

## **IX. PUBLIC USE OF COUNTY FACILITIES/GROUNDS**

The intent of this section is to make Minnehaha County's limited space available on as widespread and equitable basis as possible for educational and informational community meetings and for programs conducted (on a nonprofit basis) by businesses for educational or product presentation purposes.

Members of the public should schedule use of county facilities, such as meeting rooms and other indoor areas with the department head who manages the area. Use of Minnehaha County grounds such as parking lots should be scheduled through the County Commission Office.

First priority will be given to county-produced or sponsored programs. The county may revoke permission to use a facility or grounds if the space is needed for county purposes. Organizations will be given advanced notice of the county's intent to revoke permission.

Permission to use county facilities or grounds does not constitute county endorsement of the group or the views espoused by the group. Groups using county facilities or grounds should clearly indicate in their advertisements and news releases who is sponsoring the event.

The county reserves the right to deny use of its facilities or grounds when activities infringe upon or interfere with regular use of county property. No activities are allowed that endanger the health or safety of the participants.

The county reserves the right to limit the frequency of use of the facilities or grounds by any one group, to best accommodate the many requests for these areas. Reservations for use of the facilities or grounds may be made no more than three months in advance of the meeting date.

County facilities and grounds will not be available for fund raising, for promotion of fee-based products or services, or the sale of items on the premises, or when an admission fee is charged. The one exception to this policy is for those county sponsored activities for United Way fundraising.

Use of Minnehaha County facilities are scheduled to be held only during those hours of county service and staffing. Meetings must be concluded so that all participants exit the facility no later than the normal closing time of the building on that date. **Allow time needed for setup, clean up, and related support services** when scheduling the rooms. Noncompliance will result in forfeiture of future meeting room use privileges.

Department Heads may make space they are responsible for available for meetings or gatherings during non-working hours. In those cases the Department Head will be responsible for letting the Facilities Department know when the space should be opened and secured, as well as any clean-up that is required.

Alcohol and smoking are not permitted. Food and other beverages may be served. Groups are responsible for clean up and will be billed for any special cleaning that is necessary.

Group members are responsible for the supervision of their children while using the room.

#### **A. LIMITED PUBLIC USE POLICY**

(Adopted: November 28, 2023)

Minnehaha County buildings exist to accommodate the business of county government, the courts, and the citizens of Minnehaha County. As such all buildings, adjacent grounds, sidewalks and parking facilities are nonpublic forums. While Minnehaha County appreciates those citizens who wish to take an active role in federal, state and local government decisions, county buildings must accommodate many people every day without any unnecessary delay or inconvenience.

In an effort to preserve public safety and provide citizens the opportunity to conduct their county business without unnecessary disruption or inconvenience while at the same time provide for locations from which individuals or groups (“Utilizers”) may circulate petitions, distribute information, and engage in other first amendment activities (“Political Activity”), the Minnehaha County Commission has approved the following “Limited Public Use Policy.”

Utilizers may conduct Political Activity, in accordance with this Limited Public Use Policy, outside of the Minnehaha County Administration Building (“Administration Building”) except in the Zone of Non-Interference described below.

#### **AREA WHERE POLITICAL ACTIVITY IS PROHIBITED**

##### **Minnehaha County Administration Building**

In order to preserve general accessibility to the Administration Building through the west main entrance (“West Entrance”) including, without limitation, by means of the handicap accessible curb ramp, Utilizers may not stand, sit, or lie in or otherwise position themselves upon or otherwise occupy the portion of concrete sidewalk beginning immediately adjacent to the West Entrance, then west for Nine and One-quarter feet (9.25’), then north for Twenty-Four feet (24’), then east for Six feet (6’), then south for

Fifteen feet (15'), then east for Three and One-quarter feet (3.25') to the exterior of the Administration Building as designated in the color-coded diagram below.

This area is hereinafter referred to as the "Zone of Non-Interference."

#### CONDUCT DURING POLITICAL ACTIVITY

1. Utilizers must remain outside of county buildings when conducting any Political Activity;
2. Utilizers may approach individuals for the purpose of asking them to sign a petition provided the Utilizers remain outside of the Zone of Non-Interference and follow all other provisions of this Policy;
3. Utilizers shall not, at any time, prevent access to county buildings or obstruct vehicular or pedestrian traffic within the parking area or as individuals enter or leave county buildings;
4. Utilizers must conduct themselves in a polite, courteous and professional manner including, but not limited to, respecting an individuals' right to decline to sign a petition;
5. Utilizers must respect the rights of others including, but not limited to, petition circulators and other individuals engaged in Political Activity;
6. Utilizers shall not follow any individual into any building, the Zone of Non-Interference or other area of the county campus where Political Activity is prohibited;
7. Utilizers shall not place any material in the Zone of Non-Interference, including, without limitation: petitions, signs, banners, pamphlets, tables, and chairs;
8. Utilizers shall not leave any material unattended, including, without limitation: petitions, signs, banners, pamphlets, tables, and chairs – any unattended material may be disposed of in the appropriate garbage or recycling receptacles;
9. Utilizers may seek refuge inside of the Administration Building in the event of severe weather provided that all Political Activity cease inside the Administration Building and such individuals do not impede those entering and leaving the building; and
10. The Administration Building is designated as a polling place and as such, the provisions of SDCL 12-18-3 apply during all period of absentee voting and on the day of any election.

Note: Any questions regarding this policy should be directed to the Commission Office (3<sup>rd</sup> floor of the County Administration Building).

