



**Policy &  
Procedure**

**CITY HALL USE POLICY**

Supersedes:

Date Approved:

September 6, 2017

Approved:

Keith Hamre, Acting Chief Administrative Officer

Page 1 of 4

**OVERVIEW**

<p><b>Objective</b></p>	<p>The primary purposes of the Duluth City Hall Complex are to protect the safety and security of building assets and occupants, enable the conduct of city government business, and preserve public access to government services and public meetings. This policy allows the public a reasonable opportunity to assemble while ensuring that the primary purposes of the Duluth City Hall Complex are carried out.</p>
<p><b>Policy Statement</b></p>	<p>This policy is authorized by Minn. Stat. § 624.72, Subd. 3 that allows a political subdivision of the State of Minnesota to promulgate reasonable rules and regulations regarding the conduct of people in public buildings to ensure the public’s free and lawful access to the Duluth City Hall Complex. Section 624.72, Subd. 3 states:</p> <p style="text-align: center;"><i>For the purpose of protecting the free, proper and lawful access to, egress from and proper use of public property, and for the purpose of protecting the conduct of public business therein or thereon, free from interference, or disruption or the threat thereof, the legislature or any public officer, agency or board having the supervision thereof may to that end promulgate reasonable rules and regulations.</i></p>
<p><b>Definitions</b></p>	<p>For purposes of this policy, the Duluth City Hall Complex is defined as the municipal building and grounds that are used as the headquarters for the administration of the City of Duluth and located at 411 W. First Street, Duluth, Minnesota 55802. The Building is defined as the municipal building located within the Duluth City Hall Complex. City Hall Public Space is defined and limited to the area between the pillars within the 1<sup>st</sup> floor entrance hall of the Building.</p>
<p><b>Scope</b></p>	<p>The opportunity to demonstrate or assemble in the Building is limited to the City Hall Public Space and such use shall be regulated by this policy and other applicable state, federal, and local laws and regulations.</p>
<p><b>Related Forms</b></p>	<p>City Hall Use Permit Application</p>

## RESPONSIBILITIES AND EXPECTATIONS

- A. The Building is normally open Monday through Friday, 8:00 a.m. through 4:30 p.m., except holidays. Outside normal hours, the Building is also open in association with City council proceedings, public meetings, and other scheduled events.
- B. A person may enter and remain in the Building only when it is officially open to the public, unless authorized by a proper permit.
- C. For purposes of this section, the term, “public business,” is defined as safe and orderly activities that serve a legitimate public purpose and relate to city-conducted business or operations.
- D. A person in the Building must comply with all applicable laws, rules, and regulations, including Minn. Stat. § 609.705 regarding unlawful assembly. An individual or group may not interfere with public business, city councilors, city employees, or their clients and visitors, or obstruct the free flow of traffic in any way. Interference may include, but is not limited to, such things as blocking stairwells, entrances, and exits, generating loud noise, and exhibiting intimidating behaviors.
- E. The public may, with a properly issued permit and in accordance with the rules established under this policy, assemble in the City Hall Public Space between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday.
- F. What is not allowed in the Duluth City Hall Complex:
  - 1. Disruption of the free flow of traffic in and out of Building and its interior spaces;
  - 2. Conduct that violates federal, state or local laws, rules, or regulations;
  - 3. Storing unattended personal property, items, or possessions;
  - 4. Using alcohol or other controlled substances;
  - 5. Driving or parking an automobile on the sidewalks;
  - 6. Climbing on the statues, railings, staircase banisters, or other building art;
  - 7. Remaining in the Building after closing without permission;
  - 8. Sleeping or camping;
  - 9. Smoking, except in designated areas located outside of the building;
  - 10. Littering;

11. Possessing a gun without a permit as required by law, or other dangerous weapon, ammunition or explosives, unless possessed by law enforcement personnel;
  12. Putting up tents, tarps, or similar structures;
  13. Affixing, draping, or holding posters, banners, or any visual props on or over the Building or its walls, doors, or fixtures, including but not limited to balconies, railings, and stairs;
  14. The use of sticks or poles in the Building;
  15. High noise levels in the Building, such as those generated by chanting, singing, loud speeches, or the use of sound amplification devices, that are disruptive to the orderly conduct of business;
  16. Gas, propane, and charcoal grills; other open flame devices; fires; and flammable or explosive fuel generators;
  17. Defacing the Building, including writing words or drawing with chalk or other materials;
  18. Pets, except for trained service animals;
  19. Identity concealment;
  20. Within the City Hall Public Space, food and beverage warming appliances or similar equipment or the serving or dispersing of food and beverages;
  21. Failing to disperse when ordered to do so; and
  22. All other conduct, equipment, or materials hazardous to public safety or that could result in damage to Duluth City Hall Complex or its occupants or building assets.
- G. To the extent consistent with these prohibitions, the public may assemble on the exterior steps and sidewalks below the terrace of the Building without obtaining a permit. However, the City requests and appreciates prior notice of such an event.
- H. No person in the Building shall personally solicit, ask, demand, or invite any payment or contribution to any person or any religious, political, charitable, or other cause or organization.

## POLICY ADMINISTRATION AND ENFORCEMENT

- A. This policy shall be posted in a conspicuous place in the Building. Violation of any of the rules or regulations enacted in this policy will be enforced pursuant to the procedure and penalties described in Minn. Stat. § 624.72, Subd. 4 and 5. The City reserves the right to enforce violations of this policy in accordance with all applicable laws and ordinances.

- B. Administration and enforcement of this policy are the responsibility of the City's Property and Facilities Manager and/or the Duluth Police Department who is authorized to take all necessary and reasonable actions to achieve compliance.

## PERMIT TO OCCUPY CITY HALL PUBLIC SPACE

- A. A permit is required to occupy the City Hall Public Space ("Permit") and can be obtained from the City Clerk, 411 W. First Street, Room 330, Duluth, Minnesota, 55802. There is no application fee for the Permit. Permit applications must be submitted forty-eight (48) hours prior to event, except that permit applications for a Monday event will be accepted until 2:00 p.m. on the previous Friday.
- B. Permit applications will be processed on a first come, first served process. Only one Permit will be issued per time slot. Permits will be issued for a maximum period of 180 minutes. Permits are non-transferrable.
- C. Event participants may not exceed 150. Participants arriving after the maximum allotted number has been reached will be asked to leave.
- D. Permit does not give exclusive use of the City Hall Public Space. During Permit time, the City Hall Public Space will remain open for public business, city councilors, city employees, or their clients and visitors, and the free flow of traffic.
- E. Permit holders may be billed for extra services that may be necessary by the event, including but not limited to security and janitorial.
- F. A permit for use of the City Hall Public Space will not be issued to violators of this policy.