

TORONTO UNITED CHURCH COUNCIL

Connecting Resources with Ministry

Church Development Discussion Papers

TITLE: Lending Your Church Facilities

AUTHOR(S): Ken Pennock

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Scouting organizations, Weight Watchers, Alcoholics Anonymous, exercise clubs, election polling stations, and other local groups may ask to use your facilities to conduct their meetings or other events. Here are some issues you should consider if you are thinking of loaning or renting your church facilities.

Intended use

First, identify the group asking to use your facilities. Will it offer a product or service to the community that supports or conflicts with your congregation's mission goals and objectives? Is the reputation of the group well established and generally known within the community?

Next, understand exactly what activities the organization will be conducting in your building. For example:

- Will activities cause wear and tear on the facilities?
- Are activities of a high-risk nature in which people may be easily injured?
- How much space and how many rooms will be required?
- If the group involves children or youth, will there be adequate supervision? Does the group use a child worker screening program that is as comprehensive as the one required by The United Church of Canada?

Legal considerations

Obtain a "use of facilities" agreement before allowing a group to use your building or grounds. A written agreement should include these elements:

- Insist that the user have a public liability insurance policy with at least \$1,000,000 limits of liability coverage.
- Require the user to have your church named as an "additional insured" on its policy for liability damages arising out of its activities on your premises.
- Require the user to furnish you with a certificate of insurance before the event demonstrating coverage and your church as an additional insured.
- Require that the facility agreement contains a hold-harmless, indemnity, and defense clause for any liability claim arising from the user's activities on your premises.

Provide guidelines and emergency information

Potential users will be unfamiliar with your building, so they may not know how to find the nearest exit or a telephone if an emergency arises. They might not even know the church's name and address – crucial details for first responders in the event of an emergency. Before permitting a new group to use your building, provide a packet of information that a person would reasonably need to know about your facility. It should include at least the following:

- the church's name and street address.
- building map, with exit routes marked.
- specific regulations or rules you may have for opening and closing building, use of additional facilities and equipment, etc.
- emergency contact information for church leaders.
- emergency phone numbers for first responders.

Correct known defects

A building use agreement is only part of the equation. Another key factor in limiting liability is to keep your facilities in safe operating condition. If someone falls down the stairs because your handrail is loose, the blame is likely to fall squarely on the church. The bottom line is that if your premises are not in tiptop shape, you open yourself to a liability claim.

To reduce the likelihood of trips and fall, you will want to:

- remove extension cords from walkways.
- mark changes in elevation, such as steps or ramps.
- install handrails on stairways with three steps or more.
- repair uneven or broken steps.
- replace worn or torn carpeting.
- use non-slip floor treatments.
- avoid the use of throw rugs.
- illuminate parking lots.
- repair potholes.
- clear snow and ice from sidewalks and parking lots.

You will also want to make sure that guests can take action and evacuate quickly in the event of an emergency. This means:

- exits are clearly marked.
- emergency lights are installed, especially on below-grade floors.
- exit routes are clear of obstacles.
- exit doors are unlocked or equipped with panic bars.
- fire extinguishers are available, serviced, and clearly marked.

Additional considerations

Sometimes, outside groups that meet regularly in the church are given keys and unrestricted access to the building. Even though users are most often honest and trustworthy, the proliferation of key availability increases vulnerability to theft and vandalism. Every church needs a "key policy" and a detailed list of who holds keys and why they hold them.

Rooms where confidential information or valuable items are stored should be locked.

Keep an inventory of the church's chattels. This is especially important when users bring in their own equipment and furnishings and these items may be mingled with church equipment and furnishings.

Remember that the reason church buildings are exempt from property taxes is their use, not their ownership. It is therefore crucial that the rental activities that go on in church buildings be scrutinized.

Agreements make good neighbours

Once you have developed a building use agreement, corrected known defects, and decided how to secure church property while others use the building, it's time to extend a warm welcome to those groups you will be hosting in your facilities.

For those groups already using the building, explain that you are requiring new building use agreements to better define which organization would be responsible in case of injury or accident. Most groups will understand your need to have updated policies and will be supportive of your plans.

Being a good neighbour suggests you should be open to helping people.

Being a good steward suggests you take necessary action to avoid getting someone injured and paying a claim arising from activities not sponsored by your church.

Ken Pennock, former Property Officer for Toronto United Church Council, gathered and prepared the information for this Congregational Ministry Resource.

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