

GENERAL  
 ARMORY CONTROL AND RENTAL

**PURPOSE:** To outline a general policy for use of state owned, leased, licensed, or controlled armories.

**APPLICABILITY:** This Armory Control and Rental Regulation applies to the Mississippi Army National Guard.

**SUGGESTED IMPROVEMENTS:** The proponent of this regulation is State Comptroller, State Purchasing and Contracting Division (NGMS-SRC)

**CHANGES:** Changes will be published as required and will be effective as indicated in the change.

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1. Purpose: To outline a general policy for use of state owned, leased, licensed, or controlled armories.
2. Definitions:
  - a. Armory – Any building or portion thereof which is legally owned, leased, licensed, or controlled by the state of Mississippi for military purposes, to house and train one or more National Guard units and to store their supplies and equipment, is hereby defined as an armory.
  - b. Rental – Any use of the facility by an outside party that would result in the payment of monetary considerations for such use.
  - c. Use – Any use of the facility by an outside party that for community or public relations benefits, does not result in the collection of monetary reimbursements to the armory fund.
  - d. Renter/User – Any individual, organization, outside party, or state agency utilizing a National Guard Armory under contract to host for profit or non-profit events.

\*This Regulation supersedes MSARNGR 405-80-1 dtd 20 December 2016

3. Armory Fund Councils: The Commanding Officer will appoint an Armory Fund Council to manage the business and expenditures of the armory to include use/rentals. Composition of the council for single unit armories and multiple unit armories will be in accordance with MSARNGR 230-1-1.
4. Armory Directive: Each council will issue directives concerning the operation and use of their facility. The council will charge for use of the armory based on like facilities available in that community. The objective of this policy is to maximize income to the unit fund. These directives will be a permanent part of the armory fund record.
5. Rentals: State owned armories, leased, licensed and controlled facilities are required for the training of the National Guard and the housing of equipment for such training. The use of an armory or any of its facilities for non-military activities that would interfere with or restrict military use **is forbidden**. It is not intended the National Guard compete with the private sector in the renting of facilities, but when renting the facility, equal access will be given to prospective renters. **However, armories may not be leased/rented for any of the following activities: marches against established or legislated laws (local, state, or federal), union or union affiliated events, anti-establishment gatherings, protests of any nature that may usurp good order and discipline, or any event which may embarrass the Mississippi National Guard or the State of Mississippi.**

**Facilities may be rented at the discretion of the council on the following conditions:**

- a. All organizations or individuals renting or using the armory will execute a contract for its use prior to that date. Verbal approvals will be given **ONLY** for extenuating circumstances. Use **ONLY** the reproduction of (Rental Contract Form, AGO FORM 472-22 dated 20 December 2016). (Appendix A)
- b. Three completed copies with original signatures of rental contract will be forwarded to the next Battalion or higher Headquarters (Director, FMO for overhead units) for review and subsequent forwarding to this Headquarters for approval, prior to execution of the contract with a Renter/User. Contracts should be forwarded ATTN: NGMS-SRC.
- c. All organizations or individuals renting or using the armory shall provide onsite security or local law enforcement. The security or law enforcement shall check on entry of the facility, all packages/bags etc. by using metal detection or personal search.
- d. As a minimum, non-profit organizations and individuals renting the facility will be charged for all utilities and will pay nominal rental fee; will either furnish or pay for necessary janitorial services to clean up the armory and grounds after use; and will pay for the necessary Fire Safety Guards as described in paragraph K. Circumstances that justify a waiver of rental fee, i.e., organizations that provide support to the facility, **will be annotated on the contract, bottom of page A-4.**
- e. Profit-making organizations will be charged for utilities and, a fee to be determined by the council for use of the armory. This may be a fixed fee or percentage of the gate receipts, whichever would be greater. Renter/User will either furnish or pay for the necessary janitorial service to clean the armory and grounds. Renter/User will pay for the Fire Safety Guards as described in paragraph K.
- f. The using organization or individual will assume all liabilities for injuries, mishaps, or deaths that may occur. The Mississippi Tort Claims Act and state law are applicable to state agencies.
- g. Armories will not be rented or used by any organization where due to the nature of an activity, more than normal wear, tear or damage to the facility may result.

h. Facilities will not be rented or used for any activities which are detrimental or may appear detrimental to the interest of the National Guard or community.

i. Armories will not be rented or used for purposes which are in violation of city, county, state or federal laws and ordinances.

j. All areas where federal or state property is stored will be locked when the facility is rented or used.

k. The Unit Commander or his authorized representative will be present when the armory is rented or used. The representative will be fully briefed regarding security requirements and appropriate courses of action. Custodian and janitorial services conducted after duty hours will require a separate fee. The council will determine and control fee structure for custodian and janitorial services. Under special circumstances the fee may be waived, i.e., Family Support Group gatherings, organizations that provide support to the facility or other like activities.

l. Units not having a Fire Suppression System will have two Fire Safety Guards (trained National Guard personnel) present when the armory is rented or used. Their only duty shall be to perform constant patrol of the premises and watch for fires. Training will be coordinated with the MSARNG Fire Marshall. The unit will telephonically contact the Battalion Headquarters before the event begins, stating that the Fire Safety Guards are on station and present for duty. Fees for Fire Safety Guards will require a separate fee with payment arranged by the Renter/User with unit personnel. The council will determine and control fee structure for Fire Safety Guards. Under special circumstances, the fee may be waived, i.e. Family Support Group gatherings, organizations that provide support to the facility or other like activities. The Custodian may serve as one of the Fire Guards, as long as his ONLY duty once event starts, is Fire Safety Guard.

Duties of the Fire Safety Guards are as follows:

(1) Perform constant patrol of the premises and keep watch for fires. No other duties shall be performed during the duration of the event.

(2) Responsible for notifying the local fire department for each event held and the duration of each rental.

(3) Have a short term safety plan implemented, to safely evacuate the facility during an event in case of an emergency.

m. The renting or using organizations or individuals will be responsible for providing security personnel for their activities as required by the council.

n. All funds derived from rentals will be accounted for as provided in MSARNGR 230-1-1 for armory funds.

o. The unit will immediately follow-up on any maintenance requests that may result from rental occupancy. If required, a portion of the funds derived from rental should be used to cover the cost of required maintenance.

6. Concessions: All proceeds derived from concessions will be accounted for as provided for in MSARNGR 230-1-1 for armory funds. The council is authorized to pay personnel who operate the concession at rates to be determined by the board. Proceeds derived from vending machines will be accounted for as provided in MSARNGR 230-1-1 for armory funds.

7. Deficiencies: A written report will be submitted by the council listing building deficiencies caused by a rental or use agreement, that requires the attention of The Adjutant General. These reports will be directed to NGMS-FMF IAW MSARNGR 420-10.

8. Monitoring of Armory Funds: Armory funds and armory use contracts will be an item for review during Command Inspections and Staff Visits. The MS Military Department Internal Auditor will continue to check and monitor armory fund and armory rental contracts on an annual basis. Armory funds and armory rental contracts will be monitored by Battalion Headquarters on a quarterly basis.

9. Canceled Contracts: Canceled rental contracts must be reported, in writing, to NGMS-SRC. Email for cancellation is acceptable.

Users of this regulation are invited to send comments and suggested improvements to NGMS-SRC.

BY ORDER OF THE GOVERNOR:

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