

**Hennepin County, Minnesota**  
**RESOLUTION NO. 11-0490R1**

[2011]



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The following Resolution was offered by Commissioner McLaughlin and seconded by Commissioner Dorfman:

WHEREAS, Hennepin County has adopted a policy entitled "Use of Space in County Facilities ("Policy"), which is designed to promote and control the use of public space in and on Hennepin County facilities;

WHEREAS, starting on October 7, 2011, a number of individuals began to "occupy" portions of the North and South Plazas, located at the Hennepin County Government Center ("Plazas") including sleeping overnight, serving meals, and bringing and storing personal items;

WHEREAS, this "occupation" of the Plazas has continued uninterrupted since October 7, 2011;

WHEREAS, since the building was erected in 1973, Hennepin County has never allowed and there has never been a long-term "occupation" of the Plazas by a group of individuals;

WHEREAS, this is a new and unexpected use of the Plazas;

WHEREAS, the Plazas were not designed for camping or long-term "occupation;"

WHEREAS, the Minneapolis City Code Section 244.60 prohibits tents or other temporary structures to be on any public or private premises in the city and used as a shelter or enclosure of persons and their effects for the purpose of living therein;

WHEREAS, to date, the "occupation" has in general been peaceful and non-confrontational and Hennepin County staff have communicated with the "occupiers" related to limitations regarding use of the plazas;

WHEREAS, to date, Hennepin County has allowed individuals to "occupy" the Plazas and has accommodated a number of requests by individuals participating in the "occupation," including, allowing individuals to sleep on the plazas, allowing the storage of items on the Plazas, providing access to electric outlets, providing water, allowing portable toilets, and allowing signs and posters to be affixed to the planters and other structures on the Plaza;

WHEREAS, during the past month, a significant number of personal items have been brought to the Plazas and have been continuously stored on the Plazas, and a number of individuals (generally, 35-40 per evening) have slept overnight on the Plazas;

WHEREAS, since the "occupation" began the County Administrator has enforced specific rules related to this non-permitted use of the Plazas by the individuals occupying the plazas;

WHEREAS, there are unique concerns presented by any ongoing occupation of the Plazas, including:

- health and safety concerns of individuals using the Plazas to sleep;
- costs of increased security;
- creation of an ongoing de facto camp ground on the Plazas for any and all to use;
- inability of other groups and individuals to use the Plazas now and in the future;
- maintenance of the Plazas, including ongoing winterizing activities;

- ability to clear snow from the Plazas in a safe, effective and efficient manner;
- liability concerns related to personal safety and property of individuals; and
- aesthetics of the Plazas.

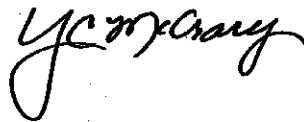
BE IT RESOLVED, that the Procedures for Public Use of the Hennepin County Government Center dated November 8, 2011 attached hereto are approved and apply to any and all uses of the Plazas; and

BE IT FURTHER RESOLVED, the County Administrator has authority to administer and enforce the Policy, including these procedures.

The question was on the adoption of the resolution as amended and there were 7 YEAS and 0 NAYS, as follows:

County of Hennepin Board of County Commissioners	YEAS	NAYS	ABSTAIN	ABSENT
Mike Opat	X			
Mark Stenglein	X			
Gail Dorfman	X			
Peter McLaughlin	X			
Randy Johnson	X			
Jan Callison	X			
Jeff Johnson	X			

RESOLUTION ADOPTED ON 11/8/2011



ATTEST:

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Deputy/Clerk to the County Board

**November 8, 2011**  
(as amended on November 8, 2011)

**Procedures for Public Use of the Hennepin County Government Center**

Pursuant to Hennepin County's policy regarding "Use Of Space By The Public In County Facilities" ("Policy"), the Hennepin County Government Center North and South Plazas (hereinafter, "Plazas") are defined as public space and are open for individuals to use, gather and demonstrate at any time. The right to demonstrate or assemble in these locations is governed by this Policy, other applicable state and federal laws and regulations, applicable local ordinances, court orders, and Hennepin County Board resolutions.

In accord with the Policy, the following procedures apply to any and all uses of the Plazas, starting on Monday, November 14, 2011:

- Individuals who desire to demonstrate, assemble or otherwise use the Plazas may do so at any time.
- No signs or posters, except those placed by county personnel related to county business, may be taped or otherwise affixed to the property (including, but not limited to, the Government Center, the planters, and other structures on the Plazas).
- No personal items or possessions (including, but not limited to, tables, chairs, boxes, tarps, and other items) may be stored on the Plazas.
- Personal items and possessions cannot be left unattended on the Plazas or grounds of the Government Center.
- Unattended personal items and possessions will be removed.
- No individuals may sleep on the Plazas or on the grounds of the Government Center.
- No portable toilets are allowed without express written authorization from the County Administrator, who will only allow portable toilets if they are necessary for a limited time due to an expected large crowd for a particular rally, demonstration or event, or a maximum of one toilet because of an ongoing presence on the plaza after regular business hours.

