



POLICY

TOWN OF HILDEBRAN

GENERAL LIABILITY INSURANCE REQUIREMENTS FOR RENTALS, EVENTS AND LEASES

REVISION 1 – July 24, 2023

The General Liability Insurance Requirements for Rentals, Events and Leases was amended on July 24, 2023 as follows:

WHEREAS, the Town of Hildebran rents and leases Town-owned property to individuals, non-profits, and organizations on a regular basis; and,

WHEREAS, the Town of Hildebran allows individuals, non-profits, and organizations to hold events in Town and/or on Town property; and,

WHEREAS, the Town's general liability coverage with the North Carolina League of Municipalities (NCLM) does not extend to someone holding a non-government function on Town-owned property; and,

WHEREAS, individuals or organizations cannot be added to the Town's general liability policy for their activities; and

WHEREAS, The NCLM recommends that individuals and organizations renting Town property or holding events on Town property need to provide their own general liability coverage either through their homeowner's policy (for individuals) or a separate general liability policy, often referred to as a specials event policy.

NOW, THEREFORE, THE TOWN OF HILDEBRAN COUNCIL RESOLVES THAT all individuals, organizations, non-profits, and businesses shall be **required** to provide general liability coverage, with the Town listed as an additional insured, for all leases as well as events that are open to the public and events that charge a fee to attend that are held in/on Town property.

All individuals, organization, non-profits, and businesses that rent or use a Town facility, space, or area for the purpose of holding a private party that is not open to the public nor charges a fee to attend will be offered the **option** to purchase general liability insurance. This policy is intended, and will be enforced, for all renters regardless of non-profit, military, or other status. The following guidelines are set forth below:

1. GENERAL LIABILITY COVERAGE REQUIREMENT:

- a. Any lessee of a Town of Hildebran facility/property is required to provide proof of general liability coverage with the Town listed as an additional insured at least two (2) weeks prior to the effective date of the lease. A lessee is described as any resident, citizen, non-profit,

business, organization, etc.

- b. Any renter(s) that rents or uses a Town of Hildebran facility, space, or area for the purpose of holding a private party that is not open to the public nor charges a fee to attend will be offered the opportunity to purchase general liability insurance coverage during the reservation process. Any renter that declines to provide the Town general liability insurance shall sign a legal statement acknowledging that he/she is responsible for all damages or injuries due to no fault of the Town of Hildebran. A renter is described as any resident, citizen, non-profit, business, organization, etc.
- c. Any renter(s) that rents or uses a Town of Hildebran facility, space, or area for the purpose of holding an event that is open to the public or charges a fee for participants and/or the public to attend, regardless if the Town is sponsoring the event, is required to provide general liability insurance with the Town listed as an additional insured at least two (2) weeks prior to the event. A renter is described as any resident, citizen, non-profit, business, organization, etc.

2. ACCEPTABLE PROOF OF GENERAL LIABILITY COVERAGE:

- a. For a one-day event by an individual for personal use (does not include non-profits, businesses, organizations or any event that a fee is charged to the participants or to the public) including parties, weddings, baby showers, reunions, dances, etc., the renter shall provide one of the following:
 - Homeowner's Policy in the name of the renter. **It is the responsibility of the renter to ensure that the homeowner's policy has the appropriate rental coverage, sometimes referred to as a "personal liability clause," with a minimum coverage of \$300,000.** *The Town of Hildebran will not be held responsible if the renter fails to certify the coverage with his/her insurance carrier.* The homeowner's policy number, carrier, name of insured (must match the name of the renter) and policy effective dates are required to be given to the Town at least one (1) week prior to the start of the rental.
 - Certificate of Insurance with General Liability coverage either via GatherGuard, or any other insurance agency approved in advance by the Town with the Town listed as an additional insured. This coverage shall be obtained if the renter does not have a homeowner's policy.
- b. For an event that is more than one day, consists of multiple events, or is an event held by a non-profit, business, or organization, or any event that is for non-personal use (open to the public and/or fees charged to the participants or to the public) including cruise ins, parades, organizations assisting with road closures, fireworks, food trucks, theater plays, pageants, church events, organization events, etc., the renter shall provide the following:
 - Certificate of Insurance with General Liability coverage via the renter's insurance carrier naming the Town as an additional insured.
- c. For any sporting event regardless of the type of renter, type of sport, or number of days of the event including camps, games, formal sporting events, birthday parties, etc., the renter shall provide the following:
 - Certificate of Insurance with General Liability coverage via GatherGuard or any other insurance agency approved in advance by the Town for one-day events, or the renter's

insurance carrier for multiple days/events, naming the Town as an additional insured. **GatherGuard does NOT cover personal injury for sporting events and therefore the Town highly recommends that the renter also purchase a student accident policy via the renter's insurance carrier to insure personal injuries.**

3. EXCEPTIONS TO PROVIDING GENERAL LIABILITY COVERAGE:

- a. Basketball pickup games that consist of the same group of individuals each session that is scheduled in the gym will be exempt if they meet the following requirements:
 - i. The participants are not charged a fee to participate.
 - The group must have rented the gym on a weekly, bi-weekly or monthly basis for at least three (3) consecutive months.
 - During those three (3) months, the group must not have created any damage to the property, must not have had an incident that staff had to repeatedly address, and must have consistently cleaned up after their rentals including mop sweeping the floor, leaving the restrooms clean and all trash picked up and in the proper trash cans.

These individuals will use the gym at their own risk and the Town of Hildebran will not be held responsible for any injuries. The Town of Hildebran Council will consider exempting the general liability coverage for basketball pickup games on a case by case basis based on recommendations by staff. If an individual or group that has been exempt becomes disruptive or does not follow cleanup guidelines after being addressed by staff, the Town Council may revoke the exemption.

- b. Use of the Pavilion at the Community Park will be exempt. The Pavilion is open to everyone at the park when not reserved.

4. GENERAL LIABILITY COVERAGE AMOUNTS:

- a. Council establishes that all Certificates of Insurances (COI) for rentals and leases of Town property shall have the following minimum coverage and the completed COI shall be provided to staff no later than one (1) week before the event or two (2) weeks prior to the effective lease date:

Limits

Each Occurrence: \$1,000,000 - \$2,000,000
Damage to Rented Premises (Each Occurrence) - \$50,000
Personal & Adv Injury \$1,000,000
Products – Comp/OP AGG - \$1,000,000
General Aggregate – \$2,000,000

Additional Insured

The Town of Hildebran shall be listed as an Additional Insured.

Description of Operations

The renter shall list the name of the event(s), date, time and facility being rented. All properties, including parking lots, and their addresses shall also be listed.

The lessee shall list the building/parking lot(s) and the physical address of all properties to be leased.

Certificate Holder

The Town of Hildebran and its address shall be listed as the Certificate Holder (109 S. Center St., Hildebran, NC 28637).

- b. Council establishes that the COI for Burke County REACT, or any other organization that helps provide road closure services, shall have the following minimum coverage:

Limits

Each Occurrence: \$1,000,000 - \$2,000,000
Damage to Rented Premises (Each Occurrence) - \$50,000
Personal & Adv Injury \$1,000,000
Products – Comp/OP AGG - \$1,000,000
General Aggregate – \$2,000,000

Additional Insured

The Town of Hildebran shall be listed as an Additional Insured.

Description of Operations

The organization shall describe the event(s) and list the date, time and location of the event(s). The organization shall also list any building, parking lot, street and the physical address of all properties to be used during the event(s).

Certificate Holder

The Town of Hildebran and its address shall be listed as the Certificate Holder (109 S. Center St., Hildebran, NC 28637).

- c. Council establishes that all (COI) for a licensed pyrotechnic operator for a fireworks display shall have the following minimum coverage:

Limits

Each Occurrence: \$5,000,000
Damage to Rented Premises (Each Occurrence) - \$50,000
Personal & Adv Injury \$1,000,000
Products – Comp/OP AGG - \$1,000,000
General Aggregate – \$2,000,000

Additional Insured

The Town of Hildebran shall be listed as an Additional Insured.

Description of Operations

The vendor shall describe the event(s) and list the date, time and location of the event(s). The vendor shall also list any building, parking lot, street and the physical address of all properties to be used during the display including setup and cleanup.

Certificate Holder

The Town of Hildebran and its address shall be listed as the Certificate Holder (109 S. Center St., Hildebran, NC 28637).

5. ADDITIONAL INSURANCE COVERAGE

Additional insurance coverage may be required based on the event held subject to review by Town staff (liquor liability, errors, and omissions, etc.) depending upon the exposures/activities.

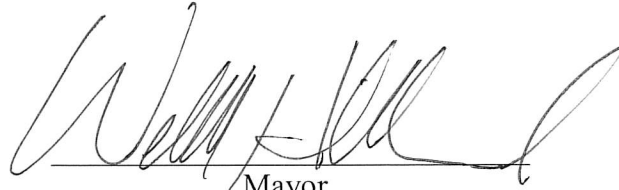
6. SPONSORSHIP BY THE TOWN

Any event in Town or on Town property that is sponsored in whole or in part by the Town shall require a contract with the individual/organization that states the responsibilities of the Town and the responsibilities of the individual/organization. The contract shall include a hold harmless statement and shall be required in addition to the general liability requirement.

Sponsorship is defined as a financial allocation from the Town, reduced or no rental fees, or any other benefit provided by the Town to the individual/organization.

IN WITNESS WHEREOF, this policy will take effect immediately.

Adopted this 24th day of July 2023.



Mayor

ATTEST:



Town Clerk

