

**RESOLUTION APPROVING CITY OF COMMERCE CITY RULES GOVERNING
ACCESS TO CIVIC CENTER AND SURROUNDING PROPERTY**

NO. 2020-18

WHEREAS, by virtue of the Article XX, Section 6 of the Constitution of the State of Colorado and the Charter of the City of Commerce City, including but not limited to Sections 2.2, and as further authorized by state law, the City of Commerce City (“City”) has broad authority to exercise its police powers to promote and protect the health, safety, and welfare of the community and its citizens and to own and enjoy property;

WHEREAS, the City owns and maintains its Civic Center, including adjacent parking lots, landscaping, and sidewalks, to house its central operations, including its City Council Chambers, administrative offices, municipal court, police department, city clerk, and permitting and planning;

WHEREAS, the City Council desires to ensure that the Civic Center and its grounds can be open to the public in a reasonable manner while remaining safe for the public and City staff, supporting the efficient operation of government, and serving a primary purpose of supporting the conduct of the business of the City and the provision and receipt public services;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

1. The City of Commerce City Rules Governing Access to Civic Center and Surrounding Property, as set forth in Exhibit A (“Rules”), are found to be necessary and appropriate, supported by compelling interests, and narrowly tailored to promote the efficient, orderly, and safe conduct of municipal business, to ensure fair and unhindered access to public services, and to protect the health, safety, and welfare of the public and are hereby approved.
2. The City Manager is authorized to issue regulations and take such actions as needed to implement the Rules, including without limitation any regulations to address situations where the Rules refer to approval by the City. The City Manager is authorized to amend these Rules, provided the City Council shall be notified of such amendments and may repeal or revise any amendments.
3. If any provision of the Rules or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the Rules that can be given effect without the invalid portion or applications, provided such remaining portions or applications are not determined by the court to be inoperable, and to this end the Rules are declared to be severable.

RESOLVED AND PASSED THIS FEBRUARY 3, 2020.

CITY OF COMMERCE CITY COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, Deputy City Clerk

EXHIBIT A

CITY OF COMMERCE CITY RULES GOVERNING ACCESS TO CIVIC CENTER AND SURROUNDING PROPERTY

The City of Commerce City's ("City") facilities are primarily intended for the purpose of conducting business related to the functions of the City's various departments and affiliated entities in serving its residents and others doing business with the City. The City, however, recognizes the need to balance the right of the public to access the Civic Center and surrounding areas with the safety of the City's customers and staff, as well as the need to conduct City business efficiently. This policy seeks to strike that balance by delineating rules relating to public access to the interior areas within the Civic Center's interior areas and adjacent exterior areas that will allow the public to access services while not posing security risks or unreasonably interfering with the business of the City. This Policy is intended to supplement all applicable laws and regulations.

A. Interior

The following rules will apply to the interior areas of the Civic Center which are accessible without privileged access and from which City staff serve customers. In addition to the rules below, no member of the public may place any structure in the lobby or in any public area accessible from the lobby without seeking permission from the City.

1. Civic Center Main Lobby Area/Third Floor Lobbies

The interior lobby areas (between the exit and entry doors on east and west sides of the Civic Center, including the stairs and walkway between building wings, and the third floor lobby areas accessible from the walkway) are generally accessible to the public during the City's business hours (8 a.m. until 5 p.m. Monday through Friday, except holidays). The lobby areas are also accessible to the public after business hours for the purposes of attending public meetings being held at the Civic Center or for those who need access to the City's Police Department. The City reserves the right to restrict access if the area is reaching capacity, if permitting access presents a security concern, or for any special event. The third floor lobby walkway and lobby areas accessible either by the elevator or through unlocked glass doors are reserved for those individuals having business with the departments on those floors, including IT, Human Resources, the City Manager's Office, Community Relations, and Finance and for those using the elevator or restroom facilities on the third floor.

2. Front Desk/Clerk's Main Desk

The Clerk's Office assists and serves members of the public in a variety of ways, including, but not limited to processing passport applications, accepting business, liquor, or marijuana licensing applications and tax payments, and processing documentation relating to medical insurance of former employees. Many of these functions involve the receipt and review of highly sensitive and confidential materials. The Clerk's Office must properly maintain the confidentiality of these materials. Due to space and staffing limitations, and the need to be available to receive customers and answer telephones, the Clerk's Office generally cannot perform these functions from a more private location. To assist City staff in performing their duties and to ensure the City's residents

and customers are comfortable seeking services, if staff are serving any person, other members of the public must wait behind the designated line which is ten (10) feet from the desk until the person is called to the desk by City staff. Signage indicating such instructions will be posted in the lobby and on the sides of the Clerk's window.

3. Police Department Records Window

The Police Services division of the Police Department receives complaints from the public, processes criminal justice records requests, and handles criminal records that may contain highly confidential information. In addition, members of the public approach the window to discuss personal matters with Police Department staff. To ensure the confidentiality of materials and conversations are not compromised, if staff are serving any person, all members of the public must wait behind the designated line which is ten (10) feet from the window until the person is called to the window by City staff. Signage indicating such instructions will be posted in the lobby and on the sides of the window.

4. City Clerk/Housing/Victim's Assistance/ Building Safety/Planning

Various City departments and affiliated entities conduct business involving sensitive personal information in offices accessible from a hallway or lobby area that is accessed through glass doors that are not locked during business hours, including the City Clerk, Housing Authority, Police Victims' Services, and the City's Planning and Building Safety Divisions. The hallway includes waiting areas where victims of crimes and minor children may be asked to wait. These hallways and lobby areas may be restricted from access by persons other than those having immediate business with any of the departments or entities accessible from the hallway. A sign will be posted on the glass door indicating this restriction and advising individuals seeking access to contact the front desk.

5. Municipal Court/Council Chambers

The door to the municipal court/City Council chambers will remain closed except when the room is in use and open to the public or invited guests of a special event. When court is in session, the municipal court will determine when the door may be closed and the terms for public access. When the City Council is conducting a public meeting, the public is invited subject to City Council Policies and other safety concerns, such as room capacity and unimpeded access to entrances and exits. Security screening may be required.

6. Meeting Rooms

Meeting rooms accessible from the lobby area without privileged access are for the conduct of City business only. Meeting rooms are for the use of City officials and staff and invited guests and are not open to the public, except during public meetings, subject to the restrictions of this Policy.

B. Exteriors:

The outside areas surrounding the Civic Center building are subject to the following rules.

1. Subject to the following rules, all outdoor areas adjacent to the Civic Center are open to the public between the hours of 5 am and 10 pm Sunday through Thursday and between 5 am and 11 pm on Friday and Saturday. Otherwise, the public may use the outdoor areas for the purposes of entering or exiting the Civic Center to attend or exit an event or meetings taking place at the Civic Center or for the purposes of accessing the Police Department.
2. No member of the public may block an entrance or exit to the Civic Center or impede either pedestrian or vehicle traffic coming or leaving the parking lot or the Civic Center. Under no circumstances may the public impede the use of the ramps leading to the entrance to the Civic Center.
3. No member of the public may stand, sit or lie on areas outside the Civic Center that contain bushes, flowers, other plants, or irrigation or electrical equipment to prevent harm or destruction by such contact.
4. No member of the public may block any of the spaces for vehicles in the parking lots surrounding the Civic Center, unless approved by the City.
5. No member of the public may erect any structures on City owned property or in rights of way adjacent to the Civic Center or place signs or other material on the walls of the Civic Center, unless such use is approved in advance by the City. Please call the City Clerk's Office with any questions.
6. All persons using City property must comply with local, state and federal law, including, but not limited to noise restrictions or any permitting requirements.
7. For more information and regulations governing City parks and trails, see <https://recreation.c3gov.com/parks-trails>.

Definition(s):

- **Privileged access** means access to any part of the Civic Center requiring passage through any door posted as "Private" or "Employees Only" or requiring the use of a key or keycard. The fact that a door may be unlocked or propped does not mean that the area is open to the public unless specifically intended or posted to invite public access.

Effective Date: February 3, 2020 (Approved by Resolution 2020-18)

Amended by: