

**PUBLIC USE OF COUNTY-OWNED/LEASED
BUILDINGS, ROOMS, FACILITIES AND GROUNDS**

POLICY NO. 05-03

PURPOSE:

To establish guidelines for the use of all County-owned/leased buildings, rooms, facilities and grounds, defining each location and setting forth the limitations and requirements for the public use of these areas. Any limitation of the public's use of such buildings, rooms, facilities and grounds will be based upon reasonable considerations of time, place and manner, not upon the nature or content of any expression entailed in the proposed use by the public.

SCOPE:

This Policy shall apply to all buildings, rooms, facilities and grounds which are owned or leased by Hernando County, a political subdivision of the State of Florida, regardless of whether occupied or used by the Board of County Commissioners, County departments, agencies or authorities, the Constitutional Officers and/or governmental tenants (absent a written lease or County Code provision to the contrary).

POLICY:

1. Parks and Recreation Facilities

- a. *Green areas and open spaces excluding ball fields.* Green areas and open spaces are those outdoor non-enclosed passive recreation areas, exclusive of ball fields (i.e. baseball, football and soccer fields), which are available for use by the general public during normal park operating hours.
- b. *Ball fields.* The use of the ball fields (i.e. baseball, football and soccer fields) may be reserved for leagues and organizations. Reserved use requires Facilities Usage Agreement, reservation through Recreation Department, and proof of insurance naming the County as an additional insured. Fees may be imposed for reserved use and night-time use requiring lights. All ball fields not otherwise reserved are open to the general public on a first-come basis during normal park operating hours.
- c. *Picnic pavilions.* The use of the larger picnic pavilions (generally groups of 45 or more) may be reserved. Reserved use requires Facilities Usage

Agreement and reservation through Recreation Department. Fees may be imposed for reserved use. All picnic pavilions not otherwise reserved are open to the general public on a first-come basis during normal park operating hours.

- d. *Concession stands.* The Recreation Department reserves the right to use contract operators to operate any concession stand; concession stands not under contract operation may be reserved by the organized league using the subject facilities subject to the requirements herein. The use of the concession stands requires Concession License Agreement, proof of insurance naming the County as an additional insured, and payment of appropriate fees. The user shall abide by all health requirements and County regulations. The County assumes no liability for loss or damage to personal property or equipment stored or maintained on many concession stand.
- e. *Band shell (located in Brooksville).* The use of the band shell may be reserved. Reserved use requires Facilities Usage Agreement, reservation through Recreation Department, and proof of insurance naming the County as an additional insured. Fees may be imposed for reserved use and night-time use requiring lights.
- f. *Teen Hall.* Teen hall is a reserved rental facility. The use of the teen hall requires Facilities Usage Agreement, reservation through Recreation Department, and payment of appropriate fees.

2. Libraries.

All libraries are open to the general public during normal operating hours (hours may vary based upon the location and usage of the branch). The Library Director may impose reasonable restrictions regarding patron conduct and the use of rooms within each library.

3. County Extension Building.

The use of the County Extension Building shall be determined by its Director.

4. Fairgrounds.

The use of the Fairgrounds shall be determined by the Hernando County Fair Association in accordance with its lease/agreement with Hernando County.

5. Spring Lake Community Center.

The use of the spring Lake Community Center shall be determined by the Spring Lake Community Center Committee in accordance with its lease/agreement with Hernando County.

6. Coast Guard Auxiliary Building/Flotilla #8.

The use of Coast Guard Auxiliary Building/Flotilla #8 located in Hernando Beach shall be determined by the Cost Guard Auxiliary Flotilla #8 in accordance with its lease/agreement with Hernando County.

7. Hernando County Health Department Facilities.

Hernando County Health Department Facilities (Brooksville and Spring Hill) is under the control and operation of the Florida Department of Health.

8. Hernando County Airport.

The undeveloped non-aeronautical portions of the Hernando County Airport may be used by the general public pursuant to a lease of license agreement which must be approved by the Aviation Authority and the Board of County Commissioners. All leases/license agreements are further subject to Chapter 3 of the Hernando County code of Ordinances, Hernando County Airport Rules and Regulations, and the requirements of the Federal Aviation Administration (FAA), as such ordinances, rules and regulations may be amended from time-to-time.

9. Sheriff's Administration Complex.

The Sheriff's Administration Complex is under the control of the Hernando County Sheriff, a constitutional officer. This is a restricted use facility for public safety/police operations and functions.

10. Utilities Administration Building.

The Utilities Administration Building is under the control of the Utilities Director. Other than the customer service area located on the first floor where customers can pay bills and have service initiated/terminated, this is a restricted use facility for utilities operations and functions.

11. Main Government Center/Courthouse (Brooksville)

- a. *West Lawn/West Courthouse Steps.* The West Lawn/West Courthouse steps is available for use by the general public by contacting the Office of Facilities Management. Any person or persons seeking to use this area for speeches, rallies, demonstrations, or any other event intended to generate a crowd will be required to make advance arrangements for crowd control, policing, portable toilet facilities, waste receptacles, chairs, tables, lecterns, microphones, etc., at their own expense and effort (in no instance will the County be expected to furnish or provide any of these services, facilities, or items). Upon the conclusion of any utilization of this area, the organizers or promoters of said event will be required to restore the area to the same condition as it was prior to said event including, but not limited to, picking up and properly disposing of all trash and garbage.

In the event an individual or organization brings personal property, (including but not limited to tents, booths, tables, sound equipment, stage equipment, etc.), which is erected or affixed on County property,

\$1,000,000 of General Liability Insurance, naming Hernando County as an additional insured, shall be required. This policy shall not apply to folding lawn chairs or battery operated bullhorns or microphones.

- b. *All other outside grounds.* With the exception of the West Lawn/West Courthouse Steps, all grounds associated with the Main Government Center/Courthouse are only available to the extent necessary to provide pedestrian access into/from the Main Government Center/Courthouse building and related visitor parking (all vehicles must park within the designated parking spaces).
- c. *Main Government Center/Courthouse Atrium, Lobbies, Hallways and Office Waiting Areas.* These areas shall be limited to internal pedestrian movement of the general public going to and from government and courthouse offices and courtrooms, and as waiting and lounging areas for such visitors. Public displays of information requiring tables, racks or any other type of special set up, including signs and banners, shall be limited to those posted or placed by County-government and courthouse employees acting in furtherance of their county/courthouse official capacity.
- d. *Main Government Center/Internal Governmental and Courthouse Offices.* Internal government and courthouse offices are restricted facilities for governmental/courthouse operations and functions; the Judges in and for the Fifth Judicial Circuit (Hernando County) shall be responsible for establishing or restricting public access to their respective courtrooms.
- e. *Law Library (Parking Level).* The Hernando County Law Library is intended for quiet legal research by attorneys and members of the general public on their own behalf. Due to its size constraints and lack of any private area, the Law Library is not intended as an area to conduct or transact client or private business. Additionally, the Law Library Committee may establish such hours and other restrictions as may be reasonable and appropriate.
- f. *Ballot and Referendum Petitioners.* Notwithstanding the foregoing subsections, persons seeking signatures for ballot and referendum petitions may locate/petition at the East side of the Main Government Center eastward of the stairs and handicap ramp, provided however, that such person do not stand on or occupy the roadway, stairs or handicap ramp, or block or interfere with pedestrians going to/from the Government Center.
- g. *Employee Food/Bake/Catalog Sales.* See paragraph 13 below.

12. Westside Government Center.

- a. *Outside grounds.* All grounds associated with the Westside Government Center are only available to the extent necessary to provide pedestrian

access into/from the Westside Government Center and related visitor parking (all vehicles must park within the designated parking spaces).

- b. *Westside Government Center/Lobby, Hallways and Office Waiting Areas.* These areas shall be limited to internal pedestrian movement of the general public going to and from the government offices, and as waiting and lounging areas for such visitors. Public displays of information requiring tables, racks or any other type of special set up, including signs and banners, shall be limited to those posted or placed by County-government employees acting in furtherance of their county official capacity.
- c. *Westside Government Center/Internal Governmental Offices.* Internal government offices are restricted facilities for governmental operations and functions.
- d. *Ballot and Referendum Petitioners.* Notwithstanding the foregoing subsections, persons seeking signatures for ballot and referendum petitions may locate/petition at the South side of the Westside Government Center no less than fifty feet (50') from any southern exterior wall, window or door of said Center, provided however, that such persons do not stand on or occupy any paved area or access sidewalk, or block or interfere with pedestrians going to/from Westside Government Center.
- e. *Employee Food/Bake/Catalog Sales.* See paragraph 13 below.

13. Limitation on Employee Food/Bake/Catalog Sales; Prohibition of Outside and Commercial Vendors on County property.

- a. *Employee Food/Bake/Catalog Sales.* Employees of the Board of County Commissioners and the various Constitutional Officers may conduct sales of food/baked items (intended for consumption) which are prepared or purchased off-site and may conduct catalog sales, provided that all sales are performed by employees (on leave or excused time) and the proceeds benefit a charitable purpose/event designated by the employees. All food and bake sales shall require advance approval by the County Facilities Management Office.
- b. *Prohibition of Outside and Commercial Vendors.* Except as expressly provided for in paragraph 13.a above, there is an absolute prohibition of outside and commercial vendors selling, promoting or marketing any product, item or service within or upon any county owned or leased building, room, facility or ground regardless of the purpose or such activities and regardless of whether some or all of the collected proceeds or sales may benefit an organization, event or charitable purpose.

14. Roads/Road Right-of-Ways/Sidewalks.

Roads shall be used for vehicular traffic and such other uses permitted under state law; sidewalks shall be used for pedestrians traffic; bike trails and paths shall be

used as designated. Special events shall require an advance permit (see Special Events Policy No. 17-01). The use of any right-of-way shall be as provided by County Ordinance.

15. All Other County Buildings, Rooms, Facilities and Grounds.

All other County-owned/leased buildings, rooms, facilities and grounds not addressed above shall be restricted to their dedicated purpose, subject to any special use permit or approval granted by the Board of County Commissioners.

16. Additional Interpretative Guidance.

All County governmental and courthouse personnel shall be guided by this Policy read as a whole. The County Administrator shall be the final arbiter of any interpretation question under this Policy. This Policy is subject to future changes, clarifications and/or directives by the Board of County Commissioners.

17. Rescission of Prior Policies.

All prior policies regarding the subject matter herein are hereby deemed rescinded and superseded by this Policy as of the date below.

Replaces: Administrative Policy

Reference: February 3, 1993

Adopted: August 24, 1993

Amended: November 15, 2005

Amended: December 13, 2006

Amended: November 17, 2009