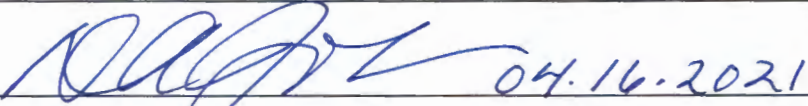




<b>Procedure Name:</b>	Use of RTD Facilities				
<b>Procedure #:</b>	RTD-RP-PRC-0005	<b>Adopted:</b>	5/1/2021	<b>Current Version</b>	A
<b>Revised:</b>	4/12/2021	<b>Last review date</b>	4/12/2021		
<b>General Manager and CEO Approval:</b>					
<b>Assistant General Manager Approval:</b>	Henry Stoppolecamp Digitally signed by Henry Stoppolecamp Date: 2021.04.12 09:42:09 -06'00'				
<b>Division Manager Approval:</b>	Susan K. Altes Digitally signed by Susan K. Altes Date: 2021.04.12 10:02:45 -06'00'				
<b>Responsible Department:</b>	Capital Programs – Real Property				

1. PURPOSE

This Procedure defines the activities that RTD expressly permits and prohibits at RTD Facilities, as defined below, along with the requirements for a use permit, special event agreement, and newsrack permit.

“RTD Facilities,” as used in this Procedure, means any real property owned or controlled by RTD, including the airspace above such property to the extent of RTD’s airspace rights, and accessible to the public, including but not limited to bus stations, rail stations, and Park-n-Rides.

“RTD Facilities,” as used in this Procedure, does not include the following:

- RTD transit vehicles, which are governed by RTD’s Code of Conduct;
- Commercial space on RTD property that is normally subject to a lease or use agreement between RTD and the lessee or licensee;
- Newsracks, which are subject to RTD’s separate Newsrack Policy; and
- Space normally reserved for paid advertising, which is subject to RTD’s Advertising Policy.

2. PERMITTED ACTIVITIES AT RTD FACILITIES

RTD shall not prohibit expressive activity on or in RTD Facilities, subject to reasonable time, place, and manner restrictions that protect the public health or safety, concern the provision of transit service or the flow of traffic on or in RTD Facilities, or concern the safe and efficient operation of RTD Facilities. However, expressive activity is not permitted on train platforms or in the interior spaces of the following locations: Union Station bus terminal, Civic Center Station, Boulder Junction at Depot Square Station, Downtown Boulder Station.

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Subject to the requirements of any RTD-issued use permit and provided that the activities do not interfere with or impede transit service or otherwise involve prohibited behavior, the following activities are permitted at RTD Facilities, excluding train platforms and the interior spaces of the following locations: Union Station bus terminal, Civic Center Station, Boulder Junction at Depot Square Station, Downtown Boulder Station:

- Public speaking, demonstrations, picketing, campaigning, leafleting, petitioning, and distribution of written, non-commercial, and promotional materials;
- Artistic performances;
- Solicitation for religious, social, and political causes.

Any person using RTD Facilities for non-transit activities pursuant to this Procedure does so at his or her own risk, and RTD assumes no liability by issuance of this Procedure.

### 3. PROHIBITED BEHAVIOR AT RTD FACILITIES

The following activities are prohibited at RTD Facilities:

- Engaging in activities not authorized by this Procedure.
- Failure to comply with a reasonable request from an RTD employee or representative related to RTD operational policies.
- Performing any act that interferes with or may tend to interfere with the provision of transit service, obstructs or may tend to obstruct the flow of traffic on or in RTD Facilities, or interferes with or may tend to interfere with the safe and efficient operation of RTD Facilities.
- Violating local, state, or federal laws, rules, regulations, or ordinances, including but not limited to Hindering Transportation, C.R.S. § 18-9-114; Endangering Public Transportation, C.R.S. § 18-9-115; and Throwing Missiles at Vehicles, C.R.S. § 18-9-116. Such prohibited behavior includes conduct that causes physical harm, jeopardizes public or individual safety, or creates a reasonable apprehension of imminent physical harm.
- Damaging or permanently altering RTD property. No ropes shall be anchored to any elevated surface, and no stakes shall be driven into the surface of RTD property or any appurtenance to RTD property.
- Falsely misrepresenting oneself, through words, signs, leaflets, attire, or otherwise, as an agent, employee, affiliate, or representative of RTD.
- Interfering with any construction, renovation, or maintenance being performed on or in RTD Facilities. All persons shall obey any directions or signage prohibiting access to certain areas due to construction, renovation, or maintenance.
- Posting or adhering any sign, poster, notice, advertisement, leaflet, or written matter without the express written permission of RTD.
- Posting or leaving any leaflet, paper, or written material on vehicles parked on or at RTD Facilities.

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- Engaging in activity that is obscene, defamatory, or consists of fighting words or specific threats of serious bodily injury. No person shall incite imminent lawless action.
- Engaging in commercial activity; public speaking; demonstrations; picketing; campaigning; leafleting; petitioning; distribution of written, noncommercial, or promotional materials; artistic performances; solicitation for religious, social, or political causes; or other organized activity in the interior spaces of the following locations: Union Station bus terminal, Civic Center Station, Boulder Junction at Depot Square Station, Downtown Boulder Station.
- On train platforms, no person shall engage in organized activity utilizing any equipment placed on the ground, including but not limited to tables, chairs, boxes, and coolers, or involving more than two people.
- Violating the terms of, or failing to have possession of, a use permit when required.
- Unauthorized presence after hours of operation of the RTD Facility.
- Failing to obey any request from RTD to stand behind warning strips (including yellow tactile strips) or within other safe locations on RTD property.
- Crossing RTD rail tracks at any location other than at a traffic or pedestrian-controlled intersection or at a designated pedestrian crossing.
- Smoking or vaping any substance including but not limited to tobacco (as defined in the Colorado Clean Indoor Air Act), or use of chewing tobacco, within any RTD Facility where smoking is prohibited by state or local law, any indoor RTD Facility, any outdoor or enclosed RTD Facility where “no smoking” signs are posted, and the area within a radius of 15 feet of the main entry or doorway to an indoor RTD Facility.
- Consuming any alcoholic beverage or marijuana, or possessing an open container of any alcoholic beverage or marijuana, except as specifically allowed by RTD.
- Entering or remaining in an RTD Facility while a person is so severely impaired by the consumption of alcohol or by the taking of any drugs that the person is unable to function safely in the environment of a transit system.
- Littering (including spilled food or liquids).
- Use of a bull horn or similar device to willfully disrupt the provision of transit services or public safety.
- Soliciting or otherwise engaging in unwanted conversation with any other person while such person is a captive audience (i.e., standing in line for a vehicle).
- Taking any animal into an indoor RTD Facility unless (1) the animal is intended and trained to assist a person with a disability, (2) the animal is in training to assist a person with a disability, or (3) the animal is in an appropriate animal carrier. All animals must have proof of current vaccinations required by the local jurisdictions in which the animals are traveling.
- Obstructing customers with disabilities from accessing features necessary to enable customers with disabilities to use transit services such as ramps, lifts, and high blocks.
- Possessing or transporting articles, baggage, or packages (except mobility aids) that restrict the safe movement of customers around transit vehicles or otherwise disrupting the use of transit.

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- Possessing or transporting any flammable liquid, combustible material, or other dangerous or hazardous item or substance such as gasoline, kerosene, or propane, including in a canister or machinery.
- Carrying any weapon, dangerous instrument (including but not limited to switchblade knife, gravity knife, box cutter, straight razor, razor blade not wrapped or enclosed in a protective covering, or sword), or any other item intended for use as a weapon, except to the extent and in the manner authorized by law. Legal firearms may be carried if they are unloaded and carried in an enclosed container that completely conceals the item from view and identification as a weapon. This paragraph does not apply to law enforcement personnel or to persons to whom a concealed-carry license for such weapon has been duly issued and is in force.
- Writing, marking, scribbling, defacing, or causing destruction on or to any RTD vehicle or property in any manner.
- Sleeping or dozing where such activity may cause concern for the person's well-being. In these cases, RTD may conduct a wellness check.
- Camping without a permit.
- Storing personal property (except for designated areas such as bike lockers/racks when using transit) without a permit.
- Occupying or traversing landscaped areas (other than lawns intended for public use).
- Intentionally occupying more than one seat of an RTD Facility (subject to ADA reasonable modification).
- Blocking or impeding the movement of another person or blocking a seat or an aisle, elevator, escalator, pathway, door, or stairway with one's body (sitting, standing, or lying down) or any object (except a mobility aid), or interfering with the operations or facilities maintenance in a way that poses a danger, unreasonably impedes a patron's movement or ability to sit, or displaces a person (subject to ADA reasonable modification).
- Failing to clear a designated wheelchair/mobility device area upon RTD request.
- Impeding the safe boarding or exiting of customers or restricting the opening or closing of doors.
- Unplugging a plug already being used in an electrical or data outlet to charge a personal device.
- Using or riding a skateboard, inline or roller skates, bicycle, scooter, Segway, hoverboard, or other wheeled personal transportation device (unless used as a mobility aid for an individual with a disability); strollers, non-ridden and non-straddled bicycles, and wheeled luggage are permitted.
- Using any wheeled device unsafely (i.e., in a manner that could cause injury to the rider or other customers).
- Bathing or washing clothes in RTD restrooms.
- Leaving needles in RTD restrooms except in designated Sharps Disposal Containers.
- Failure to wear footwear, shirts/tops, and pants/shorts/skirts (subject to ADA reasonable modification).

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- Putting shoes/feet up on any seat.
- Intentionally soiling any seat or other area (other than designated trash receptacles) with liquids, soils, greases, oils, foods, litter, urine, feces, other bodily fluids, or any other substances.
- Intentionally causing a repulsive odor so extreme and unavoidable that it causes a nuisance, unreasonably interferes with the use, operation, or enjoyment of an RTD Facility, or creates a direct threat or unsafe condition (subject to ADA reasonable modification).
- Spitting, urinating, or defecating other than in facilities intended for such purposes.
- Engaging in public nudity or exposing one's anus or genitals.

#### 4. USE PERMITS

A use permit is required for single-day, non-commercial use of RTD bus stations, Park-n-Rides, rail stations, and bus stops, if the activity involves any of the following:

- The activity is directed at broad public participation that reasonably could involve a gathering of more than five people at any one time; or
- The activity requires any equipment to be placed on the ground, such as tables, chairs, boxes, or coolers; or
- The activity is a private gathering that reasonably anticipates more than five people in attendance.

RTD does not issue use permits for consecutive days, and use permits are non-transferable.

Use permits are not available for train platforms or the interior spaces of any of the following locations: Union Station bus terminal, Civic Center Station, Boulder Junction at Depot Square Station, Downtown Boulder Station.

Use permits are issued by RTD's Real Property Division and are granted on a first-come, first-served basis according to availability and the operational requirements of the property.

##### A. Procedure to Obtain a Use Permit

To request a use permit, please fill out this form: <https://www.rtd-denver.com/sites/default/files/files/2017-06/rtd-facilities-use-permit-application071708.pdf>

The form is also available at RTD's Blake Street office and from RTD's Real Property Division. The entity or individual requesting a use permit must submit the form to the RTD Real Property Division by mail to 1560 Broadway, Suite 650, Denver, CO 80202, or by email to [RealProperty@rtd-denver.com](mailto:RealProperty@rtd-denver.com). Failure to complete the form may result in refusal to issue a permit. The completed form must be submitted at least 15 business days before the date of the activity that is the subject of the requested permit.

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Questions regarding use permits should be directed to the RTD Real Property Division at [303-299-2440](tel:303-299-2440) or [303-299-6904](tel:303-299-6904).

#### B. Terms of a Use Permit

A request for a use permit will not be denied based on the content of the activity or expression, but a use permit may be subject to reasonable time, place, and manner restrictions including but not limited to the following:

- Approval of the permit is required by the Assistant General Managers whose departments would be impacted by the proposed use. Additionally, the Senior Manager of Commuter Rail must approve any use permit that involves a rail line operated by Denver Transit Operators.
- The permittee must agree to indemnify and hold RTD harmless from and against all actions, demands, claims, costs, and losses, including but not limited to allegations of negligence against RTD, for injury to persons and/or property arising out of or resulting from the use of RTD Facilities by the permittee, its employees, agents, invitees, and/or licensees.
- The permittee must obtain and demonstrate to RTD proof of liability insurance in the amount of at least \$2,000,000 per occurrence, covering at a minimum the permittee's obligations stated in this Procedure.
- The permittee must agree not to engage in any of the behavior prohibited at RTD Facilities, as stated in this Procedure.
- When the activities allowed by the use permit have concluded, the permittee must clean up and remove all trash and other equipment from the respective RTD Facilities.
- The permittee must maintain RTD Facilities in good condition and must repair any damage to property, including but not limited to RTD Facilities, or pay damages to the reasonable satisfaction of the owner of the damaged property, at no cost to RTD.
- A \$500 deposit is required if food or drinks will be served.
- A permit will be limited to only those activities and the time period specifically stated in the permit.
- RTD may revoke any permit if the activities at RTD Facilities violate this Procedure, pose a danger to public health or safety, or unreasonably interfere with RTD operations, as determined solely by RTD.

#### C. Appeal of a Denial of a Request for a Use Permit

Any appeal or protest of a decision to deny a request for a use permit must be made in writing within two business days of the denial, stating, "Appeal/Protest of Denial for Use Permit, Attn: Real Property Senior Manager." The appeal must be delivered to RTD at 1560 Broadway, Suite 650, Denver, CO 80202, or by email to [realproperty@rtd-denver.com](mailto:realproperty@rtd-denver.com).

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RTD's Real Property Manager shall have the final authority to interpret and apply this Procedure.

**D. Use Permits for Wynkoop Plaza (Union Station)**

Use permits are required for non-commercial events and activities on Wynkoop Plaza at Union Station. These use permits are issued by Wynkoop Plaza Events LLC (WPE) on behalf of RTD. WPE has issued guidelines to specify the activities and conduct that are allowed on Wynkoop Plaza and which activities require a use permit. These guidelines also explain how to obtain a use permit for Wynkoop Plaza.

[Wynkoop Plaza Permit Application and Guidelines](#)

**5. MULTI-DAY AND SPECIAL EVENTS**

RTD's Real Property Division also handles requests for multi-day, ongoing, or recurring use of RTD Facilities and other special events on property owned by RTD by issuance of a specific license, lease, or other written agreement.

To inquire about multi-day, ongoing, or recurring use of RTD Facilities or other special events, contact RTD's Real Property Division at [303-299-2440](tel:303-299-2440) or by fax at 303-299-2116.

**6. NEWSRACK PERMITS**

If you are interested in placing a newsrack at RTD Facilities, please review the [RTD Newsrack Policy](#). The annual cost of a newsrack permit is \$10.00; the policy addresses additional costs that RTD may charge.

To apply for a newsrack permit, download and complete the [newsrack permit application](#) and mail to:

RTD / Newsrack  
1660 Blake Street, BLK-40  
Denver, CO 80202

Please direct questions regarding newsracks at RTD Facilities to [303-299-2277](tel:303-299-2277).

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**Procedure History**

REV	DATE	CHANGE ORIGINATOR	DESCRIPTION OF CHANGE
A	7/23/2008		Procedure issued
B	4/1/2010	General Counsel – Legal Services Division	Procedure revised
A	4/12/2021	Capital Programs – Real Property	Procedure revised, renumbered
Information Governance and Management Division acknowledgement of document change:			Signature