

## **Summary of Boulder County Policy for Public Assemblies on County Property**

### **SECTION 1 GENERAL AND ADMINISTRATIVE POLICIES**

#### **NUMBER 1.9 Use of County Grounds and/or Buildings (June 20, 2017)**

##### County Support of Free Speech Activities and Reasonable Regulation

Boulder County recognizes and supports the rights of free speech activities, including leafleting, displaying signs, picketing and other activities involving the advancement, communication or expression of views, ideas, or grievances on county-owned properties. The County will protect freedom of speech, petition and peaceful assembly as set forth in the U. S. Constitution; however, consistent with federal law, the County maintains the ability to regulate such activities on county-owned property with reasonable, time, place, and manner restrictions. This includes the designation of Public Forums, where public assemblies are allowed.

##### Designation of Public Forums

Boulder County has designated the following properties as Public Forums for free speech activities. These are properties that have traditionally been used for purposes of assembly, communicating thoughts between members of the public and discussing public questions.

- Certain portions of the grounds at the County Fairgrounds – 9595 Nelson Rd, Longmont
- The south lawn of the Boulder County Courthouse – 1325 Pearl St, Boulder

All other county-owned properties, including properties managed by the Parks and Open Space Department, are not public forums.

##### County Buildings

Both the interiors and exteriors of county-owned buildings are not open to the public for the purpose of free speech expression and are expressly reserved solely for the functioning of the county government and furtherance of county purposes as determined by the BOCC or another County Elected Official (with respect to that Elected Official's office). Signs, banners, lights, or other materials affixed to or projected against the walls or surfaces of county-owned buildings or structures other than those approved by the BOCC or another Elected Official are prohibited. The BOCC Deputy or designee reserves the right to determine the lighting at the courthouse campus.

##### Requirement for a Permit for Public Assembly

Any Public Assembly of more than twenty-five (25) persons and/or which includes the placement, construction, or assembly of structures, including personal sized tents, or objects including, but not limited to, tables, chairs, stages, or recreation equipment regardless of the number of participants requires a permit from the Boulder County Commissioners' Office.

The requirement for a permit shall not apply to funeral processions; assemblies convened by a governmental agency acting within the scope of its functions; spontaneous events occasioned by news or affairs coming into public knowledge within two (2) days of such Public Assembly, and vehicular,

bicycle or running/walking road races or parades on county roads which are regulated separately by the Transportation Department.

A person seeking a permit shall request and file a signed permit application from the BOCC Deputy. Specific information regarding permit requirements and processing can be found on the Boulder County website. A Public Assembly permit may include specific requirements in addition to the requirements for all free speech activities set forth below.

#### Requirements for Free Speech Activities

In order to protect the safety of those participating in or observing free speech activities and to maintain public areas for the use of the public, the following apply to all acts or expressions of free speech conducted on county-owned property. Free speech activities may not:

- Harass or threaten any person.
- Interfere with the flow of vehicular or pedestrian traffic.
- Create an imminent safety, security or health hazard.
- Interfere with any other lawful activity by anyone in the same general location at the same time.
- Post materials on any exterior walls, windows or doors, or on sidewalks, trees, light poles, fences, landscaping, or shine or project any signs, images, colors, or lights communicating any message on any county-owned building or structure.
- Conduct speech that includes obscenity or fighting words, or engage in any other speech or action that is not allowed by law.
- Engage in any acts that are significantly disruptive to the normal operations of the county or unlawfully invade the rights of others.
- Include political rallies and/or partisan political functions twenty-two (22) days prior to an election or at any time during the day of an election within 100 feet of any voting center or ballot drop-off location, including the one east of the east wing of the Courthouse.
- Be commercial in nature.