

# Vermont State Facilities Rules

**STATE OF VERMONT**  
**Agency of Administration**  
**DEPARTMENT OF BUILDINGS & GENERAL SERVICES**

## Rule 00001

**Title: State Facilities Rules**

**Date of Issue: February 3, 2000**

### 1. Authority and Application

These rules are promulgated pursuant to 29 V.S.A. §152(14). The rules apply to all state-owned or leased land, buildings, structures, grounds and appurtenances under the jurisdiction of the Commissioner of Buildings and General Services as limited by the exceptions to jurisdiction in 29 V.S.A. § 152(9) and under 29 V.S.A. Chapter 5A. These rules do not apply to State Correctional Facilities occupied by the Department of Corrections unless so designated in certain areas by the Commissioner of Corrections.

### 2. Definitions

"Commercial" means activities undertaken for the primary purpose of producing a profit. Activities where commercial aspects are incidental to the primary purpose of expression of ideas or advocacy of causes are not "commercial" for the purpose of these rules.

"Commissioner" means the Commissioner of Buildings and General Services.

"Controlled substances" is defined in Department of Personnel Policy 17.3.

"Dangerous weapon or deadly weapon" is defined by 13 V.S.A. §4016(a)(2) and (3).

"Designee" means any person, office or position which the Commissioner designates to enforce the provisions of these rules.

"Law enforcement officer" is defined in 20 V.S.A. §2358.

"Person" includes all individuals, including, but not limited to, State officers or employees, political representatives, and lobbyists.

"State Business" means all administrative, governmental, proprietary and other acts and transactions required for the operation of State government.

"State Buildings" means all state-owned or leased buildings, structures, and appurtenances under the jurisdiction of the Commissioner of Buildings and General Services as limited by the exceptions to jurisdiction in 29 V.S.A. § 152(9) and 29 V.S.A. Chapter 5A.

"State Facilities" includes all State Buildings and State Grounds as defined herein.

"State Grounds" means all state-owned or leased land and grounds under the jurisdiction of the Commissioner of Buildings and General Services as limited by the exceptions to jurisdiction in 29 V.S.A. § 152(9) and 29 V.S.A. Chapter 5A.

### 3. Public Access to State Facilities

Use of State Facilities by the public during public access hours, 7:45 am – 4:30 pm, may be subject to reasonable limitations on the time, place and manner of use. Any municipality or person may use State Facilities for a public purpose. Permission is required for the use of State Facilities after public access hours. Reservations for the use of Facilities, or portions thereof, for non-State business during public access hours are required. Requests for use of State Facilities should be submitted at least 14 days in advance of the date desired and will be approved on a first come, first served basis in a nondiscriminatory manner. In determining whether to grant permission the Commissioner or designee shall consider only whether the purpose serves the interests or general welfare of the public; the timeliness of the request; the public health, welfare and safety; the security and maintenance of the Facility; and the normal conduct of State Business. Permitted use of State Facilities shall not imply endorsement or approval of the entity or activity.

The conduct of State Business in each State Facility shall take precedence over any other requested use of each State Facility. Certain areas of State Facilities may be exclusively reserved for the purpose of State Business by the Commissioner or designee.

State Facilities shall be closed to the public outside of the posted public access hours, except as permitted by the Commissioner or designee. State Facilities shall also be closed to the public in emergency situations and at such times as may be necessary for the orderly conduct of State Business. Admission to State Facilities during such periods will be limited to individuals authorized by the Commissioner or designee.

### 4. Inspections and Identifications

All packages, briefcases, and other containers in the immediate possession of all persons entering a State Facility may be subject to inspection. Persons refusing to allow such inspection may be prohibited from entering the State Facility.

In order to ensure the safety of persons within State Facilities and to preserve public property, the Commissioner or designee may require the presentation of acceptable identification.

### 5. Firearms, Explosives and Other Dangerous Weapons

Firearms, explosives, dangerous weapons or the components to fabricate such devices whether in open or concealed possession are prohibited in State Buildings. Vermont Criminal Justice Training Council (VCJTC) certified law enforcement officers, as defined in 20 V.S.A. §2358 and Capitol Police Officers who have successfully completed the firearms safety program provided by VCJTC are exempt from this provision, unless otherwise provided by law. Instructors and participants in educational or training classes conducted by the Agency of Natural Resources or the Department of Fish and Wildlife may be exempt from this provision upon the Commissioner's receipt and acknowledgment of written notification of such classes from the Agency of Natural Resources or the Department of Fish and Wildlife.

Hunting on State Grounds shall be allowed except as posted as per the laws, rules and regulations of the General Assembly and the Department of Fish and Wildlife.

## **6. Preservation of Property**

No person shall: improperly dispose of rubbish at State Facilities; willfully destroy, deface or damage State Facilities; steal or otherwise unlawfully remove property from State Facilities; create any hazard to persons or things; or climb upon statues, fountains, or other exhibits at State Facilities.

## **7. Disturbances**

Any conduct resulting in a breach of the peace or disturbance, as defined by the conduct prohibited by the provisions of 13 V.S.A. Chapter 19, or which impedes or disrupts the orderly conduct of State Business is prohibited.

## **8. Soliciting, Vending and Debt Collection**

Soliciting charitable contributions, panhandling, commercial or political soliciting, vending of all kinds, displaying or distributing commercial advertising, or collecting private debts at State Facilities is prohibited. This rule does not apply to:

- (a) the annual State Employees Combined Charitable appeal.
- (b) concessions or personal notices posted by employees on authorized bulletin boards.
- (c) solicitation of labor organization membership or dues authorized by 3 V.S.A. Chapter 27, or the Collective Bargaining Agreement entered into between the State of Vermont and the Vermont State Employees Association.
- (d) sale of farm produce by the actual producer.
- (e) sale of newspapers.
- (f) political solicitation which occurs in a public area outside of a State Building where it does not obstruct the passage of the public.
- (g) vending machines authorized by law, or authorized by State officials.
- (h) operation of cafeterias and other concessions authorized by law.
- (i) passive solicitation by State employees of de minimus charitable contributions, provided such solicitation has been approved by the department manager in advance.

## **9. Posting and Distributing Materials**

Posting or affixing materials, such as signs, pamphlets, handbills, or flyers, on bulletin boards or elsewhere upon State Facilities is prohibited, except as authorized by the Commissioner or designee. Postings by State employees on designated bulletin boards are also excepted from this provision.

Materials, such as signs, pamphlets, handbills, and flyers may only be distributed in the indoor areas of State Facilities with the permission of the Commissioner or designee. Distribution must be in a manner that does not obstruct the passage of the public.

## **10. Photographs or Video Recordings for Advertising, or Commercial Purposes**

Other than for news reporting purposes, photographs or video recordings in or upon State Facilities for advertising, commercial, or political purposes may be taken only with the permission of the Commissioner or designee.

## **11. Alcoholic Beverages and Controlled Substances**

Sale or consumption of alcoholic beverages in or upon State Facilities is prohibited without the permission of the Commissioner or designee.

Sale or consumption of controlled substances in or upon State Facilities is prohibited. A patient's prescribed use of a pharmaceutical which was prescribed for that patient by a licensed physician is an exception to this rule.

## **12. Animals**

Pets or animals are prohibited in State Buildings without the permission of the Commissioner or designee. Animals used to guide or assist disabled individuals are excepted from this provision.

## **13. Changes in Appearance to State Facilities**

Any modifications to State Facilities require the permission of the Commissioner or designee.

Leasehold improvements not expressly agreed to in a lease agreement require written approval by the Commissioner or designee.

## **14. Safe and Sanitary State Facilities**

State agencies, officers and employees must maintain State Facilities, including work areas, in a safe and sanitary manner. The Department of Buildings and General Services reserves the right to remedy conditions which are detrimental to the health, safety and welfare of the employees or the public.

## **15. Effects on Other Laws**

Nothing contained in these rules shall be construed to nullify any state laws or regulations applicable to any area in which a State Facility is located. These rules supersede any rules governing State Facilities formerly promulgated by the Commissioner. In the event that an agency occupying a State Facility has adopted a policy or rule which is more restrictive than these rules, that policy or rule shall control. Agencies shall file all rules and policies concerning State Facilities with the Commissioner and shall consult with the Commissioner prior to promulgating or revising any such rules or policies.

**Revised: December 1999**

**Effective: February 3, 2000**