

**TO: ALL COUNTY EMPLOYEES AND OCCUPANTS OF
COUNTY OWNED BUILDINGS**

**FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR**

**PREPARED BY: FACILITIES DEVELOPMENT & OPERATIONS
DEPARTMENT AND COUNTY ATTORNEY'S OFFICE**

**SUBJECT: USE OF COUNTY OWNED PROPERTIES FOR NON-
COUNTY ACTIVITIES**

PPM#: CW-O-024

<u>ISSUE DATE</u>	<u>EFFECTIVE DATE</u>
May 1, 2006	May 1, 2006

PURPOSE:

The purpose of this PPM is to identify the permitting procedures and requirements for the authorized use of County property for Non-County Activities and Non-County Meetings and to identify those Facilities where certain Non-County Activities and Meetings are prohibited.

UPDATES ARE THE RESPONSIBILITY OF:

Future updates to PPM # CW-O-024 will be the responsibility of the Director of Facilities Development & Operations (FDO) and the County Attorney's Office.

POLICY:

It is the policy of Palm Beach County to allow individuals and groups to utilize County Facilities for various activities and events unrelated to County business, subject to restrictions. Pursuant to this policy, the County will make available certain Facilities for Non-County Activities and Non-County Meetings, subject to the permitting process identified in this PPM. The use of said County Facilities in this manner shall be subject to certain restrictions which are required to protect the safety of County employees and visitors to the Facilities for County business, to provide these employees and visitors with safe and efficient ingress and egress to the Facilities, and to limit damage to the Facilities. This PPM also precludes Non-County Activities and Meetings from the Facilities specifically identified in Exhibit A to this PPM which is attached hereto and incorporated herein.

APPLICATION:

This PPM only applies to the use of Facilities for Non-County Activities and Non-County Meetings as defined herein. Use of a Facility for uses other than those uses listed herein (for example, filming, exhibitions, and commercial activities) may be subject to additional licensing pursuant to separate policies.

DEFINITIONS:

For the purpose of this document the following definitions shall apply:

1. Applicant: Any individual, group or entity who submits a Permit Application to utilize County Facilities for an activity or event unrelated to County business.
2. County: The Board of County Commissioners of Palm Beach County.
3. Department: The Facilities Development & Operations Department.
4. Employee Event: Any activity conducted by or sponsored by a County department, a state agency, or a constitutional officer occupying a County-owned building or their employees.
5. Facility or Facilities: All property owned by the County except for the developed and undeveloped parks, airports, public rights-of-way, vehicles, buses, bus shelters, and bus benches.
6. Non-County Activity or Activities: Non-County Activities are any non-commercial activities not conducted by or on behalf of the County and will generally include protesting, petitioning, speech making, soliciting, leafleting, placement of leaflets, campaigning, placement of campaign materials, verbal announcements, posting of public, legal and general information notices and materials by an entity other than the County, and distribution of written materials by an entity other than the County. Art, of any nature, is subject to the requirements of PPM# CW-F-072.
7. Non-County Meeting: Meetings not conducted by or on behalf of the County.
8. Non-Public Forum: A Facility where Non-County Activities and Non-County Meetings are prohibited. A list of Non-Public Forums is included in Exhibit A.

PROCEDURES:

1. PERMIT APPLICATION

Any person or entity desiring to use a Facility for a Non-County Activity shall complete the Permit Application provided as Exhibit B to this PPM and submit same for review and approval. Any person or entity desiring to use a Facility for a Non-County Meeting shall complete the Permit Application provided as Exhibit C to this PPM and submit same for review and approval. Any person or entity desiring to use a County Senior Center for a Non-County Meeting shall complete the Permit Application provided as Exhibit D to this PPM and submit same for review and approval.

Permit Applications shall be submitted for approval at least ten (10) business days in advance of the requested commencement date and time for the Non-County Activity or Non-County Meeting. The Department may require additional information of the Applicant prior to final approval of a Permit Application. Concurrent with notice of approval of a Permit Application, the Department shall notify the Applicant of any restrictions, conditions of approval and/or fees made on the requested activity or event. The restrictions shall be reasonable and made only after the Department determines that the restrictions are necessary to protect the safety and well-being of County employees and visitors using the Facility for its intended purposes, to assure the safe and orderly ingress and egress of County employees and visitors to the Facility, and/or to limit any damage to the Facility. Any restrictions, conditions and/or fees shall be specifically designed to eliminate the County's safety, ingress/egress and property damage concerns. The County also reserves the right to impose time limitations or other conditions on a Non-County Activity in order to mitigate the impact of the Non-County Activity on Facility operations.

The Permittee shall be responsible for ensuring that individuals participating in the approved activity or event are in compliance with the terms of the Permit.

Employee Events

In Facilities not identified in Exhibit A, an Employee Event does not require a permit if it is located in an area reserved exclusively for employee use. An Employee Event located in a common and public use area requires a permit pursuant to this section.

2. PERMIT DENIAL

The Department may deny a Permit Application for a Non-County Activity or Non-County Meeting to occur within a Facility for the following reasons:

- a. Failure to submit a completed Permit Application or failure by an applicant to complete any required attachments,
- b. The requested activity or event interferes with a previously scheduled activity or event (by the County or any other party) in the same Facility,
- c. The Permit Application contains a material falsehood or misrepresentation,
- d. The Department determines that the activity or event will likely result in a substantial disruption of the intended uses of the Facility,
- e. The Department determines that the activity or event will likely result in substantial damage to the Facility,
- f. The Department determines that the activity or event poses a substantial risk to the safety of County employees and visitors to the Facility, and/or
- g. The proposed activity or event is prohibited by any law, ordinance, statute, or regulation.

3. PERMIT APPEAL

Upon denial of a Permit Application, the Department shall furnish a written explanation setting forth the reason why the Permit Application has been denied. The applicant may appeal the denial to the Director of Facilities Development and Operations Department in writing. The Director of the Department shall provide a written ruling on the appeal within ten (10) business days of receipt.

4. PERMIT REVOCATION

A Permit may be revoked by the Department for one or more of the following reasons:

- a. Violation of any material restriction imposed by this PPM or the Permit,
- b. Continued, substantial complaints from the public concerning harassment,
- c. Any action by the Permittee or its agents that adversely affect the health or safety of the public or employees,
- d. Continuation of an activity or event beyond the time period approved in the Permit application,
- e. Fraud or misrepresentation in the Permit Application, and/or
- f. Use of a Facility for an activity or event which substantially differs from the activity or event approved by the Department.

5. UNPERMITTED ACTIVITIES

Any use of a Facility for a Non-County Activity or Non-County Meeting without an approved Permit pursuant to this PPM is prohibited. Continuation of a Non-County Activity or Non-County Meeting in a Facility after revocation of a Permit shall also be considered an unpermitted activity. Any individual or entity utilizing a Facility for any Non-County Activity or Non-County Meeting without

a Permit shall be asked to terminate the activity. A refusal to terminate the Non-County Activity or Non-County Meeting shall be considered to be trespassing and reported to the Palm Beach County Sheriff's Office or local law enforcement agency. The Sheriff's Office/Court Services Bureau, acting as the County's hired security agent for these Facilities, shall have the ability to provide warning on behalf of the County for Non-County Activities or Non-County Meetings which are inconsistent with the requirements and policy set forth in this PPM.

6. NON-PUBLIC FORUMS

Non-County Activities and Non-County Meetings are strictly prohibited in the Non-Public Forums identified in Exhibit A. Any individual or entity utilizing a Non-Public Forum for any Non-County Activity or Non-County Meeting shall be asked to terminate the activity. A refusal to terminate the Non-County Activity or Non-County Meeting shall be considered to be trespassing and reported to the Palm Beach County Sheriff's Office or local law enforcement agency. The Sheriff's Office/Court Services Bureau, acting as the County's hired security agent for these Facilities, shall have the ability to provide warning on behalf of the County for Non-County Activities or Non-County Meetings which are inconsistent with the requirements and policy set forth in this PPM.

Employee Events

In Non-Public Forums, an Employee Event is permitted if it is located in an area reserved exclusively for employee use but requires advance approval from the Department. Employee Events are prohibited in common and public use areas of Non-Public Forums.

7. PRIVATE UNATTENDED DISPLAYS OF ANY NATURE PROHIBITED

It is the County's policy not to allow private unattended displays of any nature at the Facilities.

ROBERT WEISMAN
COUNTY ADMINISTRATOR

Supersession History:

1. PPM# CW-O-024, issued 4/14/89, effective 4/14/94
2. PPM# CW-O-024, issued 9/18/03

EXHIBIT A
NON-PUBLIC FORUMS

1. North County Government Center, 3188 PGA Boulevard, Palm Beach Gardens
2. Main Courthouse, 205 N. Dixie Highway, West Palm Beach
3. Criminal Justice Building (SA/PD Building), 421 3rd Street, 401 N. Dixie Highway, West Palm Beach
4. Judicial Center Garage, 505 Banyan Boulevard, West Palm Beach
5. Government Center (except for 1st Floor Lobby, 6th Floor Lobby and Commission Chambers, Courtyard, and Parking Garage), 301 N. Olive Ave., West Palm Beach
6. Palm Beach County Stockade, 673 Fairgrounds Road, West Palm Beach
7. South County Courthouse, 200 W. Atlantic Ave., Delray Beach
8. West County Courthouse, 38844 SR 80, Belle Glade
9. West County Jail, 38840 SR 80, Belle Glade
10. Medical Examiner's Office, 3126 Gun Club Road, West Palm Beach
11. All water and wastewater plants
12. Vista Center, 2300 North Jog Road, West Palm Beach

Last Revised: 5/11/06

COUNTY FACILITY USE PERMIT APPLICATION

This application may be used to apply for a permit to use a Palm Beach County Facility for a Non-County Activity. The application must be submitted at least Ten (10) days prior to the proposed date of the Use. Please send the completed application to:

Facilities Development & Operations Department
3200 Belvedere Rd. Building 1169
West Palm Beach, Fl. 33406
ATTN: Director
Telephone: 561-233-0215
Fax: 561-233-0206

Upon approval of the application by the Department, the Facility will be reserved and the User will be informed of any special conditions and service fees for the Use. Any service fees are due prior to the Use.

The County reserves the right to deny a permit to an individual or group and the right to revoke this permit according to the procedures of Countywide PPM #CW-O-024.

1. USER

Name of Organization: _____

Address: _____

Telephone: _____

Name and Title of Authorized Representative: _____

Type of Organization: Public Agency Non-Profit Other (Specify)

2. REQUESTED FACILITY

Name and Address of Facility (Please include room or area requested): _____

8. ADVERTISING

Will the event be advertised to the Public? Yes ___ No___

If yes, by what means?: Radio _____ TV _____ Other _____

FACILITY RULES

The User shall strictly adhere to the Facility Rules contained herein at all times. The User acknowledges that any violation of the Facility Rules may result in the suspension or termination of this permit.

1. User shall be responsible for items left at the Facility by guests, workers, employees or representatives of the User. The County shall not be responsible for items left by the User.
2. User shall return the Facility, including any equipment therein, in the same condition it was received. User shall remove any refuse, repair any damages, and clean the Facility and equipment. User shall compensate the County for any repairs or cleaning required but not accomplished by the User as determined by the Department.
3. User shall be responsible for all deliveries of equipment or other objects to the Facility.
4. User shall not use the Facility, or any part thereof, for any purpose other than the use contained in the Application without written consent from the Department.
5. User shall not use or store, nor permit to be used or stored, in the Facility, or any part thereof, any substance or object prohibited by law or ordinance, or by standard fire insurance policies issued by companies operating in Florida, including any illuminating oils, candles, oil lamps, turpentine, benzene, naphtha, or similar substances, or explosives of any kind.
6. User shall not store, possess or use intoxicating beverages, drugs or gambling devices at the Facility, nor permit others to do so.
7. User will not post signs, banners, posters or any other displays on or in the Facility or affix decorations to walls or ceilings without the approval of the Department.
8. User shall not employ noise amplification devices unless approved by the Department.

9. User shall abide by all laws of the United States, the State of Florida, the County of Palm Beach and all regulations of the Palm Beach County Fire Rescue Department and the Public Health Department.
10. User shall not exclude any person from membership in its organization or participation in its use of the Facility on the grounds of race, color, gender, national origin, sexual orientation or religious or political preference.

TO BE PROVIDED BY THE COUNTY (after evaluation of the Application):

Special Conditions and Fees: _____

By my signing below, I certify that I have the authority to represent and obligate the organization listed above and shall comply with the terms of this Application and all rules, regulations, laws and ordinances of the Palm Beach County Board of County Commissioners in regard to the use of the Facility. I also agree to accept the Facility as it exists at the time of use.

Date: _____

Signature of Authorized Representative

Printed Name and Title of Authorized Representative

APPROVED BY:

Date: _____

Director, Facilities Development & Operations Department

OTHER DEPARTMENTAL REVIEW (if necessary):

Date: _____

Signature of Director of Department

COUNTY FACILITY MEETING ROOM USE PERMIT APPLICATION

This application may be used to apply for a permit to use a Palm Beach County Facility for a Non-County Meeting. The application must be submitted at least Ten (10) days prior to the proposed date of the Meeting. Please send the completed application to:

Facilities Development & Operations Department
3200 Belvedere Rd. Building 1169
West Palm Beach, Fl. 33406
ATTN: Director
Telephone: 561-233-0215
Fax: 561-233-0206

Upon approval of the application by the Department, the Meeting Room at the Facility will be reserved and the User will be informed of any special conditions for the Use.

The County reserves the right to deny a permit to an individual or group and the right to revoke this permit according to the procedures of Countywide PPM #CW-O-024.

1. USER

Name of Organization: _____

Address: _____

Telephone: _____

Name and Title of Authorized Representative: _____

Type of Organization: _____ Public Agency _____ Non-Profit _____ Other (Specify)

2. MEETING ROOM REQUESTED

Name and Address of Facility and identification of Room: _____

3. DATE AND TIME OF USE

Period of Use: Start Date: _____ End Date: _____

Day(s) of Use: _____

Time(s) of Use: _____ A.M. TO _____ A.M.
P.M. P.M.

4. ATTENDANCE

Estimated Number of Attendees: _____

5. DESCRIPTION

Please describe the nature and purpose of meeting: _____

FACILITY RULES

The User shall strictly adhere to the Facility Rules contained herein at all times. The User acknowledges that any violation of the Facility Rules may result in the suspension or termination of this permit.

1. User shall be responsible for items left at the Facility by guests, workers, employees or representatives of the User. The County shall not be responsible for items left by the User.
2. User shall return the Facility, including any equipment therein, in the same condition it was received. User shall remove any refuse, repair any damages, and clean the Facility and equipment. User shall compensate the County for any repairs or cleaning required but not accomplished by the User as determined by the Department.
3. User shall be responsible for all deliveries of equipment or other objects to the Facility.
4. User shall not use the Facility, or any part thereof, for any purpose other than the use contained in the Application without written consent from the Department.
5. User shall not use or store, nor permit to be used or stored, in the Facility, or any part thereof, any substance or object prohibited by law or ordinance, or by standard fire insurance policies issued by companies operating in Florida, including any illuminating oils, candles, oil lamps, turpentine, benzene, naphtha, or similar substances, or explosives of any kind.

6. User shall not store, possess or use intoxicating beverages, drugs or gambling devices at the Facility, nor permit others to do so.
7. User will not post signs, banners, posters or any other displays on or in the Facility or affix decorations to walls or ceilings without the approval of the Department.
8. User shall not employ noise amplification devices unless approved by the Department.
9. User shall abide by all laws of the United States, the State of Florida, the County of Palm Beach and all regulations of the Palm Beach County Fire Rescue Department and the Public Health Department.
10. User shall not exclude any person from membership in its organization or participation in its use of the Facility on the grounds of race, color, gender, national origin, sexual orientation or religious or political preference.

TO BE PROVIDED BY THE COUNTY (after evaluation of the Application):

Any Special Conditions: _____

By signing below, I certify that I have the authority to represent and obligate the organization listed above and shall comply with the terms of this Application and all rules, regulations, laws and ordinances of the Palm Beach County Board of County Commissioners in regard to the use of the Facility. I also agree to accept the Facility as it exists at the time of use.

Signature of Authorized Representative **Date:** _____

Printed Name and Title of Authorized Representative

APPROVED BY:

Director, Facilities Development & Operations Department **Date:** _____

OTHER DEPARTMENTAL REVIEW (if necessary):

Signature of Director of Department **Date:** _____

SENIOR CENTER MEETING ROOM USE PERMIT APPLICATION

This application may be used to apply for a permit to use a Palm Beach County Senior Center for a Non-County Meeting. The application must be submitted to the desired Senior Center at least Ten (10) days prior to the proposed date of the Meeting.

Upon approval of the application by the Department, the Meeting Room at the Facility will be reserved and the User will be informed of any special conditions for the Use. The fee for the Use is due to the Senior Center no later than five (5) days prior to the Use.

The County reserves the right to deny a permit to an individual or group and the right to revoke this permit according to the procedures of Countywide PPM #CW-O-024.

1. USER

Name of Organization: _____

Address: _____

Telephone: _____

Name and Title of Authorized Representative: _____

Type of Organization: _____ Public Agency _____ Non-Profit _____ Other
(Specify)

2. SENIOR CENTER REQUESTED

(Please Check One) North County _____ Mid-County _____ West County _____

3. DATE AND TIME OF USE

Period of Use: Start Date: _____ End Date: _____

Day(s) of Use: _____

Time(s) of Use: _____ A.M. TO _____ A.M.
P.M. P.M.

4. ATTENDANCE

Requested Amount of Space (Please check one):

_____ Small Room (15 Person Capacity) for \$35.00 Fee

_____ Medium Room (30 Person Capacity) for \$50.00 Fee

_____ Large Room (65 Person Capacity) for \$100.00 Fee

5. DESCRIPTION

Please describe the nature and purpose of meeting: _____

SENIOR CENTER RULES

1. User shall be responsible for items left at the Senior Center by guests, workers, employees or representatives of the User. The County shall not be responsible for items left by the User.
2. User shall return the Senior Center, including any equipment therein, in the same condition it was received. User shall remove any refuse and clean the equipment and room used in the Senior Center. User shall compensate the County for any repairs or cleaning required but not accomplished by the User as determined by the Department.
3. User shall be responsible for all deliveries of equipment or other objects to the Senior Center.
4. User will not post signs, banners, posters or any other displays on or in the Senior Center or affix decorations to walls or ceilings without the approval of the Department.
5. User shall not use or store, nor permit to be used or stored, in the Senior Center, or any part thereof, any substance or object prohibited by law or ordinance, or by standard fire insurance policies issued by companies operating in Florida, including any illuminating oils, candles, oil lamps, turpentine, benzene, naphtha, or similar substances, or explosives of any kind.
6. User shall not store, possess or use intoxicating beverages, drugs or gambling devices at the Senior Center, nor permit others to do so.

7. User shall not permit smoking at the Senior Center.
8. User will not post signs, banners, posters or any other displays on or in the Senior Center or affix decorations to walls or ceilings without the approval of the Department.
9. User shall not employ noise amplification devices unless approved by the Department.
10. User shall abide by all laws of the United States, the State of Florida, the County of Palm Beach and all regulations of the Palm Beach County Fire Rescue Department and the Public Health Department.

TO BE PROVIDED BY THE COUNTY (after evaluation of the Application):

Any Special Conditions: _____

By signing below, I certify that I have the authority to represent and obligate the organization listed above and shall comply with the terms of this Application, the Senior Center Rules and all rules, regulations, laws and ordinances of the Palm Beach County Board of County Commissioners in regard to the use of the Facility. I also agree to accept the Facility as it exists at the time of use.

Signature of Authorized Representative **Date:** _____

Printed Name and Title of Authorized Representative

APPROVED BY:

Director, Facilities Development & Operations Department **Date:** _____

SENIOR SERVICES RECOMMENDATION:

Signature of Senior Center Manager **Date:** _____

Room Assigned to Activity: _____