

STARR COUNTY POLICIES & PROCEDURES

SUBJECT: STARR COUNTY BUILDING AND PROPERTY USE POLICY

TITLE: USE OF STARR COUNTY FACILITIES AND PROPERTY

EFFECTIVE:

1. **Authorization.** The Starr County Commissioners' Court ("Commissioners' Court") is authorized to develop, maintain, and control Facilities in Starr County pursuant to the Texas Local Government Code, and other applicable statutes.

2. **Purpose and Method.**

(a) **General Purpose.** The purpose of this policy is to establish the guidelines and criteria under which Starr County can develop, maintain, and control its Facilities in order to support county operations, public service, and historical values. The Commissioners' Court recognizes that facilities are sometimes used for other public purposes and for which adequate parking and safe access must be maintained and blight, distraction, and nuisance must be mitigated in service to the whole community; and to preserve the general health and welfare of the citizens of Starr County.

(b) **Method.** This Policy will establish the framework for clarifying necessary coordination between Commissioners' Court authority, Facilities coordination and designation, and Facilities Users.

(c) **Waiver and/or Modification of Requirements.** The Commissioners' Court retains the right to waive or modify any of the requirements of this Policy, when it determines that the waiver and/or modification is:

- necessary in order to serve the public interest,
- will allow use which will continue to meet the intent of this Policy, and
- will not violate any applicable statutory requirements.

(d) **Limitation.** The adoption of this policy does not:

- (i) limit the discretion of the Commissioners' Court to delegate to its employees the authority to determine whether or not the Commissioners' Court should consider a particular application for facilities use; or
- (ii) create any contract or other legal right in any person to have the Commissioners' Court consider or grant a specific application or request for facilities use.

3. **Department Building Use**

(a) The words "buildings" and "facilities" include structures and surrounding property belonging to Starr County. Starr County facilities are primarily used for official County functions by elected officials and staff. It is intended that these facilities be used to the fullest extent for these primary official purposes.

(b) Listed buildings (attachment A) may be made available to other users on a limited fee basis for events that support a public purpose, benefit, service, training or interest to Starr County

residents that otherwise could not occur without the facility being available. Starr County (licensor) has the right to refuse use of facilities to any group (licensee) if the proposed event conflicts with the intended use of the building, is in conflict with established policies or laws, or is in conflict with any other confirmed reservation.

(c) In such cases where groups have a written agreement with the Commissioners' Court that addresses use of specific facilities or lands the written agreement shall stand.

(d) County facilities are not available for rent on County holidays. If the holiday falls on a Monday or a Friday the weekend in between would be considered a holiday.

(e) It is an offense to puncture, damage, cut, carve, mark, remove, transplant, break, pick, or in any way injure, damage, destroy, or deface any real property improvements, personal property, equipment, irrigation systems, plants, turf, asphalt or concrete within or upon any public property in which a polling place is located. For the purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, or flowers.

4. Reservations

(a) Reservations for use of each facility will be accepted on a first come – first served basis.

(b) No single group or individual will be given preference or priority so that the buildings are made available to serve the needs of as many different groups as possible. Equal access shall be given to all groups and individuals applying, and no group or individual shall be denied access because of considerations of race, sex, religious or political persuasion, or because of the political, religious, or social aims expressed by an individual or group, or by any group's members.

(c) The frequency with which one group may utilize the building is at the discretion of the County.

(d) The County retains the right to refuse requests for use of non-departmental space or to cancel reservations before or while they are in effect if these regulations are not complied with, or if the space requested is needed for governmental functions.

(e) Reservations are not accepted more than 6 months in advance of the scheduled event.

(f) Permission to use Starr County facilities shall not, in any way, constitute an endorsement of the group or individual, or their policies and activities.

5. Application Process

(a) The Starr County Judge is the buildings and facility manager. Applications and copies of the Starr County Building Use Policy will be available at the Starr County Judge's Office.

(b) Applications must be completed in full, notarized, and returned with any necessary fees / release of liability forms. Applications are not valid until all fees are paid.

(c) Applications must be submitted to the Starr County Judge's office not less than thirty (30) days prior to the intended use date. The Starr County Judge may accept an application less than (30) days prior to the intended use if the circumstances allow for the intended use.

(d) Applicants must be at least 21 years of age.

6. Liability

(a) Any group using a Starr County facility shall be required to execute a release of liability for negligence or any damages caused to the user or its property during the time of the event or use of the facility.

(b) Licensee is not allowed to assign their reserved time at a facility to another party unless written permission is given by the Starr County Commissioners' Court.

7. Deposit and Rental Fees

(a) Rental fees only apply to events that take place AFTER regular working hours of Monday through Friday, 8:00am to 5:00pm.

(b) Deposits may be refunded fourteen (14) days after the scheduled use of the facility unless the facility is left unclean or damages occur to the facility, and will be mailed to the individual who made the reservation.

(c) Rental fees will be returned if the reservation is cancelled within 72 hours prior to the scheduled use of the facility. Rental fees may not be returned if the reservation is cancelled less than 72 hours prior to the scheduled use of the facility.

(d) Starr County will not charge a fee for use of a facility as an election polling place.

(e) Starr County Commissioners' Court may elect to waive fees for use of County facilities if they determine that the County is receiving fair value by allowing the use of its facilities.

(f) The Starr County auditor shall develop or revise a county fiscal manual to provide for the proper deposit and accounting of any funds received through the rental of any county property.

8. Regulations for Use of Space

(a) Licensee shall comply with all the laws of the United States, the State of Texas and all Starr County rules, policies and regulations. All persons in and on the property shall comply with official signs of a prohibitory or directory nature, and with the directions of security force personnel or other authorized individuals. Starr County has the right to have persons violating any provisions removed from the premises and to prosecute any and all violators to the fullest extent of the law.

(b) Licensee shall not engage in or permit disorderly conduct, or conduct which creates loud and unusual noise, or which obstructs the usual use of entrances, foyers, corridors, offices,

elevators, stairways, and parking lots, or which otherwise tends to impede or disturb the public employees in the performance of their duties, or which otherwise impedes or disturbs the general public in transacting business or obtaining the services provided on property.

(c) Adults attending events on Starr County premises must keep their children with them at all times.

(d) Soliciting alms, contributions, or collecting private debts on County premises is prohibited. Commercial soliciting and vending and displaying or distributing commercial advertising on County premises are prohibited, except when in conjunction with an event approved by the Commissioners' Court.

(e) Depositing or posting handbills, flyers, pamphlets, signs, posters, placards, or other literature, except Governmental notices and announcements on the grounds, walks, driveways, parking and maneuvering areas, exteriors of buildings, and other structures, or on the floors, walls, stairs, racks, counters, desks, writing tables, window ledges, or furnishings in interior public areas on County premises is prohibited.

(f) Hanging decorations on the grounds, walks, driveways, parking and maneuvering areas, exteriors of buildings, and other structures, or on the floors, walls, stairs, racks, counters, desks, writing tables, window ledges, or furnishings in interior public areas on County premises which could damage the building in any way is prohibited unless written request is made and specifically approved in writing by the County.

(g) During all activities and events, a County representative will be assigned to supervise the building. This employee is not responsible for performing any personal services in conjunction with any activity or event. Designated representatives from Starr County have the right to enter any portion of the room for any purpose whatsoever any time during the scheduled event or activity. At all times the room shall be under the charge and control of the appropriate Starr County Department or licensee.

(h) All groups may be required to have a licensed peace officer, or Starr County contracted security services, at their event.

(i) The licensee shall be responsible for securing any permits or approvals, such as parking permits, required in connection with the event.

(j) Licensee shall not admit to the facility a larger number of persons than is permitted by the Starr County Fire Code.

(k) Licensee shall not place any additional locks on doors. The keys to all facilities shall remain in the possession of the County. Entrances and exits shall be locked and unlocked by an employee of Starr County in accordance with the time set forth in the agreement unless other arrangements are made and confirmed in writing.

(l) Licensee shall not use or permit smoking, use of tobacco, drug use, or alcoholic beverages in any County facility.

(m) Weapons, reproductions of weapons, and any items capable of being conceived as weapons (except those carried by peace officers) are forbidden from being brought onto Starr County property.

- (n) Licensee shall not use or permit the premises to be used for sleeping or lodging purposes.
- (o) Licensee will assure that persons attending the scheduled activity do not enter any of the offices in the facility.
- (p) Stages and tents are allowed on the grounds. Stakes can be no longer than 8 inches.
- (q) Vehicles are not allowed on lawns, planted areas, sidewalks or walkways of County property.
- (r) Pets are not allowed inside Starr County facilities with the exception of Disability Assistance dogs.
- (s) Proper attire of shirts and shoes are required during use of all Starr County facilities.
- (t) If an emergency happens the licensee will immediately dial 911, contact appropriate emergency services, evacuate the building if appropriate, and notify both the peace officer on duty and the Starr County representative. If the representative is not able to be contacted then the licensee will call: 9567164800

9. Furniture / Equipment

- (a) Tables and chairs are available on a limited basis. If the licensee wishes to bring in additional furniture or equipment it must have non-mar feet only, and be delivered / picked up at the facility only during the scheduled time.
- (b) No video, sound, or projection equipment is available for use.
- (c) Some facilities have limited kitchen access. Kitchen tools and appliances are not available for use, and the kitchens must be left in the same condition, or better, as they were before the event.

10. Starr County Courthouse Historical Preservation

The Starr County Courthouse building in Rio Grande City will be maintained in a manner that preserves its historic designation with policy details described in Attachment "B" of this Policy.

11. Parking Zones

Parking Zones are to be used strictly for public and government automobile parking purposes and to effect the business of the Government buildings which they serve. The parking zones shall be those shown in Attachment "C".

- (i) Right of Way—Vehicles shall yield to pedestrians crossing the street.
- (ii) Passing – Passing is prohibited.
- (iii) Parking -- Is strictly limited to spaces on pavement between painted lines or any temporary or permanent space where posted signs indicate parking is permissible. Legal parking is permitted in any unimproved County owned property that is properly marked and designated as a parking area. Any space not so designated may not be used for parking. Parking with any part of the

- vehicle over the line is a violation. Vehicles may not be left overnight except those used in connection with a strict official or governmental purpose. All other vehicles are subject to towing.
- (iv) Vehicles – Except for county or government vehicles serving an official purpose, only passenger vehicles including automobiles, buses, trucks, motorcycles, motor scooters, motorbikes, mopeds and other similar devices that can be used to transport persons shall be allowed to use the parking zones. Trailers, BBQ pits, chairs, tents, recreational vehicles and any other similar items or vehicles that are not passenger vehicles as defined herein are strictly prohibited.
 - (v) Purpose – Persons may only park vehicles in county parking zones for so long as their primary purpose is to transact or effect any official business in the county buildings for which the parking zones serve. All others may be towed.
 - (vi) Vehicles may display political signs attached to the vehicles in accordance with the Texas Election Code.

12. ELECTIONEERING ON COUNTY PROPERTY

The Starr County Electioneering policy as adopted on January 5, 2018 by the Starr County Commissioners' Court is hereby incorporated in this STARR COUNTY BUILDING AND PROPERTY USE POLICY for all purposes.

13. USE OF COMMON AREAS

Areas not identified as parking zones in Attachment "C" are considered common areas. The use of common areas by persons who are not employees of the County of Starr or not specifically authorized to do so is strictly prohibited. Persons may apply to the Starr County Judge's Office for a permit to use common areas for any public purpose. Trailers, BBQ pits, chairs, ice chests, tents, and any other similar items are prohibited on common areas. Upon acceptance of an application for permit, the County Judge's Office shall as soon as time reasonably permits, present to Commissioners' Court for final Approval/Ratification. However, the Starr County Judge may permit the use of common areas (if the application for permit is too close to event that it would not be practicable to present to Commissioners' Court) after taking into consideration the risk of damage or destruction to county property, the probability of interruption to the normal course of governmental functions of the County, the historical value of any common areas, and the liability, risk and the danger of injury posed to the public.

14. CUMULATIVE

All policies of the County of Starr, Texas, adopted or un-adopted, in conflict with the provisions of this policy are hereby repealed and all other provisions not in conflict with the provisions of this policy shall remain in full force and effect.

15. SEVERABLE

Any word, phrase, paragraph, or section of this policy is severable and should any part of this policy be declared unconstitutional, illegal or invalid by any court of competent jurisdiction, such declaration shall not affect any remaining word, phrase, paragraph, or section.

ATTACHMENT "A"

STARR COUNTY FACILITIES AVAILABLE FOR RESERVATION

After hours fees are \$25/hour, and deposits are \$50.00 for all areas listed as available

1. Starr County Courthouse
2. Starr County Fairgrounds
3. El Cenizo Park Community Center
4. La Rosita Library
5. Starr County Annex Conference Room
6. Zarate Park Community Center.

ATTACHMENT "B"

Starr County Courthouse Historical Preservation

The Starr County Courthouse building in Rio Grande City will be maintained in a manner that preserves its historic designation in compliance with the Texas Historical Commission.

(i) Courthouse Exterior.

- a. Use of electrical outlets are prohibited unless specifically authorized by the office of the Starr County Judge.
- b. No displays or exhibitions are to be set into the grass area surrounding the Courthouse.
- c. No fasteners, staking or drilling on any concrete area, trees or plantings.
- d. No permanent type markings on concrete, steps, landings, ramps or portico.
- e. Hanging of banners or signs from county courthouse is prohibited unless approved by the Commissioners' Court and installed by courthouse maintenance personnel.
- f. Entrances and sidewalks shall not be obstructed.
- g. No political signs or advertisements will be displayed on historically restored areas.

(ii) No Interference of County Business. Event sponsors should keep in mind that the County Courthouse and grounds are public and are used to conduct public business. Therefore, no event may:

- a. interfere with the regular use of the County Courthouse, Grounds or Site for transaction of County business;

- b. obstruct entrances or interrupt traffic flow through the building, grounds or site; or,
- c. obstruct the view of or access to firefighting equipment, fire alarm pull stations, fire hydrants or ADA accessibility to the grounds site or Courthouse entries;

(iii) **Office and Directional Signs.** All signage, directories, room designations and directional signs shall be discreet and consistent with the restoration design and style. Temporary signage may be free standing only. Additions, changes or modifications to existing signage shall be approved through the Commissioners' Court to insure consistency with historical design and style.

(iv) **Attachments.** Pictures, displays, chair rails, picture rails, utensils or any other item which affixes, either temporary or permanent, to any courthouse structure shall be installed only with the approval of the Commissioners' Court, County Judge or courthouse maintenance personnel who have been instructed in Texas Historical Commission Guidelines. All temporary methods of attachment shall be removed in a manner causing no damage and leaving no residual fixture or material on the courthouse structure.

(v) **Windows.** Additions, either structurally or cosmetically to windows shall be approved only by Commissioners' Court and written approval of Texas Historical Commission. Consideration should be given to courthouse historic window roll down/up shades to present a uniform appearance when viewed from the outside street level.

(vi) **Signage and Notices.** Posting of legal notices shall be in an area designated by Commissioners' Court and shall be monitored on a regular basis to remove clutter and outdated notices. Personal notices, community event(s) announcements, funeral announcements, etc. will not be displayed except in areas designated by the Commissioners' Court.

(vii) **Plants.** Plants shall have sufficient drainage trays placed underneath to prevent water damage to floor surfaces, window sills and plates. Plant tendrils or branches shall not be caused to allow attachment, either naturally or artificially, to any courthouse structure.

(viii) **Floors and Walls.** To protect floors and extend the carpet and floor life, protective mats shall be under the rolling chairs in each office. Care shall be given when moving furniture and benches in hallways and offices of restored historic buildings to prevent scarring. Bumpers or other protective methods should be attached to chairs or other furniture which repeatedly contacts wall to prevent gouging and marking.

(ix) **Storage.** The Commissioners' Court recognizes the importance, both legally and as good stewards, of the need for proper county records management and storage. Records storage shall be designated by Commissioners' Court and proper location assignments made. Office decorations, seasonal decorations, surplus equipment, salvage equipment and various miscellaneous items should not be placed into records storage areas. Common areas (those areas not inclusive of what is considered office space) shall not be repositories of records. Common areas are managed by courthouse maintenance staff and are not available for storage outside of the use for maintenance purposes.

(x) **Main Courtrooms.** District Courts shall have first scheduling preference over use of the Main Courtrooms including the Judge's Chambers, and Jury Rooms. The County Court and County Court at Law shall have second scheduling preference. The respective judges of the District Courts and County Courts shall be the primary contact points for scheduling of the Main

Courtrooms. While the Main Courtrooms may be scheduled for use by non-county functions, the county reserves the right to cancel any non-county functions when use of the courtroom for official business is necessary or when meetings do not conform to county policy.

(xi) **Other Meeting Rooms.** The Starr County Judge is assigned maintenance responsibility for the Starr County Courthouse shall have the overall responsibility for reservations, interior/exterior locations and meeting room use in those common areas other than the courtrooms.

(xii) **Public Use Request.** Groups or individuals who desire authorization to use the courthouse or grounds shall complete a Starr County Courthouse Public Use Request form and request Commissioners' Court approval.

a. **Deposit.** Any group(s) or individual(s) who are approved to use the property may be required, at the sole discretion of the Commissioner's Court, to give a deposit ranging from \$0-1,000 prior to use, and shall be charged for actual damages and/or clean-up costs associated with the use. The Commissioner's Court may impose additional restrictions and regulations for approved use on a case by case basis, with the primary focus of maintaining and protecting the historical structure.

b. **Agreement to Policy.** Any group(s) or individual(s) who are approved by Commissioners' Court for use of the property must agree to and will be provided a copy of this Policy.

c. **Common Areas** are defined as hallways, elevator, bath rooms, and lawns.

d. **Year-long or regularly scheduled meetings** will not be booked for non-county functions as such scheduling restricts the county's ability in planning and scheduling its official duties.

e. **Limited Attendance.** Attendance at any meeting shall be limited by fire and safety regulation.

f. **No smoking** inside courthouse proper.

g. **Equipment Approval.** Electrical equipment, sound equipment, chairs, podiums, tents, stages or other equipment required for the event, including plans for the supply and use of electricity during the event, must be inspected and approved by the FM, but furnished and installed by the requesting party. Items not approved by FM may not be used

h. **Setup Change Request.** Any requested change in the setup of the reserved room shall be included in the application prior to the event.

i. It is the responsibility of all requesting parties to obtain necessary permission from the City of Rio Grande City and TxDOT to block off any streets for their grounds and site usage.

j. The usage of portable restrooms is the sole responsibility of the requesting party. Staging for these portable restrooms will only be allowed at the street side of the curb. It is the responsibility that all portable restrooms are kept clean and sanitized.

k. Probing or excavation, including the use of metal detectors, on the Grounds and Site is prohibited at all times.

l. Neither the County nor its officials, employees or agents are liable for any injury which may occur to any person during any event on the Courthouse Grounds or Site. To ensure this purpose is served, any person requesting to conduct an event on the Courthouse Grounds may be required to execute an indemnity agreement holding the County harmless from any claims arising from the requested event and agreeing to defend and indemnify the County with respect to any such claim.

m. Security requirements are the responsibility of the organizers, and must be approved by the County Sheriff Department prior to the event.

n. The organizers will be fully responsible for any damage to County property, or for any personal injury, caused by the described activity, or occurring as the proximate result of the activity. To ensure this purpose is served, any person requesting to conduct an event on the Courthouse Grounds may be required to obtain, and provide a copy or proof of casualty and liability insurance naming the County as a beneficiary in an amount to be determined by the County Commissioners' Court based on the anticipated event, its projected attendance and the risks associated with the event, as well as foreseeable damage it might cause to the Courthouse Grounds or the Courthouse.

o. Upon completion of the event, organizers will be held responsible for the clean-up of the entire Grounds / Site. Any deposit will be refunded following inspection of the area to determine that the area has been adequately cleaned. The organizer(s) may be present at this inspection by contacting the office of Starr County Judge.

ATTACHMENT "C"

Maps showing outlines of Parking Zones by the designation "PZ"

LA ROSITA COMM PCT 1

Map showing county property commonly known as LA ROSITA COMM PCT 1

Legend
Feature



EI CENIZO

Map showing county property commonly known as El Cenizo

Legend
Feature 1



STARR COUNTY ANNEX

Map showing county property commonly known as Starr County Courthouse Annex

Legend
Feature 1



3167

Google Earth

© 2017 Google

200 ft

LA VICTORIA COMMUNITY CENTER

Map showing county property commonly known as Zarate Park

Legend
Feature 1



Google Earth

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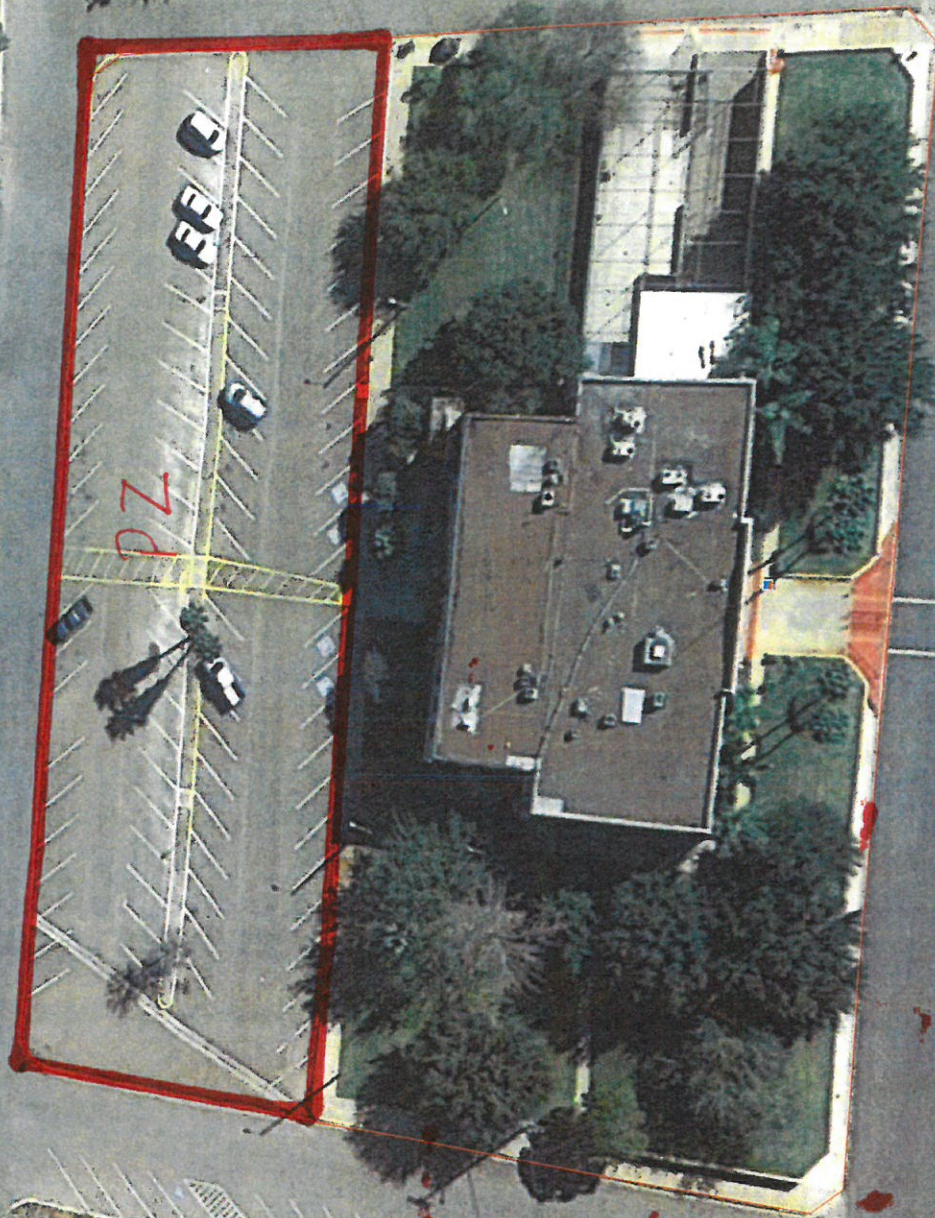
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STARR CTHOUSE

Map showing county property commonly known as Starr County Courthouse

Legend
Feature 1



Google Earth

© 2017 Google

100 ft