

**POLICY FOR DISPLAYS AND EVENTS AT
THE TIPPECANOE COUNTY COURTHOUSE
(08-04-2017)**

Sec. 1. Application. (a) This policy applies to displays and events at the Tippecanoe County Courthouse organized by individuals and organizations other than Tippecanoe County and its employees. This policy does not apply to county displays and events. A county display or event is one that is predominantly organized and/or designed by County employees for the benefit of Tippecanoe County and over which the County exercises editorial control.

(b) An “event” refers to an activity that is not part of the government function served by the government property and which is designed to attract the attention or participation of third parties. The term does not refer to small groups keeping to themselves (e.g. eating lunch or having private conversations). Events permitted under this policy must be for non-commercial purposes that serve a recreational, social, educational, or other non-commercial civic purpose. This definition is not intended to be comprehensive. When in doubt as to whether an activity constitutes an “event,” the purposes of this policy as a whole should be considered.

Sec. 2. Purpose. The purpose of this policy is to permit expressive activity on the Courthouse grounds in a manner that: a) is not disruptive to the primary judicial function of the Courthouse; b) regulates such activity in only a viewpoint neutral manner; and c) protects the County from liability arising out of such third party events. The policy shall be construed in a manner consistent with these purposes.

Sec. 3. Hours. (a) *Fountain area:* Events may take place around the Fountain area of the Courthouse on the northeast corner of the Courthouse grounds from noon to 1:00 p.m. Monday through Friday and 5:00 p.m. to 8:00 p.m. Monday, Wednesday, Thursday, and Friday (excepting holidays when the Courthouse is closed). Events may take place around the Fountain area of the Courthouse from 8:00 a.m. to 8:00 p.m. on weekends and holidays when the Courthouse is closed.

(b) *West side of Courthouse:* Events may take place on the steps and walkways on the west side of the Courthouse from 5:00 p.m. to 8:00 p.m. Monday, Wednesday, Thursday and Friday (excepting holidays when the Courthouse is closed) and from 8:00 a.m. through 8:00 p.m. on weekends and holidays when the Courthouse is closed.

(c) Events shall be confined to the hard surfaces of the Fountain area and the west side of the Courthouse. Events shall not take place on the lawn or the interior of the Courthouse. A guided tour of the Courthouse shall not be regarded as an “event” under this policy. Events generally may not take place on Tuesday evenings due to the night court activities.

Sec. 4. Displays. As used in this section, a “display” is a sign, banner, or other physical object intended to communicate a message on behalf of a private party. Attended displays during an event are permitted. Unattended displays are not permitted. Such displays must be confined to the area of the event such that the display will be associated with the event organizers rather than the County. The display may not be affixed to County property in a manner that damages County property.

Sec. 5. Application. (a) Events will be scheduled on a first come, first serve basis. Not more than one event per day will be scheduled. Applications for events may be submitted not more than 90 days and not less than 72 hours prior to the requested event. An application shall not be declined based on the expressive content of the proposed event.

(b) The President of the Board of Commissioners shall review the application to determine compliance with this policy. In the absence of the President, the Vice-President shall review the application. And, in the absence of the President and the Vice-President, the remaining member of the Board shall review the application.

Sec. 6. General Requirements. (a) The organizer of a private event must agree to defend, indemnify, and hold the County harmless against any liability arising out of the event.

(b) The organizer must provide proof of insurance covering the event and naming the County as an additional insured in amounts not less than one million dollars (\$1,000,000). This requirement does not apply to events of fewer than fifty (50) people. If an event grows to more than fifty (50) people, the organizer may be asked to provide proof of insurance or to discontinue the event.

(c) The organizer must clean all trash and debris generated during the event and return the property to the condition it was in prior to the event.

(d) For purposes of premises liability analysis, because the private event is not regarded as the County's event, attendees of the event should not be regarded as invitees of the County. Rather, attendees shall be regarded as licensees.

(e) An event shall not be conducted in a manner that unreasonably interferes with neighboring residents, business owners, and other property owners' right to quiet enjoyment of the property.

Changes from 7/3 version:

1. Section 2(b): changes language to make clear that the viewpoint neutrality requirement applies to the County, not to people participating in the private events.
2. Section 5: Eliminates the language about declining an application for any reason and emphasizes that an application shall not be declined based on the expressive content of the event.
3. Section 6(b): “Small groups” and insurance: Insurance requirement is waived for 50 people or less.
4. Section 6(f): Removed the unspecified fee requirement.