



# BEXAR COUNTY

## ADMINISTRATIVE POLICY

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### ADMINISTRATIVE POLICY NO. 4.1

**TITLE:** Use of County Buildings, Grounds and Facilities

**REPLACES:** 200.1

**REFERENCE:** A.P. 2.5

**PREPARED BY:** COMMISSIONERS COURT ADMINISTRATOR'S OFFICE

**DATE APPROVED:** OCTOBER 17, 1990; Revised, January 16, 1991, February 9, 2016

**EFFECTIVE DATE:** OCTOBER 17, 1990

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### PURPOSE

To establish a policy for governing the use of County Buildings, Grounds and Facilities by non-County government organizations, individuals, or groups.

### POLICY ADMINISTRATION

Under the general direction of Commissioners Court, the Facilities Management Department is responsible for regulating non-county use of Bexar County Buildings, Grounds and Facilities, and may be referred to as the "Courthouse Custodian".

### BACKGROUND

County buildings housing District and County courts and other County departments and offices are designated to be used strictly for governmental purposes. The County has the responsibility to protect and operate these facilities, and the authority to adopt and enforce reasonable rules to regulate non-county use of such facilities. Outside organizations make various requests to utilize County facilities to hold meetings and/or other gatherings which do not require a commitment of a significant amount of County resources and/or threaten to disrupt normal County activity. This policy regulates the use of County facilities, identifies prohibited activity and provides the County facilities with the ability to recover the full cost of approved activities. The County may on occasion provide these services free of charge, if the cost is insignificant and the event is deemed in the public interest.

## **PROPERTIES AFFECTED**

Applicable to all County properties (leased or owned), including the Bexar County Justice Center, Bexar County Courthouse, Forensic Science Center, Vista Verde Building, Paul Elizondo Tower, Federal Reserve Building and all other facilities with the exception of parks, community centers which have their own policy.

## **POLICY**

County facilities may be used by outside individuals, groups, or organizations (non-profit, charitable, civic organizations, local community groups, etc.) for the purpose of meetings and other activities, as long as those activities are not prohibited herein; do not interfere with access to the public; are not disruptive to official County business; do not interfere with the required workflow performed by County employees; or damage any property. In the event any activity approved under this policy is of a significant nature, where it will involve the utilization of County staff and/or resources, the applicant will be required to pay in advance all charges as determined by the Facilities Management Department. This would apply in those instances where the requesting organization desires the use of County staff to operate equipment; rearrange/move furniture; provide security or janitorial services; and other special services.

Any person or organization desiring to use any County facilities, which includes courtyards and property immediately surrounding said County-owned facilities, must file written request with the Facilities Management Department fifteen (15) days prior to the activity, with a determination to be made within five (5) working days of said application. The written request shall contain the following information:

- (1) Full names, mailing addresses, and telephone numbers of the applicant; the organization sponsoring the proposed activity; and the individual(s) responsible for supervising the activity.
- (2) A description of the proposed activity, including the date and time during which it is to be conducted; and the number of persons to be involved.

### Photographs or filming for news, advertising, or commercial purposes.

Photographs or filming may take place in facilities under the jurisdiction of Facilities Management only with the Director's consent. Except where security regulations apply or a court order or rule prohibits it, photographs or filming for news purposes may be taken in entrances, lobbies, foyers, corridors, or courtrooms when used for public meetings. Photographs and filming for advertising and commercial purposes is prohibited.

### Preservation of property

The following activities are strictly prohibited: The improper disposal of rubbish on County property; the willful destruction of or damage to County property; the theft of County property; the creation of any hazard on County property to persons or things; the throwing of articles of any kind from or at a building or the climbing upon statues, or any part of the building.

### Activity Prohibited in all County Buildings

Political speeches and demonstrations including the distribution of leaflets, picketing, sit-ins, protest marches, and similar activities are strictly prohibited and will not be conducted in any County building.

The solicitation of any items or events, including signatures, or the distribution of materials, such as pamphlets, handbills, or flyers is strictly prohibited in any County building unless conducted as part of authorized County department activities.

Any person or organization proposing to conduct the above mentioned activities outside of County buildings, but on County property, shall first obtain a permit from the Facilities Management Department.

### Disturbances

Any loitering, disorderly conduct, or other conduct which creates loud or unusual noise or a nuisance; or which unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots; or otherwise impedes and/or disrupts the performance of official duties by County employees; or prevents the general public from obtaining the governmental services provided on the property in a timely manner, is prohibited.

### Dogs and other animals

Dogs and other animals, except service animals, seeing eye dogs, other guide dogs, and animals used to guide or assist handicapped persons, shall not be brought upon County property for other than official purposes.

### Weapons

No person on County property shall carry or possess unauthorized firearms, pursuant to Subchapter H, Chapter 411, Government Code and Section(s) 30.06 and 30.07, Penal Code or other dangerous or deadly weapons.

### Fees

The Applicant shall pay for any additional building services required over and above the normal staff on duty for the date and time scheduled for the meeting and payment will be required three days in advance of the scheduled use of the facility. Those entities requesting use of Bexar County facilities for a commercial purpose will be required to execute a standard agreement for use (example attached) and furnish the required proof of insurance coverage.

### Security

After Hours events require security staffing. The level of security for the protection of County property may be recommended by the Deputy Chief of Courthouse security, at his/her discretion. Courthouse security will provide the additional personnel at an hour/officer rate established by the Deputy Chief of Courthouse Security.

### Space

A charge of \$ .02 cents per hour per square foot will be charged for the approved use of County space, unless waived by Commissioners Court/Courthouse Custodian (i.e. Central Jury Room (4500 sq. ft.) \$90.00/hour). The square foot per hour fee reflects full use and services of the space requested excluding security.

### Cleaning/Damage Deposit

A damage and clean-up deposit of \$200.00/day may be required, as determined by the Facilities Management Department. Extra maintenance personnel (County option/user requested) may be required by the County or furnished upon request at \$25.00 per hour/per person.

## **GENERAL**

This administrative policy shall not apply to those events sponsored and supervised by the County.

In consideration for the use of County property each organization or group agrees that it will pay for all damages to any property of the County resulting directly or indirectly from the conduct of any member, officer, employee, agent or guest of the organization or any of its invitees.

Each Applicant will agree that it will hold harmless and indemnify the County from and against any and all liability which may be imposed upon it, for any injury to persons or property caused by the organization or any person in connection with the meeting (Consent, Release, and Indemnity Form).

Future use of any County facilities by an organization or group, may be refused for infractions of any of the rules and regulations outlined in this administrative policy. The requesting organization shall also abide by the rules and regulations established for the particular facility they desire to use.

Use of some facilities may be subject to special conditions imposed by the department/elected official that office in the facility. Special conditions will be reviewed and approved/disapproved by the Director of Facilities Management.

Facilities may be reserved no more than 60 days in advance. The County reserves the right to cancel a reservation with 24 hour notice.

Individuals, organizations or groups may not normally reserve County facilities for more than one meeting per month, and continuing requests (for more than one date/use) are not permitted. Admissions fees and promotional or advertising campaigns directed at profit-making may not be conducted.

Posting of bulletins, schedules, posters, etc., concerning the scheduled meeting shall be limited to official bulletin boards. Only bulletins and announcements concerning the facts (time, date, place, subject, organization, etc.) about scheduled meetings may be posted. All such bulletins and announcements must be approved by the Facilities Management Department prior to being posted. The posting of partisan political material is prohibited. All bulletins and announcements must be removed immediately following the meeting (Refer to Administrative Policy 2.5).

All members of the organization and the audience attending a meeting must vacate the County facility by the time shown on the written request.

Only non-alcoholic refreshments may be served. The County does not furnish equipment. Any rules and regulations on food service for specific buildings will be observed.

Organizations showing videotapes, films or slides must provide both projector and operator.

Organizations requiring a public address system must make their own arrangements for equipment in those facilities not possessing such equipment.

Every organization or group will be responsible for securing windows, turning off lights, replacing furniture as originally found and straightening and cleaning up the rooms that they use in a County facility.

The Facilities Management Department may refuse the use of County facility if it appears that the use may likely provoke or add to a public riot or a breach of the peace, or create a clear and present danger to the peace and welfare of the County facility.

## **RESPONSIBILITIES**

Requests for the utilization of County facilities for meeting purposes shall be decided by the Facilities Management Department which will coordinate use with the appropriate Department Head/Official responsible for the daily control of scheduling for that particular room. All other requests, particularly those for significant activities, i.e., commercial film productions, recordings, photo layouts, etc., shall be decided by the Facilities Management Department with the approval of the appropriate elected official. The Facilities Management Department will notify the Commissioners Court of any significant activities scheduled for County facilities. In all cases, the use of County facilities will be coordinated and administered by the Facilities Management Department.

## **PROCEDURE**

Upon submission of a written request, the Facilities Management Department will review request for the use of County facilities, subject to the provisions of this administrative policy. The Director of Facilities Management shall approve or disapprove all requests in writing.

In the event of an approval, the Facilities Management Department, or a designee will:

1. Coordinate the reservation of a specific meeting room with the person who has daily control of scheduling for that particular room.
2. Coordinate with Maintenance and Operations staff and the Deputy Chief of Court Security any special arrangements, over and above the normal staff on duty, for the date and time of the scheduled meeting/event.
3. Notify the head of Court Security of any functions occurring in Bexar County Buildings, Grounds and Facilities.
4. Notify Maintenance and Operations staff of any function occurring in County buildings and facilities that are under his direct custodial/maintenance responsibility.
5. Maintain a readily available schedule of fees charged for use of County buildings and facilities. Make determination as to when additional staff is required.
6. Notify when the applicant of the status of the request within five working days of receipt of request.

The appropriate Department Head/Official will:

- 1.) Review request to determine availability of space requested.

The Deputy Chief of Courthouse Security will:

- 1.) Review request and make recommendations pertaining to security to the Facilities Management Department.
- 2.) If additional personnel is approved, will schedule manpower as needed.

In the event an application is denied by the Facilities Management Department, the matter may be appealed to the Commissioners Court. The appeal process will consist of filing a formal appeal letter with the Commissioners Court Administrator requesting to be heard at the next regularly scheduled Commissioners Court meeting.

**APPENDIX/APPENDICES**