

RESOLUTION #16-47  
(Replaces Resolution #14-49)  
**COURTHOUSE PARK USE RESOLUTION & AGREEMENT**

WHEREAS, the Board of Luna County Commissioners desire to accommodate public use of the Courthouse Park and,

WHEREAS, reasonable standards are necessary for the same, efficient and cost effective use of the Park,

NOW, THEREFORE, BE IT RESOLVED, that the following policy and contract is established for the use of the Courthouse Park.

COURTHOUSE PARK USE AGREEMENT

The County, as accommodation to the public, makes available the Courthouse Park, Pavilion and Restrooms for use as an activity place for citizens and organizations of Luna County, New Mexico. Users of the Park acknowledge that they must comply with the terms and conditions of this agreement:

- a. TIME: User is authorized to use the Park for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ and through the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.
- b. PURPOSE: The Park shall be used for the purpose of \_\_\_\_\_  
\_\_\_\_\_. No other use is authorized.
- c. ACCESS: User shall be responsible for coordinating the use of the Park, including set up with the Luna County Business Office and Luna County Maintenance Director.
- d. RESTRICTIONS: User shall use only the Park areas west of the Courthouse and south of the Luna County Jail/Dispatch Center. No areas in the Courthouse shall be entered. Certain weekends of the year may not be reserved for personal individual use and are reserved for historic community events.
- e. USER FEES: There shall be a non-refundable user fee of \$100.00 for reservation and use of courthouse park pavilion for individuals and \$150.00 for community events.

**USER FEES AND DEPOSITS MUST BE SUBMITTED AT LEAST THIRTY (30) WORKING DAYS PRIOR TO ACTIVITY AND WILL BE RETURNED (LESS ANY DAMAGES) WITHIN TEN (10) WORKING DAYS AFTER EVENT. THE PARK SHALL NOT BE CONSIDERED RESERVED UNLESS AND UNTIL THE USER FEE AND DEPOSIT ARE RECEIVED BY THE COUNTY.**

- f. DEPOSIT & CLEANING: There shall be a damage deposit of \$250.00 required of those desiring to reserve and use the Park or Pavilion, which includes use of the restrooms. Upon satisfactory compliance with the provisions of this agreement, the deposit shall be refunded to the User. Deposits shall be forfeited upon non-compliance with the provisions of this agreement. If electricity is needed, a non-refundable fee of \$ 50.00 per hook-up, per event will be charged. Upon completion of User's activity, User shall clean the area; remove all structures, vehicles and other property, and clean up and dispose of all trash and debris in the containers provided. Deposits will be held until careful inspection is done by the County of Luna.
- g. COMPLIANCE: If User fails to comply with any of the terms of this agreement, User will be prohibited from future use of the Park.
- h. INDEMNIFICATION: The User agrees to indemnify and hold harmless the County of Luna from any complaint, damage, loss, liability of claim (including attorneys' fees) arising out of User's use of the Park and not resulting from a negligent act of the County, its' agents or employees.
- i. ALCOHOL USE: If the User desires to have beer and wine on the premises, they agree to have a valid New Mexico Alcohol and Gaming Dispenser Licensee provide the sales and distribution of beer and wine only. No other alcohol is allowed in the parks or pavilion. The Licensee must obtain a Special Dispenser Permit from The New Mexico Regulation and Licensing Department, Alcohol and Gaming Division. The User assumes all responsibility of verifying Licensee and the permits needed to sell and distribute alcohol.
- j. NO EXCESSIVE VEHICLE USE ON THE GRASS, NO OVERNIGHT CAMPING OR PARKING, TRAILERS MUST HAVE PLATES UNDER HITCH TO PREVENT DAMAGE TO ASPHALT, UNLESS PREVIOUSLY APPROVED BY THE LUNA COUNTY MANAGER.
- k. EFFECTIVE SEPTEMBER 8, 2016.


RESOLVED by the Luna County Board of Commissioners in regular session, September 8, 2016.

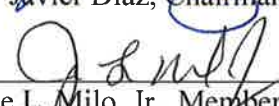
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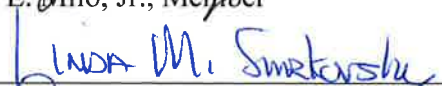
  
 Andrea Rodriguez, County Clerk



**LUNA COUNTY**

  
 R. Javier Diaz, Chairman

  
 Joe L. Milo, Jr., Member

  
 Linda M. Smrkovsky, Member