

POLICY FOR USE OF THE HISTORIC GILES COUNTY COURTHOUSE GROUNDS

The Historic Giles County Courthouse serves as the seat of county government, is the repository for the county's official records, and houses departments and offices that have confidential civil, criminal, juvenile, legal, medical, mental health, and personnel records. The purpose of this policy is to formalize and standardize the application, review, and approval procedures for Special Events and non-governmental uses held on the courthouse grounds.

1. **DEFINITIONS.** The following definitions shall apply unless the context clearly indicates or requires a different meaning.

a. **COURTHOUSE AND GROUNDS:** The "courthouse and grounds" is property under the jurisdiction of Giles County, which is defined as that property circumscribed and bounded by the perimeter sidewalk surrounding the entirety of the courthouse area. The courthouse's north and south parking areas, being outside this boundary, are under the jurisdiction of the City of Pulaski.

b. **GAZEBO:** The defined Gazebo area is the structure itself including only those grounds confined within its sidewalk perimeter.

c. **SPECIAL EVENT:** Any organized assembly for a limited, specified period of time; the gathering may be sponsored by a private citizen, an organization, or any for-profit or non-profit individual or group, and at which any of the following applies:

- i. The event requires reservation of any area of the grounds for a specified day/time, with 2 or more people in attendance; and/or
- ii. The expenditure of county resources is contemplated or is deemed necessary by county personnel to maintain public health, safety, and welfare; and/or
- iii. The event is expected to have a visual, noise, or other environmental impact upon the immediate vicinity or surrounding area of the event.

d. **APPLICANT:** The person, group, organization, or entity that applies for a Special Event permit, the permittee whose name shall appear on the permit issued under this policy, and the responsible party for all Special Event activities approved by the permit, also referenced as "user".

2. **PERMIT – GENERAL REQUIREMENTS.**

a. The Courthouse Grounds and Gazebo are public property, owned by the citizens of Giles County. Thus, no permit is required for impromptu, unscheduled use of the courthouse grounds and gazebo.

b. Limited portions of the grounds may be reserved for permitted Special Events. Excepting the Gazebo which may be reserved for exclusive, private use, other Special Events on the Courthouse Grounds may not exclude or impede public access.

c. The Office of the County Executive is authorized to issue permits for scheduled Special Events proposed to occur upon courthouse property pursuant to the procedures established in this policy. The permitting process is necessary to establish reasonable boundaries, to determine public health, safety, and welfare conditions. The Office of the County Executive is authorized to coordinate the issuance of a Special Event permit with the City of Pulaski and other public agencies or departments including law enforcement, Health Department, Emergency Services, and other entities. Upon request, each such entity shall review the application and submit advisory recommendations to the Office of the County Executive.

d. For all assemblies that meet the Paragraph 1 definition of “Special Event”, but excepting County, City of Pulaski, or Chamber-sponsored events, it is prohibited for any person or entity to use the Courthouse Grounds for a Special Event unless it has been permitted as set out below.

e. A City of Pulaski parade permit does not automatically include or absorb the Courthouse Grounds or Gazebo. Those desiring to use county property in conjunction with a city-approved parade shall request a permit through the Office of the County Executive, including a copy of the city’s “Request for Parade Permit.” Special Events in conjunction with City-approved parades may only request portions of the grounds that are immediately adjacent to the area(s) listed in the City parade permit, and may not exclude or impede general public access.

f. Special Event permits issued by the County do not include reserved parking; all parking areas surrounding the Courthouse are under City of Pulaski jurisdiction. Any event that requires reserved parking must seek appropriate approval from the City of Pulaski.

3. **SPECIAL EVENT PERMIT PROCEDURES AND REQUIREMENTS.**

a. Application: The applicant of the Special Event shall submit an application to the Office of the County Executive on forms provided by the county, not less than 10 days prior to the proposed Special Event and provide the following information:

- i. Detail and schedule of activities;
- ii. Anticipated attendance;
- iii. Date and hours of the requested event, including set-up and dismantle;
- iv. Map of requested use locations overlaid with planned activities;
- v. Electrical use requirements;
- vi. Scope of requested or required law enforcement or emergency services; and
- vii. Execution of an indemnification agreement and release of liability agreement holding county harmless from any damages or liability incurred as a result of the Special Event.

b. Requirements: To preserve and promote standards of public welfare and community decency consistent with Tennessee statutes, applicants and users of the courthouse property shall comply with the following minimum requirements:

- i. Applicants and attendees must obey and abide by, conform to, and comply with all laws of the United States, the State of Tennessee, and policies and ordinances of Giles County and City of Pulaski, Tennessee;
- ii. Courthouse property and lawn shall be protected from damage. The cost to repair any damage shall be paid by the user;
- iii. Sidewalks shall not be obstructed by booths, tents, displays or other items;
- iv. No vehicles may be driven on or parked on the sidewalks, grass or planted areas;
- v. Excepting Chamber-sponsored events, no vending or solicitation is permitted on the courthouse grounds unless specifically permitted in writing by the Office of the County Executive;
- vi. Chamber-sponsored activities shall ensure event insurance whenever outside vendors, caterers or other businesses are on-site for the purpose of making a profit, or any event involving “inflatables” (bounce houses, slides, etc), or any other activity that might create a risk of bodily injury. Event insurance must specifically:
 - 1) List Giles County as additional insured
 - 2) Hold Giles County harmless
- vii. No illegal drug use or alcohol use is allowed on the courthouse grounds;
- viii. If electrical tie is necessary the applicant shall define those needs under “proposed use” and provide their own heavy-gauge extension cord. Light gauge extension cords (smaller than 14AWG) are prohibited;
- ix. No on-site materials (signs, decoration, lighting, flags) may be stapled, nailed, tacked, taped, or in any way attached to the gazebo or courthouse;
- x. Except as protected by the First Amendment, the use of profane, obscene, or vulgar language, gestures, decorations, or accessories, is prohibited;
- xi. Other lawful assemblies may not be impeded or intimidated;
- xii. Excepting authorized service animals, no pets are allowed on the courthouse lawn;
- xiii. Any performances shall not involve the removal of clothing or garments, or the performance or simulation of sexual or indecent acts. Public indecency or the display, distribution or sale of sexually oriented materials or pornography are prohibited.

- xiv. A user must leave the grounds clean, clear of debris and trash, and in good condition. Trash is to be bagged and removed from the grounds. Clean-up and removal of equipment must be completed immediately following the event.
 - xv. Upon request by the Office of the Giles County Executive, users shall participate in a walk-through of the grounds with a county representative before and after each event to inspect the conditions of the grounds. If requested, the post event walk-through must be conducted within 48 hours of the conclusion of the event unless waived by the Office of the County Executive.
 - xvi. Failure to comply with any of the terms may result in cancellation of the Special Event and suspension of receiving future Special Event permits. So long as the applicant attempts to remedy or remove violators from the Event, the applicant will not be held responsible for the acts of attendees or event-goers.
- c. The courthouse building is not available for Special Event use. The courthouse is normally open to the public Monday-Friday from 8am to 4pm and closed on state and federal holidays. Permitted events in the vicinity of the courthouse are permissible beyond those hours with the understanding that the building will be closed and unavailable for use.
 - d. For events approved by the City of Pulaski, it shall not be incumbent on the County to provide space within the courthouse grounds for protesters or those of dissenting views. Those desiring to protest a city-approved event shall appeal for space to the Pulaski City Council. Requests for use of county property to protest, demonstrate, interfere, impede, or suppress city-approved events shall be denied and forwarded to the City of Pulaski.
4. **DENIAL OF PERMIT OR ISSUANCE OF PERMIT WITH CONDITIONS**: The Office of the County Executive may deny a Special Event permit for any of the following reasons or for any other good cause:
- a. The proposed Special Event may interfere with or is proximate to another Special Event previously approved by the county or City of Pulaski, or if per paragraph 3.D the proposed Special Event needs to be referred to the Pulaski City Council.
 - b. The event may prevent, obstruct, or disrupt any other lawful meeting, procession, or gathering.
 - c. The applicant supplies false or misleading information, fails to disclose intentions or complete the application, or fails to provide requested documentation;
 - d. The applicant willfully fails to comply with a requirement or regulation as stated herein;
 - e. The application is untimely;
 - f. The applicant or event sponsor previously failed to comply with these requirements, or otherwise engaged in conduct (documented by law enforcement) which jeopardized public health, safety, or welfare;

- g. The proposed event would unreasonably disrupt the orderly or safe circulation of traffic so as to present an unreasonable risk of injury or damage to the public; or
- h. The proposed event poses a significant danger or threat to the public health, welfare, or safety, or which may result in unreasonable inconvenience or cost to the public.
- i. Application denials shall be in writing with reasons stated for denial, and shall be communicated promptly to the applicant, either in person, by mail, or electronically.
- j. Per paragraph 2.e, the Office of the County Executive reserves the right to restrict use of the Courthouse Grounds to specific parts or portions thereof. Additionally, the Office of the County Executive may issue a Special Event permit with conditions or limitations placed upon the event in the best interest of public health, safety or for other reasonable cause.

5. **REVOCAION.**

- a. A permit issued under this policy may be revoked for any of the following reasons:
 - i. A change in the proposed activity, fraud, misrepresentation or any false statement contained in the Special Event Application; or
 - ii. The applicant demonstrates an inability or unwillingness to conduct the Special Event in accordance with the terms and conditions of this policy or any other ordinance or regulation.
- b. The decision of the Office of the County Executive may be appealed by letter per paragraph 6.

6. **APPEAL PROCESS.** Denials or revocations may be appealed by letter to the County Executive who shall forward the appeal to the County Attorney for review. The County Executive may appoint an Appeals Board comprised of the Sheriff, the Commission's Chairman and Pro-Tempore, and committee chairs of the Legislative, Property and Law Enforcement to conduct a full and fair hearing. The Appeals Board shall meet within 5 business days from the date the letter of appeal was received, have the County Attorney present for counsel, and provide a prompt and final determination on the validity of any appeals.

GILES COUNTY COURTHOUSE & GAZEBO SPECIAL EVENT APPLICATION AND AGREEMENT

APPLICANT INFORMATION:

Name of group/organization/individual: _____

Address: _____

City: _____ State: _____ ZIP: _____

REQUESTED AREA: Gazebo¹ Courthouse Grounds²

1 – Defined gazebo area is the structure including only those grounds within its sidewalk perimeter. Permitted use does not exclude public from accessing grounds.

2 – Defined Courthouse Grounds include all areas within sidewalk perimeter of courthouse, excluding the gazebo area. Entirety of Courthouse Grounds may not be reserved. Permitted use requires rough sketch of requested use locations overlaid with planned activities. Permitted use may not impede/exclude general public access.

REQUESTED DATE(S) & TIME(S): _____

DETAIL & SCHEDULE OF ACTIVITIES, ELECTRICAL USE REQUIREMENTS, SCOPE OF REQUESTED LAW ENFORCEMENT OR EMERGENCY SERVICES: _____

Is your activity in combination with or related to an event permitted by the City of Pulaski?

Yes No

RESPONSIBLE PERSON (*must be same as individual completing application*):

Contact information for the primary person who will be responsible for on-site supervision during the event/activity:

Name of responsible person: _____

Title: _____

Address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

The responsible person must submit acceptable photo identification along with this application, upon request.

ATTENDANCE, SECURITY AND SUPERVISION:

List how many people are expected to participate in or otherwise attend your activity (attach additional sheets if necessary): _____

Provide your security, supervision and crowd-control plan that ensures public sidewalks and courthouse entrances will not be obstructed: (attach additional sheets if necessary):

POST-EVENT CLEANUP:

Provide your plan for restroom cleanup & trash collection: _____

I acknowledge, accept, and agree that the use of the Historic Giles County Courthouse Grounds is provided "AS IS." I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, both known and unknown, and assume full responsibility for my use of the Historic Giles County Courthouse Grounds and I HEREBY INDEMNIFY, RELEASE AND HOLD HARMLESS Giles County, its officers, officials, agents, and employees, and on behalf of my heirs, assigns, personal representatives and next of kin, HEREBY INDEMNIFY, RELEASE AND HOLD HARMLESS Giles County, its officers, officials, agents, and employees from all liability, negligence, causes of action, claims, demands and damages of every kind related to any and all injury, disability, death, loss, or damage to person or property, including myself and my property, arising from my use of the Historic Giles County Courthouse Grounds. BY SIGNING THIS APPLICATION, I VERIFY THAT I HAVE READ THIS INDEMNIFICATION, WAIVER OF LIABILITY, AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTANDING ITS TERMS, AND UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND I SIGN IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

I have read and fully understand and agree to the terms and conditions set forth herein and acknowledge receipt of the Policy for Use of the Historic Giles County Courthouse Grounds.

Applicant
Signed: _____
Name: _____
Title: _____
Date: _____

Giles County Government
Signed: _____
Name: G. S. Stowe
Title: County Executive
Date: _____

Upon approval forward this event's date/time to Pulaski City Hall.