

**Policies and Procedures for the  
Use of Summit County Government Property and Facilities**

**I. Purpose.**

**A. Scope of application.** The purpose of this policy is to establish generalized guidelines regarding the use of all Summit County Government property and facilities by non-County organizations and individuals who are not otherwise engaged in official business on the premises. These generalized policies and procedures are intended to compliment, and be consistent with, the existing policies and procedures for any particular County property and facilities. Notwithstanding the foregoing, in the event that any policy for any specific Summit County property or facility is inconsistent or in conflict with these policies and procedures, these policies and procedures shall supersede and override any such conflicting existing policies and procedures, to the extent necessary. The Board of County Commissioners reserves the right to change the hours for facility use, office business hours, and any other policies set forth herein.

**B. Goals of Policies.** These policies are drafted with an express intent to comply with all legal requirements of the Colorado Fair Campaign Practices Act, as codified at C.R.S. §1-45-101, et. seq., and specifically CRS §1-45-117, and any and all other laws, rules and regulations of the State of Colorado and the United States Government regarding the use of public facilities for speech. These policies are also drafted to fully comply and adhere to the First Amendment of the United States Constitution, Article II, Section 10 of the Colorado Constitution, and all other laws, rules and regulations of the State of Colorado and the United States Government regarding the rights of free speech, assembly, and association. Nonetheless, these policies and procedures are also drafted for the purpose of providing reasonable protection and accommodation for the first amendment rights of all citizens in the use of County property and facilities, and to allow for public speech and assembly at reasonable locations while preserving the ability of the County to perform and protect the primary functions of such property and facilities. In promulgating these policies the Summit County Government finds that it is of the utmost importance to ensure that all residents of and visitors to Summit County, as well as agents, employees and officers of the Summit County Government, are not deterred from utilizing and enjoying the primary function of such buildings and facilities due to a situation where they are subjected to intrusive speech unrelated to such primary functions, and in turn rendered a vulnerable or constricted audience as a result of their presence to fulfill such primary purpose.

**C.** The County reserves the right, when plainly necessary and appropriate, to apply these policies and restrict use of certain buildings and facilities, in a manner which may have the secondary effect of limiting certain broad types of content of speech, such as commercial or political speech, when narrowly tailored and reasonably necessary to maintain the limited and designated nature of the forum in question. Nonetheless, in the application of these policies, the County does not intend to engage in or condone any activities, or render any decisions, which in any way result in the discrimination of any viewpoint at any time.

**II. General Policy.**

**A. Presumption of limited public use.** It is the policy of the Board of County Commissioners to limit the use of the County property facilities to government and quasi-government organizations and meetings related to government or civic issues and operations, unless any such facility is expressly designated as open to use by the public for any specific or general purposes pursuant to the policies and procedures in place for any particular facility.

**B. Non-Public Forums.**

- i. **Non-designated facilities.** Any County property or facility, or any portion of a County property or facility, not specifically designated as open for public use, shall be considered a non-public forum, and no use of such areas by the general public, for any purpose including without limitation speech, assembly, or solicitation, will be permitted upon such premises at any time.
- ii. **Areas of ingress, egress, and circulation.** Areas of any County building or facility that are primarily utilized for means of ingress or egress to and from such building or facility, or otherwise utilized for the primary purpose of circulating throughout various offices or facilities of any building, and any waiting rooms for any County offices or departments, are hereby expressly designated as non-public forums, and no public use or activities outside of the specific primary function of such building or facility shall be allowed, unless expressly authorized and designated to the contrary in the County policy for any particular facility. Examples of such non-public forum areas include, but are not limited to, the following: doorways and foyers to any County building, sidewalks or walkways immediately adjacent to such buildings, stairways or elevators within the building, and waiting rooms for particular offices.

**C. Priority for conflicts of use of facilities designated as available for public use.**

Specific policies and procedures for particular County property and facilities shall designate those facilities or areas that are made available for public use, and specifically outline the scope of use allowed at any such particular location. County department activities receive first priority for the use of the available facilities. Non-County organizations reserve space with the understanding they may be asked to find alternate meeting space if the facility is needed by a County department. In no event will a non-County scheduled event be displaced without two weeks notice, and the County will endeavor to relocate the reserved event within County facilities if available.

**D. Community Center Standards.** Notwithstanding any of the foregoing provisions of Articles I or II of this policy, the Summit County Community Center is hereby recognized by the Board of County Commissioners as a designated public forum more readily open to public use of a broader array of activities. Accordingly, the Community Center is designated as the primary facility for activities deemed generally inappropriate at other County facilities carrying a primary administrative governmental purpose, such as the Summit County Commons. Such activities considered appropriate at the Community Center may include political activities and fundraising events. The use of the Community Center as a designated public forum, and the concomitant limitations of such uses, shall be primarily governed by the specific Community Center Policies and Procedures, and the more stringent general policies contained herein shall not restrain such use as is otherwise allowed at the County Commons. Moreover, all priority of use conflict policies set forth herein shall also be superseded by the specific Community Center policies on such allocation of uses, which specifically provides for a set percentage of use of said facility to be reserved for the Summit County Seniors.

**III. Use of County Billboards.**

**A. General policy.** Billboards contained in any County building or facility are considered County owned and operated facilities, which carry the imprimatur of the Summit County

Government, and accordingly are intended to be used for limited public purposes pertaining to public noticing for governmental and civic events that have a direct nexus to the location of the billboard.

**B. Billboard manager.** A manager for each billboard space within any County building or facility shall be designated by the Summit County Manager, and the identity and contact information of such manager shall be designated on the subject bulletin board at all times. Said billboard manager shall be responsible for reviewing all requests for posting on such bulletin board, and ensuring that the policies set forth herein are properly applied and adhered to.

**C. County postings.** The County reserves the priority right for the use of the available bulletin board facilities and space for the purpose of posting notices and information regarding governmental activities. Non-County organizations may utilize such bulletin boards only with the express understanding they may be asked to find alternate posting space if posting space is needed by a County department. The County will endeavor to ensure that non-County postings will not be displaced without three days notice, or within three days of a scheduled event which such posting is intended to provide notice for.

**D. Public Postings.** Public use of billboards contained in any County building or facility shall be limited to informational postings that are specifically limited to descriptions of time, date, and topic for any event to be held within the building or facility where the billboard is located.

**E. Timing of postings.** Such notices may not be posted more than three (3) weeks prior to the date that such event is scheduled. Priority will be given for postings to events scheduled to occur soonest.

**F. Application.** No postings may be placed on any County bulletin board until a written application has been submitted to the manager of said bulletin board. All such applications shall present a concise statement regarding the identity of the group requesting posting space, the purpose of such posting, and an exact copy of the posting requested to be made, in terms of both content and size. The manager shall endeavor to make a decision on such request within three working days of such request.

**G. Editorial functions.**

- i. Use of the County billboard shall not be permitted for any speech which is primarily politically or commercially oriented. The designated manager for any such billboard is hereby authorized to exercise editorial discretion in determining if any postings on such bulletin boards violates this restriction, in light of the particular contents of such posting, and is further authorized to immediately remove any postings that so violate this prohibition.
- ii. The billboard manager is further authorized to utilize his or her discretion in determining the priority of postings and the necessary size of postings in order to ensure that those postings adhere to the policies and priorities set forth herein.
- iii. In exercising such editorial discretion, the County shall at no time render any decision on the basis of the viewpoint expressed within such posting.

**IV. Denial of Request.**

The County reserves the right to refuse approval for the use of the facilities when it is deemed that such action is necessary and in the best interest of the County, including without limitation for the following reasons:

- A. Requested activities which block building access or walkways, or interfere with the ongoing operation of official County business, will be denied
- B. Proposed activities that are inappropriate for the size or physical features of the facilities sought to be used will either be denied or rescheduled.
- C. No fund raising events will be permitted, except for such uses at the Community Center as previously excepted in Article II.d. above.
- D. No political activities as described above will be permitted, except for such uses at the Community Center as previously excepted in Article II.d. above.
- E. Prior misuse or abuse of buildings, facilities, or County-owned equipment may result in denial of future use.
- F. No commercial activities will be permitted.
- G. Failure to follow the policies and procedures established by the Board of County Commissioners may result in denial of use.

**X. Smoking**

- A. Smoking is strictly prohibited within any building owned, leased or operated by Summit County. This includes electronic cigarettes or vaporizers.
- B. The use or sale of marijuana products of any type is strictly prohibited within any building or on any property owned, leased or operated by Summit County.
- C. Smoking areas may be provided outside buildings, as designated by the County.