

## PROCEDURES FOR USE OF PUBLIC AREAS

# TENNESSEE STATE CAPITOL

Administered by the Department of General Services and the Department of Safety

### I. Public and Working Areas of the Capitol

The Capitol is a working Capitol where various agencies carry out their governmental responsibilities. Very little space inside the Capitol is appropriate for public use.

First Floor--the rotunda, the stairway to the second floor and the Old Supreme Court Chamber are available for public use.

Second Floor--the open area between the Chambers of the House of Representatives and the Senate is available for public use.

Ground Floor--this is a working area and is not suitable for public use.

Other Public Areas--other public areas of the Capitol include the main corridors, the staircases, all entrances--including the tunnel, the first floor exterior porches and staircases, all exterior building surfaces; and the Capitol's grounds.

The public areas of the Capitol are under the jurisdiction of the State Capitol Commission for non-governmental uses. These uses are limited to civic, cultural or educational activities or activities which involve public expression. The working areas of the Capitol are under the jurisdiction of the agencies that occupy the space. The House and Senate chambers are under the jurisdiction of the respective speakers for all uses.

Information, requests for use and scheduling of the Capitol for an event shall be provided by the agency holding jurisdiction over the space. Requests should be addressed to the appropriate office:

A. Requests for information about and scheduling use of the public areas of the Capitol for non-governmental uses under the jurisdiction of the State Capitol Commission, must be addressed to the State Capitol Commission, 24th Floor, Tennessee Tower, 312 Eighth Avenue North, Nashville, Tennessee 37243, (615) 741-5922.

B. Requests for information about and scheduling use of space under the jurisdiction of the Senate must be addressed to the Speaker of the Senate, 1 Legislative Plaza, Nashville, Tennessee 37219, (615) 741-2368.

C. Requests for information about and scheduling use of space under the jurisdiction of the House of Representatives must be addressed to the Speaker of the House of Representatives, 19 Legislative Plaza, Nashville, Tennessee 37219, (615) 741-3774.

D. Requests for information about and scheduling use of space under the jurisdiction of the Executive Branch must be addressed to the Capitol Facility Administrator, Ground Floor, State Capitol, Nashville, Tennessee 37219, (615) 741-1886.

E. Requests will be scheduled on a first-come, first-serve basis. Since the areas available for events are limited and the demand is at times high, it is recommended, but not required, that requests be made at least one month in advance.

F. Persons who wish to hold events at the Capitol are urged to consider the use of War Memorial Plaza which is located directly across Charlotte Avenue from the Capitol. It is generally more suitable for public meetings than the Capitol or its grounds. For more information about use of War Memorial Plaza, contact the Department of General Services, War Memorial Building, Nashville, Tennessee 37243, (615) 532-4826.

## II. Procedures

The following procedures shall be followed in the administration and operation of the public areas of the Tennessee State Capitol. At no time will enforcement of the procedures be influenced or affected by age, sex, race, national origin, handicap, religion, or partisan politics.

### A. Definitions

The following words and terms, when used in this document, shall have the following meanings, unless the context clearly indicates otherwise.

1. Capitol: The Tennessee State Capitol. Unless otherwise specified, the use of the term "Capitol" will be taken to include the building and its grounds including the sidewalks surrounding the Capitol and steps leading to the Capitol.
2. Capitol Facility Administrator: An employee of the Department of General Services who manages the Capitol and is responsible for a comprehensive program of operational maintenance, administrative functions, and the security and safety of the tenants of the Capitol.
3. Capitol Security: State Troopers, Capitol security officers, civilian security guards employed by the State or any law enforcement officer.
4. Event: Any performance, ceremony, presentation, meeting, rally or reception held in the public areas of the Capitol. A rally is defined as a gathering of people for the purpose of actively promoting a cause.

### B. Conditions Governing the Public Areas of the Capitol

The following conditions apply to all public areas of the Capitol. For conditions specific to the interior or exterior public areas of the Capitol, see Sections C and D below.

1. No public event may discriminate on the basis of race, national origin, religion, sex, age or disability.
2. Public use of the Capitol shall not interfere with any legislative session or the conduct of public business by agencies of the State which normally occupy and use the Capitol, and shall not affect the safety and well-being of the individuals conducting the work of these agencies.
3. In case of fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, the Capitol Facility Administrator may delay or postpone any scheduled event until the emergency or threat is over.

4. Individuals or organizations are responsible for returning the areas used in conducting their events to their original condition. Individuals or organizations are responsible for any vandalism, damage, breakage, loss or other destruction to the Capitol caused by that individual or organization and any such activity is grounds for immediate removal. Costs will be assessed to individuals or organizations for damages incurred. The cost of the repair will include the costs for the services of specialists in relevant historical restoration skills as determined by the State Capitol Commission.

5. Individuals or organizations using the Capitol shall indemnify and hold harmless the State of Tennessee, its departments, agents and employees, from and against any and all suits, damages, claims or other liabilities due to personal injury or death, damage to or loss of property to the State or to others, or for any other injury or damage arising out of or resulting from the use of the Capitol.

6. Food and beverages may be served at a scheduled event if all of the following criteria are met:

a. The applicant specifies in writing, prior to the event, the type of food and beverages to be served and the desired service area.

b. The applicant assumes responsibility for the preparation, service, and consumption of all food and beverages provided during the event as well as clean-up following the event.

c. The food and beverage service will not cause physical damage to the Capitol.

7. Posting or affixing signs, announcements, other documents, persons, animals or objects to any exterior or interior wall, ceiling, floor, door, window or other surface of the public areas of the Capitol is prohibited. Stickers, labels, tape, or any other adhesive material that might leave a residue or otherwise damage interior or exterior surfaces of the Capitol, including porches, stairs, statuary, monuments, light wells, fences and trees is also prohibited. Likewise, tacks, nails, staples or other attachments may not be used.

8. No item or material with the potential to damage the Capitol may be used. All items or materials must be removed promptly after an event.

9. No item may be leaned against exterior or interior walls, pillars, portraits, furnishings, staircases, or other feature of the Capitol.

10. The Capitol Facility Administrator has limited equipment for use at events. Arrangements may be made for the Capitol Facility Administrator to provide such equipment upon payment of reasonable charges, if available; otherwise it shall be provided by the individuals or organization sponsoring the event. If equipment is required, the Capitol Facility Administrator's Office should be contacted to discuss what is available, how it is intended to be used, and to place a reservation. Requests for equipment should be made at least one week in advance of the event. Individuals or organizations using such equipment will be responsible for any damage to or loss of that equipment.

11. No charges will be made to individuals or organizations for use of the Capitol's public space, other than fees charged for the use of equipment, power and labor to set-up, operate and remove equipment. Security also may be required based on the size and scope of the event. If security is required, it must be provided by State Troopers at a reimbursement rate of \$30.00-\$35.00 per hour per officer. Officers must be on duty ½ hour prior to event opening until ½ hour after the event closes.

12. No sound amplifying equipment, instruments or devices may be used whose sound level interferes with any legislative session or the conduct of public business by agencies of the State which occupy or use the Capitol.

13. A person shall not remove State property from the Capitol or its grounds except as permitted in the normal course of business, unless the removal has been previously authorized in writing by the State Capitol Commission.

14. To enhance security and public safety, security officers may inspect packages and briefcases suspected of concealing stolen items or contraband and items being brought into the State Capitol building which are suspected to be capable of destructive or disruptive use within the building.

15. Proper identification of all employees and any other visitor may be demanded at any time. If the facility is closed during an emergency, access may be denied for the duration of the emergency. Employees or other persons may be required to sign a registration sheet after normal working hours or when the building is closed.

16. Any individual who refuses to adhere to these conditions shall be subject, in addition to criminal penalties provided by law, to immediate removal from the Capitol building or grounds by the Capitol Facility Administrator or any other person designated by the Capitol Facility Administrator, or subject to arrest by Capitol security or any other law enforcement officer. Nothing contained herein shall be construed as limiting prosecution under any existing or future law.

#### C. Conditions Governing the Public Areas of the Capitol: the Interior

The following conditions governing the use of the public areas of the Capitol apply specifically to the use of the interior of the Capitol:

1. Hours of Operation: Visiting hours for the public are from 8:00 a.m. to 4:30 p.m. daily except Saturdays, Sundays, and holidays. When either house of the legislature or a legislative committee is in session prior to 8:00 a.m. or after 4:30 p.m., or on Saturday, Sunday or a holiday, the building shall be open to the public 30 minutes before commencement of the session and closed 30 minutes after adjournment of the Senate, House of Representatives, or legislative committee. The visiting hours on Saturday, Sunday and holidays shall be posted.

2. In case of fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, Capitol security may lock the Capitol at any time and require the entrances be used from within only as a means of egress in case of emergency. A person shall not enter or attempt to enter through an entrance which is closed pursuant to these conditions until the emergency is over.

3. An event shall not obstruct entrances or block traffic flow through the building.

4. Moving the Capitol's furnishings, such as furniture, lighting, and paintings, by the organizers, conductors or participants at an event is not permitted.

5. Tables, displays, chairs, or other items shall not be dragged or rolled on the floors.

6. An individual or organization shall not solicit or sell any article or service in the public areas inside the Capitol, nor shall any exhibit or display be allowed for that purpose, including the display of business cards or promotional materials.

7. Due to the constricted space and crowded conditions which often prevail inside the Capitol, hand-carried signs and signs on handsticks represent a serious safety hazard to visitors and occupants. They are not allowed in the public areas inside the Capitol.

8. Helium balloons are not allowed in the public spaces inside the Capitol because they are very difficult to retrieve.

9. Food and beverages shall not be served in the public areas inside the Capitol without the approval of the State Capitol Commission (see section II B 6). Food and beverages must be consumed in the area approved for an event.

10. Except as may be required in the course of State business, animals are not allowed in the public areas inside the Capitol building. Guide dogs, however, may be used when necessary to assist disabled persons in the Capitol building. The owner or person having the animal under his or her control shall be responsible.

#### D. Conditions Governing the Public Areas of the Capitol: the Exterior Including Grounds

This portion of the public areas of the Capitol includes the exterior walls and surfaces of the building, the ground and first floor entrances, porches, and staircases, and the grounds. Public use of the Capitol grounds for scheduled events is subject to the following:

1. In order to maintain the security, safety and aesthetic appearance of the Capitol and Capitol grounds, and to provide for regular maintenance, improvements or alterations, scheduled events on the Capitol grounds shall occur between the hours of 8:00 a.m. and 11:00 p.m. on a daily basis, and shall at no time block any entrance or exit of the building, or impede free access to the building by its occupants or the public. When either house of the legislature or legislative committee is in session prior to 8:00 a.m. or after 11:00 p.m., the grounds shall be open 30 minutes before commencement of the session and closed 30 minutes after adjournment of the Senate, House of Representatives, or legislative committee.

2. Defacing or damaging the Capitol grounds, including trees, shrubbery, flowers, lawns, sidewalks, fences, lighting fixtures, light wells, fire hydrants, benches, statues, monuments, plaques, and such subterranean features as are necessary for the maintenance and operation of the Capitol (such as lawn sprinkler systems, sewer and water mains, electrical conduit, etc.), or any other feature in any manner is not allowed. Likewise, defacing or damaging the exterior walls and surfaces of the building, including the entrances, porches and staircases, is not allowed.

3. Stepping or climbing upon statues, monuments, fences, lighting fixtures, light wells, trees, or parts of the Capitol building not intended for such purposes is not allowed.

4. Picketing and the distribution of literature shall not impede or interfere with State business or public access to and use of the Capitol. In order to inform individuals and organizations of the procedures for the use of public areas of the Capitol and grounds, it is recommended, but not required, that individuals and organizations desiring to distribute literature on the Capitol grounds advise the Capitol Facility Administrator of the date and time of this activity. In order to assure the reasonable conduct of public business, unobstructed access to the Capitol for its occupants and the public, and to maintain the Capitol grounds, the State Capitol Commission has designated the paved areas of the grounds for picketing and the distribution of literature, which shall apply equally to all such activities. Individuals distributing literature shall remove all discarded items from the grounds at the conclusion of their activity.

5. Due to the presence of underground utility, electrical and drainage lines, signs or banners shall not be driven into the ground nor shall they be supported in or by any tree, monument or other structure affixed to the Capitol grounds.

6. Use of the Capitol grounds by an individual or organization for an event is authorized only if the event has been scheduled with the Capitol Facility Administrator in accordance with the procedures described herein.

7. Equipment of structures of any kind that are placed on the Capitol grounds in connection with an event shall be entirely removed at the conclusion of the event, or no later than the time set for closing of the grounds as set forth in Section II D 1.

8. Alcoholic beverages shall not be dispensed or consumed on the Capitol grounds.

9. Camping or sleeping overnight on the Capitol grounds is not allowed.

10. In order to maintain the security, safety and aesthetic appearance of the Capitol and Capitol grounds, and to provide for regular maintenance, improvements or alterations, stages and reviewing stands may be erected in designated areas only with the prior permission of the State Capitol Commission and/or by the Capitol Facility Administrator. Such determination shall be stated in writing to the organization scheduling the event.

11. Only authorized or permitted vehicles shall be allowed on the Capitol grounds, parking areas or driveways during normal work days between the hours of 8:00 a.m. and 4:30 p.m. and/or any other specially designated day or time as set by the Capitol Facility Administrator or Capitol security.

12. No events or individuals shall block, impede or obstruct the flow of vehicular or pedestrian traffic in or around the Capitol or parking areas. Vehicles blocking, impeding or obstructing traffic will be removed from the property by Capitol security at the owners' expense.

Approved:

(Signature on Original)

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Larry Haynes, Commissioner  
Department of General Services

August 3, 2001  
Date

(Signature on Original)

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Mike Greene, Commissioner  
Department of Safety

August 6, 2001  
Date