

State of Rhode Island and Providence Plantations

HISTORICAL PRESERVATION & HERITAGE COMMISSION

Public Notice of Proposed Rule-Making

Pursuant to the provisions of Title 42 Chapter 45-12 of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Historical Preservation & Heritage Commission hereby gives notice of its intent to amend Rules for the use of Eisenhower House.

The purpose of this regulation is to establish requirements and procedures for the use of Eisenhower House by licensees for a variety of events. The proposed amendments add definitions and establish rental rates for 2012, 2013, and 2014.

The proposed amended regulation is available for public inspection in person at the RI Historical Preservation & Heritage Commission, The Old State House, 150 Benefit Street, Providence, RI from 8:30 AM to 4:30 PM, online at www.preservation.ri.gov, or requested by email Edward.sanderson@preservation.ri.gov or by calling Edward F. Sanderson, Executive Director, 401-222-4130.

In the development of the proposed amended regulation, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written or oral comments concerning the proposed amended regulation by Friday June 29, 2012 to Edward F. Sanderson, Executive Director, RI Historical Preservation & Heritage Commission, The Old State House, 150 Benefit Street, Providence, RI 02903 or by email Edward.sanderson@preservation.ri.gov.

A public hearing to consider the proposed adoption is not required. In accordance with RI General Law 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency, or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Historical Preservation & Heritage Commission

Concise Summary of Proposed Non-technical Amendments to

Rules for the use of Eisenhower House

In accordance with the Administrative Procedures Act, Section 42-35-3(a)(1) of the General Laws of Rhode Island, following is a concise summary of proposed non-technical amendments:

Section 2 is new and adds definitions not previously included.

Section 7 establishes rental rates for 2012, 2013, and 2014 and replaces previously stated rental rates for prior years.

AMENDED RULES AND REGULATIONS PERTAINING TO

Use of Eisenhower House

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Historical Preservation & Heritage Commission

Issued For Public Comment May 11, 2012

Rhode Island Historical Preservation & Heritage Commission
The Old State House
150 Benefit Street
Providence, RI 02903

401-222-3103

www.preservation.ri.gov

STATE OF RHODE ISLAND
HISTORICAL PRESERVATION & HERITAGE COMMISSION
RULES FOR THE USE OF EISENHOWER HOUSE

Proposed May 11, 2012

1. Purpose and Authority

These rules and regulations are issued by the Rhode Island Historical Preservation & Heritage Commission in accordance with Chapter 42-45-12 and 42-35 of the General Laws of Rhode Island. The Commission has responsibility for the management and operation of Eisenhower House, a historic property owned by the State of Rhode Island.

Eisenhower House is an 1873 mansion overlooking the East Passage of Narragansett Bay. The house was built as the Commandant's Residence at Fort Adams, and it was occupied by President Dwight D. Eisenhower in 1958 and 1960 as the Summer White House. Now located within Fort Adams State Park, Eisenhower House is surrounded by broad lawns and commands remarkable views of Newport Harbor to the east and Narragansett Bay to the west.

Use of Eisenhower House must be consistent with the historic nature of the property and the interest of the State of Rhode Island in maintaining the property as an orderly and dignified setting within the state park. Eisenhower House is managed by the Rhode Island Historical Preservation & Heritage Commission, whose offices are at 150 Benefit Street, Providence. For information about Eisenhower House and reservations, contact:

Site Manager
Eisenhower House
Fort Adams State Park
Newport, Rhode Island 02840
401-847-6740 (Fax 401-847-4663)

Furthermore, pursuant to the provisions of section 42-35-3(c) of the General Laws of Rhode Island, as amended, the following issues have been given consideration in arriving at the amended regulations: (a) alternative approaches to the regulations; and (b) duplication or overlap with other state regulations. No alternative approaches or overlap was identified. Consequently, the rules and regulations are adopted in the best interest of the public health, safety and welfare. The Commission, at this time, has determined that the requirements are the minimum necessary to accomplish its purpose and will not negatively impact small businesses.

2. Definitions

- a) "Commission" means the Rhode Island Historical Preservation & Heritage Commission (RIHPHC) established by RI General Laws 42-45.
- b) "Eisenhower House" means the structure and associated lawn and grounds located at 1 Lincoln Drive, Fort Adams State Park, Newport, RI 02840.
- c) "Licensee" means the person or entity who holds a valid license for the use of Eisenhower House as executed by the Commission and who is not in violation of the terms and conditions of the license agreement.

3. Facilities and Use

Eisenhower House may be rented for weddings, social events, business meetings, small conferences, clambakes, and large tented events.

Use of the interior of Eisenhower House is restricted to the first floor, which consists of entrance hall, parlor, library, dining room, two rest rooms, and a kitchen area. The kitchen is not licensed by the Rhode Island Department of Health, and cooking is not allowed. At the discretion of the Site Manager, the kitchen may be used for limited food preparation and warming. The dishwasher is not operable, and caterers are required to clean-up off-site. At the discretion of the Site Manager, the sink may be used for limited rinsing. Fire regulations and space constraints limit occupancy of the first floor to eighty-five (85) people. Events with more than 85 guests will require a tent on the lawn. Seated events inside the House are limited to 50 people in one room or 85 people in separate rooms.

No fires may be lit in any fireplace, and candles may be lit by prior arrangement only.

No smoking is allowed inside the Eisenhower House.

A tent may be erected on the west lawn adjacent to the House. Depending on the size of the tent, gatherings as large as 2,000 people may be accommodated on the lawn. Portable sanitary facilities must be provided for events with more than 250 guests. Providing an adequate tent and sanitary facilities is the responsibility of the Licensee.

All events must end by midnight. The City of Newport noise ordinance is in effect beginning at 10:00 P.M.

4. Approved Vendors and Personnel

Caterers, florists, musicians, and any other service vendors must be pre-approved at least sixty (60) days in advance of the event. Information about vendors who have previously been approved may be obtained from the Site Manager.

Approved caterers are responsible for the distribution of any and all alcoholic beverages consumed on the property. No cash bars are allowed. The bar must close one half-hour before the ending time of the event. No alcohol will be served after the departure of the caterer.

The Site Manager must review and approve the menu for food and beverages served inside Eisenhower House. Foods or beverages deemed likely to damage the house may not be served. Final approval of the menu must take place at least two weeks before the scheduled event. These restrictions will be relaxed for food and beverages served outside only.

A minimum of four (4) waitstaff per one hundred (100) guests must be present to serve and clear.

A representative of the Site Manager will be present and in charge during all events and during set-up and clean-up. When a tent is used in addition to the house, additional Eisenhower House staff attendants will be required.

5. Equipment

Any equipment which is brought in for the event (tables, chairs, china, glassware, tents) must be removed from the property by 10:00 A.M. of the following day, unless other arrangements have been made with the Site Manager. Eisenhower House does not provide tents, tables, chairs, etc.

6. Declarations

The Licensee is responsible for any and all damage done to Eisenhower House property, including damage committed by guests or vendors. The Commission reserves the right to require a refundable damage deposit and/or a performance bond in an amount the Commission deems appropriate.

These rules are used as guidance for all events at Eisenhower House; however, management reserves the right to interpret, change, modify, or add to these guidelines as circumstances demand.

The Licensee will be required to sign a rental contract.

Insurance protection for general liability and property damage, with minimum protection of one million dollars (\$1,000,000), shall be in place for all events at Eisenhower House. In addition, at events where alcoholic beverages will be consumed, "host liquor liability" insurance shall be in force with a minimum limit of one million dollars (\$1,000,000). Management at its sole discretion may require either that renters participate in a blanket "tenant user liability insurance policy" (Tulip), or renters may be required to obtain individual insurance coverage for general liability, property, and host liquor liability and provide a certificate of insurance coverage which names the Rhode Island Historical Preservation & Heritage Commission as an additional named insured party. All insurance shall be without deductible or self insure reserve and shall be obtained from insurance companies licensed to do business in the State of Rhode Island.

Caterers and other vendors shall be required to provide certificates of insurance coverage as a condition of their approval.

7. Fee Schedule

EISENHOWER HOUSE Rates for 2012 -2013

Guests And Sun before Mon Holiday	Mon/Thurs (Mon-Thurs only)	Fri & Sun	<u>Saturday</u>	Non-Profit
1-100	\$2400.00	\$4200.00	\$4800.00	\$1600.00
101-250	\$3200.00	\$4600.00	\$5200.00	\$2400.00
251-500	\$3800.00	\$5000.00	\$6000.00	\$3200.00
500+	\$4200.00	\$5800.00	\$6600.00	\$3800.00

Rates are for a four-hour rental

These rates are for the site only they do not include a tent or caterer.

Additional hours may be purchased at the rate of \$1200.00 each.

Half-hour increments are also available at a rate of \$600.00; minimum rental is four-hours.

The serving of alcoholic beverages is limited to five (5) consecutive hours; the bar must be an open bar, no cash bars allowed. The serving of alcohol must end one-half hour (1/2) prior to the end of an event. The serving of alcoholic beverages is limited to three and one-

half hours (3 ½) for a standard four hour (4) event. When there is a ceremony held on site the bar may not open until after the ceremony.

A deposit of \$1200.00 is required to secure the date (deposits are non-refundable), with the balance due sixty (60) days in advance of the event. The deposit is due with the signed contract; the check should be made payable to the “State of Rhode Island.”
Credit cards are not accepted.

The maximum number of guests for an in-house event is 85 for a cocktail reception or sit down dinner in separate rooms, while the maximum for a sit-down dinner in one room is (50). An event of 85 or more requires the use of a tent.

The lessee is additionally responsible for paying the house staff, at the rate of \$20.00 per hour for a minimum of nine (9) hours for a four-hour rental. Additional hours are subject to the \$20.00 per hour rate. One or two staff persons are required for an in house event (this may be adjusted at the discretion of the site manager). A minimum of two staff persons are required for events requiring a tent, the number of staff will be determined by the number of guests (the usual number is two). State law requires certified crowd control staff to be on site. Our staff is certified by the State of Rhode Island.

A Fire Detail is required for events of 300 or more. The current Fire Detail rate is \$50.00 per hour, and this is subject to change. The Chief of the Newport Fire Department will make the final determination on the number of firefighters and hours required for the event.

Access to the house for the caterer is three hours in advance of an event, two hours are allowed for clean up and breakdown at the conclusion of the event. The Eisenhower House staff is required to be on site for set up and breakdown.

The rates listed above are for use of the house (first floor and porch) and grounds, four restroom facilities, and the use of the bridal suite. Eisenhower House does not supply tables and chairs, tents, or other additional items. A list of approved caterers, tent companies, and other vendors may be obtained from the Site Manager, or found on our website www.eisenhowerhouse.com.

EISENHOWER HOUSE Rates for 2014

Guests	Mon/Thurs	Fri & Sun	Saturday	Non-Profit
1-100	\$2400.00	\$4400.00	\$5000.00	\$1800.00
101-250	\$3200.00	\$4800.00	\$5500.00	\$2600.00

251-500	\$3800.00	\$5200.00	\$6300.00	\$3400.00
500+	\$4200.00	\$6000.00	\$6900.00	\$4000.00

Rates are for a four-hour rental

These rates are for the site only they do not include a tent or caterer.

Additional hours may be purchased at the rate of \$1200.00 each.

Half-hour increments are also available at a rate of \$600.00; minimum rental is four-hours.

The serving of alcoholic beverages is limited to five (5) consecutive hours; the bar must be an open bar, no cash bars allowed. The serving of alcohol must end one-half hour (1/2) prior to the end of an event. The serving of alcoholic beverages is limited to three and one-half hours (3 ½) for a standard four hour (4) event. When there is a ceremony held on site the bar may not open until after the ceremony.

A deposit of \$1200.00 is required to secure the date (deposits are non-refundable), with the balance due sixty (60) days in advance of the event. The deposit is due with the signed contract, the check should be made payable to the "State of Rhode Island."

We do not accept credit cards.

The maximum number of guests for an in-house event is 85 for a cocktail reception or sit down dinner in separate rooms, while the maximum for a sit-down dinner in one room is (50). An event of 85 or more requires the use of a tent.

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8. Additional Provisions of these Rules

a) Petitions for rulemaking: promulgation, amendment or repeal

Any interested person may petition the Licensor requesting promulgation, amendment, or repeal of any rule. Requests shall be in writing (typed) and shall include the name, address, daytime telephone number, date, and written signature of the petitioner. The request shall include a statement of what action is requested and wording for a proposed or amended rule in its entirety. All petitions shall be heard by the R.I. Historical Preservation & Heritage Commission, which shall notify the petitioner within thirty (30) days of its disposition of the petition. If the Commission is unable to dispose of the petition within thirty days, the Chairman is authorized to deny the petition without prejudice and place the petition on the agenda for the next Board meeting.

b) Severability

If any section or provision of these rules is held invalid by a court of competent jurisdiction, the remaining sections or provisions of these rules shall not be affected thereby.

DATE AMENDED REGULATION WAS PROPOSED: May 10, 2012

(Revising the rule adopted January 17, 2001 and revised May 8, 2002)