

Policy on Non-Commercial Use of Grand Junction Regional Airport

1. Authority

1.1. The Grand Junction Regional Airport Authority Board of Commissioners adopts this Policy pursuant to Colorado Revised Statutes Section 41-3-106(h).

2. Purpose and Intent

2.1. The Airport Authority Board of Commissioners intends for the Grand Junction Regional Airport to serve a primary role of facilitating and accommodating aeronautical activities, including both commercial service passenger operations and General Aviation, in a safe, secure and efficient manner and to accommodate non-commercial, non-aeronautical activities only to the extent that such activities do not interfere with the Airport's primary role.

2.2. The Airport Authority Board of Commissioners further intends for the Airport to be and remain a "non-public forum" and to limit non-commercial, non-aeronautical use, including expressive activity, so as to avoid interfering with the Airport's primary role. Nothing herein shall be construed to create a "designated public forum".

2.3. The purpose of this Policy is to define the terms and conditions for using the Airport for non-commercial purposes, including camping, expressive activity, gambling, labor-related activities, leafletting, loitering, picketing, solicitation, surveys, and like matters.

2.4. This Policy is not comprehensive and does not address every possible non-commercial activity. The Executive Director is delegated with authority to supplement this Policy by providing further direction on matters addressed herein and on non-commercial activities that are not addressed herein.

2.5. This Policy shall not apply to commercial and non-commercial activities conducted by the Airport Authority and its officers, officials, employees, and agents.

2.6. This Policy is not intended to apply to non-commercial activities conducted on exclusive use leaseholds at the Airport, including aircraft hangars, except as explicitly provided herein.

2.7. Each Fixed Base Operator at the Airport is expected to have a general or location-specific policy covering the same or similar matters as addressed herein and to provide the Airport Authority with a copy of such policy and any updates thereto.

2.8. This Policy is not intended to limit or restrict the operation of aircraft to, from or at the Airport and is adopted in recognition of the Federal Aviation Administration's exclusive jurisdiction over the management of the navigable airspace.

3. **Definitions**

When used in this Policy, the following definitions apply:

- 3.1. *Airport* shall mean the *Grand Junction Regional Airport* which shall mean all of the area comprising Grand Junction Regional Airport as now existing or as the same may be expanded and developed and shall include all of its facilities, including but not limited to all airport buildings, hangars and property, enclosed or not enclosed, under the control, management or legal ownership of lessees or concessionaires of the Airport Authority, curbside services, security checkpoints, ticket counters, exterior buildings on the airport property, concessions, baggage claim areas, elevators and escalators, and the interior buildings and structures of the concourses and terminals.
- 3.2. *Airport Authority* shall mean the *Grand Junction Regional Airport Authority*, which shall mean the entity chartered pursuant to Colorado Revised Statutes Title 41, Article 3 to operate the Airport and is governed by the Grand Junction Regional Airport Authority Board of Commissioners.
- 3.3. *Airport Terminal* shall mean the commercial passenger terminal building at the Airport and any immediately surrounding sidewalks, buildings and structures used in connection with the commercial passenger terminal building.
- 3.4. *Charitable* shall mean and include the words patriotic, philanthropic, social service, health, welfare, benevolent, educational, civic, cultural or fraternal, either actual or purported.
- 3.5. *Expressive Activity* shall mean any act, including but not limited to speech, display of signs, gathering, marching, chanting, singing, holding signs or other verbal and nonverbal conduct that communicates a religious, charitable, political, or other non-commercial message or viewpoint.
- 3.6. *Leafletting* shall mean the repetitive distribution of free materials, including but not limited to leaflets, handbills, pamphlets, flyers, brochures, pins, buttons, badges, cards, pictures, envelopes, invitations, books, photos, or any other written or printed material, for the expression of ideas and opinions.
- 3.7. *Picketing* shall mean one or more persons marching or stationing themselves in an area in order to communicate their position on a labor dispute or issue, by displaying one or more signs, posters or similar devices.

- 3.8. *Political* shall mean and include activities related to the right to vote or attempts to influence or protest the outcome of any election or nomination campaigns, legislation, petitions, referenda or other measures to be submitted to the citizens for vote.
- 3.9. *Religious* and *religion* shall be given their commonly accepted meanings but shall not mean and include the word “charitable” as defined herein.
- 3.10. *Solicit, solicitation, and solicitation of funds* shall mean any request made on the premises of the Airport for the contribution or donation of money (cash), checks, credit card transactions, goods, services, or financial assistance.
- 3.11. *Survey* shall mean a set of questions people are asked to gather information or find out their opinions, or the information gathered by asking many people the same questions.

4. **Camping and Loitering**

- 4.1. The Airport Terminal is closed after the last departing or arriving commercial passenger flight and, as a result, remaining overnight on the sidewalk outside the Airport Terminal, within the vestibules, on access roadways, or within Airport parking lots is prohibited.
- 4.2. No person shall camp or reside at the Airport, including within a vehicle, camper, tent or otherwise. This prohibition is intended to apply to the entire Airport, including aircraft hangars and other leased property. This prohibition does not preclude remaining overnight at the Airport in connection with aircraft rescue and firefighting, wildland firefighting, law enforcement, medical services, Civil Air Patrol, and similar and related public safety and/or emergency activities. This prohibition does not preclude the use of a pilot rest lounge as may be provided by a commercial aeronautical service provider.
- 4.3. The Executive Director temporarily may suspend these prohibitions, including to permit remaining overnight within the Airport Terminal or elsewhere on the Airport, in the event of a bona fide emergency, including without limitation natural disasters, inclement weather, cancelled commercial passenger flights, and like conditions.
- 4.4. No person shall remain upon the Airport for any unlawful purpose or without any valid purpose. Loitering is prohibited. Nothing herein is intended to preclude use of the Airport by ticketed passengers.

5. **Expressive Activity**

- 5.1. No person or organization shall engage in expressive activity at the Airport, except pursuant to, and in compliance with, this Policy and any further requirements as may be imposed by the Airport Authority.

5.2. Limitations

- 5.2.1. This Policy is not intended to apply to or limit the rights of persons in connection with accompanying outbound passengers or greeting inbound passengers, including, by example and without limitation, former or current members of the military or armed services.
- 5.2.2. This Policy is not intended to apply to or limit the rights of persons using the Airport for any permissible purpose to wear any article of clothing that may contain a religious, charitable or political message, image or symbol.
- 5.2.3. This Policy is not intended to apply to private events hosted or approved by Airport tenants within aircraft hangars or surrounding leased property, including for example political fundraisers or rallies.

5.3. Location

- 5.3.1. Expressive activity at the Airport shall only occur in locations designated by the Airport Authority for this purpose as depicted on **Attachment A**.
- 5.3.2. Expressive activity is prohibited in areas other than the designated areas depicted on Attachment A, including by example and without limitation, the secure and sterile areas of the Airport.
- 5.3.3. Expressive activity may be conducted by only as many people as safely can be accommodated within the designated areas.
- 5.3.4. The Executive Director may require that the designated areas be set off, such as with stanchions, tape, or other means. The Airport Authority staff may prepare and make copies available for distribution of a brochure or map depicting the designated areas.
- 5.3.5. The designated areas shall be available on a first-come-first-served basis. The Executive Director is delegated with the authority to allocate the use of designated areas in the event of competing requests, such as by prescribing the time periods during which the designated areas may be used. In no event shall the Executive Director consider the viewpoints intended to be expressed in regulating the time, place and manner of expressive activity.

5.4. Conduct of Expressive Activities

5.4.1. All expressive activity shall be conducted (i) in a peaceful and orderly manner, (ii) without physical harm, molestation, threat or harassment of any person; (iii) without obscenities, violence, breach of the peace, or other unlawful conduct; (iv) without obstructing the use of the Airport by others; (v) without hindrance to or interference with the proper, safe, orderly and efficient access to/from, and the operation of, the Airport and activities conducted thereon; and (vi) in strict conformance with this Policy and any the direction and conditions prescribed by the Executive Director.

5.4.2. Persons engaged in expressive activities shall not do any of the following:

- 5.4.2.1. Identify themselves as representatives of the Airport Authority;
- 5.4.2.2. Attach signs to poles or other hard objects – signs must be carried or attached to participants;
- 5.4.2.3. Attempt to pin, tie or attach any symbol, insignia, article, or object to the clothing, luggage, or vehicle of any person without their consent;
- 5.4.2.4. Delay or in any manner assail, coerce, threaten, or physically disturb any member of the public, Airport Authority, airline, or other Airport employee for any purpose;
- 5.4.2.5. Block sidewalks, roadways, roundabouts, or doorways;
- 5.4.2.6. Interfere with passenger flow;
- 5.4.2.7. Interfere with passenger or baggage screening equipment, processes, and activities of the Transportation Security Administration or with the activities and duties of Airport Authority or law enforcement personnel;
- 5.4.2.8. Obstruct or interfere with the use of escalators, stairs, corridors, halls doorways, or elevators at the Airport;
- 5.4.2.9. Use any noise-making instruments, noise-making device, sound or voice amplifying apparatus, battery operated and/or electrically powered portable or stationary public address systems, or do anything that will reduce the effectiveness of the Airport public address system or that interferes with the business functions of the Airport; or
- 5.4.2.10. Conduct expressive activity on the Airport access roadways, block roadways, or conduct rallies, parades or congregate in vehicles for the purpose of conducting expressive activities.

5.4.3. The Executive Director shall have the right, at all times, to impose such reasonable further conditions on expressive activities to avoid injury to persons; damage to property; or to assure the safe, orderly and efficient operation of the Airport

5.5. Notice and Airport Authority Approval

5.5.1. Any person or organization desiring to engage in expressive activity at the Airport shall provide advance written notice to the Airport Authority's Public Information Officer, to include contact information for the sponsor or organizer, the intended

location (within a designated area), and the dates and times when the expressive activity is planned to occur.

5.5.2. The Executive Director is delegated with authority to issue written direction in response to any such notification to prescribe limits on the time, place and manner of the intended expressive activity, without regard for the viewpoints intended to be expressed.

5.5.3. Should the notice and written approval process prove insufficient to ensure that expressive activity is conducted in a safe and orderly manner without undue interference to the safe, secure and efficient operation of the Airport, the Executive Director shall have the authority to require that persons or organizations intending to engage in expressive activity submit an application and secure a permit. The Executive Director shall prescribe the contents of the application and permit and a process for reviewing applications and issuing permits.

6. **Filming, Photography and News Media**

6.1. The Airport Authority respects the rights of Airport passengers, employees and users to take still photographs, make audio recordings or record video for their personal, non-commercial use in conformance with this Policy.

6.2. Photography, recordings and filming for commercial use shall require advance notice to and express approval by the Airport Authority. This notice requirement shall not apply to commercial photography approved by Airport tenants and confined to their leased property, for marketing or similar and related purposes.

6.3. No person shall appropriate or use the photographs, recordings or video owned or held out by the Airport Authority on the Airport website or otherwise without attribution.

6.4. News media outlets must notify the Airport Authority's Public Information Officer prior to reporting from or engaging in photography, recordings or filming at the Airport.

6.5. No person shall take still photographs or record video of access control readers, security measures or security doors within or leading into or out of a restricted area.

6.6. No person shall take still photographs, make audio recordings, or record video of Transportation Security Administration officers or law enforcement officers in such manner as to interfere with the officer's official duties or that may compromise current or future Airport security or law enforcement functions, including with close up and detailed images of the screening equipment and associated displays and monitors.

6.7. No person shall take still photographs, make audio recordings, or record video in such manner as to interfere with the safe, secure and efficient movement of passengers, employees and users of the Airport, commercial businesses, or Airport Authority or law enforcement personnel.

7. **Gambling**

7.1. Gambling is prohibited at the Airport, including sports betting.

7.2. The Policy shall not preclude social gambling, as may be permitted by state law.

7.3. This Policy shall not preclude sales by the Colorado Lottery.

7.4. This Policy shall not apply to internet gambling.

8. **Labor-Related Activity and Picketing**

8.1. The Airport Authority respects the rights of individuals to organize, conduct meetings, and communicate issues of mutual benefit, including wages, benefits or terms and conditions of employment with any other employee or employer at the Airport. It is not the Airport Authority's intention to prohibit labor-related activity.

8.2. Individuals and organizations may use portions of leased premises at the Airport with the permission of the Airport tenant to engage in labor-related activities, including by example and without limitation, holding meetings, collecting signatures, taking votes, and sharing information on wages, benefits, terms and conditions of employment and similar and related matters. Individuals and labor organizations may not engage in such labor-related activities in any common use areas, Airport Authority meeting rooms, or any other unleased areas of the Airport without the Airport Authority's prior approval.

8.3. Individuals and labor organizations may leaflet for labor-related purposes in accordance with Section 9 of this Policy.

8.4. Individuals and labor organization may engage in picketing in accordance with Section 5 of this Policy. If the individual or labor organization wishes to engage in picketing outside the areas designated for expressive activity, the individual or labor organization must identify the specific reason for the different location and demonstrate that the message intended to be communicated is directed at a specific business or entity or otherwise could not be communicated effectively from the designated areas. If the Airport Authority grants permission to engage in picketing outside the designated areas, the Executive Director shall prescribe limits on the time, place and manner of picketing, and those

engaged in picketing shall comply with the requirements and prohibitions on expressive activity in Section 5 of this Policy.

9. **Leafletting**

- 9.1. Leafletting by three or fewer individuals is permitted within the Airport Terminal in accordance with this section. Leafletting in connection with other expressive activities or by more than three people shall be conducted pursuant to Section 5 of this Policy.
- 9.2. Leafletting in connection with any commercial activity shall not be subject to this Policy but instead shall require separate approval by the Airport Authority.
- 9.3. A person or organization wishing to engage in leafletting by three or fewer individuals shall provide advance written notice to the Airport Authority's Public Information Officer, to include the intended dates and times during which leafletting is intended to occur. Separate notice shall be required for any period that exceeds fourteen (14) total days.
- 9.4. A person or organization must seek and obtain the written approval of the Executive Director to engage in leafletting outside of the areas designed for expressive activity depicted on Attachment A. In such event, the Executive Director shall identify the area to be used, which area shall be selected so as not to interfere with the orderly movement of passengers, any commercial business or activity, law enforcement or security personnel, passenger ticketing and check-in, or passenger security screening.
- 9.5. Leafletting is intended to be a passive activity by which those engaged in leafletting may make themselves and associated leaflets, handbills or other literature visible, and passengers, employees and users may approach those engaged in leafletting to request information or literature. A person engaged in leafletting must not position or conduct themselves so as to interfere with the movement of Airport passengers, employees and users and further must not in any manner force, require or pressure (by physical or verbal action) an individual to stop, listen to information, or take any literature.
- 9.6. A person or organization engaged in leafletting must not leave any leaflets, handbills or other literature at the Airport during any period when the person or organization is not actively engaged in leafletting.

10. **Signs and Advertising**

- 10.1. Signs and displays at the Airport are intended primarily to identify on-Airport businesses and to provide wayfinding for Airport passengers and users. The installation of temporary and permanent signs and displays at the Airport identifying on-Airport businesses and providing wayfinding must be approved in writing by the Executive

Director and conform to any standards and requirements prescribed by the City of Grand Junction and the Airport Authority.

- 10.2. The use of static and digital displays within the Airport Terminal for advertising is limited to commercial activities, including promoting the sale, rental, distribution or availability of goods, services, food, entertainment, events, programs, transactions, products, and property (real or personal), and for promoting entities that engage in such activities.
- 10.3. The only permitted use of static and digital displays within the Airport Terminal for non-commercial purposes shall be by government entities or registered not-for-profit entities related to tourism, education, public health or public safety.
- 10.4. Commercial advertisements and non-commercial messages shall only be placed in displays provided by the Airport Authority, subject to the rates prescribed by the Airport Authority or its agent, or in displays provided by the Airport tenants, subject to the terms of this Policy and any other directives as may be issued by the Executive Director.
- 10.5. In no event shall signs and public displays at the Airport be used for any commercial or non-commercial purpose that expresses or advocates opinions, positions or viewpoints on matters of public debate about economic, political, religious or social issues.
- 10.6. In no event shall signs and public displays at the Airport be used for any commercial or non-commercial purpose that includes any profane language; portrays images or descriptions of violence; promotes hatred, bigotry, disparagement or violence towards individuals, groups, businesses, organizations or government entities; or contains obscenity or nudity.
- 10.7. This Policy shall not apply to the use of signs and public displays at the Airport by the Airport Authority for commercial advertising or non-commercial messages.
- 10.8. This Policy shall not apply to articles of clothing.
- 10.9. The use of signs in connection with expressive activity shall conform to the requirements of Section 5 of this Policy, and the use of signs in connection with labor-related activities shall conform to the requirements of Section 8 of this Policy.

11. **Solicitation**

- 11.1. No person shall solicit for the immediate receipt of funds within the Airport Terminal, including surrounding sidewalks, roadways, parking lots and structures. This prohibition shall include, by example and without limitation, panhandling or requests by, from or on behalf of any religious, charitable or political organization.

- 11.2. Leaflets, handbills and other literature made available for distribution within the Airport Terminal in accordance with this Policy may include requests for donation, provided that in no event shall a Person make a request for an immediate donation or payment.
- 11.3. The Executive Director may establish collection plates, donation boxes or similar receptacles at the security screening checkpoint or in other locations within the Airport Terminal seeking contributions for purposes identified by the Airport Authority.
- 11.4. Nothing herein is intended to restrict the rights of Airport tenants within exclusive use leaseholds outside of the Airport Terminal to solicit donations or permit others to do so.

12. Surveys and Signature Collection

- 12.1. Surveys have the potential to delay Airport passengers and interfere with the efficient operation of the Airport. As a result, surveys generally shall be limited to relevant topics, including, by example and without limitation, customer satisfaction and buying preferences concerning products and services sold at the Airport, passenger demographics, tourism, and similar and related matters.
- 12.2. No person shall conduct surveys at the Airport without the express approval of the Executive Director.
- 12.3. No person shall use the Airport for the purpose of collecting signatures for a political purpose, including without limitation petitions for initiatives, referenda or candidates to appear on the ballot in any federal, state or local general or special election.
- 12.4. Signature collection for labor-related purposes shall be permitted in accordance with Section 8 of this Policy.
- 12.5. This Policy shall not apply to the use of surveys by the Airport Authority and its agents.

13. Enforcement, Penalties and Appeals

- 13.1. The Airport Authority intends to enforce this Policy through graduated and progressive enforcement and penalties, including by example and without limitation the use of education and verbal warnings, citations, and denial of access to the Airport to engage in non-commercial activities.

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- 13.2. In addition to the other remedies hereunder, the Airport Authority may apply to a court of competent jurisdiction for injunctive relief barring any individual or organization in violation of this Policy or who has otherwise engaged in or expressed an intent to engage in activities that have the potential to impair or interfere with safe, secure and efficient operation of the Airport from engaging in future non-commercial activities at the Airport.
- 13.3. The remedies described in this section are in addition to the Authority's remedies at common law and under criminal statutes. Any person who is not using the Airport for a valid purpose in accordance with this Policy may be subject to arrest for trespass if such person refuses to leave when requested to do so by Airport Authority staff, authorized personnel or law enforcement officers.
- 13.4. Any person may request review by the Executive Director of any decision made under this Policy. The Executive Director shall investigate, or delegate the investigation to another individual, and issue a determination. The Executive Director's determination may be appealed to the Airport Authority Board of Commissioners if such appeal is filed within thirty (30) days of the Executive Director's decision.