

50 LEAFLETING AND SOLICITATION

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50 LEAFLETING AND SOLICITATION

50.01 Scope

This Part 50 applies to all leafleting, display of signs, signature gathering, solicitation of funds and other speech related activity conducted at Denver International Airport for religious, charitable, or political purposes, or in connection with labor disputes. This Part 50 does not apply to permits issued for commercial activities at Denver International Airport.

50.02 Definitions

When used in this Part 50, the following definitions apply:

- .02-1 Religious and religion shall not mean and include the word “charitable”, but shall be given their commonly accepted definitions.
- .02-2 Charitable shall mean and include the words patriotic, philanthropic, social service, health, welfare, benevolent, educational, civic, cultural or fraternal, either actual or purported.
- .02-3 Contributions shall mean and include alms, money, subscription, property, or any donations under the guise of a loan of money or property.
- .02-4 Denver International Airport shall mean *Airport* means all of the area comprising Denver International 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 (including Pena Boulevard), enclosed or not enclosed, under the control, management or legal ownership of lessees or concessionaires of the city, curbside services, security checkpoints, ticket counters, exterior buildings on the airport property, concessions, baggage claim areas, vertical transportation, and the interior buildings and structures of the concourses and terminals.
- .02-5 Leafleting includes but is not limited to the repetitive distribution of free literature such as leaflets, handbills, pamphlets, flyers, brochures, pins, buttons, badges, cards, pictures, envelopes, invitations or any similar items. It does not mean and include the acts included in the definition of “picketing.”
- .02-6 Chief Executive Officer or CEO shall mean the Chief Executive Officer of Aviation or his or her designee.
- .02-7 Permit application shall mean the application for permit provided for in this Part 50, in the form furnished by the Airport Operations Office.

- .02-8 Picketing shall mean one or more persons marching or stationing themselves in an area in order to communicate their position on a political, charitable, or religious issue, or a labor dispute, by displaying one or more signs, posters or similar devices.
- .02-9 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.
- .02-10 Regular business hours shall mean between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays observed by the City and County of Denver.
- .02-11 Solicit, solicitation, and solicitation of funds shall mean any request made on the premises of Denver International Airport for the contribution or donation of money (cash), checks, credit card transactions, goods, services, or financial assistance on the representation that such contributions or donations, or a part thereof, will be used for a religious, charitable, memorial or political purpose. These words shall include the following methods of making such solicitations:
- (a) any oral or written request;
 - (b) any offer to sell merchandise, subscription, ticket or any other thing;
 - (c) any attempt to solicit immediate donations or contributions, but not including entreaties to encourage donation or contribution at another time or place, or the mere distribution of contribution envelopes in the course of leafleting.50.03

50.03 Permit Required for Leafleting, Solicitation, or Other Speech-Related Activity

No person or organization shall leaflet, conduct surveys, display signs, gather signatures, solicit funds, or engage in other speech related activity at Denver International Airport for religious, charitable, or political purposes, or in connection with a labor dispute, except pursuant to, and in compliance with, a permit for such activity issued by the CEO or his or her designee.

A labor organization or an individual not connected with an organization need not provide the above evidence of official status but shall complete an Airport Application providing the information described above.

Nothing herein shall be construed to prohibit the conduct of a survey by or on behalf of an Airport tenant in that part of an Airport terminal exclusively leased to that tenant. Further, nothing herein shall be construed to prohibit the conduct of a survey by or on behalf of the City of Denver or Denver International Airport on Airport property.

50.04 Applications; Issuance of Permits

- .04-1 Any person or organization desiring to leaflet, display signs, gather signatures, solicit funds, or engage in other speech related activity at Denver International Airport for religious, charitable, or political purposes, or in connection with a labor dispute, shall complete a permit application and submit it during regular business hours, at least seven (7) days prior to the commencement of the activity for which the permit is sought and no earlier than thirty (30) days prior to commencement of the activity. The permit application shall be submitted using the form provided by the Airport. The applicant shall provide the name and address of the person in charge of the activity, the names of the persons engaged in the activity, the nature of the activity, each location at which the activity is proposed to be conducted, the purpose of the activity, the hours during which the activity is proposed to be conducted, and the beginning and end dates of such activity. A labor organization shall also identify the employer who is the target of the proposed activity.

- .04-2 Reserved

- .04-3 Upon presentation of a complete permit application and all required documentation, the CEO shall issue a permit to the applicant, if there is space available in the Terminal, applying only the limitations and regulations set forth in this Rule and Regulation and those affirmations made in the application of the permit from the Director of Excise and Licenses. Permits shall be issued on a first come-first served basis. No permits shall be issued by the CEO for a period of time in excess of thirty-one (31) days.

- .04-4 If there is not space available, the applicant can choose to place his or her name and phone number on a waiting list. The persons on such waiting list will be granted preference in order of application as space becomes available.

- .04-5 In issuing permits or allocating space, the CEO shall not exercise any discretion or judgment regarding the purpose or content of the proposed activity, except as provided in these Rules and Regulations. The issuance of a permit is a strictly ministerial function and does not constitute an endorsement by the City and County of Denver of any organization, cause, religion, political issue, or other matter.

- .04-6 The CEO may move expressive activity from one location to another and/or disperse such activity around the airport upon reasonable notice to each affected person when in the judgment of the CEO such action is necessary for the efficient and effective operation of the transportation function of the airport.

- .04-7 Permits will be issued on a first come, first served basis.

50.05 Leafleting And Similar Activity

Leafleting, entreaties to encourage the donation of funds, other speech related activity, or similar activity may be conducted only upon those Airport premises open to the public for common use. Such activity shall not be conducted:

- .05-1 Beyond the security screening checkpoints through which the public must pass to reach the concourses; or
- .05-2 Within the premises of any concession area, office, or other exclusive leased area; or
- .05-3 On or in the concourse buildings, passenger trains, or train platforms; or
- .05-4 In the baggage claim areas or airline ticket counter areas; or
- .05-5 Within twenty-five (25) feet of the entrance to any concession area, office, or other exclusive leased area; or
- .05-6 Within twenty-five (25) feet of any access doors of general circulation providing means of ingress to or egress from the train; or
- .05-7 In or within twenty-five (25) feet of any stairwell, escalator, security screening area, elevator, manned information booth, or area under construction; or
- .05-8 Within an area around each exterior Terminal Door on Levels 1 through 6, which is: (1) a distance of eight feet (8') toward curbside from the plane of the doorway, and (2) a distance of six feet (6') in each direction from the center point of the door opening; or
- .05-9 On or in any Airport roadway, vehicle access or loading lane, or any vehicle loading island on Level 5 at the Terminal; or
- .05-10 In any Airport restroom; or
- .05-11 In or around the Airport Hotel and Plaza area; or
- .05-12 On or around Airport rail stations and platforms; or
- .05-13 Anywhere not listed on the applicant's permit of approved places to Leaflet or engage in similar types of activities.

50.06 Solicitation of Funds

Solicitation of funds may be done at the airport but the receipt of funds shall not take place on Airport property. **Receipt of funds shall mean cash, checks, credit card transactions, or any other exchange of items for value.** Donation envelopes to be mailed to another address may be distributed by the Permittee.

If Permittee's description of the proposed activities includes the solicitation of funds, the following documents shall be attached to the application:

(a) Federal Tax Exempt Status Form pursuant to United States Internal Revenue Code Section 501(c);

(b) Colorado State Certificate of Exemption

50.07 Minimum Credentials Required

Each person engaged in any activity regulated herein on the Airport shall have on his or her person any credentials as are required by Section 47, Denver Revised Municipal Code, Section 50 Airport Rules, or applicable federal, state, or local laws governing political organizations.

50.08 Conduct

Individuals and organizations engaged in leafleting, solicitation, picketing, or other speech related activity shall not:

- .08-1 Intentionally grab, restrain, or in any way intimidate any person being approached; or
- .08-2 Repeatedly attempt to give literature to any person who has indicated that such person does not wish to accept the literature; or
- .08-3 Interfere with the public's unimpeded and free access to any free-standing concession counter or area; or
- .08-4 Disrupt or interfere with the free and orderly flow of pedestrian or vehicular traffic; or
- .08-5 Use any noise making device or amplification device capable of amplifying the human voice; or
- .08-6 In any manner indicate to the public that he or she is an official of the City and County of Denver or Denver International Airport, or in any manner misrepresent to the public the true identity of the organization he or she represents; or
- .08-7 Erect any racks, tables, or other means of displaying printed materials or other items or place any chairs, boxes or other obstructions in the public areas; or
- .08-8 Attach any sign, circular, or other written material to any wall, booth, post, counter, or other surface; or

- .08-9 Leave unattended on Airport premises, discard, or abandon bags, boxes, or other containers of literature, food, or other items (except in Airport trash receptacles); or
- .08-10 Distribute any items of food or drink; or
- .08-11 Conduct such activities in or on roadways or vehicle access lanes; or
- .08-12 Wear or carry a sign or placard larger than one foot by one foot in size; or
- .08-13 Engage in speech or solicitation in any area not permitted by these rules; or
- .08-14 Receive or accept any immediate payment or donation of money from any person.

50.09 Picketing - Restricted Areas

Picketing not related to a labor dispute is prohibited in all interior areas of the Terminal and concourses, in the Restricted Area, and on all vehicular roadways, and shall not be conducted by more than two (2) persons at any one location upon the Airport.

50.10 Display of Permit

Each person shall wear the permit issued by the CEO or his or her designated officer so that the permit is worn on the front upper half of the body, not covered with any other identification (clothing, etc.), and fully and clearly visible to the public. The permit/identification must state the true and correct legal name of the person and the organization or cause being represented. Engaging in leafleting, solicitation or other speech-related activity as described herein without a permit obtained in accordance with this Chapter is prohibited. **Permits remain the property of the Airport and must be presented to any Airport official or member of the public at any time upon request. Permits must be surrendered to Airport officials upon request.**

50.11 Obeying All Laws

Each person conducting any permitted activity shall, in that connection, obey all Denver International Airport Rules and Regulations, the Denver Revised Municipal Code, along with all applicable state and federal laws. Each person shall be familiar with the applicable Denver International Airport Rules and Regulations.

The CEO or his or her designated officer may request the removal of signage that is deemed inappropriate for public display. All signage and other materials must be removed at the time the individual or group leaves the Airport. The Airport will not be responsible for any items left unattended. Any materials left unattended will be disposed of by the Airport.

50.12 Limitations on the Number of Persons

No organization shall have more than eight (8) persons engaged in leafleting or other speech related activity at the Airport at any one time. In the event there is not space available, the CEO or his or her designated officer may further restrict the number of persons in accordance with Section 50.02 above.

50.13 Manner of Approach

No more than one person shall approach a person for the purpose of leafleting or other speech-related activity permitted in this Chapter.

50.14 Revocation of Permit

If a Permittee has been issued a 30-day permit but has violated any of the foregoing provisions of this Rule and Regulation the permit may be revoked, subject to the administrative hearing procedure provided in 50.15, below.

The CEO may revoke or suspend the issued permit of any organization in the event of a significant weather event such as a tornado or blizzard, aircraft accident, significant volume of air traffic delays, power failure, or other event or condition under which the distribution of literature in such space creates a danger to persons or property, interferes with the orderly formation and progression of waiting lines, or interferes with any of the following: pedestrian and/or vehicular travel; the issuance of tickets or boarding passes or equivalent documents for air or ground transportation; luggage or cargo movement or handling; the entry to and exit from vehicles; security procedures; government inspection procedures; cleaning, maintenance, repair or construction operations.

50.15 Administrative Hearing

If a permit application is denied or if an applicant's permit has been revoked, the applicant may request an administrative hearing by petition received by the CEO within thirty (30) days after denial or revocation. The CEO may conduct the hearing him or herself or he or she may designate a person to act as the hearing officer. The hearing shall be conducted as expeditiously as possible and in accordance with the provisions of §5-17, Denver Revised Municipal Code, and any rules adopted by the CEO for such proceedings. A final determination of the CEO is subject to judicial review pursuant to C.R.C.P. 106(a)(4), in accordance with the provisions of §5-17, D.R.M.C.

50.16 Labor Disputes

In the event of a labor dispute between any employer occupying any part of Denver International Airport, and any of its employees who are organized in a collective bargaining unit, leafleting or picketing will be permitted upon such conditions prescribed by the CEO or his or her designated officer concerning locations, number and conduct of the persons engaged in such activity as shall be necessary in order that the same will not hinder or prevent the lawful work or employment of persons other than such employer, and that the

same will not tend to induce violence, breach of the peace, or other unlawful conduct, or obstruct or interfere with free and uninterrupted use of said premises by other tenants or occupants or by other persons lawfully using the Airport. Drive-by rallies and any forms of parading or congregating with vehicles are prohibited on the Airport roadways. Notwithstanding any other provisions of this Chapter 50, the CEO or his or her designee shall consider all relevant facts and issues in reviewing and acting upon a permit application to which this Section 50.16 applies.

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