

**MANITOWOC COUNTY COURTHOUSE  
POLICIES AND PROCEDURES  
(COURTHOUSE GROUNDS USE)**

The Manitowoc County Courthouse serves as the seat of county government; is the repository for the county's official records; houses departments that have confidential civil, criminal, juvenile, legal, medical, mental health, and personnel records; and is on the National Register of Historic Places. The Manitowoc County Board of Supervisors has adopted these policies and procedures for non-governmental use of the courthouse grounds in order to protect the interests of Manitowoc County government, the courthouse, the citizens of Manitowoc County, and the public.

**USE**

Public use of the courthouse grounds includes, but is not limited to, activities sponsored by county departments; celebrations; community events; cultural, educational, and historical activities; displays, demonstrations, exhibits, marches, rallies, press conferences, speeches, and vigils related to government or public issues; memorial services, performances, wedding ceremonies, and other expressive activities. The purpose in doing so is to provide a forum to promote understanding of issues of public concern and to foster respect for the rights of all individuals.

It is the county's policy to provide all citizens with equal access to the courthouse grounds. The decision to issue a permit for use of the courthouse grounds will be made on a nondiscriminatory basis and will not be based on the religious or political content of the activity, display, or exhibit.

However, the business of county government takes precedence over any other use of the courthouse grounds. No activity, display, or event may interfere with the operation of county government or any agent, employee, officer, or official in the performance of his or her official duties. Moreover, the courthouse grounds may only be used for non-governmental activities when authorized by a permit issued by the Public Works Committee.

Permits issued by the Public Works Committee are subject to these policies and procedures. The Public Works Committee and Public Works Director may not grant any exceptions unless the exception is specifically authorized by these policies and procedures.

Commercial use of the courthouse and courthouse grounds is not permitted.

The Public Works Committee, the County Executive, the Sheriff, and the Public Works Director may make last minute changes to any permit and may cancel

any permit if necessary to protect the public health, safety, or welfare or if it is in the interest of the county to do so.

## **GENERAL POLICIES**

**Decorum.** The proposed use must be consistent with the intent and decorum of the seat of county government and the appropriate, non-disruptive use of a public facility.

**Security.** No use will be authorized or permitted if it has the potential to conflict with a previously scheduled use or if the proposed use may lead to damage or injury to any person or property.

**Display Location.** Displays may be located in the northeast quadrant of the courthouse grounds, which is more specifically described as the area bounded by the east edge of the sidewalk leading from the north courthouse entrance, the south edge of the sidewalk parallel to Washington Street, the west edge of the sidewalk parallel to South Eighth Street, the north edge of the sidewalk leading from the east courthouse entrance, and the foundation of the courthouse.

**Display Areas.** The Public Works Department will prepare a map of the display location designating individual, numbered display areas. Each display area will contain approximately 200 square feet. The shape of the display areas will be as uniform as possible given the display location and any permanent features located within the display location.

**Availability and Assignment.** Display areas are available on a first come, first served basis. An applicant may request a specific display area and will be assigned to that area if it is available. If the requested area is not available, the next numbered display area will be assigned.

**Size Limit.** A display must be located entirely within the boundaries of the assigned display area. The display may not extend more than 20 feet above the ground.

**Duration.** A permit is valid for 30 days. A permit may not be renewed and an application for the same or substantially the same display may not be filed for the same display area within 30 days of the expiration of a permit. A permit may be filed for the same or substantially the same display at a different location.

**Number.** Only one permit will be issued to an applicant or applicants representing the same organization at any one time.

**Cost.** The user must pay all fees and costs resulting from the activity, display, or event. If there are additional costs outside the normal services provided by county departments or other agencies, the user must pay all costs related to the proposed use.

Risk. A proposed use may not pose an unreasonable risk of exposure or liability to the county. The scope of the proposed use may require a risk assessment, certificate of insurance, hold harmless agreement, or contract. Such assessments must be made on a non-discriminatory basis and in compliance with laws and cases protecting speech under the First Amendment.

Non-Endorsement. Issuance of a permit does not constitute an endorsement of the proposed activity, display, or exhibit by Manitowoc County or any of its boards, commissions, committees, employees, officials, or officers.

Transferability. A Grounds Use Permit is not transferrable.

## **PERMIT APPLICATION**

Any person who wishes to use public space on the courthouse grounds must apply for a permit at least 4 weeks prior to the proposed use. Scheduling is on a “first come, first served” basis, and applicants are encouraged to apply as far in advance as possible.

The application must be on a form approved by the Public Works Committee and must explain the nature of the proposed activity, display, or event.

An applicant must provide a description, sketch, or photo of any proposed display, equipment, or other item that will be brought onto the courthouse grounds. Any item brought onto the courthouse grounds must be consistent with the decorum due the seat of county government and with the appropriate, non-disruptive use of public property.

The Public Works Committee will consider permit applications at regularly scheduled meetings. The Public Works Committee may, but is not required to, hold a special meeting to consider a permit application. The Public Works Committee will record its action on the application, including any exceptions and the reasons for granting or denying an application, in its meeting minutes.

If the Public Works Committee grants an application, the Public Works Director or the director’s designee will issue a Grounds Use Permit to the applicant. Any special requests that have been approved and any policy exceptions that have been granted will be stated on the permit.

If the Public Works Committee denies an application, the Public Works Director or the director’s designee will issue a notice of denial stating the reason for the denial.

The Public Works Director or the director's designee will also provide the applicant with a copy of the minutes of the meeting at which the application was considered.

An applicant may appeal the denial of a permit to the County Board's Executive Committee by filing an appeal with the County Clerk. The appeal must be in writing, state the reason that the applicant believes the permit was improperly denied, and be received by the County Clerk within 10 days from the date of the denial. The Executive Committee will issue a written decision on the appeal within 7 days of the receipt of the appeal. The Executive Committee's decision with respect to the appeal will be the county's final decision.

### **FEES**

The applicant must submit a nonrefundable fee of \$100 with the application to cover the cost of processing the application.

The county will determine the estimated cost of providing county services in connection with a proposed activity, display, or event that are in excess of the costs that would be incurred by the county in the absence of the proposed activity, display, or event. The estimated costs will be based on information from the applicant and appropriate county departments, including, but not limited to the Personnel, Public Works, and Sheriff's Departments.

The Public Works Committee will notify the applicant of the estimated costs and may require prepayment of all or part of the estimated costs.

If the application is approved, the applicant must submit a security deposit of \$250 within 5 days of the approval. The security deposit will be used to offset the cost of any labor and materials necessary to clean up, repair, or remove items from the display area at the expiration of the permit. The security deposit, less any offsets, will be returned within 30 days following the expiration of the permit.

### **PERMIT HOLDER RESPONSIBILITIES**

The permit holder is responsible for paying all costs in connection with a proposed activity, display, or event, including any costs incurred by the county for services that are in excess of the costs that would be incurred by the county in the absence of the activity, display, or event.

The permit holder assumes responsibility for all activities conducted in connection with the permitted use, including supervision and control to prevent injury or damage; maintenance of the premises in connection with the permitted use; and coordination with the Public Works Department.

The permit holder agrees that any unattended display will be accompanied at all times by a sign clearly stating the name of the permit holder and that the display is a private display that is not sponsored, maintained, or funded by Manitowoc County.

The permit holder must comply with all applicable federal, state, county, and city ordinances, policies, procedures, regulations, rules, and statutes.

The permit holder agrees that it will not in any way, directly or indirectly, discriminate against any person because of ancestry, age, color, creed, disability, family status, handicap, income, marital status, national origin, race, religion, sex, sexual orientation, or any other status protected by federal, state, county, and city ordinances, policies, procedures, regulations, rules, and statutes.

The permit holder agrees to indemnify, hold harmless, and defend Manitowoc County and its agents, employees, officers, and officials against any and all damages or claims that arise because of the issuance of a permit, the permitted use, or the placement of any display, equipment, or other item in connection with the permitted use.

The permit holder must meet with the Public Works Director prior to the commencement of the permitted use to determine the specific placement of any display, equipment, or other item.

The permit holder is responsible for any damage to the courthouse, the courthouse grounds, or county property that arises in connection with the permitted use. The Public Works Director will notify the permit holder of any such damage and the cost of repairs.

If the permit holder cancels an activity after a permit has been issued, the permit holder must promptly notify the Public Works Director in writing or by email.

## **INSURANCE AND LIABILITY**

The permit holder must have insurance coverage of at least \$1,000,000 per occurrence for bodily injury and \$250,000 per occurrence for property damage. The insurance policy must preclude any right of subrogation against the county and its agents, employees, officers, and officials.

The permit holder must provide a certificate of insurance to the county at least two weeks in advance of the permitted use. The certificate must name the county and its agents, employees, officers, and officials as an additional insured.

The county is not responsible for the theft or damage to any property that the permit holder brings onto the courthouse grounds or into the courthouse.

## **PERSONNEL AND SECURITY**

The permit holder is required to pay any extra personnel costs incurred by the county in connection with the permitted use, including clean up after the permitted use ends.

The permit holder is required to pay for building security during the period that any person is in the courthouse in connection with the permitted use, including periods of setup, take down, and clean up.

## **EQUIPMENT, FACILITIES, AND SAFETY**

The courthouse is not equipped or staffed to provide the amenities normally associated with conference centers and other venues that specialize in providing space and support for demonstrations, rallies, and other outdoor events.

Requests for equipment or support services must be made in advance and should be included in the permit application. Requests received on the date of use will not be honored. The county will only provide such equipment and support services as it has expressly stated in writing that it will provide.

No county equipment may be moved or used without the express written permission of the Public Works Director and no county equipment may be removed from the courthouse or the courthouse grounds.

Electrical wires must be secured by tape or other means so that they do not present a safety hazard.

The permit holder is responsible for the set up and take down of all displays, equipment, and other items.

The permit holder is required to clean up any trash before vacating the courthouse grounds. If the permit holder fails to remove trash, the county will do so and the permit holder will be required to pay the cost of doing so.

## **SPECIFIC PROHIBITIONS**

An applicant may not advertise the use of the courthouse grounds for an event until it has been issued a permit, except when authorized to do so by the Public Works Committee.

Alcoholic beverages are not permitted in the courthouse or on the courthouse grounds.

Camping on the courthouse grounds is prohibited.

Candles and other open flame sources are not permitted in the courthouse or on the courthouse grounds.

Display, sale, and vending of any commercial article or product is prohibited.

Firearms, ammunition, ordnance, and other dangerous weapons are prohibited, except for law enforcement or military personnel acting within the scope of official duties.

Gambling and gambling machines are prohibited.

Grills and open fires are not permitted on the courthouse grounds.

Helium balloons are not permitted in the courthouse.

Monetary contributions may not be collected or solicited in connection with a permitted use of the courthouse grounds unless specifically requested in the application and specifically authorized by the county in writing. The Public Works Committee may authorize use of the courthouse by a nonprofit organization for fund-raising purposes. The courthouse may not be used for any for-profit or commercial activity without the express written permission of the Public Works Committee.

No animal, other than a service animal, is permitted on the courthouse grounds.

No item, including banners, may be draped, glued, hung, pasted, taped, or in any other manner affixed to any part of the courthouse without specific permission of the Public Works Director. The term "any part of the courthouse" means both the interior and exterior of the courthouse, is to be broadly construed, and includes, but is not limited to ceilings, doors, elevators, fixtures, floors, furniture, glass, lighting, posts, railings, and walls.

No one may enter any courtroom, office, or other nonpublic area of the courthouse unless the person is, or is accompanied by, a county agent, employee, officer, or official in the performance of his or her official duties.

No one, singly or in combination with any other person, may obstruct any entrance or exit to the courthouse, any office in the courthouse, or the courthouse grounds or engage in any demonstration, parade, or other activity in such a manner as to disrupt the orderly flow of pedestrian or vehicular traffic on the courthouse grounds or the conduct of county business by county employees on the courthouse grounds or in any building on the courthouse grounds.

No physical alterations to the courthouse or courthouse grounds are permitted.

Political activity for or against a candidate for public office, political activity for or against a political party, and advocacy for or against any ballot measure or referendum are not permitted.

Solicitations on the courthouse grounds are prohibited except with the prior written approval of the Public Works Committee, and solicitations in the courthouse grounds are prohibited except with the prior written approval of the county board.

Smoking cigarettes, cigars, and pipes and the use of any other tobacco product is prohibited.

Signs and placards may not be placed in the ground on courthouse grounds, and no sign or placard may be carried into the courthouse.

Use of the county seal by a permit holder in connection with any permitted event is prohibited.

## **VEHICLES AND PARKING**

Parking is permitted on a space-available basis in the lots to the west of the courthouse and north of Hancock Street. The permit holder, workers, and visitors must comply with all posted parking regulations, unless a specific exemption is allowed. Violators may be ticketed or towed, or both.

No vehicle may be driven or parked on any sidewalk or lawn on the courthouse grounds except for the specific purpose of loading or unloading in areas that have been designated by the Public Works Director. A vehicle may be driven or parked on a sidewalk or lawn only for the period of time that it takes to load or unload. Any vehicle driven or parked on a sidewalk or lawn in violation of this provision may be ticketed or towed, or both.

Any vehicle that is permitted to drive on a sidewalk may not operate in excess of 5 miles per hour. Any person operating a vehicle in violation of this speed limit will be required to immediately remove the vehicle, will be prohibited from using any vehicle on any sidewalk, and may be subject to further enforcement action.

No vehicle may block or interfere with pedestrian use of a sidewalk.

## **WEDDINGS**

Weddings are limited to fifty people or less. Wedding receptions are not allowed. Birdseed, bubbles, rice, and other items may not be used or thrown in the courthouse or on the courthouse grounds. No rooms are available for changing clothes.



The county does not provide the amenities normally associated with venues that specialize in providing space for weddings. Some chairs may be available and a request to use them must be included in the application. If chairs permission is granted, set up and take down are the responsibility of the permit holder.

Weddings may be performed in courtrooms during normal courthouse hours. Persons attending a wedding may assemble in public spaces in the courthouse prior to and after the ceremony provided that they do not interfere with courthouse operations. Insurance and security personnel are not required for weddings performed in courtrooms during normal courthouse hours.

### **RESERVATION OF RIGHTS**

The county reserves the right to refuse to permit the courthouse grounds for any event that may compromise the security of the courthouse, the safety of courthouse employees, or the safety of the public.

The county reserves the right to cancel, move, or preempt any permitted event and the county may, when acting in good faith, exercise this right without penalty or liability to the permit holder.

If the county cancels a permit, the Public Works Director will notify the permit holder in writing or by email, provide a statement of the reason for the cancellation, and work with the permit holder if the permit holder wishes to reschedule the event. No additional application fee will be required to reschedule the activity.

The county reserves the right for any county agent, employee, officer, or official to access and enter the courthouse during a permitted event.

The county reserves the right to remove and dispose of any unauthorized display, equipment, or item and to correct or eliminate any hazardous situation. The county will charge the permit holder for the costs of doing so.

The issuance of a permit does not constitute approval or endorsement of an activity or event, of the group conducting the activity or event, or of the group's purpose.

### **QUESTIONS**

Any questions about these policies and procedures and the after hours use of the courthouse should be directed to the Public Works Director at 920-683-4054.