

RESOLUTION R-26-016

A RESOLUTION ESTABLISHING A FACILITY USE POLICY, REQUIREMENTS, AND RENTAL AUTHORITY FOR THE CHAVES COUNTY RECREATIONAL FACILITY, 'CULTURAL PLAZA', CHAVES COUNTY COURTHOUSE LAWN AND OTHER COUNTY OWNED FACILITIES

WHEREAS, the Board of County Commissioners of Chaves County, pursuant to Sections 4-37-1 and 4-38-1 NMSA 1978, has the authority to acquire, operate, maintain, and regulate county property for public purposes; and

WHEREAS, the County is constructing a recreational facility intended to promote community engagement, quality of life initiatives, educational programming, and recreational opportunities for residents; and

WHEREAS, the County owns and operates additional facilities, open spaces, and venues that may be utilized for special events, community gatherings, and other public purposes, and finds it necessary to establish consistent policies governing the use, management, and protection of all such County properties; and

WHEREAS, the County finds it necessary to establish uniform policies governing use of the facilities, including provisions for public events, insurance requirements, indemnification, and maintenance fees to protect public assets and ensure fiscal responsibility.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS, CHAVES COUNTY, STATE OF NEW MEXICO,

SECTION 1. PURPOSE.

The purpose of this Resolution is to establish rules governing use of the County Facilities; authorize public use; establish a fee schedule for cost recovery; require insurance and indemnification; and authorize administrative oversight.

SECTION 2. APPLICABILITY TO COUNTY VENUES.

This Resolution shall apply to all County-owned or County-controlled facilities, plazas, open spaces, and other venues made available for public or private use ("County Venues").

County Venues may include, but are not limited to:

1. County buildings,
2. Outdoor plazas, parking lots, courthouse lawns, courtyards, or civic spaces.

3. Open land, or unimproved areas without permanent infrastructure.

The County Manager or their designee is authorized to classify County Venues based on the level of infrastructure, services, and operational needs, and to establish separate:

- Fee schedules.
- Deposit requirements.
- Insurance requirements.
- Operational rules and restrictions.

SECTION 3. LIMITED-SERVICE VENUES.

For County Venues that do not provide utilities or services such as restrooms, water, or electrical access ("Limited-Service Venues"):

1. The County shall not be responsible for providing restroom facilities, sanitation services, or utilities.
2. Event organizers shall be solely responsible for arranging any necessary temporary facilities, including portable restrooms, handwashing stations, trash disposal, and related services.
3. Additional requirements may be imposed based on event size, duration, and anticipated attendance.

SECTION 4. AUTHORIZED USES.

- A. County-Sponsored Events: The Facilities may be used without rental charge, notwithstanding the recovery cost listed below for the 'Cultural Plaza', for County-sponsored programs, public community events open to the general public, governmental or educational programming, and quality-of-life initiatives approved by the County Manager.
- B. Unauthorized use of County facilities including but not limited to: The Chaves County Recreational Facility, 'Cultural Plaza', Chaves County Courthouse Lawn and Other County Owned Facilities is strictly prohibited and will result in immediate removal from the facility.

SECTION 5. CONSUMABLE SUPPLIES.

The County shall provide a standard baseline supply of restroom and sanitation consumables for the cultural plaza, including:

- Toilet paper
- Paper towels
- Hand soap

Such supplies are intended to accommodate typical usage for the expected duration and attendance of the event.

SECTION 6. RECOVERY COST FEE SCHEDULE FOR CULTURAL PLAZA.

Fees:

Reservation Fee (due to book) for recovery costs: \$150.00/day; \$100.00/day for each additional consecutive day of the same event not to exceed more than 5 days total.

A Maintenance and Operations Fee may be assessed for each use of the Facility.

Chaves County Facility Maintenance staff will be responsible for locking all entries and exits of the plaza.

Reservations shall be made no greater than six (6) months in advance. Please refer to the County website for venue booking process.

The County reserves the right to assess additional charges when actual costs exceed standard fees due to the size, duration, or nature of the event.

If an event is cancelled, funds shall be refunded within thirty (30) calendar days following confirmed cancellation and after receiving receipt of all required documentation to process reimbursement.

Renter shall not charge an entry fee, access fee, or administrative fee to the general public for entry into: The Chaves County Recreational Facility, 'Cultural Plaza', Chaves County Courthouse Lawn and Other County Owned Facilities.

SECTION 7. MAINTENANCE AND COST RECOVERY.

The County may bill users for cleaning, repair, damage costs, or excessive cleanup of trash, and assess additional maintenance or staffing fees when warranted. Normal wear and tear shall not be charged.

SECTION 8. INSURANCE REQUIREMENTS.

Renter must provide a Certificate of Commercial General Liability Insurance with minimum coverage of \$1,000,000 per occurrence, listing Chaves County as Additional Insured. Coverage must remain effective during the event, including setup and teardown.

The deadline to submit insurance proof is with the fee to book the event.

SECTION 9. HOLD HARMLESS AND INDEMNIFICATION.

All users agree to indemnify and hold harmless the County, its officials and employees from and against any and all claims and liabilities including personal injury and/or death, and the costs of litigation that are asserted by any person or entity to the extent arising out of the use of the Chaves County Recreational Facility, 'Cultural Plaza', Chaves County Courthouse Lawn And Other County Owned Facilities.

SECTION 10. USE RESTRICTIONS AND FACILITY PROTECTION.

To preserve County property and ensure safe and appropriate use of the Facilities, the following restrictions shall apply to all users:

A. Protection of Landscaped Areas and Courthouse Grounds

The lawn areas, landscaped grounds, and irrigation systems associated with the Courthouse and Cultural Plaza are considered sensitive public assets.

The following activities are strictly prohibited on the lawn or landscaped areas unless expressly authorized in writing by the County Manager:

1. Inflatable amusement devices, including but not limited to bounce houses or "Jolly Jumps", Slip 'N Slides, dunk tanks, or any pool/water activities.
2. Animal-related attractions, including but not limited to pony rides or petting zoos.
3. Any equipment, staging, or installations that may damage turf, landscaping, or irrigation systems.
4. Stakes, ground penetrations, or anchoring devices of any kind.

The County reserves the right to immediately halt any activity that poses a risk to these areas.

B. Vehicle Restrictions

No motorized vehicles shall be permitted within the interior areas of the Cultural Plaza or landscaped grounds.

Exceptions:

1. County-authorized maintenance or emergency vehicles.
2. Mobility assistance devices compliant with ADA requirements.
3. Limited use of golf carts or utility vehicles, subject to prior County approval.

Unauthorized vehicle access may result in immediate termination of the event and assessment of damages.

C. Food Vendors and Food Trucks

Food trucks and mobile vendors shall be subject to the following:

1. Food trucks are prohibited within the Cultural Plaza, Chaves County Courthouse lawn and landscaped areas.
2. Designated food truck operations shall be limited to approved parking lot areas.
3. Placement of vendors shall comply with County direction for traffic flow, safety, and accessibility and prevent damage to lawn infrastructure.
4. Electrical access for vendors is not guaranteed and may require separate approval and infrastructure availability.
5. The County may consider special accommodation, but it must be approved by the County.

D. Smoking, Alcohol, Cannabis, and Prohibited Items

Smoking, including the use of all tobacco products, electronic cigarettes, vaping devices, or any other smoking-related devices, is prohibited within all areas of the Facility, Cultural Plaza, Chaves County Courthouse lawn, and surrounding County-owned grounds.

Alcohol is strictly prohibited. The possession, sale, distribution, or consumption of alcoholic beverages shall not be permitted under any circumstances on County property covered by this resolution.

The possession, sale, distribution, or use of cannabis or cannabis-derived products is prohibited on all areas of the Cultural Plaza, Chaves County Courthouse Lawn and

associated County grounds, regardless of any otherwise applicable state law permitting such use.

The sale, display, or distribution of gang-related materials, paraphernalia, or symbols that promote or are associated with criminal street gangs is always prohibited.

The County reserves the right to determine, in its reasonable discretion, whether materials are considered gang-related or otherwise inappropriate for a public facility.

Any violation of this Section may result in immediate termination of the event, removal from the premises, forfeiture of deposits, and denial of future use of County facilities.

E. Noise and Hours of Operation

All events shall comply with local nuisance provisions.

Unless otherwise approved in writing:

1. Events shall be limited to the hours of 7:00 a.m. to 10:00 p.m.
2. The Facility must be vacated, and cleanup completed, by the approved end time. Failure to comply with noise or hour restrictions may result in immediate termination of the event.

F. Enforcement and Damages

The County reserves the right to:

1. Deny, revoke, or terminate Facility use for violation of this Section.
2. Assess damages for any harm to lawns, irrigation systems, hardscape, or infrastructure.
3. Pursue additional cost recovery as necessary.
4. Failure to comply may result in denial of future reservations or civil action to recover damages.

SECTION 11. PRIORITY OF USE.

Priority shall be given to County governmental use, then public community events. The County reserves the right to reschedule for governmental necessity with a refund of fees paid.

SECTION 12. ADMINISTRATION.

The County Manager or their designee is authorized to develop Facility Use Agreements, establish procedures, approve or deny applications, impose operational rules, and waive fees when in the public interest.

Done at Roswell, New Mexico, this 21st day of May 2026.

BOARD OF CHAVES COUNTY COMMISSIONERS



ATTEST:

Cindy Fuller

Cindy Fuller
County Clerk

[Signature]
Richard C. Taylor, Chairman

[Signature]
Michael Perry, Vice-Chairman

[Signature]
Dara Dana, Member

[Signature]
Cliff Waide, Member

[Signature]
Herbert (Hub) Corn, Member

IN SENATE
January 10, 1900
REPORT
OF THE
COMMISSIONER OF THE
LAND OFFICE

Wm. H. Hall
Commissioner
Land Office

