



Albemarle County

Legislation Details (With Text)

File #: 18-350 **Version:** 1 **Name:**
Type: Ordinance **Status:** Consent Agenda
File created: 5/24/2018 **In control:** Board of Supervisors
On agenda: 6/13/2018 **Final action:**
Title: Community Use of County Facilities Policy
Sponsors:
Indexes:
Code sections:
Attachments: 1. Att.A Proposed Revised Policy

Date	Ver.	Action By	Action	Result
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AGENDA DATE: 6/13/2018

TITLE:
Community Use of County Facilities Policy

SUBJECT/PROPOSAL/REQUEST: Approval of revised Community Use of County Facilities Policy

ITEM TYPE: Consent Action Item

STAFF CONTACT(S): Richardson, Henry, Kamptner, Freitas

PRESENTER (S): N/A

LEGAL REVIEW: Yes

REVIEWED BY: Choose an item.

BACKGROUND: Since first adopting a Community Use of County Facilities Policy (the "Policy" on February 10, 1982, the Board has encouraged the use of County facilities by Local Government and the Schools Division for their activities, as well as by outside organizations and groups, as long as their activities do not interfere with County business. The Board reviewed and approved the most recent changes to the Policy on August 6, 2014.

Section 10 of the Policy pertains to the public's use of the parking lots and sidewalks at the County Office Buildings on McIntire and 5th Street. The primary purpose of the proposed amendments is to clarify the public's use of sidewalks and to expand the circumstances when both the parking lots and sidewalks may be closed for public use.

STRATEGIC PLAN: Quality Government Operations: Ensure County government's capacity to provide high quality service that achieves community priorities

DISCUSSION: The revised Policy would reorganize Section 10 to address the public's use of parking lots and sidewalks in separate subsections.

Parking lots: Subsection 10(b) would revise the Policy for the public's use of sidewalks, retaining the policy that the parking lots are open for general public use except during County business hours and during meetings of the Board, the Planning Commission, or the School Board (subsection 10(b)(1)), and between the hours of 2:00 a.m. and 6:00 a.m. each day (subsection 10(b)(2)). The policy would be revised to authorize the parking lots to be closed to general public use when the County Executive determines that their being open at any other times would conflict with County business ((subsection 10(b)(3)) or when a state of emergency or a local emergency has been declared (subsection 10(b)(4)).

Sidewalks: The current Policy provides that sidewalks are open for general public use, but fails to distinguish between sidewalks that abut public streets and those that are internal to the County Office Building grounds. There is a significant difference between the two for both practical and First Amendment (e.g., speech and protest) purposes. Subsection 10(c) would revise the Policy for the public's use of both sidewalks that abut the public streets and those that are internal to the County Office Building grounds. Sidewalks that abut public streets are open for general public use at all times, with the only limitation being that persons on those sidewalks not obstruct ingress and egress to the County Office Building grounds. Sidewalks that do not abut public streets and are internal to the County Office Building grounds are likewise open for general public use when the parking lots are open for general public use and other times when the County Office Building is open for County business or for use by users authorized under the Policy. However, subsection 10(c) is revised to authorize the County Executive to close the internal sidewalks to general public use when he determines that their being open at any other times would conflict with County business ((subsection 10(c)(2)(i)) or when a state of emergency or a local emergency has been declared (subsection 10(c)(2)(ii)).

The proposed revisions to the Policy provide greater clarity to the general public's use of the County Office Buildings' parking lots and sidewalks. They also provide greater express control over their use when the County needs to control general public access to them, such as when the parking lots need to be used as staging areas by first responders during natural disasters or other events, and when the County needs to otherwise control general public access to the parking lots and the internal sidewalks.

BUDGET IMPACT: There is no expected budget impact.

RECOMMENDATION:

Staff recommends that the Board approve the attached revised Community Use of County Facilities Policy (Attachment A).

ATTACHMENTS:

A - Revised Community Use of County Facilities Policy