

Winfield Township Public Access Policy

Access to and Video Recording on Township Property

PURPOSE

Winfield Township (hereafter referred to as “Township”) is committed to protecting the rights of citizens under the First Amendment of the United States Constitution while implementing policies and procedures that protect the health, safety, welfare, and personal privacy of Township employees and the public who do business with or use the services of the Township. This policy (“Policy”) is intended to delineate those portions of Township Property (as defined herein) that are accessible to and observable by the public from those portions that are accessible on a limited basis, establish rules of conduct that apply to all Township Property, and specify procedures for Township employees who encounter those who wish to access Township Property for observational purposes.

DEFINITIONS

“Limited Access Area” means any designated area on Township Property that is not generally open to or occupied by the public or is open to or occupied by the public on only a limited, as-needed, or by-invitation basis. Limited Access Areas may be designated by doors, physical barriers, building design features, signage, reception desks or stations, stanchions, ropes, fencing, bollards, or other visible indications. The lack of visible indications, such as signage, shall not prevent the Township from considering or treating an area as a Limited Access Area. The Township shall retain the right to verbally instruct third parties that an area is a Limited Access Area. Without limiting the generality of the foregoing, Limited Access Areas include but are not limited to the following:

- a) Employee offices.
- b) Employee workspaces, including copy rooms, mailrooms, and break areas (indoor and outdoor).
- c) Employee parking lots, storage areas, access points, or other outside areas marked for use by Township employees/staff or vehicles only.
- d) Hallways, staircases, restrooms, elevators, and other areas designed for limited or transitory occupancy or providing access solely to other Limited Access Areas.
- e) Maintenance, storage, and garage facilities.

“Private Place” means a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance but does not include a place to which the public or a substantial group of the public has access. Some, but not all, Limited Access Areas are also Private Places.

“Public Area” means any area on Township Property that is not otherwise designated as a Limited Access Area and that is generally open to general public access and occupancy, including specifically any designated waiting or reception areas in a Township building during the hours in which the building is open to the public and any room being used for a meeting of a public body open to the public under the Open Meetings Act, MCL 15.261 *et seq.*, while the meeting is occurring.

“Winfield Township Property” means any real property owned by the Township or in which the Township has a property interest.

“Rules of Conduct” means the specific guidelines set forth in this policy.

RULES OF CONDUCT ON WINFIELD TOWNSHIP PROPERTY

To maintain an environment that promotes orderly administrative and business operations, and to take reasonable and prudent actions to protect the health, welfare, safety, and personal privacy of all persons at Township Property, the Rules of Conduct in this section apply and are to be enforced at all Township Property except where specific rules of conduct or prohibitions have been adopted for designated Township Property.

Rules of Conduct Applicable to All WINFIELD Township Property. The following Rules of Conduct shall apply at all Township Property, including both Public Areas and Limited Access Areas:

- a) No person shall enter, attempt to enter, or remain in any areas of Township Property for any purpose other than to conduct legitimate business with the Township, to lawfully assemble for public interaction in Public Areas specifically designated for such assembly, or to exercise other constitutionally protected rights. The Township may adopt specific policies with respect to Township Property to manage conditions for its use, including without limitation establishing hours and terms of use, reservation protocols, use and user priority, and fees for use.
- b) No person shall engage in any activity on Township Property that would constitute a violation of federal, state, or local law or regulation.
- c) No person shall engage in an activity that disrupts or interferes with the normal operation or administration of Township business at Township Property, lawful use by Township employees and authorized users of Township Property, or Township permitted activities.
- d) No person shall stalk, harass, threaten, intimidate, or otherwise compromise the well-being and safety of TOWNSHIP employees or private third parties lawfully using Township Property. Photography or video recording does not, in and of itself, violate this Rule of Conduct.
- e) A person may generally photograph or film from a Public Area without requiring permission; however, an individual shall not film or record in a Private Place, without the consent of the person entitled to privacy in that place.
- f) No person shall interfere in or obstruct the free passage of Township employees or authorized third parties in or on Township Property, including without limitation by standing in, blocking access to, or occupying areas for purposes of photography or video recording.
- g) Photographers and videographers must stay clear of and outside any designated work zone to ensure safety and minimal disruption to Township operations.
- h) No person shall photograph or record in such a manner that would allow capture of, access to, or disclosure of private, personal, confidential, sensitive, or privileged information of private third parties or employees and/or Township information that would otherwise be exempt from disclosure under the Freedom of Information Act, MCL 15.231 *et seq.* The Township may enforce this Rule of Conduct by imposing minimum standing or separation distances from areas, stations, desks, counters, or service windows at which private third parties conduct business with Township personnel.


Limited Access Areas The following Rules of Conduct shall apply at all Limited Access Areas:

- a) Limited Access Areas shall be accessible only to the following: (i) employees and officials of the Township; and (ii) private parties but only on a limited, as-needed, or by-invitation basis, to include those private parties accessing a Limited Access Area for the express purpose of conducting business with Township employees.
- b) Photography and video recording is prohibited in Limited Access Areas, except as follows: (i) the Department Head for the affected area may authorize video recording or photography in Limited Access Areas, for good cause shown, with the consent of all parties to be recorded or photographed, provided that the Department Head for the affected area Director may impose appropriate and reasonable conditions on the recording or photography to prevent the unauthorized disclosure of confidential information; and (ii) video recording and photography may be permitted in Limited Access Areas when specifically authorized by applicable law or agreements.

EXCLUSION

If a person violates these Rules of Conduct while in or upon Township Property, the Township will ask the individual firmly and politely to stop the behavior. If the person refuses to comply and/or is engaged in conduct that is threatening, abusive, disruptive to business operations, or creates a safety or security risk, then the Township will direct such person to leave Township Property for a period of up to 24 hours and contact law enforcement, as may be appropriate, to assist in enforcing that directive. It shall not be necessary for the Township to allege any crime or other violation of applicable law other than these Rules of Conduct in order to support such notice of exclusion; *provided* that violation of such notice of exclusion may be deemed a trespass under applicable law.

Adopted: 10/10/2024 Regular board Meeting Unanimous vote


Carole Sue Chase-Stout
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Clerk
