

**STATEMENT OF EMERGENCY  
200 KAR 3:020E**

This emergency administrative regulation is being promulgated in order to provide clear guidance regarding public use of state-owned facilities and grounds. The administrative regulation aims to protect the health, safety, and welfare of visiting members of the public, as well as staff at state-owned facilities and grounds. An emergency administrative regulation is necessary, pending replacement by an ordinary administrative regulation, to provide clear and comprehensive guidelines in regard to items and activities that pose a threat to public health, safety, and welfare at state-owned facilities and grounds. Over the years, public interest in, and attendance of, the regular business of the Kentucky Legislature has steadily increased to the extent that concerns have arisen regarding the health, safety, and welfare of visiting members of the public and staff. With a regulation session of the Kentucky Legislature imminent, the provision of this administrative regulation should be given immediate effect. This emergency administrative regulation shall be replaced by an ordinary administrative regulation being filed with the Administrative Regulations Compiler contemporaneously with this emergency administrative regulation. The ordinary administrative regulation is identical to this emergency administrative regulation.

MATTHEW G. BEVIN, Governor  
WILLIAM M. LANDRUM III, Secretary  
ROBERT M. BURNSIDE, Commissioner

**FINANCE AND ADMINISTRATION CABINET  
Department for Facilities and Support Services  
(New Emergency Administrative Regulation)**

**200 KAR 3:020E. Use of state-owned facilities and grounds.**

RELATES TO: KRS 42.019, 42.425, 56.010, 56.463

STATUTORY AUTHORITY: KRS 42.019, 42.425, 56.010, 56.463

EFFECTIVE: January 4, 2019

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation establishes uniform rules for the governance of state facilities and grounds. While all state facilities and grounds are owned by the people of the Commonwealth at large, it is sometimes detrimental to the effective carrying-out of the people's business for persons, or groups of persons, to disregard reasonable conditions established for use of state facilities and state grounds. The purpose of this administrative regulation is to balance the interests of the citizens of the Commonwealth at large with the interests of individual citizens, or groups of citizens, to use state facilities and grounds in a reasonable fashion in order to redress their grievances and coordinate various uses of public buildings and grounds, to preserve historic properties, to ensure the health and safety of the public and state employees while on state property, and to protect the public from unnecessary financial losses. KRS 42.019 directs that the Division of Historic Properties shall be responsible for management and preservation of state-owned historic properties. KRS 42.425 entrusts the Department for Facilities and Support Services with primary responsibility for developing and implementing policies applicable to all state agencies to ensure effective planning for and efficient operation of state office buildings. KRS 56.010 states that the Finance and Administration Cabinet is empowered to institute civil proceedings in the name of the Commonwealth for any trespass or injury to state property under its control.

KRS 56.463 authorizes the Finance and Administration Cabinet to adopt rules and promulgate administrative regulations as may be necessary to govern the acquisition, control, and disposition of the real property.

Section 1. Definitions.

(1) "Agency" means a "Budget unit," defined by KRS 48.010(9).

(2) "Agency Application" means a form created and maintained by a state agency that allows individuals, organizations, and entities to request the ability to conduct an event at a facility or on grounds assigned to that agency.

(3) "Applicant" means a visitor who has submitted an Application to Use Commonwealth Facilities and all visitors present at a state facility or on state grounds pursuant to an approved application.

(4) "Application" means an Application to Use Commonwealth Facilities form created and maintained by the Division of Historic Properties that allows individuals, organizations, and entities to request the ability to conduct an event at historic properties.

(5) "Cabinet" means the Finance and Administration Cabinet.

(6) "Commissioner" means the Commissioner of the Department for Facilities and Support Services.

(7) "Department" means the Department for Facilities and Support Services.

(8) "Division" means the Division of Historic Properties, established pursuant to KRS 45.425(1)(d)(4).

(9) "Event" means any performance, ceremony, presentation, meeting, or rally held in a state facility or on state grounds.

(10) "Guest" means an individual who has booked or paid for overnight accommodations at a state facility or on state grounds, or an individual who has been provided with living accommodations by the state in connection to his or her employment with the Commonwealth.

(11) "Historic Properties" means state-owned historic properties under the management and preservation authority of the Division of Historic Properties, pursuant to KRS 42.019.

(12) "Organization" means any group or association of individuals joined together to accomplish shared goals or to advance shared interests or values, inclusive of its employees, agents, invitees, or guests.

(13) "Public Meeting" means a "Meeting," as defined by KRS 61.805(1).

(14) "Normal Business Hours" means the hours in which a facility is declared or posted as open and accessible to individuals other than employees or agents of the Commonwealth.

(15) "Rally" means a gathering of four (4) or more visitors for the purpose of actively promoting a cause.

(16) "Solicit" and "Solicitation" are defined by KRS 367.650(4).

(17) "Spontaneous Event" means an event where four (4) or more visitors gather to exercise their First Amendment rights in facilities and on grounds open to the general public in response to a triggering event that has occurred within the preceding calendar week, or is currently occurring.

(18) "State Facilities" or "Facilities" means any building owned or managed by the Finance and Administration Cabinet pursuant to KRS 56.463.

(19) "State Grounds" or "Grounds" means any lands owned or managed by the Finance and Administration Cabinet pursuant to KRS 56.463.

(20) "Tenant" means an individual or organization, excepting Commonwealth agencies, occupying land or property rented from the Commonwealth; limited to the specific state facility or state grounds where the land or property is located.

(21) "Visitor" means any person, organization, or entity present at a state facility or on state

grounds that is not employed or contracted to perform work there on behalf of the Commonwealth. A person or organization employed or contracted to perform work on behalf of the Commonwealth is a visitor if at a state facility or on state grounds for reasons other than performing work on behalf of the Commonwealth. The term "Visitor" includes those persons present at state facilities or state grounds by virtue of an approved application.

## Section 2. Request to Use State Facilities or Grounds.

(1) Within all areas assigned to it, a state agency may specify an Agency Application and approval process for public use of its facilities, so long as:

(a) The specified process does not conflict with the requirements of this administrative regulation, or with other state or federal law; and

(b) The agency prominently posts the Agency Application and approval process on its website.

(2) Each visitor seeking to hold an event at a state historic property shall submit a completed "Application to Use Commonwealth Facilities" to the division at least ten (10) calendar days prior to the anticipated date of the event.

(a) Applications may not be submitted, and an event may not be scheduled, more than 365 calendar days prior to the date of an event.

(b) An applicant, or related visitors, organizations, or entities may only make one (1) application for one (1) event at a time.

(c) Applications shall be reviewed and approved on a first come, first served basis, except that state sponsored activities shall be given priority.

(d) The division may impose fees for the use of specific state facilities or grounds by visitors, as well as fees for the use of equipment at state facilities or on state grounds.

(e) The division may deny an application if:

1. The application is incomplete;

2. The proposed event requests space allocated for a state sponsored activity, a previously scheduled event, the normal operation of state business, or a legislative session;

3. The proposed event poses a safety or security risk;

4. Applicant, or related visitors, organizations, or entities has made material misrepresentations regarding the nature or scope of an event or solicitation, inclusive of misrepresentations contained in prior applications; or

5. Applicant, or related visitors, organizations, or entities has failed to pay costs or damages due for a prior event.

(f) If an application is approved, the division shall issue a written approval specifying:

1. The property or portion of property for which approval is granted;

2. The date and time period for which approval is granted;

3. Any fee or costs to be paid for use of state property or equipment;

4. The amount of any advance deposit required; and

5. Whether proof of liability insurance shall be required for the requested use.

(g) Any written approval to use Commonwealth facilities is non-transferable and the purpose, time, place, or other conditions specified for use may not be changed without the written consent of the division.

(h) The division may revoke prior approval to hold an event at a state historic property if the property is requested for a state sponsored activity. If the division revokes prior approval for an applicant to use a historic property, it shall either:

1. Provide a refund of any fee paid for the use of the state property, or

2. Provide alternate dates that the facility is available for use.

(3) Except for spontaneous events, visitors who make use of a state facility or state grounds

without a permit:

- (a) May be charged a fee equal to the amount normally charged for approved uses, and
- (b) May be removed from a state facility or state grounds if their use interferes with a use approved by the division, or with a state sponsored activity.

### Section 3. Conditions Governing Use of State Facilities and Grounds.

(1) General conditions governing all state facilities and grounds to which visitors, applicants, and other persons visiting under application agree to abide.

(a) Visitors shall agree to be, and are, responsible for any vandalism, damage, breakage, loss, or other destruction caused by that individual or organization. In regards to state historic properties, costs may include costs for the services of specialists in relevant historical restoration skills.

(b) An agency agrees to reimburse, and shall reimburse, the department for any damage caused to state facilities assigned to its use.

(c) This administrative regulation is not intended to waive or preclude recovery by an agency from visitors for damages caused by them.

(d) Visitors shall indemnify and hold harmless the Commonwealth of Kentucky, its departments, agents, employees, and contractors from and against any and all suits, damages, claims, or liabilities due to personal injury or death; damage to or loss of property; or for any other injury or damage arising out of or resulting from the use of state facilities or grounds, except as provided by in KRS Chapter 44.

(e) Visitors are prohibited from digging, excavating, or using metal detectors.

(f) Visitors are prohibited from posting or affixing signs, announcements, or other documents on any exterior or interior wall, ceiling, floor, door, window, or other surface not specifically designated for that purpose.

(g) Visitors must promptly remove items or materials owned or used by them after an exhibit, event, or visitation. Failure to do so may result in the department billing the individuals or organizations with the costs of disposal, inclusive of use of staff time, which the individuals or organizations agree to be responsible for as a condition of their use of state facilities.

(h) Smoking is not permitted in state facilities or on state grounds.

(i) Visitors may not wear masks or hoods which conceal the identity of the wearer, with the exception of religious dress of a generally recognized religion or minor children celebrating Halloween.

(j) Public use of state facilities by visitors shall not interfere with the conduct of normal public business, any legislative session, court proceedings, or any other public business.

(k) Use of state facilities and state grounds by visitors shall conform to any applicable limits or requirements contained in the Kentucky Building Code, the Kentucky Standards of Safety contained in 815 KAR 10:060, orders of the State Fire Marshall, and local fire codes, inclusive of any applicable occupancy limits.

(l) Visitors shall not be permitted to obstruct passageways in a manner that would impair the normal conduct of state business or the safe evacuation of people in the event of a fire or similar emergency.

(m) Use or parking of a motorized vehicle on lawns, sidewalks, or terraces shall be restricted to emergency, maintenance, construction, development, delivery, or authorized building access purposes as determined by the department.

(n) The operation of aircraft, other than at designated landing areas, is prohibited.

(o) The mass release of birds, butterflies, or other living creatures is prohibited.

(p) In addition to any use limitations imposed by this administrative regulation, within areas assigned to its use, an agency may impose such additional use restrictions as are necessary

and proper to ensure:

1. Efficient operation and conduct of state business;
2. The safety of state employees and visitors;
3. The security of public assets and data; and
4. Restrictions necessary to conform to requirements of state and federal law.

(q) The following items are prohibited, unless owned or controlled by the state:

1. Hot-air balloons and similar lighter-than-air objects and aircraft;
2. Powered aircraft, drones, and remotely-operated aircraft;
3. Remotely controlled toys and vehicles;
4. Rockets and similar missiles; and
5. Fireworks and other explosive items.

(r) The following items are not permitted in any state facility or on any state grounds, unless such items are owned or controlled by the state:

1. Any equipment, apparatus, or machinery that fails to conform with local fire codes;
2. Skateboards, roller skates, rollerblades, bicycles, mopeds, motor bicycles, motorcycles, and hoverboards; exclusive of mobility devices used by a disabled individual; and
3. Any personal property that interferes with any electrical or mechanical system in a state facility.

(s) The terms of this administrative regulation shall not apply to:

1. Guests of the state;
2. Tenants of state facilities;
3. Inmates and other incarcerated persons; or
4. Other individuals in the care, custody, or control of the state.

(2) Operating hours and access requirements.

(a) The commissioner, in consultation with agencies using each facility, shall establish normal business hours to designate when state facilities and grounds are open for public access. The commissioner may delegate authority to set normal business hours for all state facilities and grounds or for specific state facilities and grounds.

(b) Normal business hours of operation shall be posted at public entrances of state facilities and prominently posted on state grounds.

(c) Public entrances, operating hours, and scope of access are subject to change due to maintenance, emergency, disaster, safety threats, and similar concerns as determined by the commissioner.

(d) For purposes of public security and safety, all packages, backpacks, purses, bags, briefcases, or other similar items brought into a state facility are subject to search.

(e) No visitor may enter or remain on state facilities or grounds after normal business hours of operation without express approval, except state employees, contract workers for the state, or members of the public who are:

1. Meeting with an agency or legislator in regard to a public matter;
2. Attending a scheduled public meeting; or
3. Escorted by a state employee for the purpose of conducting state business.

(f) For purposes of this administrative regulation, any time period during which a state facility hosts a legislative session, public meeting, or court session shall be considered normal business hours in addition to any regular posted hours of operation.

(g) Visitors present at a state facility or on state grounds may be given up to thirty (30) minutes after normal business hours have ended to vacate the state facility or state grounds before being subject to immediate removal.

(h) When an agency allows individuals to remain in a state facility after normal business hours, it may be found to be jointly liable for damage caused by unescorted visitors.

(i) Visitors may not camp or remain overnight in state facilities or on state grounds.

(j) As a condition to their use of, or presence on, state facilities and grounds, applicant and visitors agree that state and local law enforcement officers may physically remove them from state facilities and grounds if they remain longer than thirty (30) minutes after normal business hours have ended and waive any claim against said law enforcement officers and the Commonwealth unless undue force is used resulting in serious bodily injury.

(3) Commercial activity.

(a) The following commercial activity is prohibited in state facilities or on state grounds:

1. Selling, displaying, or vending commercial products;
2. Solicitation; and
3. Advertising.

(b) The above restrictions regarding commercial activity shall not apply to:

1. State agencies;
2. State-affiliated or approved charitable fund-raising campaigns;
3. Individuals or organizations who have contracted with the state to conduct commercial activity at state facilities or on state grounds;
4. Nominal employee activity, provided that it otherwise conforms with applicable employee ethics restrictions and does not interfere with state business; and
5. Notice boards specifically set-aside for public posting.

(4) Administration of usage conditions.

(a) In addition to any civil or criminal penalties provided for under Kentucky law, visitors who violate the restrictions contained in this administrative regulation, agree to be, and are subject to immediate removal from state grounds and facilities as follows:

1. When a violation concerns damage to state facilities or grounds, or disruption of state business, the commissioner or agency head of the affected agency may request removal by officers of the Kentucky State Police, contract security staff, or other state or local law enforcement officers; or

2. When a violation concerns a safety concern or threat, removal may be done at the request of the commissioner or agency head of the affected agency, or upon exercise of independent discretion of the Kentucky State Police, contract security staff assigned to the state facility or grounds, or other state and local law enforcement offices.

(b) The commissioner, agency head of a tenant agency, officers of the Kentucky State Police, contract security staff, or other state or local law enforcement officers may place limitations on the area in which an event may be conducted, or may direct the clearing of an area or separation of groups, in order to ensure compliance with applicable health and safety standards, to maintain public order, and to ensure that normal public business may be conducted.

(c) Nothing in this administrative regulation shall be interpreted as:

1. Prohibiting the regular conduct of agency operations in a state facility or on state grounds after normal business hours regarding state facilities or grounds assigned to the agency's use.

2. Limiting the ability of an agency to make full and unencumbered use of state facilities or grounds assigned to them, subject to any specific conditions placed upon their use by the department.

#### Section 4. Additional Conditions Regarding Access and Use for Historic Properties.

(1) The Division of Historic Properties, established by KRS 42.425, may impose additional restrictions and use guidelines as are necessary and proper to ensure the responsible management, use, and preservation of state historic properties for the benefit of future generations.

(2) The Department of Parks and Kentucky Horse Park may advise and consult the division in regard to any restrictions or use guidelines relating to state shrines or museums.

(3) Any additional restrictions or use guidelines imposed by the Division of Historic Properties shall be prominently posted for public viewing on the Web site of the division, as well as being readily available to the public, in hardcopy form, at the main business office of the division.

#### Section 5. Enforcement.

(1) Authority to initiate civil proceedings in the name of the Commonwealth for any trespass or injury to state property under the cabinet's control shall be vested with the cabinet's Office of General Counsel.

(2) The cabinet's Office of General Counsel may delegate authority to initiate civil proceedings to counsel for an agency affected by a trespass or injury to state property, to another state agency or to outside counsel.

(3) Nothing in this administrative regulation is intended to waive or restrict in any way any normal criminal or civil remedies available under law that relates to improper trespass on, or misuse of, state facilities; disruption of public business; nuisance; or any other legal remedy otherwise available to the Commonwealth or its subdivisions.

(4) Nothing in this administrative regulation is intended to limit, waive, or otherwise alter the authority the rules for the operation and parking of motor vehicles on state grounds, as enumerated in 200 KAR 3:010.

#### Section 6: Documents Incorporated by Reference:

(1) "Application to Use Commonwealth Facilities"

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Finance and Administration Cabinet, Office of General Counsel, Capital Annex Room 392, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m.

ROBERT M. BURNSIDE, Commissioner

WILLIAM M. LANDRUM III, Secretary

APPROVED BY AGENCY: January 4, 2019

FILED WITH LRC: January 4, 2019 at 4 p.m.

CONTACT PERSON: Judy Piazza, Executive Director, Office of Legislative and Intergovernmental Affairs, Finance and Administration Cabinet, Capitol Annex Building Room 392, Frankfort, Kentucky 40601, phone (502) 564-4240, (502) 564-6785 fax, email Judith.Piazza@ky.gov.

### REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Judy Piazza

(1) Provide a brief summary of:

(a) What this administrative regulation does: Establishes uniform rules for the governance of state facilities and grounds.

(b) The necessity of this administrative regulation: Sets standards to ensure safety and security of state facilities and grounds, as well as staff and visitors. Provides uniform guidelines for visitors to prevent damage to state properties, as well as to ensure for the efficient operation of state business.

(c) How this administrative regulation conforms to the content of the authorizing statutes: Finance and Administration Cabinet and its subdivisions are authorized by KRS 42.019, KRS 42.425, KRS 56.463, and KRS 56.010 to ensure the preservation and efficient operation of state facilities, as well as to seek redress for damage to state property. This regulation estab-

lishes uniform standards for the use of state-owned properties by the public, in furtherance of those goals.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: By providing clear notice, to agencies and visitors, of any standards and rules which exist in regard to the use of state facilities and grounds.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Not applicable. Regulation is a new administrative regulation, rather than an amendment.

(b) The necessity of the amendment to this administrative regulation: N/A.

(c) How the amendment conforms to the content of the authorizing statutes: N/A.

(d) How the amendment will assist in the effective administration of the statutes: N/A.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Regulation offers clarity to state agencies and visitors to state properties regarding standards for use of Commonwealth facilities and grounds.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: State agencies, in cooperation with the Commissioner for Facilities and Support Services, must establish normal business hours. Visitors must comply with normal business hours at state properties, avoid actions which cause damage to state facilities and grounds, and observe reasonable safety and security requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The incorporated "Application to Use Commonwealth Facilities" contains fees for the use of state historic facilities. The application, and its included fees, has been in use by the Division of Historic Properties since 2007.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Agencies and the Department for Facilities and Support Services will be provided clarity regarding standards and rules which allow for the public right of access to state facilities and grounds while preserving the ability to conduct regular public business, ensuring the safety of staff and visitors, and avoiding damage to state properties.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: No additional costs are expected. Current staff and funding will be utilized.

(b) On a continuing basis: None.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Current budgetary funding.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change, if it is an amendment: None.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: Application to Use Commonwealth Facilities, which is incorporated by reference, establishes fees for use and set-up services regarding state historic properties. Authorizes state agencies to create application process for facilities assigned to their use, which may include fees. Authorizes agencies to assess costs for damages done to state facilities and grounds.

(9) TIERING: Is tiering applied? Tiering is not applied. All state agencies follow identical requirements regarding the setting of normal business hours and their authority to establish an

application process for public use of facilities assigned to them. Similarly, visitors to state facilities and grounds are uniformly subject to the conditions set forth in this regulation.

### FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The regulation impacts all state facilities and grounds owned or managed by the Finance and Administration Cabinet pursuant to KRS 56.463. Agencies occupying these state properties must observe the requirements of the regulation. State or local government agencies not occupying state facilities and grounds owned or managed by the Finance and Administration Cabinet will not be affected.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 42.019, KRS 42.425, KRS 56.463, and KRS 56.010

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There is no estimated effect on the expenses or revenues of any state or local agency from this administrative regulation. The regulation does not require any new labor-intensive administrative tasks, which may require additional staff, it merely clarifies standards to be applied regarding public use of state facilities and grounds.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? None.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None.

(c) How much will it cost to administer this program for the first year? No additional costs will be incurred in the first year of this regulation being in effect.

(d) How much will it cost to administer this program for subsequent years? No additional costs will be incurred in subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): \$0

Expenditures (+/-): \$0

Other Explanation:



**FINANCE & ADMINISTRATION CABINET  
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES  
DIVISION OF HISTORIC PROPERTIES  
APPLICATION TO USE COMMONWEALTH FACILITIES**

The Finance and Administration Cabinet permits persons, organizations or groups to use Commonwealth Facilities for various purposes and events when the use will not interfere with or disrupt governmental functions. Requests generally will be scheduled on a first-come, first-served basis. The Governor has priority over use of the Rotunda and other public areas of the Capitol. The Division of Historic Properties reserves the right to relocate any activity at our discretion if the Governor needs any area. ***Events may be held Monday-Friday, 8 a.m. until 4:00 p.m. (regular business hours) excluding state holidays.***

Below please find the application form, an event worksheet, *Rules for Use of Public Areas for the Capitol and Grounds*, as well as the acceptance/indemnification form. Please refer to the attached Historic Properties Advisory Commission (HPAC) guidelines for specifics on what is and is not permitted at the Capitol.

Please complete and sign all three pages required, and return to the Division of Historic Properties by fax 502-564-6505, or by mail:

Division of Historic Properties  
Attn: Capitol Scheduling  
Berry Mansion  
700 Louisville Road  
Frankfort, KY 40601

Upon receipt of your application, the Division of Historic Properties will review and notify you of approval and fees due.

**If you have any questions, please contact the Division of Historic Properties at 502-564-3000.**

*Effective for events scheduled on or after August 21, 2007.*

**AREAS AVAILABLE FOR USE**

**Capitol Rotunda**

The Capitol Rotunda may be scheduled for the following events during regular business hours: press conferences, rallies and public speaking engagements. Maximum capacity is 100 seated, 150 standing room only. For larger events that the Rotunda will not accommodate, please reserve the 2<sup>nd</sup> floor Mezzanine for overflow of the Rotunda space. Due to safety and conservation concerns, no more than 300 people may assemble for an event within the Rotunda and 2<sup>nd</sup> Floor Mezzanine. Groups larger than 300 people will only be permitted to use the Capitol front steps or Capitol exterior spaces for assembly. At no time shall the public hallways, doorways or staircases be impeded during your event.

Presentations and meetings cannot be accommodated within the Capitol public spaces. This includes the use of screens or other audio/visual equipment within the Rotunda and Capitol public spaces.

Musical and other entertainment performances are scheduled only during the hours of 11:30 a.m. until 1:00 p.m., Monday through Friday, excluding state holidays, per the HPAC guidelines. If no set-up is required, no charge will apply for these limited, special, public performances, subject to availability of the space.

Fee for Set-up: \$25 for one hour (maximum event time 1 hour.)

- ❖ Set up includes podium with microphone and speakers and backdrop;
- ❖ Chairs may be added at the cost of \$0.50 each, up to 100 chairs total in the Rotunda; and
- ❖ Additional items such as 8 foot tables may be added at the cost of \$5 per table.
- ❖ Tables are to be used for materials, temporary exhibit placement during the event scheduled, or for presentation of awards.

Per the HPAC guidelines, food and drink is not permitted to be served or consumed in the Capitol Rotunda or in the public hallways of the 1<sup>st</sup> floor of the Capitol.

### **Capitol 2<sup>nd</sup> Floor Mezzanine**

The second floor public areas overlooking the Capitol Rotunda may be scheduled for the following events during regular business hours (Monday through Friday, excluding state holidays, 8:00 a.m. until 4:00 p.m.): exhibit space and approved receptions with light refreshments. At no time shall the public hallways, doorways or staircases be impeded during your event. Maximum attendance=200 people.

**Exhibit Space:** \$20 per hour (limited to 2 hours total.)

Set up includes the following:

- ❖ Up to 4 eight-foot tables for exhibit space;
- ❖ 2<sup>nd</sup> Floor Mezzanine only within the inset areas overlooking the Capitol Rotunda; and
- ❖ Additional 8 foot tables may be added at the cost of \$5 per table needed.

### **Reception - 2<sup>nd</sup> Floor Mezzanine**

Only state-sponsored events in conjunction with an awards ceremony or special events (please see guidelines.)

\$50 per hour (limited to 2 hours total.) Maximum Attendance permitted: 200 people.

- ❖ 2<sup>nd</sup> Floor Mezzanine space, only within the inset areas overlooking the Rotunda.
- ❖ Set up includes up to 4 eight-foot tables for light refreshments, and 2 trash cans.

The Capitol Front Steps may be scheduled for the following events during regular business hours (Monday through Friday, excluding state holidays, 8:00 a.m. until 4:00 p.m.): press conferences, rallies and public speaking engagements.

Musical and other entertainment performances on the entire Capitol grounds are scheduled only during the hours of 11:30 a.m. until 1:00 p.m., Monday through Friday, excluding state government holidays.

### **Use of Capitol equipment outside:**

Fee for Set-up: \$15 for each hour needed (limit 2 hours total.)

- ❖ Set up includes podium with microphone.
- ❖ At no time shall the entrance/exit to the Capitol building be impeded.
- ❖ Applicants will need to provide any other equipment (i.e. tables for information or chairs.)

Fees collected from events at the Capitol assist with the maintenance and conservation efforts of this nearly 100-year-old landmark Capitol building.

- ❖ All fees due are to be paid to the Division of Historic Properties either via credit card, check, or interaccount no later than 48 hours or 2 business days prior to the scheduled event. Changes to the set-up less than 48 hours prior or 2 business days prior to the scheduled event cannot always be accommodated. Additional fees will apply for any added tables and chairs or other items needed and fees due must be paid prior to the scheduled event occurring at the Capitol or on the Capitol grounds. Please notify the Division of Historic Properties at 502-564-3000 as soon as possible to add additional items or to make changes to your set-up.
- ❖ All equipment requested is subject to availability.
- ❖ If a contractor plans to provide any of the items needed for your event, please consult with the Division of Historic Properties to obtain permission for any items you plan to set up on the Capitol Grounds or within the Capitol public spaces.
- ❖ For all events, additional charges may apply for added security, maintenance, trash collection, etc.

### **Other Information**

- ❖ For additional audio/visual equipment (i.e. mult box for media hook up) please contact Bruce Armstrong with the Division of Creative Services at 502-564-4508. Fees apply for the use of equipment and staff required. For political events, a private contractor is required for additional audio/visual services. The following vendors are familiar with the Capitol: AVT (Brad Abney) at 859-254-8954 or MSI (Tim Jones) at 859-684-5559.

- ❖ For additional security requests, please contact Facilities Security at 502-564-9877. Charges may apply for extra security staffing.
- ❖ The City of Frankfort Police Department should be contacted at 502-875-8523 regarding any pertinent parade permits or events requiring city streets to be closed.
- ❖ For special parking requests on the Capitol Complex, please note details of the number of vehicles, types and sizes of vehicle, and any other pertinent vehicle information on the event outline worksheet.
- ❖ The Department of Parks at 502-564-3142 can provide catering services for events on the Capitol Grounds. All other outside caterers and vendors must provide the appropriate catering license/certification from the Health Department, as well as appropriate business licensing and proof of liability insurance. These documents must be submitted to the Division of Historic Properties at least 48 hours or 2 business days prior to an *event*.
- ❖ Large trash collection needs must be contracted by the event coordinators.
- ❖ For all other requests, please contact the Division of Historic Properties at 502-564-3000, extension 228 or 226.

**While onsite, please notify the Capitol Security Desk located in the East End Vestibule in case of fire, injury or damage to the building. For assistance in the proper use of the Capitol or Capitol grounds, please direct inquiries to the Division of Historic Properties at 502-564-3000, 226.**

*Government-issued photo identification is required to gain access to the Capitol and Annex buildings. Teachers or other organizations must have a roster of the children in their group.*

## RULES FOR USE OF PUBLIC AREAS FOR THE CAPITOL AND GROUNDS

The Finance and Administration Cabinet permits persons, organizations or groups to use Commonwealth facilities for various purposes and events when the use will not interfere with or disrupt governmental functions. The following rules have been developed to ensure the care and protection of the historic Capitol building and grounds and to ensure a safe and orderly environment for your organization. Use of these areas must comply with all rules. All activities scheduled for the public areas must be approved through the Division of Historic Properties. An "Application to Use Commonwealth Facilities" form must be completed and signed and the rules read and signed. At no time will enforcement of these rules be influenced or affected by age, race, national origin, disability and religion or partisan politics.

Requests generally will be scheduled on a first-come, first-served basis. The Governor will have priority over use of the Rotunda and other public areas of the Capitol. We reserve the right to relocate any activity at our discretion if the Governor needs any area.

1. Activities scheduled for the interior Capitol building and Capitol Rotunda must be limited to no more than 150 (standing) or 100 (seated) people. Groups larger than 150 must reserve the 2<sup>nd</sup> floor mezzanine level for overflow standing. Due to safety and conservation concerns, no more than 300 people may assemble for an event within the Rotunda and 2<sup>nd</sup> Floor Mezzanine. Groups larger than 300 people will only be permitted to use the Capitol front steps or Capitol exterior spaces for assembly.
2. Activities scheduled for the Capitol and Capitol Grounds are not to begin before 8:00 A.M. and must conclude prior to 4:00 P.M., Monday through Friday (excluding state holidays.) Other times may be considered with special permission and availability.
3. No activity involving masks or other methods of disguising participants will be permitted in the Capitol or on the Capitol Grounds.
4. At no time shall any entrance or exit of the building or any staircase or stairwell be blocked in such a way to impede free access to or from or within the building by its occupants or the public.
5. In order not to unduly disturb the working environment in the Capitol building, all activities scheduled for the Rotunda and Capitol interior public spaces during normal business hours must be limited to one hour.
6. Any activity involving music or entertainment during regular business hours on the Capitol grounds or within the Capitol building must be held between the hours of 11:30a.m. and 1:00 p.m., and is limited to one hour in length, with the exception of approved events on the 2<sup>nd</sup> floor mezzanine level, which are limited to two hours in length.
7. Smoking is not allowed in the Capitol building.
8. Activities scheduled for the Capitol exterior may not be moved inside without prior written approval from the Division of Historic Properties.
9. Exterior activities must be confined to the Capitol Steps or pre-approved areas upon the grounds.
10. Please do not bring human or animal waste, blood, tissues or organs into the Capitol Building.
11. Animals, alive or dead, may not be brought into the Capitol Building except for animals assisting with disabilities or special permission is granted in advance by the Division of Historic Properties. Large animals are allowed on the Capitol Grounds with prior written permission from the Division of Historic Properties. Owners are responsible for removing all animal waste.
12. Use of additional equipment not provided by the Division of Historic Properties and the Division of Building Services including lights, audio, etc., must be approved in advance, in writing, by the Division of Historic Properties.
13. At no time may the tables or other equipment be placed in the public hallways, doorways or stairwells of the Capitol building, impeding public access to, from and within the building.
14. Due to the constricted space and crowded conditions that often prevail inside the Capitol, only paper-based, poster board or placard type signs (approximately 2'x3') are allowed within the building. Large, hand-carried framed signs, banners and signs or posters on sticks represent a serious safety hazard to visitors, occupants and the building's historic finishes, furnishings, statuary and works of art.
15. Banners, flags or other decorations for use within the Capitol must be mounted to free standing frames. Please ensure that any frame or base for flags, easels, etc., has protective footing so that it does not mar the Capitol marble surfaces.
16. Flags may be displayed in bases that are sufficiently weighted to ensure the stability of the flag and staff.
17. Flags and all other equipment should be placed at a safe distance from statues, art or exhibits to ensure they cannot cause damage should they fall over. Flags being carried must be handled safely to avoid injury to people, building features and works of art.

18. Posting or affixing signs, announcements or other documents to any surface or equipment in the Capitol or on the Capitol Grounds is strictly prohibited. Application may be made for exhibits with the Capitol/Annex tunnel. A separate application form applies for this area. Please request the Capitol/Annex Tunnel exhibit form.
19. As works of art, Rotunda sculptures are treated in the same manner a museum would care for their objects, therefore, nothing is to be attached to, leaned against or draped over the sculptures or pedestal bases. No one is permitted to climb on the sculptures or bases. Do not touch or otherwise tamper with any statue or bust.
20. Please do not touch or tamper with any paintings or other exhibits. Please keep hot light fixtures, including stage lights, as far away from paintings as possible.
21. Use of tape, adhesives, nails, screws, staples, brads, rivets or other connectors to attach any item to any Capitol surface equipment (including tables, chairs and podium) or on Capitol Grounds is strictly prohibited.
22. Please do not hammer on any surface within the Capitol or on the Capitol Grounds.
23. Use of any kind of uncoated metal wire, nylon cord, or other abrasive material on surfaces or fixtures within the Capitol interior or on the Capitol exterior is prohibited.
24. Please do not climb on or lean ladders against columns, balustrades or other building features. Check with Building Superintendent if assistance is required.
25. Food may only be served on the 2<sup>nd</sup> floor Mezzanine level public space or in approved areas on the Capitol grounds in conjunction with a state-sponsored awards ceremony or special event. Meals may not be served inside the Capitol Building public areas. Only light refreshments, hors d' oeuvres and non-alcoholic beverages may be served in conjunction with receptions, etc. Maximum attendance permitted on the 2<sup>nd</sup> floor mezzanine: 200 people.
26. Use of hot plates, chafers and electric appliances in conjunction with food service is prohibited. No cooking of food is allowed onsite. The applicant/hosting entity must assume responsibility for the preparation, service and consumption of all food and beverages provided and required permits and licensing that may be required for the event.
27. Applicants are required to (immediately) clean up spills. Marble surfaces are particularly vulnerable to damage by food or beverages made from berries, acidic punches and colas. In case of spills, all clean-up materials must be obtained at the Building Superintendents Office located in Room 2 of the Capitol basement.
28. Do not place glasses, cups or other containers on steps, railings, bases of columns, balustrades or furniture.
29. No food or drink is allowed inside the Rotunda.
30. Use of open flames and candles in the Capitol or on the Capitol Grounds is strictly restricted. A request to use candles for an event must be received in writing by the Division of Historic Properties. If candles are approved, they must be in a container in order to contain flame and dripping wax. If any wax is spilled, the Building Superintendent must be immediately notified.
31. Smoke or fog (theatrical or otherwise), and devices, which produce similar effects are strictly prohibited for use inside the Capitol building or on the Capitol campus unless specifically approved by the Division of Historic Properties prior to the event.
32. Traffic may not be blocked on Capital Avenue or the circle drive around the Capitol without the prior approval of the Division of Historic Properties and Facilities Security. If city streets around the Capitol must be blocked, permission from the City of Frankfort/Police Department must be received in writing by the Division of Historic Properties. A parade permit may be required.
33. Driving or placement of any vehicle or heavy equipment on the lawns, sidewalks or terraces of the Capitol and grounds is strictly prohibited. Emergency vehicles during the discharge of their duties will be given access to all areas of the Capitol and Grounds. Prior written permission must be obtained from the Division of Historic Properties in order to drive or place any vehicle on the Capitol sidewalks, terraces or Capitol grounds.
34. Due to the presence of underground utilities, irrigation and other lines nothing shall be driven into the ground or placed on the grounds anywhere without the location and method of placement approved in advance and in writing by the Division of Historic Properties.
35. Camping on the Capitol grounds is prohibited.
36. Staked tents are strictly restricted. Please consult with the Division of Historic Properties for advice and permission to use staked tents on the Capitol grounds.
37. Balloons are not allowed in the Rotunda. Balloons, birds and other objects are strictly restricted from release at the Capitol or Capitol grounds.
38. Weddings and receptions are not allowed in the Capitol building or on the Capitol grounds.
39. Fireworks and other types of displays are strictly prohibited and may only be used in conjunction with state-sponsored celebrations. A request to use fireworks must be received in writing by the Division of Historic Properties and permission may be granted by the Historic Properties Advisory Commission on advice and consul from the Division of Historic Properties. Special permits may be required from the City of Frankfort and other governmental entities.

40. Any group or organization approved for use of the Capitol will be required to reimburse the state for the cost of all staff services such as additional security, set up of tables, chairs, podiums or additional janitorial or maintenance services. Any services requested on the application will be evaluated to determine the applicable charge. Applicant will be notified of this charge at the time of confirmation of the activity. Payment must be made within 2 business days prior to the scheduled event.
41. Each group/organization requesting permission to use the Capitol or Capitol grounds shall be responsible for making sure litter, signs and any other materials brought by their group are (immediately) removed from the premises following the activity. A clean-up/damage deposit may be required and must be paid prior to the confirmation and approval of the application. Upon completion of the event, the area will be surveyed by the Building Superintendent and staff from the Division of Historic Properties. If no additional clean-up is required, any deposit will be returned to the event organizer.
42. An event insurance policy may be required for any event held at the Capitol or on the Capitol grounds. This requirement is at the sole discretion of the Division of Historic Properties.

### INDEMNIFICATION

The applicant agrees to indemnify, defend and save harmless the Finance and Administration Cabinet and the Commonwealth of Kentucky, its employees and agents from all claims, demands, suits, actions, proceedings lost, cost and damages of every kind and description, including attorney's fees or other litigation expenses that may be asserted or made against or incurred by the Finance and Administration Cabinet and the Commonwealth of Kentucky, its employees and agents, on account of loss of or damage to any property or for injuries to or death of any person caused by, arising out of, or contributed to, in whole or in part, by reasons of any alleged act, omission, mistake, negligence or other fault of applicant, its employees, agents, representatives, members or contractors, their employees, agents, or representatives or guests of applicant in connection with or incident to the performance of this agreement or arising out of applicants use of the facility. Applicant's obligation under this provision shall not extend to any liability resulting from the sole negligence of the Commonwealth, any of its agencies, officers, employees or agents.

### ACCEPTANCE

I request use of the described Commonwealth facilities based upon the rules set forth above and accept all terms and conditions contained herein. I certify that I am an authorized representative of the person(s), firm, group or organization applying for permission to use the facilities, I am at least 18 years of age and am authorized to enter into agreements.

Failure to comply with these rules may result in revocation of permission to use the facilities and denial of future requests.

I have read, understand and agree to abide by the *Rules for Use of Public Areas for the Capitol and Grounds*, and will be responsible to make the participants involved in this sponsored activity aware of said rules.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_ Telephone: \_\_\_\_\_

Alternate Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_

FINANCE & ADMINISTRATION CABINET  
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES  
DIVISION OF HISTORIC PROPERTIES  
APPLICATION TO USE COMMONWEALTH FACILITIES

Permits are issued at the discretion of the Secretary of the Finance & Administration Cabinet for activities that will not interfere with or disrupt governmental functions.

PART A - To be completed by APPLICANT

1. Name of Person, Firm, Organization or Group		2. Describe purpose of group/organization, etc.	
2. Date and Hours Requested From _____ (date) _____ a.m./p.m. to _____ a.m./p.m			
Additional Date(s) and Hours: From _____ (date) _____ a.m./p.m. to _____ a.m./p.m			
4. Area being requested for use. Include building name and/or street address. (Additional forms required for use of historic buildings.)			
5. Frame work of group: For Profit <input type="checkbox"/> Non-Profit <input type="checkbox"/> National in Scope <input type="checkbox"/> Statewide <input type="checkbox"/> Local <input type="checkbox"/>		6. Number of people/buses expected to be onsite. # of people _____ # of buses _____	
7. Describe, in detail, activities to be conducted on Commonwealth property:			
8. Name of person in charge:		Mailing Address: _____	
Telephone _____		E-Mail: _____	
Alt. Phone/Fax _____			
9. List names and phone numbers of persons who can supply supportive information about your group/organization:			
10. List Services Required: Electricity _____ Other _____ Restrooms _____ explain _____ Trash Receptacle(s) # _____ Podium, Backdrop, Flags _____ (included in Use Fee)		Additional Fees are charged for use of these items. If permit approved, total charges will be noted in Part D below. Table(s) # _____ x \$5 per table Chair(s) # _____ x 50 cents per chair Use Fee _____ (use fee dependent upon space(s) requested)	
11. Do you plan to bring animals on Commonwealth property? YES _____ NO _____ (if yes, explain) _____		12. Will any person(s) attending bring or carry a firearm or weapon? YES _____ NO _____ (if yes, explain) _____	
13. Car or Vehicle Exhibit: YES _____ NO _____		14. Do you plan to serve food or drink? YES _____ NO _____ If YES, you hereby acknowledge that you will apply for a food permit with the Franklin Co. Health Department. Must meet the guidelines criteria.	

I request use of the described Commonwealth facilities based upon the information set forth above. I certify that I am an authorized representative of the person(s), firm, group, or organization applying for permission to use the facilities and am authorized to enter into agreements and understand that any misstatement of information provided herein shall be grounds for refusal or revocation of application.

**INDEMNIFICATION:** The applicant agrees to indemnify, defend and save harmless the Finance & Administration Cabinet and the Commonwealth of Kentucky, its employees and agents against all claims, demands, suits, actions, proceedings, loss, costs and damages of every kind and description, including attorneys' fees or other litigation expenses that may be asserted or made against or incurred by the Finance & Administration Cabinet and the Commonwealth of Kentucky, its employees and agents on account of loss or damage to any property for injuries to or death of any person caused by, arising out of or contributed to, in whole or in part, by reasons of any alleged act, omission, mistake, negligence or other fault of applicant, its employees, agents, representatives, members or contractors, their employees, agents or representatives or guests of applicant in connection with or incident to the performances of this agreement or arising out of applicant's use of the facilities. Applicant's obligation under this provision shall not extend to any liability resulting from the negligence of the Commonwealth, any of its agencies, officers, employees or agents.

ORGANIZATION: \_\_\_\_\_

SIGNATURE OF AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE SIGNED \_\_\_\_\_

PART B - To be completed by FACILITIES SECURITY/KENTUCKY STATE POLICE - when applicable.	
Will extra security be required? YES _____ NO _____	Additional Expenses YES _____ NO _____
How many? _____	

By: \_\_\_\_\_  
Facilities Security \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

PART C - To be completed by the DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES REPRESENTATIVE

Comments or Limitations: \_\_\_\_\_

Recommended Approval: YES \_\_\_\_\_ NO \_\_\_\_\_  
Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

PART D - To be completed by APPLICANT upon receiving notice of approval to use Commonwealth Facilities

Applicant acknowledges that the total fee for requested items \$ \_\_\_\_\_ will be paid in full prior to receipt of executed application. This fee does not relieve the applicant of any claim or real or personal property damages, deposit for damages and/or etc.

By: \_\_\_\_\_  
Applicant/Representative \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

### OUTLINE FOR EVENT AT THE CAPITOL

The Division of Historic Properties requires the following information for events at the Capitol. If you are unable to complete some areas (such as names of contractors, etc.) you may provide this at a later date. However, we need as much information as possible at the time of application for your event.

Please complete the following:

Type of Event \_\_\_\_\_  
(i.e. press conference, proclamation signing, musical event, awards ceremony, rally, etc.)

Outline/Timeline of Event (Please send this as a separate attachment.)

Food Service \_\_\_\_ Yes \_\_\_\_ No      Caterer \_\_\_\_\_ (name) and contact  
information (Phone) \_\_\_\_\_ Email \_\_\_\_\_

Type of food to be served \_\_\_\_\_

Sound/Audio Equipment \_\_\_\_\_

Is this equipment to be provided by a contractor? If yes, please include type name(s) of company(s) and contact  
information. \_\_\_\_\_ Phone \_\_\_\_\_

Other equipment – Will platforms or other staging be constructed or set-up on-site? Please include any other  
contractors/vendors and contact information.

\_\_\_\_\_

Will you need accessible entrance and parking? \_\_\_\_\_ and for how many? \_\_\_\_\_

For a vehicle or car exhibit, please indicate the desired location for the vehicles to be parked: \_\_\_\_\_

\_\_\_\_\_

Do you require that any areas around the Capitol drive be blocked during your event? If yes, please indicate  
where \_\_\_\_\_

Will any public officials be in attendance? If yes, please list: \_\_\_\_\_

\_\_\_\_\_

For any equipment provided by the Commonwealth (i.e. podium, backdrop, tables, chairs) please indicate the  
location of this equipment below (i.e. 4 tables along the walls of the Rotunda for materials, 100 chairs arranged  
for audience seating.)