

Johns Creek United Methodist Church

Policies and Guidelines Governing the Use of Facilities

Adopted by the Board of Trustees - June 14, 2018

I. Introduction, Policy Conventions, and Policy Authority

A. Introduction.

The purpose of this document is to establish the policies and guidelines governing the use of the facilities of Johns Creek United Methodist Church and the management of systems and processes related to facility use.

B. Definitions and Policy Conventions

1. The policies, practices, and procedures contained herein apply to all facility users regardless of their affiliation with Johns Creek United Methodist Church.
2. The words “shall” or “will” are understood to be mandatory in nature, and the words “may” or “should” as permissive in nature.
3. “JCUMC,” “the Church,” or “Church” (regardless of capitalization) means Johns Creek United Methodist Church, Inc., a nonprofit corporation in the State of Georgia.
4. “Book of Discipline” or “Discipline” (when capitalized, regardless of italicization) refers to the current version of the *United Methodist Book of Discipline*, the official polity of the United Methodist Church.
5. “Board of Trustees” or “Trustees” refers to the Board of Trustees of JCUMC as established by the Discipline.
6. “Facilities,” “Church Facilities,” and “Building(s),” (regardless of capitalization) refers to all real property (including fixtures and equipment defined as real property) and church personal property under management by the Trustees.
7. “User” means any individual, group, or organization that uses the Facilities. In the case of a corporate entity, it may also refer to its authorized agent or representative.
8. “Inurement” means enriching a church leader, such as a member or church board member. “Enriching” means the church is providing a benefit, good, or service, for less than its fair market value to someone or the church is paying more than fair market value for a benefit for a good, or service that it buys. For example, in the context of this policy, inurement occurs when the church allows a church leader to use the

church's facilities for personal use and the leader pays less than the fair rental value of the facility or portion of the facility.

9. "Private Benefit" is the same as inurement except the entity benefiting from the arrangement is not a church leader but a third party organization or individual, such as a member of the community or a for-profit corporation.

C. **Policy Authority**

1. These policies are established by the Board of Trustees consistent with its authority granted by *Discipline*, 2016 edition, ¶2533.
2. The Board of Trustees shall have final authority to establish, amend, revoke, suspend, or override these policies, which authority it may delegate to other officers, employees, or volunteers of Johns Creek United Methodist Church by resolution or policy.
3. The Board of Trustees designates the Church Business Administrator as its agent for the implementation, administration, and enforcement of these policies and procedures. The Church Business Administrator is given broad discretion to interpret the letter and intent of these policies, make administrative provisions for their effective implementation, approve or deny facility use requests, and hold facility users accountable to their requirements. The Church Business Administrator will remain accountable to the Board of Trustees for all facility use issues.
4. Consistent with the *Discipline*, no church facility use can occur without the consent of the Senior Pastor. With respect to this policy, the Senior Pastor's consent to the action of the Church Business Administrator and/or Trustees will be assumed by default, but the Senior Pastor shall have the authority to override the approval of the Trustees or Business Administrator under the provisions of the *Discipline*, 2016 edition, ¶2533.1.

II. **Mission and Purpose**

- A. The Mission Statement of JCUMC will guide the decision-making process for all uses of the facilities of JCUMC.
- B. The mission statement of JCUMC is to make disciples of Jesus Christ for the transformation of the world.
- C. The Senior Pastor will be the final authority for determining how specific activities under the scope of this policy align with the mission of JCUMC.

III. Facility Use Categories and Priority

A. Groups and Activities using JCUMC Facilities

The following categories are intended to cover most activities and uses of JCUMC Facilities. Examples given are meant to be illustrative only. The particular circumstances of each activity, meeting, ministry, or program will be considered in determining its category.

1. **Internal.** An “Internal” activity, meeting, ministry, or program is one organized by staff, church leaders, or other designated persons that is a part of the regular program of mission and ministry of JCUMC and that relate to its formal governance bodies.

Examples: worship services, Bible studies, church committee meetings, church rummage sales, church recreation league events, weddings and funerals

2. **Partner Ministry.** A “Partner Ministry” activity, meeting, or program is one that is not related to the formal governance bodies of JCUMC that is determined significantly to support or complement the mission of JCUMC to the extent that JCUMC will work together with a User to organize, promote, fund, and/or operate the activity, meeting, or program as if it is an arm or aspect of JCUMC’s ministries.

Examples: Boy Scout meetings, Alcoholic Anonymous meetings, Summit Counseling

3. **External Ministry.** An “External Ministry” activity, meeting, event, or program is one that does not qualify as an “Internal” or “Partner Ministry” activity, but which otherwise furthers JCUMC’s religious, educational, or charitable activities.

Examples: a non-profit community chorus, a neighborhood meeting, a school group concert, a birthday party for a church member

4. **Incidental/Immaterial Non-Ministry.** An “Incidental/Immaterial Non-Ministry” activity, meeting, event, or program is one that does not fit in other categories and that also meets the following two tests: (1) it does not conflict with the mission of JCUMC or the provisions of its governing documents and (2) its frequency is so rare as to be immaterial to church’s exclusive pursuit of its tax-exempt purpose.

Examples: a private music teacher who pays the church a fair market rate

to use a room with a piano for a student recital one hour once a year; an entrepreneur who pays JCUMC a fair market rate to use a classroom to make a two-hour business presentation; a church member who receives rent-free use of a hall to hold an art show for her paintings that she produces in the course of a hobby from which she derives no significant income.

B. Priority for Use

The following general order of priority should be observed when allocating facilities for users.

1. Internal activities
2. Partner Ministry activities
3. Activities and meetings of members of the congregation classified as External Ministry
4. Other External Ministry activities
5. Other activities

IV. Fees, Profits, and Payment for Use of Church Facilities

A. Fees and Rents for Use of JCUMC Facilities

1. The Trustees will establish and update at least annually a fee schedule for all categories and types of use that covers all rooms, resources, and areas to be offered for use.
2. When a prospective use is not addressed by the established fee schedule, the Business Administrator will recommend a fee to the Trustees.
3. Fees for non-profit use will be based upon direct costs associated with the activity and indirect costs related to the operation of a particular room, resource, or area to the extent that such costs can be determined or estimated.
4. Fees for for-profit use will at least match the fair market commercial rate for a similar resource, but may be greater than the fair market commercial rate when direct and indirect costs warrant.

B. Non-profit Use of Church Facilities

1. All Partner Ministry and External Ministry activities must be non-profit in nature. Incidental/Immaterial Non-Ministry use may be non-profit in nature. JCUMC may require Users to furnish a letter of determination from the Internal Revenue Service.
2. For-profit use of JCUMC is not allowed except when such use can be classified as an Incidental/Immaterial Non-Ministry activity. For-profit users shall be charged a rate no less than the Fair Market Commercial Rate for the facility in order to ensure that no inurement or substantial

private benefit occurs. No waiver of rents and usage fees will be allowed for for-profit uses.

C. Fee Assessment and Waivers

1. Internal Ministry users will not be charged fees to use Church facilities. Exceptions to this rule may be made at the discretion of the Business Administrator for certain activities generating significant direct costs or to which significant indirect costs can be attributed, such as weddings and other large events. Expenses and income related to Internal activities will be addressed through policies and procedures established by the Finance Committee and/or the Office of Finance and Administration.
2. Partner Ministry users will not typically be charged fees, but when a particular Partner Ministry activity generates significant direct costs to the church or when significant indirect costs can be attributed to the Partner Ministry use, the Business Administrator should work with the User to establish ways to share the burden of these costs, which shall be established within the building use agreement.
3. External Ministry users will typically be charged fees designed to offset direct and indirect costs. Such use may take place without fee or at a reduced rate when it is in the best interest of JCUMC to bear the costs of the External Ministry activity. Such reduced-rate arrangements will be established within the building use agreement. It is the intention of the trustees that such waivers will be rare and focused on the missional priorities of the church.
4. Incidental/Immaterial Non-Ministry users shall be charged fees established at least at a fair-market commercial rate whenever such use is for-profit in nature. When such use is non-profit in nature, a fee waiver or reduction may be granted, provided the waiver or reduction does not result in inurement or substantial private benefit. It is the intention of the trustees that such waivers will be rare and focused on the missional priorities of the church.

D. Allocation of Fee Income

The office of Finance and Administration will establish rules for the consistent allocation of income generated by facility use fees. Because fees are aligned with specific costs of operation, preference should be given in the allocation to funds related to church operations and maintenance.

V. Administration, Scheduling, and Reservations

A. Reservation procedures

1. Before using any room, space, or resource, a request for the same shall be made to the Office of Finance and Administration, which will coordinate resources, assignments, and fees on behalf of the trustees.

2. All requests, contracts, and memoranda concerning reservations must be in writing and appropriate documentation recorded to substantiate the nature of the use of the facilities, the terms under which they are used, and the expectations of the user and the church.
3. For all Partner Ministry, External Ministry, and Incidental/Immaterial Non-ministry activities, there shall be a Building Use Agreement signed by the User, or its agent if the User is a corporate entity, and an agent of the church, which shall establish at least the following terms:
 - a) A hold-harmless provision indemnifying JCUMC for losses experienced by the User in connection with the activity;
 - b) Responsibilities of the User, including required fees, actions, and conditions imposed by JCUMC for the use of the facilities;
 - c) The responsibilities of JCUMC toward the User;
 - d) The dates, times, and spaces covered under the agreement;
 - e) The requirement of an annual renewal for terms of use beyond one year; and
 - f) Arrangements for liability insurance coverage.

B. Fee Payments

1. When a fee is required it shall be paid in full at the time of the activity or under the specific terms established in the use agreement.
2. External Ministry and Incidental/Immaterial Non-ministry Users will be required to pay a damage deposit, which will secure the reservation and which may be reimbursed when the terms of the agreement are fulfilled.

C. Orientations for Users

All potential users will receive an orientation to certain policies, procedures, and systems related to their prospective facility use. This orientation shall include at least the following topics:

1. Applicable sections of these Building Use Policies and Guidelines;
2. The church Safe Sanctuary policy; and
3. Emergency response plans and operating guidelines for related alert systems, including fire and smoke emergencies, health emergencies, and unauthorized intruder emergencies.

D. Implementation

The Office of Finance and Administration will establish adequate policies and procedures to facilitate an efficient reservation process that fulfills this policy.

VI. Weddings, Funerals, and Special Worship Services

- A. Johns Creek UMC is a Christian church. All worship services are to be planned and conducted as Christian worship services under the order and Discipline of the United Methodist Church. No worship service may be conducted in its

facilities by or for any other faith tradition without the express written permission of the Senior Pastor.

B. Weddings

1. Weddings at JCUMC are to be planned and conducted as Christian worship services under the order and Discipline of the United Methodist Church. Any person, regardless of his or her prior relationship to JCUMC, may use JCUMC facilities for a Christian wedding under the terms of this policy.
2. Weddings will require a Building Use Agreement for all persons, regardless of their prior relationship to JCUMC.
3. Responsibility for scheduling and managing use agreements for weddings will be with the Office of Finance and Administration.
4. Responsibility for organizing and supervising weddings will be with the Wedding Ministry team, which shall, in consultation with the Senior Pastor and the Church Business Administrator, recommend to the Trustees guidelines for weddings at JCUMC.
5. All Users organizing weddings will be charged for certain fees associated with direct and indirect costs. Certain of these fees associated with indirect costs may be waived for church members who are actively participating consistent with the vows of membership.

C. Funerals

1. Funerals at JCUMC are to be planned and conducted as Christian worship services under the order and Discipline of the United Methodist Church. Any person, regardless of his or her prior relationship to JCUMC, may use JCUMC facilities for a Christian funeral under the terms of this policy.
2. Building Use Agreements will not typically be required for funerals, but the Church Business Administrator may require an agreement at his/her discretion.
3. Responsibility for organizing and supervising funerals will be with the Funeral Ministry team, which shall, in consultation with the Senior Pastor and the Church Business Administrator, recommend to the Trustees guidelines for funerals at JCUMC.
4. Users organizing funerals will not typically be charged fees for the activity. Contributions received in connection with a funeral (e.g., memorial gifts, bequests, elective contributions from the decedent's estate or family) will be allocated according to policies and procedures of the Office of Finance and Administration for such contributions.

VII. Musical Instruments

- A. All musical instruments throughout the church building are under the care and supervision of the trustees and may not be used without permission of the Office of Finance and Administration.
- B. JCUMC may require certification of competency prior to granting use of certain instruments.

VIII. Media, Sound, and Tech Resources

- A. All sound reinforcement, video, and other technology resources are under the care and supervision of the trustees and may not be used without permission of the Office of Finance and Administration.
- B. Access to wireless networking resources is permitted for all users for noncommercial purposes under the Terms of Use established by the Office of Finance and Administration.
- C. JCUMC may require certification of competency prior to granting use of certain technology resources.

IX. Kitchens and Kitchenettes

- A. Kitchens, Kitchenettes, and Coffee Stations throughout the church building are under the care and supervision of the trustees and may not be used without permission of the Office of Finance and Administration.
- B. Users will not be permitted to use JCUMC-owned food, coffee, or other consumables without permission of the Office of Finance and Administration.

X. Overnight accommodations

- A. Users may be lodged overnight in rooms and spaces at JCUMC provided that the use is non-profit in nature, supports the mission of JCUMC, and meets all other provisions of this policy. This provision is primarily intended to support groups of persons, such as youth groups and college groups, on ministry-related travel and is not intended for individual lodging such as providing emergency housing for the homeless.
- B. Persons being lodged overnight must be assigned same-gender quarters and must satisfy the provisions of the church Safe Sanctuary policy for overnight accommodations and chaperones.

XI. General Policies

A. **Child protection and Adult Supervision**

No one age 18 and under is permitted to use the building and grounds unless they are under the care of a parent or guardian, or have adequate adult supervision under the terms of the Safe Sanctuary Policy.

B. **Alcoholic Beverages**

Alcoholic beverages are not permitted to be consumed on church premises under any circumstances.

C. **Smoking and the use of tobacco products**

Smoking and the use of tobacco products is prohibited inside buildings or anywhere on the church grounds except in designated smoking areas.

D. **Political advertising**

Political parties may not attach or display political advertising on any part of the church property.

E. **Decorations and Furnishings**

The use of decorations, the changing of furniture, attachment of materials to walls, and acts of a similar nature shall be done only with the advice and consent of the Office Finance and Administration.

F. **Parking Lots**

The parking lots around JCUMC are provided as a convenience for all facility users. Space availability is on a first-come basis and cannot be guaranteed. Parking spaces or areas will not be roped off, marked, or otherwise restricted except by the express written permission of the Office of Finance and Administration. Users, their agents, and their guests use the parking lot at their own risk.

G. **Removal of equipment and resources from church property**

Church equipment is not to be loaned or otherwise removed outside the church facility and grounds (except for equipment used for church-sponsored activities) unless approved by the Office of Finance and Administration.

H. **Breakage and Damage to Church Property**

All persons and/or groups using our facilities are expected to exercise reasonable care and judgment in such use in order to prevent defacement, damage, or breakage. We know that accidents happen, but when an outside person or group causes damage, breakage, or soilage that, in the judgment of the Church Administrator, is beyond normal wear and tear associated with responsible use, the outside person or group will be responsible for paying costs incurred by the church in cleaning, repairing, or replacing affected parts of the building, its furnishings, and/or its equipment. We know that accidents happen with church members and teams, too. Internal Ministry users will report damage to the Church Administrator, who will coordinate repair, replacement, or cleaning. Members are welcomed to make a contribution toward repair, replacement, or

cleaning when they believe that damage may have been caused by their own carelessness or negligence.