

## STARR COUNTY

### BUILDING AND PROPERTY USE POLICY

**1. Authorization.** The Starr County Commissioners' Court ("Commissioners' Court") is authorized to develop, maintain, and control its 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 County Courthouse in order to support county operations, public service, and historical values. The Commissioners' Court recognizes that facilities are sometimes used for other public purposes, for which adequate parking and safe access must be maintained; blight, distraction, and nuisance must be mitigated in service to the whole community; and, the County must 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. Commissioners' Court may waive or modify the requirements of this Policy when:

- (i) It is necessary in order to serve the public interest;
- (ii) It will allow use which will continue to meet the intent of this Policy; and
- (iii) It 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. Use of County Property**

(a) The words "buildings" and "facilities" include structures and surrounding property belonging to Starr County. Starr County buildings and facilities are to be primarily used for official county functions and their intended purposes. It is intended that these facilities be used to the fullest extent for these primary purposes. However, the building referenced in Attachment "A" and its facilities may be made available to other users for events that support a public purpose, benefit, service, training or interest to Starr County residents that otherwise would not occur without the facility being available. Starr County has the right to refuse use of facilities to any group or person if the proposed event conflicts with the intended use of a building, is in conflict with established policies or laws, or is in conflict with any other confirmed reservation.

(b) The term "use" in this Policy excludes expressions of speech and access to buildings and facilities for personal business or to obtain county services. However, all persons on County property must observe and follow the Regulations for Use of Space in Section 8, below.

(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 reservation on County holidays. If the holiday falls on a Monday or Friday, the weekend preceding or the weekend following the holiday, respectively, shall be considered a holiday.

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

#### **4. 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 "A" of this Policy.

#### **5. Reservations**

(a) Reservations for use of each facility will be accepted on a first come, first served basis. The reservation must be made through the application process below.

(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 a facility 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. In reviewing requests for reservations, the County will consider the risk of damage or destruction to county property, the probability of interruption to the normal course of governmental functions, the historical value of any common areas, and the liability, risk and danger of injury posed to the public.

(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.

## **6. Compliance with Regulations of Use of Space**

(a) Any group or person reserving space must comply with the Regulations for Use of Space.

## **7. Liability**

(a) Any group or person reserving and submitting an application for use of a Starr County facility shall be required to execute a release of liability for negligence or any damages caused to the user, his guests, or his property during the time of the event or use of the facility.

(b) Any group or person reserving space are not allowed to assign their reserved time at a facility to another party unless written permission is given by the Starr County Judge.

(c) None of the provisions in this Policy shall be considered a waiver of immunities or an intent of the County to modify the standards of care applicable to the County under State law.

## **8. Regulations for Use of Space on County Property**

(a) All groups or person reserving space and their guests shall comply with the laws of the United States, and 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.

(b) Any group or person reserving space and their guests 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) Unless otherwise allowed by this Policy, depositing or posting handbills, flyers, pamphlets, signs, posters, placards, or other literature, except Governmental notices and announcements, on the grounds, plants, poles, walkways, 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. For purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, or flowers.

(f) Hanging decorations on the grounds, plants, poles, walkways, 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. For purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, or flowers.

(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 the group or person reserving space.

(h) Groups or persons reserving space may be required to have a licensed peace officer, or Starr County contracted security services, at their event.

(i) Groups or persons reserving space shall be responsible for securing any permits or approvals required in connection with the event.

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

(k) Groups or persons reserving space 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) Groups or persons reserving space 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 concealed as weapons (except those carried by peace officers) are forbidden from being brought onto Starr County property.

(n) Groups or persons reserving space and their guests shall not use or permit the premises to be used for sleeping or lodging purposes.

(o) Groups or persons reserving space will assure that persons attending a scheduled activity do not enter any of the offices in the facility.

(p) Stages, trailers, BBQ pits, awnings, shelters, tents, booths and other similar items are not allowed unless otherwise allowed by this Policy, Commissioners' Court, or the County Judge.

(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) The specific guidelines and regulations in Attachment "A" control the use of the Starr County Courthouse in addition to those listed herein; Attachment "A" supersedes any regulation in this policy to the extent any conflict exists.

(u) If an emergency happens, a person reserving space 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 person reserving space will call: (956) 716-4800.

### **9. Furniture / Equipment**

(a) Tables and chairs are available on a limited basis. If the person reserving space 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. Parking Lots and Parking Zones**

Parking Lots and Parking Zones on County properties are to be used strictly for public and government automobile parking purposes and to affect the business of the Government buildings which they serve.

- (i) Parking Lot — A Parking Lot is a dedicated paved area delineated by road surface markings which are intended for parking vehicles.
- (ii) Parking Zones — A Parking Zone is an unpaved area designated for parking vehicles.
- (iii) 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.
- (iv) Right of Way -- Vehicles shall yield to pedestrians.
- (v) Passing — Passing is prohibited.
- (vi) Parking — Parking is strictly limited to spaces on pavement between painted lines in Parking Lots, in areas designated as Parking Zones in such a way that egress and ingress of other vehicles is not obstructed, or in any other temporary or permanent space where posted signs indicate parking is permissible. Any space not designated for parking 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.

- (vii) 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.
- (viii) Vehicles may display political signs attached to the vehicles in accordance with the Texas Election Code.

#### **11. Public Spaces**

(a) Sidewalks, lawns and grassy areas on the County Courthouse property, and the County Courthouse steps are considered "Public Spaces." Permission is NOT required for the use of Public Spaces.

(b) Soliciting alms and contributions, and commercial solicitation on Public Spaces is prohibited.

(c) Depositing or posting handbills, flyers, pamphlets, signs, posters, placards, or other literature, except for Government notices and announcements, in Public Spaces is prohibited. "Depositing" and "posting" does not include holding or distributing material. Peaceful picketing and leafletting in Public Spaces is permissible.

(d) Public Spaces are open to the public during specified hours of operation throughout the year, including County holidays; to the extent practicable, hours of operation will be posted at the main entrance of each location to provide citizens with notice of the same. Any Public Space lacking a notice of the hours of operation shall be considered to be open at all times-24 hours a day, 7 days a week, throughout the year.

(e) Chairs, tables, tents, ice chests, and grills are allowed in County Parks. Tents, booths, tables, chairs and other similar items are allowed in County Memorials.

#### **12. 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.

#### **13. 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.


This STARR COUNTY BUILDING AND PROPERTY USE POLICY is enacted on 10th day of May, 2021 and supersedes previously enacted policies concerning the use of Starr County buildings and property.

Date: 5/10/2021

  
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Commissioner Jose F. Perez, Jr.  
County Commissioner Precinct #1

  
\_\_\_\_\_  
Commissioner Roy Pena III  
County Commissioner Precinct # 2

  
\_\_\_\_\_  
Commissioner Eloy Garza  
County Commissioner Precinct #3

  
\_\_\_\_\_  
Commissioner Ruben Saenz  
County Commissioner Precinct # 4

  
\_\_\_\_\_  
County Judge Eloy Vera

## ATTACHMENT "A"

### **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, except for wire signs, are to be set into the grass area surrounding the Courthouse.
- c. Fasteners, staking or drilling are not allowed on any concrete area.
- d. The Courthouse greens are available at all times for public use to the extent that there is no threat to the security of the Courthouse and the safety of County employees and citizens. Stages, trailers, BBQ pits, awnings, shelters, tents, booths, tables, chairs and other similar items are not allowed on the Courthouse greens.
- e. No permanent type markings are allowed on concrete, steps, landings, ramps or portico.
- f. Hanging of banners or signs from the county courthouse is prohibited unless approved by the Commissioners' Court and installed by courthouse maintenance personnel.
- g. Entrances and sidewalks shall not be obstructed.
- h. No 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 to windows, either structurally or cosmetically, shall be approved only by Commissioners' Court and upon written approval of the 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 a 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, and shall have the overall responsibility for reservations, interior/exterior locations, and meeting room use in those common areas other than the courtrooms.

a. Agreement to Policy. Any group(s) or individual(s) who are approved for use of the property will be provided a copy of this Policy and must agree to all of its terms and conditions.

- b. Common Areas are defined as hallways, elevator, bathrooms, and lawns.
- c. 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 of its official duties.
- d. Limited Attendance. Attendance at any meeting shall be limited by fire and safety regulations.
- e. No smoking allowed inside the courthouse proper.
- f. Equipment Approval. Electrical equipment, sound equipment, chairs, podiums, tents, stages or other equipment required for an event, including plans for the supply and use of electricity during the event, must be inspected and approved by the Facility Manager, but furnished and installed by the requesting party. Items not approved by the Facility Manager may not be used.
- g. Setup Change Request. Any requested change in the setup of the reserved room shall be included in the application prior to the event.
- h. 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.
- i. 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 be kept clean and sanitized.
- j. Probing or excavation, including the use of metal detectors, on the Grounds and Site is prohibited at all times.
- k. 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 is 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.
- l. Security requirements are the responsibility of the organizers, and must be approved by then. County Sheriff Department prior to the event.
- m. 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.
- n. Upon completion of the event, organizers will be held responsible for the clean-up of the entire Grounds and/or 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 the Starr County Judge.

## **STARR COUNTY**

### **ELECTIONEERING REGULATIONS**

#### **1. Purpose and Scope.**

- (a) The County of Starr, Texas (“County”), has authority, pursuant to Section 61.003 and Section 85.036 of the Texas Election Code, to enact reasonable regulations concerning the time, place, and manner of electioneering within the County limits; and the County now desires to adopt and establish certain rules and regulations that will govern the time, place, and manner of electioneering within County property. The County finds that the adoption of this policy is in the best interests of its citizens and serves a public purpose, and protects the health, safety, and welfare of the citizens of the County of Starr.
- (b) These Electioneering Regulations apply only to the County Courthouse when it is used as a polling location during a voting period.
- (c) It is the purpose of these Regulations:
  - (1) To provide reasonable regulations for electioneering on County - owned or -controlled public property when such property is used as a polling place location during a voting period.
  - (2) To establish an electioneering-free zone within one hundred (100) feet of any outside door through which a voter may enter a County building containing a polling place during any voting period.
  - (3) To prevent damage to public property and to ensure that a polling place location is sufficiently available during a voting period for those who use the facilities other than for election purposes.
  - (4) To protect the public health, safety, and welfare of the County.
  - (5) To protect the voter and the integrity of the election process.
- (d) These Regulations shall not be construed in violation of County policy, state or federal statute, or other applicable law. Any word, phrase, paragraph, or section of these Regulations is severable and should any part be declared unconstitutional, illegal or invalid by any court of competent jurisdiction, such declaration shall not affect any remaining word, phrase, paragraph or section.

## 2. Definitions

(a) "Early voting period" means:

- (1) The period for early voting by personal appearance as prescribed by the Texas Election Code or by other applicable state law.
- (2) If because of the date for which an election is ordered it is not possible to begin early voting by personal appearance on the prescribed date, the early voting period shall begin on the earliest date practicable after the prescribed date as set by the authority ordering the election.

(b) "Designated Area for Electioneering" means those areas shown on Exhibit A identified in green as areas specifically designated for electioneering which would otherwise be prohibited for Electioneering under the County's Building and Property Use Policy or other sections in these Regulations.

(c) "Electioneering" means the posting, use, or distribution of political signs, literature, or material.

(d) "Political" means supporting or opposing a candidate, political party, or measure appearing on the ballot.

(e) "Post" or "Posting" means to display a political sign, including attaching or affixing it to a surface, or staking it into the ground. T posts are not allowed on any County-owned or -controlled property.

(f) "Posting period" means:

- (1) The period during which political signs may be placed at any County-owned or -controlled polling location, i.e., placement beginning twenty-four (24) hours before an early voting period begins and removal no later than twenty-four (24) hours after an early voting period closes.
- (2) The period during which political signs may be placed at any County-owned or -controlled polling location, i.e., placement beginning twenty-four (24) hours before election day voting begins and removal no later than twenty-four (24) hours after election day voting closes.

(g) "Prohibited area" means the area pursuant to Texas Election Code §§ 85.036(a) and 61.003(a), as amended, in which electioneering is prohibited during the time an early voting place or election day voting place is open for the conduct of early voting or election day voting, respectively.

- (h) "Voting period" means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later, on election day and any day in an early voting period. The period for a run-off election shall be considered to be a separate voting period.

**3. Administration.**

The provisions of this policy shall be administered and enforced by the Starr County Judge, a designated election officer, a code enforcement official, or any law enforcement official.

**4. Prohibited Activities and Conduct.**

- (a) It shall be unlawful for any person to - leave or place an unattended sign on County-owned or -controlled property, including within a Designated Area for Electioneering, outside a posting period.
- (b) It shall be unlawful for any person to engage in electioneering during any voting period within a Prohibited Area.
- (c) It shall be unlawful to place or use T-posts -on any County-owned or -controlled property.
- (d) It shall be unlawful for any person to park or leave a motor vehicle, or other vehicle or device customarily used for transportation, with or without an occupant, which displays a political sign during any voting period within a Prohibited Area.
- (e) When using parking lots, County employees, staff, and contractors shall park the furthest away from the entrance of a polling location during voting periods to allow voters to park closer to the polling location.
- (f) It shall be unlawful for any person to loiter or electioneer on sidewalks and interfere with citizen access to polling locations unless the sidewalks are a specifically Designated Area for Electioneering. This prohibition does not apply to passive expressions of speech such as wearing clothing, hats or pins which may be considered electioneering.
- (g) It shall be unlawful for any person within a Designated Area for Electioneering to use, post or distribute signs that are more than two-foot by two-foot (2' x 2').
- (h) It shall be unlawful for any person to use a sound amplification device within 1,000 feet of any polling place during any voting period.


- (i) It shall be unlawful to electioneer within fifteen (15) feet from the curb of any County fire station driveway so that it obstructs sight lines as trucks and other vehicles pull in and out of the station. The Fire Chief or his/her designee at each respective County Commissioner Precinct may require that individuals and signs be relocated if it is determined that they hinder normal Fire Department operations.
- (j) It shall be unlawful for any person to engage in electioneering on any driveway of a County- owned or -controlled polling place location or in any area that the Fire Chief or his/her designee determines is unsafe for safe ingress and egress of citizens or County employees and staff from County-owned or -controlled buildings.
- (k) It shall be unlawful to obstruct firefighting or police activities on County-owned or -controlled property.
- (l) It shall be unlawful for electioneering activities to obstruct the vision of drivers, and increase the probability of traffic congestion on or surrounding County owned or controlled property.
- (m) It shall be unlawful to place or post political signs in public easements or rights-of-way.
- (n) The regulations set forth in this section shall not apply to any County-authorized signs, literature, materials, or other messages on County-owned or-controlled property.


**5. Penalty.**


- (a) Any person who violates any provision or section of these Regulations shall be deemed guilty of a Class C Misdemeanor.
- (b) In addition to the imposition of any criminal penalty, the County, without prior notification, may remove or dispose of any sign, in its entirety, which is located or placed on County-owned or -controlled property in violation of this policy.


These STARR COUNTY ELECTIONEERING REGULATIONS are enacted on the 10<sup>th</sup> day of May 2021.


Date: 5/10/2021

  
\_\_\_\_\_  
Commissioner Jose F. Perez, Jr.  
County Commissioner Precinct #1

  
\_\_\_\_\_  
Commissioner Roy Pena III  
County Commissioner Precinct # 2

  
\_\_\_\_\_  
Commissioner Eloy Garza  
County Commissioner Precinct #3

  
\_\_\_\_\_  
Commissioner Ruben Saenz  
County Commissioner Precinct # 4

  
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County Judge Eloy Vera

# EXHIBIT “A”



**Courthouse Designated Ejectioneering Area**

**Legend**

- 100 Foot Buffer Area
- Ejectioneering Area



## STARR COUNTY

### BUILDING AND PROPERTY USE POLICY

**1. Authorization.** The Starr County Commissioners' Court ("Commissioners' Court") is authorized to develop, maintain, and control its 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 County Courthouse in order to support county operations, public service, and historical values. The Commissioners' Court recognizes that facilities are sometimes used for other public purposes, for which adequate parking and safe access must be maintained; blight, distraction, and nuisance must be mitigated in service to the whole community; and, the County must 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. Commissioners' Court may waive or modify the requirements of this Policy when:

- (i) It is necessary in order to serve the public interest;
- (ii) It will allow use which will continue to meet the intent of this Policy; and
- (iii) It will not violate any applicable statutory requirements.

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- (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. Use of County Property**

(a) The words "buildings" and "facilities" include structures and surrounding property belonging to Starr County. Starr County buildings and facilities are to be primarily used for official county functions and their intended purposes. It is intended that these facilities be used to the fullest extent for these primary purposes. However, the building referenced in Attachment "A" and its facilities may be made available to other users for events that support a public purpose, benefit, service, training or interest to Starr County residents that otherwise would not occur without the facility being available. Starr County has the right to refuse use of facilities to any group or person if the proposed event conflicts with the intended use of a building, is in conflict with established policies or laws, or is in conflict with any other confirmed reservation.

(b) The term "use" in this Policy excludes expressions of speech and access to buildings and facilities for personal business or to obtain county services. However, all persons on County property must observe and follow the Regulations for Use of Space in Section 8, below.

(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 reservation on County holidays. If the holiday falls on a Monday or Friday, the weekend preceding or the weekend following the holiday, respectively, shall be considered a holiday.

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

#### **4. 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 "A" of this Policy.

#### **5. Reservations**

(a) Reservations for use of each facility will be accepted on a first come, first served basis. The reservation must be made through the application process below.

(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 a facility 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. In reviewing requests for reservations, the County will consider the risk of damage or destruction to county property, the probability of interruption to the normal course of governmental functions, the historical value of any common areas, and the liability, risk and danger of injury posed to the public.

(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.

## **6. Compliance with Regulations of Use of Space**

(a) Any group or person reserving space must comply with the Regulations for Use of Space.

## **7. Liability**

(a) Any group or person reserving and submitting an application for use of a Starr County facility shall be required to execute a release of liability for negligence or any damages caused to the user, his guests, or his property during the time of the event or use of the facility.

(b) Any group or person reserving space are not allowed to assign their reserved time at a facility to another party unless written permission is given by the Starr County Judge.

(c) None of the provisions in this Policy shall be considered a waiver of immunities or an intent of the County to modify the standards of care applicable to the County under State law.

## **8. Regulations for Use of Space on County Property**

(a) All groups or person reserving space and their guests shall comply with the laws of the United States, and 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.

(b) Any group or person reserving space and their guests 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) Unless otherwise allowed by this Policy, depositing or posting handbills, flyers, pamphlets, signs, posters, placards, or other literature, except Governmental notices and announcements, on the grounds, plants, poles, walkways, 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. For purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, or flowers.

(f) Hanging decorations on the grounds, plants, poles, walkways, 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. For purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, or flowers.

(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 the group or person reserving space.

(h) Groups or persons reserving space may be required to have a licensed peace officer, or Starr County contracted security services, at their event.

(i) Groups or persons reserving space shall be responsible for securing any permits or approvals required in connection with the event.

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

(k) Groups or persons reserving space 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) Groups or persons reserving space 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) Groups or persons reserving space and their guests shall not use or permit the premises to be used for sleeping or lodging purposes.

(o) Groups or persons reserving space will assure that persons attending a scheduled activity do not enter any of the offices in the facility.

(p) Stages, trailers, BBQ pits, awnings, shelters, tents, booths and other similar items are not allowed unless otherwise allowed by this Policy, Commissioners' Court, or the County Judge.

(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) The specific guidelines and regulations in Attachment "A" control the use of the Starr County Courthouse in addition to those listed herein; Attachment "A" supersedes any regulation in this policy to the extent any conflict exists.

(u) If an emergency happens, a person reserving space 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 person reserving space will call: (956) 716-4800.

### **9. Furniture / Equipment**

(a) Tables and chairs are available on a limited basis. If the person reserving space 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. Parking Lots and Parking Zones**

Parking Lots and Parking Zones on County properties are to be used strictly for public and government automobile parking purposes and to affect the business of the Government buildings which they serve.

- (i) Parking Lot — A Parking Lot is a dedicated paved area delineated by road surface markings which are intended for parking vehicles.
- (ii) Parking Zones — A Parking Zone is an unpaved area designated for parking vehicles.
- (iii) 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.
- (iv) Right of Way -- Vehicles shall yield to pedestrians.
- (v) Passing — Passing is prohibited.
- (vi) Parking — Parking is strictly limited to spaces on pavement between painted lines in Parking Lots, in areas designated as Parking Zones in such a way that egress and ingress of other vehicles is not obstructed, or in any other temporary or permanent space where posted signs indicate parking is permissible. Any space not designated for parking 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.

- (vii) 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.
- (viii) Vehicles may display political signs attached to the vehicles in accordance with the Texas Election Code.

#### **11. Public Spaces**

- (a) Sidewalks, lawns and grassy areas on the County Courthouse property, and the County Courthouse steps are considered "Public Spaces." Permission is NOT required for the use of Public Spaces.
- (b) Soliciting alms and contributions, and commercial solicitation on Public Spaces is prohibited.
- (c) Depositing or posting handbills, flyers, pamphlets, signs, posters, placards, or other(e) literature, except for Government notices and announcements, in Public Spaces is prohibited. "Depositing" and "posting" does not include holding or distributing material. Peaceful picketing and leafletting in Public Spaces is permissible.
- (d) Public Spaces are open to the public during specified hours of operation throughout the year, including County holidays; to the extent practicable, hours of operation will be posted at the main entrance of each location to provide citizens with notice of the same. Any Public Space lacking a notice of the hours of operation shall be considered to be open at all times-24 hours a day, 7 days a week, throughout the year.
- (e) Chairs, tables, tents, ice chests, and grills are allowed in County Parks. Tents, booths, tables, chairs and other similar items are allowed in County Memorials.

#### **12. 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.

#### **13. 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.


This STARR COUNTY BUILDING AND PROPERTY USE POLICY is enacted on 14th day of September 2020 and supersedes previously enacted policies concerning the use of Starr County buildings and property.

Date:

  
\_\_\_\_\_  
Commissioner Jose F. Perez, Jr.  
County Commissioner Precinct #1

  
\_\_\_\_\_  
Commissioner Roy Pena III  
County Commissioner Precinct # 2

  
\_\_\_\_\_  
Commissioner Eloy Garza  
County Commissioner Precinct #3

  
\_\_\_\_\_  
Commissioner Ruben Saenz  
County Commissioner Precinct # 4

  
\_\_\_\_\_  
County Judge Eloy Vera



## ATTACHMENT "A"

### **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, except for wire signs, are to be set into the grass area surrounding the Courthouse.
- c. Fasteners, staking or drilling are not allowed on any concrete area.
- d. The Courthouse greens are available at all times for public use to the extent that there is no threat to the security of the Courthouse and the safety of County employees and citizens. Stages, trailers, BBQ pits, awnings, shelters, tents, booths, tables, chairs and other similar items are not allowed on the Courthouse greens.
- e. No permanent type markings are allowed on concrete, steps, landings, ramps or portico.
- f. Hanging of banners or signs from the county courthouse is prohibited unless approved by the Commissioners' Court and installed by courthouse maintenance personnel.
- g. Entrances and sidewalks shall not be obstructed.
- h. No 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 to windows, either structurally or cosmetically, shall be approved only by Commissioners' Court and upon written approval of the 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 a 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, and shall have the overall responsibility for reservations, interior/exterior locations, and meeting room use in those common areas other than the courtrooms.

a. Agreement to Policy. Any group(s) or individual(s) who are approved for use of the property will be provided a copy of this Policy and must agree to all of its terms and conditions.

- b. Common Areas are defined as hallways, elevator, bathrooms, and lawns.
- c. 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 of its official duties.
- d. Limited Attendance. Attendance at any meeting shall be limited by fire and safety regulations.
- e. No smoking allowed inside the courthouse proper.
- f. Equipment Approval. Electrical equipment, sound equipment, chairs, podiums, tents, stages or other equipment required for an event, including plans for the supply and use of electricity during the event, must be inspected and approved by the Facility Manager, but furnished and installed by the requesting party. Items not approved by the Facility Manager may not be used.
- g. Setup Change Request. Any requested change in the setup of the reserved room shall be included in the application prior to the event.
- h. 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.
- i. 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 be kept clean and sanitized.
- j. Probing or excavation, including the use of metal detectors, on the Grounds and Site is prohibited at all times.
- k. 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 is 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.
- l. Security requirements are the responsibility of the organizers, and must be approved by then. County Sheriff Department prior to the event.
- m. 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.
- n. Upon completion of the event, organizers will be held responsible for the clean-up of the entire Grounds and/or 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 the Starr County Judge.

## STARR COUNTY

### ELECTIONEERING REGULATIONS

#### 1. Purpose and Scope.

- (a) The County of Starr, Texas ("County"), has authority, pursuant to Section 61.003 and Section 85.036 of the Texas Election Code, to enact reasonable regulations concerning the time, place, and manner of electioneering within the County limits; and the County now desires to adopt and establish certain rules and regulations that will govern the time, place, and manner of electioneering within County property. The County finds that the adoption of this policy is in the best interests of its citizens and serves a public purpose, and protects the health, safety, and welfare of the citizens of the County of Starr.
- (b) These Electioneering Regulations apply only to the County Courthouse when it is used as a polling location during a voting period.
- (c) It is the purpose of these Regulations:
  - (1) To provide reasonable regulations for electioneering on County - owned or -controlled public property when such property is used as a polling place location during a voting period.
  - (2) To establish an electioneering-free zone within one hundred (100) feet of any outside door through which a voter may enter a County building containing a polling place during any voting period.
  - (3) To prevent damage to public property and to ensure that a polling place location is sufficiently available during a voting period for those who use the facilities other than for election purposes.
  - (4) To protect the public health, safety, and welfare of the County.
  - (5) To protect the voter and the integrity of the election process.
- (d) These Regulations shall not be construed in violation of County policy, state or federal statute, or other applicable law. Any word, phrase, paragraph, or section of these Regulations is severable and should any part be declared unconstitutional, illegal or invalid by any court of competent jurisdiction, such declaration shall not affect any remaining word, phrase, paragraph or section.

## 2. Definitions

- (a) "Early voting period" means:
  - (1) The period for early voting by personal appearance as prescribed by the Texas Election Code or by other applicable state law.
  - (2) If because of the date for which an election is ordered it is not possible to begin early voting by personal appearance on the prescribed date, the early voting period shall begin on the earliest date practicable after the prescribed date as set by the authority ordering the election.
- (b) "Designated Area for Electioneering" means those areas shown on Exhibit A identified in green as areas specifically designated for electioneering which would otherwise be prohibited for Electioneering under the County's Building and Property Use Policy or other sections in these Regulations.
- (c) "Electioneering" means the posting, use, or distribution of political signs, literature, or material.
- (d) "Political" means supporting or opposing a candidate, political party, or measure appearing on the ballot.
- (e) "Post" or "Posting" means to display a political sign, including attaching or affixing it to a surface, or staking it into the ground. T posts are not allowed on any County-owned or -controlled property.
- (f) "Posting period" means:
  - (1) The period during which political signs may be placed at any County-owned or -controlled polling location, i.e., placement beginning twenty-four (24) hours before an early voting period begins and removal no later than twenty-four (24) hours after an early voting period closes.
  - (2) The period during which political signs may be placed at any County-owned or -controlled polling location, i.e., placement beginning twenty-four (24) hours before election day voting begins and removal no later than twenty-four (24) hours after election day voting closes.
- (g) "Prohibited area" means the area pursuant to Texas Election Code §§ 85.036(a) and 61.003(a), as amended, in which electioneering is prohibited during the time an early voting place or election day voting place is open for the conduct of early voting or election day voting, respectively.

- (h) "Voting period" means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later, on election day and any day in an early voting period. The period for a run-off election shall be considered to be a separate voting period.

**3. Administration.**

The provisions of this policy shall be administered and enforced by the Starr County Judge, a designated election officer, a code enforcement official, or any law enforcement official.

**4. Prohibited Activities and Conduct.**

- (a) It shall be unlawful for any person to - leave or place an unattended sign on County-owned or -controlled property, including within a Designated Area for Electioneering, outside a posting period.
- (b) It shall be unlawful for any person to engage in electioneering during any voting period within a Prohibited Area.
- (c) It shall be unlawful to place or use T-posts -on any County-owned or -controlled property.
- (d) It shall be unlawful for any person to park or leave a motor vehicle, or other vehicle or device customarily used for transportation, with or without an occupant, which displays a political sign during any voting period within a Prohibited Area.
- (e) When using parking lots, County employees, staff, and contractors shall park the furthest away from the entrance of a polling location during voting periods to allow voters to park closer to the polling location.
- (f) It shall be unlawful for any person to loiter or electioneer on sidewalks and interfere with citizen access to polling locations unless the sidewalks are a specifically Designated Area for Electioneering. This prohibition does not apply to passive expressions of speech such as wearing clothing, hats or pins which may be considered electioneering.
- (g) It shall be unlawful for any person within a Designated Area for Electioneering to use, post or distribute signs that are more than two-foot by two-foot (2' x 2').
- (h) It shall be unlawful for any person to use a sound amplification device within 1,000 feet of any polling place during any voting period.

- (i) It shall be unlawful to electioneer within fifteen (15) feet from the curb of any County fire station driveway so that it obstructs sight lines as trucks and other vehicles pull in and out of the station. The Fire Chief or his/her designee at each respective County Commissioner Precinct may require that individuals and signs be relocated if it is determined that they hinder normal Fire Department operations.
- (j) It shall be unlawful for any person to engage in electioneering on any driveway of a County- owned or -controlled polling place location or in any area that the Fire Chief or his/her designee determines is unsafe for safe ingress and egress of citizens or County employees and staff from County-owned or -controlled buildings.
- (k) It shall be unlawful to obstruct firefighting or police activities on County-owned or -controlled property.
- (l) It shall be unlawful for electioneering activities to obstruct the vision of drivers, and increase the probability of traffic congestion on or surrounding County owned or controlled property.
- (m) It shall be unlawful to place or post political signs in public easements or rights-of-way.
- (n) The regulations set forth in this section shall not apply to any County-authorized signs, literature, materials, or other messages on County-owned or-controlled property.


**5. Penalty.**


- (a) Any person who violates any provision or section of these Regulations shall be deemed guilty of a Class C Misdemeanor.
- (b) In addition to the imposition of any criminal penalty, the County, without prior notification, may remove or dispose of any sign, in its entirety, which is located or placed on County-owned or -controlled property in violation of this policy.


These STARR COUNTY ELECTIONEERING REGULATIONS are enacted on the 14<sup>th</sup> day of September 2020.


Date:

  
\_\_\_\_\_  
Commissioner Jose F. Perez, Jr.  
County Commissioner Precinct #1

  
\_\_\_\_\_  
Commissioner Roy Pena III  
County Commissioner Precinct # 2

  
\_\_\_\_\_  
Commissioner Eloy Garza  
County Commissioner Precinct #3

  
\_\_\_\_\_  
Commissioner Ruben Saenz  
County Commissioner Precinct # 4

  
\_\_\_\_\_  
County Judge Eloy Vera





# EXHIBIT “A”

**Courthouse Designated Electioneering Area**



**Legend**

-  100 Foot Buffer Area
-  Electioneering Area