



April 30, 2004

## **STATE CAPITOL COMPLEX BUILDINGS AND GROUNDS REGULATIONS**

### Statement of Basis, Purpose and Authority

The purpose of these rules is to establish standards for acceptance, processing, review and disposition of permit applications for demonstrations and special events at the State Capitol Complex Buildings and Grounds. Statutory authority exists in §§ 24-30-102(2)(a), 24-82-101, and 24-82-105, C.R.S.

#### 1.0 Definitions

1.1 "Commercial enterprise" means any activity that may be considered or reasonably interpreted as being for the advertisement, promotion, sale, or transfer of products or services, or the participation in a commercial venture of any kind.

1.2 "Conditions" refers to but is not limited to grounds projects, weather, and hours appropriate state personnel are available.

1.3 "Event" includes picketing, speechmaking, marching, holding vigils or religious services, historical reenactments, celebrations, entertainments, exhibitions, parades, fairs, festivals, pageants, sporting events, and all other similar activities which involve the communication or expression of views or ideas, engaged in by one or more persons, the conduct of which has the effect, intent, or propensity to draw a crowd or onlookers, but does not include casual use by visitors or tourists.

1.4 "Event Marshal" refers to those persons within the group or organization planning an event who are responsible for keeping order of their group, including making sure that traffic is still able to flow through the State Capitol parking circle during the event, and for post-event cleanup.

1.5 "Executive Director" means the Executive Director of the Department of Personnel & Administration, or the Executive Director's designee.

1.6 “Limitation” includes, but is not limited to, the size of a group.

1.7 “Lincoln Park” refers to the area bounded by Lincoln Avenue, Broadway, Colfax Avenue, and 14<sup>th</sup> Avenue in the City and County of Denver.

1.8 “Solicitation” means any request or demand for monetary contributions or the sale of expressive materials, such as bumper stickers or buttons.

1.9 "State Capitol Complex Buildings and Grounds" means the area encompassing state-owned buildings and grounds within the area bounded by 16<sup>th</sup> Avenue, Broadway, 11<sup>th</sup> Avenue, and Grant Street in the City and County of Denver.

1.10 “State Capitol Grounds” refers to the area bounded by Grant Street, 13<sup>th</sup> Avenue, Lincoln Avenue, and Colfax Avenue in the City and County of Denver that may be permitted for an event.

## 2.0 General Requirements

2.1 All event activities shall be conducted at the permitted location on the State Capitol Grounds or in Lincoln Park. No person shall enter any state building unless otherwise authorized to do so.

2.2 Event activities shall not result in damage to or destruction of state property, including, but not limited to, buildings, statues, fixtures, and lawns.

2.3 Event activities shall provide ten feet of undisturbed space at all building entrances to allow ingress and egress, and shall not otherwise impede or block entrances or vehicle or pedestrian traffic into or around buildings, unless prior authorization to do so has been granted by the Executive Director or the ranking police supervisory official present at an event.

2.4 Sound systems are allowed unless the Executive Director finds that a system would unreasonably interfere with other lawful activities occurring in the area.

2.5 It is the responsibility of any permitted group or organization to select Event Marshals and inform them of the content of these regulations, law enforcement

contacts, and any other conditions or limitations affecting the event. Event Marshals must have identification provided by the event coordinator identifying them as Event Marshals. Although it is not the Event Marshals' responsibility to conduct law enforcement duties, it is their responsibility to know who and when to contact regarding law enforcement.

2.6 The Executive Director may impose any other reasonable time, place, and manner restrictions deemed necessary for the protection and convenience of the State and the public.

### 3.0 State Capitol Grounds

3.1 Permits will only be approved and issued for one event on the State Capitol Grounds at a time. The locations available for permitting are the West Capitol Steps, Pearl Harbor Memorial, Closing Era Monument, Armenian Garden, U.S.S. Colorado Memorial, Civil War Monument, and Sand Creek Plaque.

3.2 Events and solicitation authorized by a permit holder may be conducted on the State Capitol Grounds only within a 100-foot external radius of the site defined by a permit. No other solicitation is allowed on the State Capitol Grounds, except on the perimeter sidewalks.

3.3 Commercial enterprise authorized by a permit holder may be conducted on the State Capitol Grounds only on grassy areas within a 100-foot radius of the site defined by a permit. No other commercial enterprise is allowed on the State Capitol Grounds, except on the perimeter sidewalks.

3.4 Camping is not allowed on the State Capitol Grounds.

3.5 Nothing shall be attached to state property including but not limited to rope, tape, stakes, and people.

3.6 Candles may be used only with cups or other containers that prevent wax from dripping onto buildings or grounds. Cigarette lighters are permissible. All other incendiary devices are prohibited.

#### 4.0 Lincoln Park

- 4.1 Permits will only be approved and issued for one event in Lincoln Park at a time.
- 4.2 Solicitation is allowed in Lincoln Park.
- 4.3 Commercial enterprise authorized by a permit holder may be conducted only on grassy areas in Lincoln Park pursuant to a permit. No other commercial enterprise is allowed in Lincoln Park, except on the perimeter sidewalks.
- 4.4 Camping is not allowed in Lincoln Park.
- 4.5 Nothing shall be attached to state property including but not limited to rope, tape, stakes, and people.
- 4.6 Candles may be used only with cups or other containers that prevent wax from dripping onto buildings or grounds. Cigarette lighters are permissible. All other incendiary devices are prohibited.

#### 5.0 Other State Buildings and Grounds

Solicitation and commercial enterprise within state buildings and on grounds other than the State Capitol Grounds and Lincoln Park are not allowed except on the perimeter sidewalks, when in conjunction with Department of Human Services business enterprise activities pursuant to §§ 26-8.5-101, *et seq.*, C.R.S., or in the useable space of an agency occupying a building as an approved tenant when the head of the agency approves the activity in writing and takes full responsibility for the activity.

#### 6.0 Permit Applications

- 6.1 Events may be conducted on the State Capitol Grounds and in Lincoln Park only with a permit issued by the Executive Director.
- 6.2 Applications to conduct an event at the State Capitol Complex Buildings and Grounds may be obtained from the Department of Personnel & Administration, Division of Central Services, located at 225 E. 16<sup>th</sup> Avenue, Suite 800, Denver, Colorado 80203. Applications will not be accepted more than 180 days nor less than

30 days before a proposed event is scheduled to occur. Applications must be legible and complete, and on the approved form. The Executive Director may grant a waiver if it appears that, under the circumstances, it will be possible to adequately protect the public safety, health, and welfare.

6.3 Permit applications will be processed and the use of areas permitted in order of receipt, except that official state events shall always have priority for use of the State Capitol Grounds.

6.4 The Executive Director will approve or deny an application for an event within 20 days of receipt of a legible and complete application.

## 7.0 Permit Denials

A permit may be denied in writing by the Executive Director upon the following grounds:

7.1 The Executive Director determines that the permit application is incomplete, or that the information submitted in the application is false or misleading.

7.2 A completed prior application for an event for the same time and place has been received, and a permit has been or will be granted for the event. In such a case, an alternative date, if available, will be proposed by the Executive Director.

7.3 The proposed event is of such a nature that it cannot reasonably be accommodated in the particular area applied for or during the particular time applied for. In that event, the Executive Director shall propose an alternate time or place to the applicant, if available for the activity, taking into account possible damage to the area, including trees, shrubbery, other plantings, installations and statues.

7.4 It reasonably appears that the proposed event is likely to incite or produce imminent lawless action. No permit shall be denied based upon the content of the views to be expressed at the event.

## 8.0 Permit Revocation

8.1 A permit issued for an event at the State Capitol Complex Buildings and Grounds is revocable if the permit holder or participants violate these regulations or the laws of the United States or State of Colorado in the course of the event.

8.2 During the conduct of an event, the ranking law enforcement official in charge may revoke a permit if it reasonably appears that continuation of the event is likely to incite or produce imminent lawless action. Law enforcement officials may direct counter-demonstrators to alternative locations in order to preserve the permit holder's privileges and to protect public health, safety, and welfare.

## 9.0 Cancellations

The permit holder must notify the Executive Director 24 hours in advance of any cancellation of an event. The Executive Director may cancel a scheduled event if the level of security is heightened, as declared by the President, the Governor, the U.S. Department of Homeland Security, or the Colorado Office of Preparedness, Security, and Fire Safety.

## 10. Appeals

All appeals and hearings which are required by law regarding denial, suspension, revocation, limitation, or modification of a permit shall be requested, provided, and conducted in accordance with the requirements of Article 4 of Title 24, C.R.S.