public property must comply with all City ordinances, including Chapter 18, Article II, pertaining to dogs and cats.

Sec. 18-33 Restraint of dogs.

It shall be unlawful for any owner of any dog to permit the dog to go beyond the premises of such owner unless restrained by a chain or leash and under the reasonable control of some person. (Code 1963, § 9.80(1))

13. Dogs are not permitted in any public playground or in any **other** area designated by the Department of Public Services. These areas shall generally include, but shall not be limited to, areas under and immediately adjacent to play structures and play equipment; sandboxes; the playing surface of ball fields, soccer fields, tennis courts, outdoor ice rinks, golf courses and sledding hills, when such areas are in use; pavilions and stages; fountains; and in areas designated for City permitted events and functions of concentrated use during said event or function.

Sanitation

14. The owner or walker of a dog is responsible for the collection of all fecal matter and the disposal of such fecal matter in an appropriate city waste receptacle or in accordance with ordinance Section 18-35 Sanitation.

Sec. 18-35 Sanitation.

(a) It shall be unlawful for any person to permit any animal owned or harbored by him to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the animal is harbored or kept.

(b) It shall be unlawful for any person to walk any animal on any property not owned by such person, whether public or private, unless such person has an appropriate device for the collection of fecal matter in his immediate possession and an appropriate depository for the transmission of fecal matter to the premises where the animal is harbored or kept.
(Code 1963, § 9.95; Ord. No. 1586, 4-18-94)

Sound Amplification

15. The use of loudspeakers or other sound enhancing equipment for the amplification of sound or music is prohibited, unless allowed by permit issued by the City. Any amplification must be reasonable as to not disturb the peace.

Fires

16. Open burning of any kind is prohibited at all city parks and facilities. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, charcoal or other flammable material at any park, facility or trail. However, the use of barbecue burners or cooking in the picnic area at Springdale Park is permissible. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.

Fireworks & Explosives

17. No person shall bring into a park, or public property or have in his possession, or set off or otherwise cause to explode any firecrackers, torpedo, rocket or other fireworks or explosives, or discharge them or throw them into any park area from land or property adjacent thereto.

Obstructions; Damage; Fences; Disposal

18. No person shall obstruct any walkway or driveway in any public park or playground. No person shall injure, mar or damage, in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, herbaceous plant, flower, playground equipment, or other public property within or pertaining to such parks.

19. No person shall interfere with any fence constructed in or about any park; or deface, injure, remove, or destroy any tree, shrub, herbaceous plant, flower, or turf in any park or boulevard; or remove any dirt, sand or earth from any park or boulevard, or otherwise remove, destroy or injure any property therein; or leave or deposit any filth, rubbish, dirt, wastepaper or other refuse in any place in any park or boulevard except in containers provided in parks for that purpose. Dumping or disposal of household or commercial waste transported from off-site to city property is prohibited.

Peddling, Vending, Advertising and Signs

20. No person shall engage in the business of peddling or vending in any City of Birmingham Park without first obtaining a license from

the city clerk's office. Contact the office at (248) 530-1880 for additional information.

21. No person shall expose, distribute, place any sign, advertisement, circular notice, or statement, or display any banner, City of Birmingham emblem, or design without written permission from the City.

22. Decorations may be attached to the Springdale shelter by means of masking or cellophane tape only. There should be no decorations drilled, fastened, or otherwise attached to the shelter with materials such as staples, nails, or tacks.

Boating

23. No person shall place or operate any boat propelled by any engine in or upon waters in any park in the city, including the water of Quarton Lake.

Fishing and Wildlife

24. Subject to State of Michigan fishing licenses regulations, fishing in a body of water in a Birmingham park, including Quarton Lake is allowed. Fishing is not allowed at either Lincoln Hills Golf Course or Springdale Golf Course.

25. No person shall feed any geese, ducks, birds or other fowl in any City Park or any municipal Golf Course.

26. No person, except an authorized city employee shall injure, kill or capture any wild bird, or disturb any wild bird's nest or the contents thereof.

Swimming

27. Swimming and/or wading is prohibited in any lake, river, public fountain or public pond in the City of Birmingham.

Vehicles

28. No vehicles, except authorized City vehicles, are allowed to be driven across lawns, sidewalks, or any other park surface for any reason.

29. No person shall operate, use, ride, or pull another individual on a wheeled vehicle, on City-owned tennis courts, basketball courts, fountains and stone work ledges. Prohibited wheeled vehicles

include, but are not limited to, in-line skates, skateboards, bicycles, hover boards, wagons, roller-skates, and scooters.

30. It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of motorized sport vehicle anywhere in any park or trail, except for the proper use of golf carts on city golf courses.

Violation of Rules & Regulations

31. Violation of these rules or other posted rules is a misdemeanor punishable by a fine up to \$500, or imprisonment for a term not exceeding 90 days, or both.

City Commission Approval: 3/8/2021
Parks and Recreation Board Approval 12/1/2020