

# Chapter 106 – Security and Emergencies on County Property

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## Chapter 106 - SECURITY AND EMERGENCIES ON COUNTY PROPERTY

### **ARTICLE I. - IN GENERAL**

Secs. 106-1—106-30. - Reserved.

### **ARTICLE II. - SECURITY**

#### **DIVISION 1. - GENERALLY**

Sec. 106-31. - Safety of county buildings and residents.

The county ensures the safety and security of county buildings and residents by maintaining a security department within the communications and central services department.

(Admin. Policy Manual, § K(1.00))

Sec. 106-32. - Responsibility of security department.

It is the responsibility of the security department to intervene in felony and misdemeanor crimes and in investigations. Felony arrests are limited to those activities necessary for detention prior to transferring the matter to the sheriff's department.

(Admin. Policy Manual, § K(1.01))

Secs. 106-33—106-50. - Reserved.

#### **DIVISION 2. - BUILDING AND FACILITIES SECURITY**

Sec. 106-51. - Facility objective.

The facility security objective is to maintain the proper environment in all county facilities suitable to provide services in a reasonably accessible manner.

(Ord. No. 93-150, 2-2-1993)

Sec. 106-52. - Building access and control.

- (a) *Policy.* The commissioners court of the county is responsible for ensuring the safety and security of all employees, citizens and visitors who enter or work in a county building or facility. A key component to a safe environment is the responsible control of access to our facilities.

This policy outlines security measures specifically designed to govern access control to county buildings, property, facilities and government centers. This policy applies protocols for compliance and is established to minimize the risk associated with intentional or unintentional acts or breaches of access against the county. This policy includes every government center or county property with the exception of those under the control of the sheriff's department, juvenile detention or the district attorneys office.

- (b) *Goal.* The goal of this policy is to increase the safety and security of all county buildings/government centers, and to properly control, direct or restrict access to controlled or sensitive areas. All persons coming in contact with county security personnel shall be treated with proper consideration and respect

without regard to the individual's race, color, religion, national origin, sex, sexual orientation, age, physical disability, mental disability, or other characteristics protected by federal or state law.

- (c) *Eligibility.* All personnel under county jurisdiction include temporary and/or contractor personnel, part time employees, full time employees, and all elected and appointed officials to include visiting or associate judges, as well as district court and state court judges and staff.

(1) *Guidelines.*

- a. Control procedures. In order to effectively manage access control to county facilities and government centers and to protect the safety of all employees and the visiting public, the following procedures will be adhered to:
1. All personnel shall be issued an ID card upon hire. An ID card shall consist of a photo ID for identification, and includes an access card for approved access to each facility as designated by county policy.
  2. Only one ID/access card shall be issued to all elected officials, appointed officials and/or county employees.
  3. Employees (not in uniform), vendors, and other ID holding personnel must display their ID cards on their outer-most garment of clothing, or be prepared to provide the ID card if challenged.
  4. It is not permitted to share ID cards, or to "piggy back" or "tail gate" into any building or secured area.
  5. The county court administrator has sole approval authority and ability to grant access to secured, sensitive or controlled areas.
  6. The issued ID card shall contain sufficient information to identify the individual (name, photograph, department), and shall be color coded.
  7. County security shall be notified without delay of all separations or terminations of employees or temporary workers in order to deactivate the card. The employee/temporary employee's supervisor is responsible for collecting the ID/Access card upon separation and returning the card to county security without delay.
  8. If county security requests to see an employee's ID, the employee must display their badge to the officer without delay.

- (2) *Access card issuance.* Requests for new ID cards must be accompanied by an "access application form" provided at new employee orientation by county human resources. All requests for the production of a new access card or modification of an existing card shall be provided by:

- a. Human resources or the employees supervisor for new employees.
- b. Employees supervisor for transferred employees or for current employees requiring access modification.
- c. Relationship manager for vendor/contractors

It is the responsibility of the county security to enter the new employee's data into the access control system following the guidelines of the system and this policy. In order to change the access of the current employee, the employee must obtain written authorization from the supervisor/department head and take that authorization to the county security badging office for modification and to verify the accuracy of the employee requesting the modification. Requests for modifications that would allow an employee to access sensitive, controlled or restricted areas must be authorized by the county court administrator or his/her designee.

(3) *Resignations and terminations.*

- a. County security shall be notified in writing, where possible, of a termination or separation slated to take place. As this is a sensitive area for human resources, management, and the

employee, caution should be used in the handling and timing of the deactivation of terminated employees ID/access card.

- b. Once a termination or separation has taken place, the ID/access card shall be collected by HR/management. The ID/access card shall be returned to county security and all access shall be removed and if applicable the card destroyed.
- c. If the terminated/separated employee did not have his/her card on their person at the time of termination/separation then HR/management shall ask that the ID/access card be mailed back to county security. Security shall be notified immediately in this case, and will immediately remove access associated with the card.
- d. If HR/management was unable to retrieve the card for any reason, county security shall be notified, and the above steps shall be followed without delay.
- e. Terminated employees shall not be allowed back into the workspace following the termination for any reason.

(4) Lost or stolen ID/access cards/badges.

- a. Lost or stolen ID/access cards must be reported to county security immediately.
- b. Lost or stolen ID/access cards shall have all access removed immediately. The "tracking" feature shall be enabled on any lost/stolen cards in hopes that any attempted unauthorized use can be tracked and discovered by county security personnel and/or CCTV.
- c. If an ID/access card that was lost is later found, it should be turned into county security immediately. No employees may possess more than one ID/access card.
- d. The ID/access card is the property of county and not that of the employees.

(d) *Controlled access areas.* Some buildings have areas that are considered sensitive, controlled or restricted due to safety and security considerations. Additionally, access to these areas in some instances allows persons to bypass the screening process. This includes areas designated as judges parking garages or areas, judges elevators, judges tunnels or additional areas that have been identified as restricted for security purposes.

(1) Guidelines.

- a. *Control procedures.* In order to effectively manage access to sensitive, controlled or restricted areas as identified, the following procedures will be adhered to:
  - 1. Areas restricted for use by judges include the judges parking garage and the judges elevators in select buildings and facilities.
  - 2. Access to any judges garage, elevators or other restricted areas or entry points are limited to the following personnel:
    - i. Judges and associate judges, while the associate judge is in active service to the county.
      - (a) Judges will have the ability to provide, in addition to themselves, controlled area access to their court administrator/coordinator, and their court reporter for a total of three.
      - (b) Judges may, at their discretion, choose to issue controlled access authority to another position in lieu of one of the identified positions.
      - (c) Judges who wish to have additional personnel beyond the positions specifically authorized (in subsections (a) and (b) above), will be required to submit a request for such, in writing, to the county administrator through the security department.
    - ii. ADA's, security and law enforcement personnel, which includes investigators with peace officer authority or authorized access pursuant to a court order.

- iii. Facilities and operations personnel.
  - iv. The county judge and staff, county commissioners and staff, county court administrator and assistant county court administrators.
3. Only elected officials or employees assigned a parking stall in any judges garage parking will be authorized access through that judges garage vehicle entry door or associated entry points.
  4. Only those persons specifically assigned a parking stall will have access to any judges garage. Only one stall per person will be assigned. Exceptions to this requirement will be authorized by the county administrator or the commissioners court.
  5. Other areas within county buildings are also restricted to authorized personnel, including but not limited to areas within HHS and SWIFS.
  6. Use of, or access to these controlled/restricted areas by unauthorized personnel is not allowed.
  7. Access to restricted areas will be granted only to personnel specifically authorized by this policy, or at the direction of the county administrator.
- b. *Screening operations.* At county locations that include court operations, or are "prohibited places" pursuant to V.T.C.A., [Penal Code ch. 46](#), have screening points have been established to ensure for proper screening of personal property for weapons and contraband. County employees are not exempted from the screening requirements unless they are specifically authorized to do so by law or court order, or have been authorized access through a judges access point.
1. Prohibited items and contraband include the following items;
    - i. Any type of club or baton intended for personal defense.
    - ii. Any type of explosive device, including bullets or ammunition, fireworks and toy caps.
    - iii. Firearms of any kind. This includes airsoft weapons, bb/pellet guns, and toy or replica weapons whether loaded or unloaded. CHL holders may not bring firearms past the screening points into access controlled buildings.
    - iv. Knives. No knife or cutting instrument of any type that has a blade in excess of two inches. This includes box cutters, folding blade knives or non-metallic knives.
    - v. Pepper, OC, or defensive spray or chemical dispensing devices.
    - vi. Any stun gun, Taser or ECW (electronic control weapon).
    - vii. Fashion chains (wallet/key attachments).
    - viii. Knuckles (brass, wood, spiked or metallic).
    - ix. No flammable liquids.
    - x. Alcoholic beverages.
    - xi. Any item that is reasonably determined to be unnecessary for the normal conduct of county business that could be considered a threat or used to facilitate a disturbance to normal operations.
    - xii. Beverages must be in a closed container, such as a water bottle, travel mug or other container that includes a lid or sealed top. No open cups, mugs or containers will be allowed to pass through screening.
  2. All persons entering a location identified as a "prohibited place" or a court, will be screened/searched for weapons. Any person not wanting to utilize the convenience of walk-through metal detectors and X-ray machines may be individually searched by

visual observation and handheld metal detectors. However, unless such individual has a medical or occupational requirement the individual screening will only be performed when it does not cause an inconvenience to others. This may cause such individual during peak traffic periods to wait 30 minutes or more before they can be individually screened.

3. Any persons found on county property in possession of an illegal weapon, other than properly certified law enforcement personnel with adequate identification, will have such weapon confiscated with that individual potentially being subject to arrest. Persons in possession of unauthorized items that are not illegal will be barred from entry to the building until such items are removed.
4. Generally, screening points identified as 'high volume' locations will have "employee only" screening lines available to facilitate the rapid screening of employees at identified times.
5. Law enforcement personnel/peace officers, prosecutors (ADA's), and judges who are properly credentialed or in uniform at the time of screening are exempt from sections a through f, provided they are on official business and not personal business. Pursuant to Court Order 2006-0616, public defenders and their investigators are authorized to bypass screening while on duty and properly credentialed.
6. Employees of the DA's office, the sheriff's department, or any other county entity who are not exempted pursuant to a legal authority as described above, are subject to clearing through screening points, and are not exempted from the screening process.
7. Employees who have received medical advice or a requirement to avoid the equipment involved in the screening process may request an expedited screening SKIP/PASS ID card through the badging office.
8. Employees and citizens will in general be required to remove hats when passing through the screening system. Exceptions and reasonable accommodation may be made in instances where due to medical circumstances, a wig or hat is affixed to the person, and cannot be immediately or easily removed. In such circumstances, the hand wand will be used to clear the person.
9. In any circumstance where a citizen requests special assistance or reasonable accommodation to pass through screening, which could include but not be limited to, persons in wheel chairs, who have pacemakers or who have prosthetic devices, the hand wands may be utilized in lieu of the pass through magnetometer.
10. For any persons donning religious head coverings and other garments the following will be the standard procedure: An individual wearing a religious head covering or other religious apparel should be allowed to walk through a metal detector without removing that head covering or apparel. If the metal detector beeps, the individual should be given time to remove all other metallic objects from his person. If the individual sets off the metal detector for a second time, a hand wand, if available, should be used to screen the individual. If no metal detector or hand wand is available, or the metal detector or hand wand beeps while screening over the head covering or religious apparel, the screener should respectfully escort the individual to a private room, if available, in order to pat down the head covering or religious apparel. Before doing so, the screener must explain, in advance, the reasons for patting the religious garb in order to minimize any misunderstanding. If a security concern continues to exist only after the former procedures have been completed, the screener is justified in summoning a supervisor/peace officer to the scene. The supervisor will then request the individual to remove his or her religious apparel in a private room and, if possible, by a member of the same gender.
11. County facilities with perimeter security (George Allen and Frank Crowley Courts Buildings) will be open for employees and the public from 7:00 a.m. to 5:00 p.m.,

Monday through Friday. Any official and employee in these facilities before or after normal hours must have county identification.

12. Officials and employees with county identification and card keys may enter the county buildings necessary for them to perform their duties before and after normal business hours.
13. Officials and employees with county identification and without card keys may enter the county building necessary for them to perform their duties before and after normal business hours by scheduling such access with county security.
14. Anyone without county identification will not be allowed access into county facilities other than during normal business hours.
15. No person will be allowed unauthorized access into any county facility. Persons gaining unauthorized access will be escorted from the facility and, if conditions warrant, arrested.
16. Employees using a card key to enter any county building will be required to prohibit any access other than their own. If any employee observes any unauthorized access, they must notify security at once.
17. Departments and/or individuals desiring building access during other than normal business hours that do not have the ability, must schedule such access with county security.

There are no exceptions to any section of this policy unless approved by the county administrator or as directed by the commissioners court.

(2) *Badging office hours.*

- a. Monday mornings are scheduled for new hire employees only from 9:00 a.m. to 11:00 am.
- b. Monday afternoons from 12:00 p.m. to 2:45 p.m. are scheduled for employees that are having access control issues with their ID/access cards.
- c. Wednesdays and Thursdays from 9:00 a.m. to 2:45 p.m. is set aside for employees that need assistance with their ID/access cards, appointments are preferred due to high volume of personnel in the county.
- d. The badging office is closed on Fridays except in instances where special arrangements for assistance have been made.
- e. The badging office number is 214-653-7935.

(Ord. No. 93-150, 2-2-1993; Ord. No. 2008-1029, 5-27-2008; Ord. No. 2016-0218, 2-16-2016)

Secs. 106-53—106-70. - Reserved.

### **DIVISION 3. - PARKING SECURITY**

Sec. 106-71. - George L. Allen, Sr. Courts Building.

- (a) Parking space is located on the level below ground under the George L. Allen, Sr. Courts Building. This space is for the exclusive use of county judges, elected officials and the sheriff's department and staff. Each space has a number and is assigned to one person. Each person assigned a space is issued a sticker with a number to correspond with the space he is assigned. The sticker must be displayed on the rider side of the windshield. Stickers will be issued to the proper person by the building superintendent. There are two loading zone spaces also, which are clearly marked.

- (b) Security will be responsible for policing the parking area and loading zones to prevent automobiles without proper markings from utilizing the designated spaces or loading zones. Illegal cars will be towed by wrecker. When in doubt, security will run a check through the sheriff's department to make sure of the rightful owner. If the car belongs to a county official, security will make every effort to contact the owner before the car is towed. After a car has been impounded, it will be necessary for the owner to redeem the car at his expense.

(Admin. Policy Manual, § K(1.02, 1.03))

Sec. 106-72. - Access drive parking.

- (a) Parking space is located on the east and west ends of the George L. Allen, Sr. Courts Building. There are three spaces in each access drive that are designated parking for the press only. These six spaces are the only area to be used by the press. Other spaces will be used by various county employees who display an access drive sticker on the rider side of the windshield. Access drive stickers can be obtained from the building superintendent.
- (b) Security will be responsible for policing these lanes on a regular basis to prevent unauthorized personnel from parking. In case of a violation the car will be towed after precautions have been taken to prevent the towing of a county official's automobile. After a car has been impounded it will be necessary for the owner to redeem the car at his expense.

(Admin. Policy Manual, § K(1.04, 1.05))

Sec. 106-73. - Administration Building.

- (a) Designated parking spaces are located adjacent to and behind the Administration Building. These spaces are clearly marked to accommodate the designated people only.
- (b) Security will police these areas on a regular basis to prevent unauthorized personnel from parking. In case of violation the auto will be towed after precautions have been taken to prevent towing of a county official's auto by error.
- (c) In dealing with persons whose cars have been towed, the officers will conduct themselves in the proper manner becoming an officer. The officer will inform the person where their car can be obtained. The officer will not discuss the cost for release of the car, but rather furnish the person with a telephone number of the towing service. In directing the towing process, if the owner returns before the car is raised from the ground, the officer will direct the wrecker driver to release the auto.
- (d) After a car has been impounded, it will be necessary for the owner to redeem the car at his expense. Automobiles can only be released by authorization of the security chief.

(Admin. Policy Manual, § K(1.06—1.09))

Secs. 106-74—106-80. - Reserved.

## **DIVISION 4. - LAW LIBRARY TRESPASS POLICY**

Sec. 106-81. - Policy goal.

The purpose of this policy is to provide a pleasant atmosphere that facilitates the process of legal research and study. The Law Library is intended for use by persons engaging in law-related research or study. The county believes that patrons of the Law Library have the right to use the Law Library materials and services without being disturbed or impeded by other Law Library users; that patrons and staff have the right to a secure and comfortable environment; and that patrons and staff have the right to materials

and facilities that are in good condition. Thus, violations of the rules set forth below, section 106-84, may result in a trespass warning.

(Ord. No. 2015-1230, § A, 9-8-2015, Ord. No. 2017-1115, 9-5-2017)

Sec. 106-82. - Role of Library Director.

The Law Library Director ("Library Director") shall have the authority to request the issuance of a trespass warning ("warning"), for the violations/conduct set forth in section 106-84, from county security or the county sheriff's department. The Library Director will recommend the term of the warning, to the issuing officer, pursuant to the guidelines set forth in section 106-86. The Library Director should give the individual who is to be issued the Warning an opportunity to provide a verbal explanation. Dallas County will enforce this policy in a fair, consistent, and impartial manner.

(Ord. No. 2015-1230, § B, 9-8-2015, Ord. No. 2017-1115, 9-5-2017)

Sec. 106-83. - Notice of trespass policy.

Posted notice of the trespass policy in section 106-84, in a conspicuous location at the Law Library, shall constitute sufficient notice of Law Library rules that may result in a warning. The Law Library, however, will endeavor to give a person a minimum of one written or verbal warning, and an opportunity to comply, before issuing a warning for a class I or class II offense (see section 106-84). Depending on the nature, frequency, or seriousness of the offense, a warning may not be possible.

(Ord. No. 2015-1230, § C, 9-8-2015, Ord. No. 2017-1115, 9-5-2017)

Sec. 106-84. - Trespass policy.

It is the policy of the county that a trespass warning may be issued for the county Law Library for content neutral conduct under the following conditions:

- (1) The person is at the Law Library for purposes other than to read, study, or otherwise use the Law Library materials; use the Internet for legal research (including Westlaw searches); attend a Law Library event; make copies of documents; or receive or send faxes (class I offense).

To establish this requirement, the person must: 1) admit to being at the Law Library for purposes other than to utilize it for its intended services; or 2) be observed failing to utilize the Law Library for its intended purpose after being put on notice (verbally or written) that they must be using the Law Library for the intended purpose to remain on the property and having had an opportunity to do so. The Law Library patron not using the Law Library's materials, facilities, and services, for the purposes stated in this section, should be asked to leave, unless in the judgment of the Library Director a warning should be issued.

If a warning is issued, an officer must state the facts giving rise to the conclusion that the person is at the Law Library for purposes other than to utilize the Law Library for its intended purpose.

- (2) The person continues to violate the following rules at the Law Library after being given a minimum of one verbal or written warning to desist or discontinue the conduct and an opportunity to correct the behavior (class I offenses):
  - a. Eating and drinking;
  - b. Soliciting, panhandling, petitioning, interviewing, or survey-taking;
  - c. Littering or throwing things;
  - d. Smoking or other tobacco use (including electronic cigarettes);

- e. Bringing pets or animals other than service animals necessary for disabilities, into the library, except as authorized by appropriate Law Library personnel;
  - f. Engaging in loud, boisterous, or disruptive behavior;
  - g. Engaging in obscene language or gestures;
  - h. Running;
  - i. Entering an unauthorized area without permission of an authorized Law Library personnel;
  - j. Using cell phones, pagers, and other electronic devices in a manner that disturbs others. All phones and other audible electronic devices must have ringers turned off (or to a non-audible vibrate) and calls should be made/taken in the lobby or out of doors. Text messaging and other silent/non-audible cell phone functions are permitted;
  - k. Entering without a shirt or other covering of upper/lower bodies or without shoes or other footwear;
  - l. Offensive bodily hygiene that interferes with others use of the library or with the library's staff performance of their duties;
  - m. Using Law Library furniture for purposes other than for which the furniture was designed (e.g., two people sitting in a chair designed for one or sitting on a Law Library table);
  - n. Misuse of the Law Library restrooms or water fountains (including bathing, shaving, or washing clothes); or
  - o. Disruption of Law Library business by engaging in conduct which serves no legitimate purpose and interferes with:
    - 1. The ability of patrons to use the Law Library; or
    - 2. Law Library's staff ability to perform their jobs.
- (3) The person continues to violate the following rules at the Law Library after being given a minimum of one verbal or written warning to desist or discontinue the conduct and an opportunity to correct the behavior (class II offenses):
- a. Pushing or shoving;
  - b. Using abusive, profane, or threatening language with staff or patrons, including but not limited to discriminatory language based upon race, color, religion, sex, national origin, age, or disability;
  - c. Being under the influence of alcohol or drugs to the extent that the person is unable to exercise care for their safety or the safety of others or Law Library property;
  - d. Harassment of staff or patrons. Harassment/harass means a systematic pattern of conduct directed at a specific person at the Law Library, that the perpetrator knows is unwanted by that person, and may cause emotional distress in such person and serves no legitimate purpose, including but not limited to:
    - 1. Unnecessary and prolonged staring, in a manner that reasonably can be expected to disturb the subject, with the intent to harass;
    - 2. purposefully following others around the library, in a manner that reasonably can be expected to disturb the subject, with the intent to harass.
- Stalking, sexual harassment, or harassment based on race, gender, age, disability, nationality, religion, or ethnicity will be considered to be a class III violation.
- (4) The person engages in any of the following conduct (class III offenses):
- a. Vandalizing, tampering with, or damaging Law Library materials or property (includes but is not limited to folding or marking the pages of Law Library books, modifying or damaging Law

Library computers hardware or software (including system configuration), intentionally misplacing or misfiling Law Library books, etc.);

- b. Public lewdness or indecent exposure;
- c. Selling or possessing illegal drugs;
- d. Stealing Law Library material;
- e. Viewing material deemed to be obscene, child pornography, or harmful to minors, as those terms are defined in the Children's Internet Protection Act and the Texas Penal Code;
- f. Using Law Library computers to:
  - 1. Propagate computer worms or viruses;
  - 2. Gain access to files or passwords belonging to other individuals or computer networks;  
or
  - 3. Transmit materials in violation of U.S. or state regulations;
- g. Fighting or challenging to fight;
- h. Physically abusing or assaulting a patron or staff;
- i. Conduct resulting in harm or bodily injury to a patron or staff; or
- j. Stalking, sexually harassment, or harassment of staff or patrons based on race, gender, age, disability, nationality, religion, or ethnicity. Sexual harassment means the unwanted sexual attention of a persistent or offensive nature made by a person who knows, or should know, that such attention is unwanted, including the making of unwanted sexual advances and/or remarks, offensive touching, or obscene remarks. Sexual harassment includes:
  - 1. Persistently paying unwanted romantic attention to another at the Law Library, including unwanted romantic advances, after being given a warning to desist such conduct; or
  - 2. Making unsolicited and invasive comments regarding the sexual activities or involvement of another person at the Law Library, which the commenter knows or should know the subject would find offensive or which invades a person's privacy interests, after being given a warning to desist such conduct.

Stalking means the willful and repeated following, watching, and/or harassing of another person:

- 1. For no legitimate purpose, after being put on notice to discontinue the conduct; or
- 2. Prohibited by a protective order issued by a court of competent jurisdiction.

For a warning based on harassment or stalking of a staff member or patron, an officer must state the specific facts giving rise to the conclusion that the person was stalking or harassing a patron or staff.

- (5) The person has committed any violation of federal, state, or local law (including a city ordinance) at the Law Library that:
  - a. Results in a class C misdemeanor citation (class II offense);
  - b. Results in a class A or B misdemeanor complaint/charge (class III offense); or
  - c. Results in a felony charge (class III offense).

(Ord. No. 2015-1230, § D, 9-8-2015, Ord. No. 2017-1115, 9-5-2017)

Sec. 106-85. - Effect of a warning.

The person issued a warning shall not enter the Law Library for the period of time specified in the warning. Any person who re-enters the Law Library during the term of the warning shall be considered a trespasser and may be prosecuted for criminal trespass. See V.T.C.A., Penal Code § 30.05.

(Ord. No. 2015-1230, § E, 9-8-2015)

Sec. 106-86. - Guidelines.

- (a) A warning for any conduct listed in section 106-84 can be issued at the request of the Library Director, pursuant to the following guidelines, based on the classification of the offense, unless concern for the safety of person or property requires otherwise:

Description of Conduct (within a 24 month period)	Duration of Exclusion
Class I offenses:	
First trespass warning	0—30 days
Second trespass warning	30—60 days
Third trespass warning	90 days—1 year
Class II offenses:	
First trespass warning	60—120 days
Second trespass warning	150 days—1 year
Third trespass warning	1 year—permanent
Any class II offense resulting in minor/de minimus harm to persons or property, first trespass warning	180 days
Any class II offense involving serious bodily injury or the threat of serious bodily injury to a person or property, and threat of similar future conduct	1 year—permanent
Class III offenses:	
First trespass warning	180 days—1 year

Second trespass warning	240 days— permanent
Serious bodily injury or the threat of serious bodily injury to a person or to property, and threat of similar future conduct	permanent

The Library Director may add additional days to the exclusionary period of repeat offenders who commit successive offenses, within different classifications with 24 months, if such successive Warnings are not otherwise addressed by the guidelines enumerated under Section 106-86(4)a. The Library Director can add up to 60 days to the maximum exclusionary period for the offense. For example, if the person commits a Class II offense and then a Class I offense within 24 months, the maximum penalty is 90 days (30 days + 60 days).

- (b) In determining the duration of the exclusion, in accordance with the guidelines set forth in subsection (a) and (b)(where applicable):
  - (1) The seriousness of the offense should be considered. The duration of the exclusion should be related in severity to the seriousness of the offense; and
  - (2) The specific provisions prevail over the general provisions. For example, if a person destroyed a Law Library book with a value under \$50.00, section 106-84(4)a, specific provisions regarding tampering/damaging Law Library property, class III offense guidelines, would prevail over the general guidelines under section 106-84(5)a., for a class C misdemeanor for criminal mischief under V.T.C.A., Penal Code § 28.03, involving pecuniary loss under \$50.00, a class II offense.
- (c) An officer, at his discretion, can issue a longer period of exclusion, outside of the guidelines set forth in subsections (a) and (b), if he reasonably believes a person poses a serious threat of bodily injury or property damage to Law Library staff/patrons or materials/property. The officer should state the facts which, taken together with serious threat of bodily injury or property damage.
- (d) The warning should be limited to the Law Library. The Warning should describe the area or building from which the person is to be excluded so that a reasonable person may understand the specific area to which the person may not return.
- (e) The Warning should state the specific provision of the Law Library Trespass Policy violated, the facts in support of the violation, the duration of the exclusion, and should be served on the person by certified mail return receipt or hand delivery.

(Ord. No. 2015-1230, § F, 9-8-2015)

Sec. 106-87. - Documentation.

The Law Library shall maintain an “incident log” of all verbal/oral and written warnings to patrons and visitors. The log should include the date of the incident, the name of the patron or visitor (if known), the rule violated, a brief description of the facts, and the warning given or action taken. The Law Library shall maintain these records for a minimum of three years.

(Ord. No. 2015-1230, § G, 9-8-2015)

Sec. 106-88. - Appeal process.

- (a) Any person who is issued a warning, for the Law Library, may file an appeal. The warning should be appealed on the trespass administrative appeal form pursuant to the Guidelines for Filing an Appeal of a Trespass Warning with Dallas County as follows:
- (1) A first appeal should be made to the director of planning and development (via certified mail or hand delivery), at the Dallas County Administration Building, 411 Elm Street, 3rd floor, Dallas, Texas 75202, within 14 days of receiving the warning . If the suspension is for 60 days or less, an informal hearing can be requested with the Director of Planning & Development (“Planning Director”). If the suspension is for 61 days or more, a formal hearing can be requested before the Planning Director. If a hearing is not requested, the appeal will be determined on the written submission of documents.
  - (2) An appeal of the first appeal decision must be made to the county administrator (via certified mail or hand delivery), at the Dallas County Administration Building, 411 Elm Street, 2nd floor, Dallas, Texas 75202, within ten days of receiving the first appeal. The second appeal can be reviewed by the Dallas County Administrator or designated to a Dallas County Assistant Administrator for review. The decision of the county administrator/assistant administrator shall be final.
- (b) The trespass administrative appeal form and the Guidelines for Filing an Appeal of a Trespass Warning with Dallas County can be found on the county website at (<https://www.dallascounty.org/departments/plandev/law-library/>) or requested at (600 Commerce Street, Suite 760, Dallas, TX 75202).
- (c) The first appeal should contain a brief description of the reasons for the appeal and why the warning should be modified or overturned. The first appeal should be based on the premise that the warning was not consistent with this policy, was unjustified, violates some law or right, the person in receipt of the warning received a favorable disposition of the charges/citation that gave rise to the warning, and/or for other good cause shown.
- (d) The first appeal should be set for hearing, where applicable, within 10-30 business days of receipt of the appeal and a decision made within 48 hours of the hearing, unless emergency review is requested. If the first appeal is by written submission of documents, the decision should be made within 5-7 business days of receipt of the appeal. Emergency review is available in cases where an individual will suffer immediate harm if not allowed back into the Law Library. An appeal accepted for emergency review should be set for hearing within 5-10 business days of acceptance and a decision made within 48 hours of the hearing.
- (e) The second appeal, if any, is based on the record and there is no hearing. Upon notice of a second appeal, the Planning Director shall provide the Dallas County Administrator/Assistant Administrator with the full record from the first appeal. The review shall be based on substantial evidence (see Burden of Proof, Section 106-881). The Dallas County Administrator/Assistant Administrator shall issue his/her written decision on the second appeal within 10 days of receiving the first appeal.

(Ord. No. 2015-1230, § H, 9-8-2015, Ord. No. 2017-1115, 9-5-2017)

#### Sec. 106-881. – Hearing Procedures.

The person to whom a Warning is issued may appeal an exclusion of 60 days or less through an informal hearing or an exclusion of 61 days or more through a formal hearing, on the trespass administrative appeal form. If an informal or formal hearing is requested, the person issued the warning shall be notified of the informal or formal hearing date at least seven business (7) days before the hearing. For good cause, the individual or Library Director can request, in writing, an extension of the hearing date, which may be granted at the sole discretion of the Planning Director. Only one extension will be granted, irrespective of which party acts for the extension. The request for an extension must be in writing and received 48 hours prior to the scheduled time for the hearing.

Informal Hearing. For warnings less than 60 days, if requested, an informal hearing should be scheduled with the Planning Director for the purpose of allowing the person issued the warning to present their case

and arguments regarding the warning before the Planning Director rules on the first appeal. The Library Director should provide the trespass warning and other public supporting documents concerning the trespass, from Dallas County Security and the Law Library, to the Planning Director, who will make such documents available to the person issued the warning for inspection and copying before the hearing. The person may bring witnesses to the hearing with them to present their case, but the Department does not have to be present; however, the Planning Director may, at his/her discretion, require the presence of the Department and/or ask questions of the Library Director and/or staff or any other person deemed to have relevant information, including when there is a factual dispute concerning the action made the basis of the warning. The person issued the warning must notify the Planning Director, at a minimum, seventy-two (72) hours before the hearing if they are bringing any witnesses or representatives with them and the identity of the witnesses or representatives (including address and telephone number). The informal hearing will take place in the office of the Planning Director or another place designated by him/her.

**Formal Hearing.** For warnings 61 days or more, if requested, a formal hearing should be scheduled by the Planning Director for the purpose of allowing the person issued the warning to present their case and arguments regarding the trespass warning to the Planning Director, before he/she rules on the first appeal. The person issued the warning should be allowed to present testimony and evidence and may call witnesses and question witnesses of the other party. The Planning Director does not have the subpoena power to compel the attendance of a witness. The Law Library and the person issued the warning are responsible for securing the attendance of their witnesses. The Planning Director shall conduct the hearing as he/she deems necessary, provided that he/she shall allow each side a fair opportunity to represent their arguments. The hearing shall be held at a Dallas County facility, as determined to be in the best interest of the parties, in the sole discretion of the Planning Director. The person issued the warning and the Library Director must notify the planning Director, at a minimum of four days before the hearing, if he/she will be represented by counsel or other representative and the identity (including address and telephone number) of any witnesses they plan to bring. The Library Director or his/her designee, must also appear at the hearing. The parties may question each other's witnesses. Each side will have 30 minutes to present their case and question any witnesses, unless good cause exists to extend the time. The right to question a witness may be restricted if the questioning is incompetent, irrelevant, immaterial, and unduly repetitious. The time limitations do not apply to a permanent ban from the Law Library.

**Code of Conduct at Hearing.** Parties and witnesses shall preserve order and decorum and should not engage in disruptive or disorderly conduct during a hearing. Asking questions merely to embarrass, badger, or bully a witness is prohibited.

**Failure to Appear.** If the individual issued the warning fails to attend a scheduled hearing, or provide good cause why they cannot attend, the Planning Director shall dismiss the appeal and affirm the warning.

**Burden of Proof.** The burden of proof is on the Department to establish that there was substantial evidence to issue the warning. "Substantial evidence" is more than a mere scintilla. It means there is relevant evidence that a reasonable mind might accept as adequate to support a conclusion.

**Issuance of Opinion.** Within forty-eight (48) hours after the formal or informal hearing, the Planning Director shall issue a written decision stating the reasons therefore, and cause the decision to be sent or delivered to the person issued the warning, the Dallas County Sheriff's Department, the Library Director, and Dallas County Security. The issues for the decision, after considering all arguments and documents, shall include the following:

- Whether the warning was issued for a reason set out in Section 106-84;
- Whether the period of exclusion comports with section 106-86;
- Whether the facts underlying the warning are credible; and
- Whether the duration of the warning is appropriate under the facts and circumstances.

(Ord. No. 2017-1115, 9-5-2017)

Sec. 106-89. - Notices.

- (a) The trespass policy in sections 106-84 and 106-85 and the guidelines in sections 106-86 through 106-881 should be posted in a conspicuous place in the Law Library (e.g., at the entrance or at the circulation desk), along with an e-mail link to information on the appeal process.
- (b) The warning shall include the website at which to obtain the trespass administrative appeal form along with the Guidelines for Filing an Appeal of a Trespass Warning with Dallas County, and the address at which to request the forms.
- (c) If a warning is appealed, copies of all appeal decisions should be sent to the person appealing (by certified mail or e-mail, if provided), the county sheriff's department, the Library Director, and county security, by the decision-maker.

(Ord. No. 2015-1230, § I, 9-8-2015)

Sec. 106-90. - Application.

This policy applies to situations where a trespass warning may be issued to a Law Library patron or visitor. This policy is not exclusive and does not supersede or supplant the Law Library's right to enforce or take other actions for violation of Law Library rules or policies, excluding criminal trespass warnings.

(Ord. No. 2015-1230, § J, 9-8-2015)

Secs. 106-91—106-100. - Reserved.

## **ARTICLE III. - EMERGENCIES**

### **DIVISION 1. - GENERALLY**

Secs. 106-101—106-120. - Reserved.

### **DIVISION 2. - ELEVATORS**

Sec. 106-121. - Malfunctioning with people aboard.

- (a) Facilities management should be contacted for all malfunctioning elevators in the downtown and outlying areas. They will call security immediately who will immediately go to that unit to assist the persons inside the car and let them know the elevator company is on the way. Security will stay with that elevator until the elevator company arrives. Only under threat of fire or the car falling should anyone other than the elevator people try to remove persons from the cars.
- (b) For all buildings in the outlying areas the maintenance division will assist the persons stranded in the malfunctioning elevator until the elevator company arrives.

(Admin. Policy Manual, § K(2.00, 2.01))

Sec. 106-122. - Empty cars; not functioning properly.

- (a) Security is dispatched immediately to the malfunctioning elevator to check all switches and make every effort to start the elevator functioning properly. If they cannot get the elevator to function properly, security will call the contracts manager to call the elevator company to send a repairman to repair the elevator. If the contracts manager is not in the office, security will leave word with:
  - (1) Facilities building superintendent;
  - (2) Clerk;

- (3) Secretary; or
- (4) Administrative assistant.

This person is responsible for calling the elevator company immediately.

- (b) If the call is for an outlying elevator, the contract manager calls the elevator repair company for service repairs. If the contracts manager is not in, the facilities office staff will be responsible for calling in the repair order.

(Admin. Policy Manual, § K(2.02, 2.03))

Sec. 106-123. - After office hours.

- (a) After office hours all calls going out shall be routed through the security booth. The security officer will go to the elevator (if it is a downtown elevator), check all switches and make every effort to start the unit to function properly.
- (b) If security cannot repair the car, they will call the elevator company. If an elevator is not working in the outlying buildings, security will call the elevator repair company directly without checking out the unit.
- (c) However, security will ask the person reporting the malfunctioning elevator if they checked all the appropriate switches in the car or if they checked to make sure nothing is lodged in the door track.
- (d) If someone is stranded on the elevator (after hours), security will inform the elevator repair company.
- (e) Security will keep a written record of all after hour calls.

(Admin. Policy Manual, § K(2.04—2.08))

Secs. 106-124—106-140. - Reserved.

### **DIVISION 3. - FIRE SAFETY**

Sec. 106-141. - Installation of systems policy.

The county has installed and continues to install fire safety systems in county buildings to provide for the safety and security of county personnel, county property and all citizens.

(Admin. Policy Manual, § K(3.00))

Sec. 106-142. - Fire safety equipment defined.

For the purpose of this division, the term "fire safety equipment" refers to any and all items that could have relation to fire safety. The term includes all components of the fire system (smoke detectors, pull-stations, horn/strobe warning units, and control panels), portable fire extinguishers, fire hoses and cabinets, exits, exit lights, sprinkler heads, sprinkler piping and sprinkler control valves.

(Admin. Policy Manual, § K(3.01))

Sec. 106-143. - Fire alarm activation.

- (a) Activation of a fire alarm requires evacuation of the building.
- (b) Any visible smoke or fire requires notification of the fire department.

- (c) Evacuation of the building should follow the steps listed in the fire evacuation procedure sheet (exhibit KA).
- (d) The fire marshal's office must be notified on all fire alarms in county buildings. For downtown buildings, security should also be notified.
- (e) Approval may be given to security in downtown buildings or to building managers in other county buildings to silence alarms. Only the fire marshal's office can reset an alarm panel.
- (f) In the event of evacuation, reentry should not be made until authorized by the fire marshal's office.

(Admin. Policy Manual, § K(3.02—3.07))

Sec. 106-144. - Reporting damaged or missing equipment.

- (a) Any apparent damaged malfunctioning or missing device should be immediately reported to the county fire marshal's office at 904-3010. The caller should be prepared to supply a specific location for the damaged device. The fire marshal's office must visually inspect the location and device prior to turning in a work request for repair to facilities management. If the damaged device is causing damage to the building or environment, as in the case of a damaged sprinkler head, immediate action may be taken by either security or maintenance personnel prior to notifying the fire marshal's office.
- (b) If a fire alarm system, a sprinkler system or a standpipe system will be out of service overnight for routine maintenance, alteration or repair, the fire marshal's office must be notified. The fire marshal's office will then make the notifications required by fire codes and insurance companies.

(Admin. Policy Manual, § K(3.08, 3.09))

Sec. 106-145. - Use of fire suppression equipment.

- (a) Portable fire extinguishers are intended to be used by any person, county employee and/or private citizen, to extinguish small fires. Prior to use, the fire department must be notified.
- (b) Instructions for use are displayed on the front of each portable extinguisher. The instructions are:
  - (1) Pull (remove) the pin that prevents the handles from being squeezed together;
  - (2) Aim at the base of the fire; and
  - (3) Starting at approximately 12 feet away and advancing toward the fire, squeeze the handles together and use a sweeping, back and forth motion to apply the agent to the fire. An extinguisher shall always be used in a defensive manner, protecting the user regardless of its effect in extinguishing the fire.
- (c) Warning: Portable fire extinguishers expel a chemical that may be irritating to some people. Do not remain in an area where chemical has been discharged. Portable fire extinguishers will only extinguish very small fires and should not be used on a fire that could not be extinguished with two gallons of water. If any doubt exists concerning extinguishment do not use the portable extinguisher, notify the fire department and evacuate.
- (d) After the fire is out, the debris shall be soaked with water prior to its removal and the fire marshal's office shall be contacted.
- (e) Fire hoses in county buildings are not intended for use by building occupants. The fire department recommends that only personnel trained in hose use attempt to use fire hoses. The fire hoses in building hose cabinets should only be used by detention service officers, maintenance employees, security officers or the fire department.

(Admin. Policy Manual, § K(3.10—3.13))

Sec. 106-146. - Inspection of portable fire extinguishers.

Extinguishers in all county buildings will be maintenance inspected annually as part of the annual building inspection by the fire marshal's office. Maintenance inspection is a thorough check of the extinguisher. It is intended to give maximum assurance that an extinguisher will operate effectively and safely. It includes a thorough examination and any necessary repair or replacement. An annual maintenance inspection is required by the National Fire Protection Association and the city fire code.

(Admin. Policy Manual, § K(3.14))

Sec. 106-147. - Spare extinguisher pool for outlying buildings.

A supply of spare extinguishers will be maintained at the fire marshal's office. The fire marshal's inspector will, during his inspections, draw from this pool to replace extinguishers which need recharging. Extinguishers needing recharge may be brought to the fire marshal's office and exchanged for one from the spare pool.

(Admin. Policy Manual, § K(3.15))

Sec. 106-148. - Recharging and replacing of extinguishers.

- (a) The fire marshal's office is to be notified when two or more extinguishers need servicing or replacing. It shall be the responsibility of the person having daily operating control of the facility to notify the fire marshal's office of the size and type of the extinguishers needing service or replacement, and the location of these extinguishers.
- (b) Placement and installation of new extinguishers will be the responsibility of the fire marshal's office.
- (c) Complaints or concerns regarding fire extinguisher service should be forwarded to the fire marshal's office. It shall be the responsibility of the fire marshal's office to oversee the service provided by the extinguisher company.

(Admin. Policy Manual, § K(3.16—3.18))

Sec. 106-149. - Servicing of kitchen fixed-system extinguishers.

The yearly servicing of fixed-system extinguishers will be conducted by licensed outside service companies and supervised by a representative of the fire marshal's office.

(Admin. Policy Manual, § K(3.19))

Secs. 106-150—106-170. - Reserved.

## **DIVISION 4. - INCLEMENT WEATHER**

Sec. 106-171. - Closing of county buildings.

- (a) The decision to close or delay opening of county buildings due to inclement weather will be made by the county judge and/or commissioners court after consultation with the county emergency management coordinator (county fire marshal). The decision will be relayed via an established telephone notification pyramid system from the county judge through the department heads to the employees. The telephone pyramid list is updated annually each fall by the fire marshal's office to ensure accuracy, and distributed to all departments. Changes in the contact person and/or telephone numbers should be made immediately to the fire marshal's office.

- (b) The decision to close or delay openings will also be announced between 6:00 a.m. and 7:00 a.m. on the following media stations. If weather conditions allow an earlier decision, media contacts will be made earlier.
  - (1) Radio stations:
    - KRLD 1080 AM
    - KLIF 1190 AM
    - KVIL 1150 AM and 103.7 FM
    - KCMZ 1480 AM and 107.5 FM
    - WBAP 820 AM
    - KKDA 730 AM and 104.5 FM
    - KESS 1270 AM
  - (2) Television stations:
    - KDFW Channel 4
    - KXAS Channel 5
    - WFAA Channel 8
- (c) Immediately after the decision has been made by the county judge or commissioners court, the information is released to department heads and the news media. Employees should not place phone calls to the fire marshal's office and the sheriff's office as such calls tie up emergency phone lines.
- (d) Employees should be familiar with the pay policy during emergency conditions as detailed in section 82-61.

(Admin. Policy Manual, § K(4.00—4.04))

Secs. 106-172—106-190. - Reserved.

## **DIVISION 5. - BOMB THREATS**

Sec. 106-191. - General policy.

- (a) Threats in all county buildings must be treated as legitimate until a search has been completed and a determination is made by the fire marshal's office that the threat is a hoax.
- (b) The county will use its own search team. This team is under the direction of the fire marshal's office.
- (c) The purpose of this procedure is to provide an orderly sequence of actions to be taken by anyone receiving a bomb threat.

(Admin. Policy Manual, § K(6.00, 6.02, 6.03))

Sec. 106-192. - Procedures.

- (a) The person receiving a call should:
  - (1) Remain calm; do not panic.
  - (2) Obtain as much information as possible in a logical sequence by completing the bomb threat checklist (exhibit KC). If the form is unavailable, use the five "W's" and "H": who, what, when, where, why and how.
  - (3) Notify the immediate supervisor and department head of the threat.
  - (4) Notify the fire marshal's office at 904-3010 of the threat. Give the name of the caller, name and address of the building, and the time the bomb is set to detonate, if available.

Note: The fire marshal's office may be contacted through the sheriff's office at 749-8640 after office hours.

- (b) No search activity, such as touching any suspicious or unfamiliar objects, is to be conducted without the direction of the fire marshal or his designee. Search of the building will be under the control and guidance of the fire marshal's office.
- (c) Evacuation of the building will be ordered by the fire marshal.
- (d) Notification of appropriate departments and the bomb search team will be made by the fire marshal.
- (e) The fire marshal's office will assist with bomb threat searches in jails when requested by the sheriff's office.
- (f) The sheriff's department, bailiffs, constables and security may be requested to assist the fire marshal's office with the security of a building.

(Admin. Policy Manual, § K(6.04—6.09))

Secs. 106-193—106-210. - Reserved.

## **DIVISION 6. - CHEMICAL SPILLS<sup>1</sup>**

Sec. 106-211. - Policy.

- (a) The county desires to comply with all federal and state laws pertaining to the usage and release of hazardous chemicals. The employee's safety is of utmost concern.
- (b) The Texas Hazard Communication Act requires the county to provide a current material safety data sheet on all hazardous chemicals, and this information must readily be available upon request for review by employees.

(Admin. Policy Manual, § K(7.00, 7.01))

Sec. 106-212. - Procedures.

- (a) The county fire marshal's office shall have the responsibility for chemical release cleanup and disposal on county property.
- (b) No employee is to be involved in cleanup/disposal of any toxic, corrosive, flammable or unknown chemical unless they have been properly trained and have approved protective equipment.
- (c) All chemical releases shall be reported immediately to the county fire marshal's office who will determine danger and cleanup procedure. The Institute of Forensic Sciences will assist the fire marshal by providing technical assistance and equipment.
- (d) Employees will evacuate the area until fire marshal personnel arrive. The area of evacuation will be determined by knowledge of the chemical at time of release.
- (e) The county fire marshal will notify proper federal, state and city agencies when required to do so by statute.

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<sup>1</sup> **Federal law references**— Solid waste disposal, 42 USC 6901 et seq.; Hazardous Materials Transportation Act, 49 USC 1801 et seq. **State Law reference**— Hazardous materials, reporting, V.T.C.A., [Government Code § 411.018](#).

- (f) Reentry into the work area will not be permitted until the fire marshal's office has so authorized.
- (g) Any employee working in facilities where used motor oil and/or used oil from filters is present, must comply with regulations posted in garages on November 4, 1992, by the county fire marshal.

(Admin. Policy Manual, § K(7.02—7.08))

Secs. 106-213—106-240. - Reserved.

## **ARTICLE IV. - OZONE ALERT**

Sec. 106-241. - Purpose of article.

High levels of ozone, which typically occur when certain types of emissions interact with high levels of sunlight and high temperatures, pose a serious threat to a community's health. Fortunately, since approximately 91 percent of the emissions that cause ozone in the Dallas-Ft. Worth area originate from cars, trucks, planes, small gasoline-powered engines, paints and solvents, it is possible to control some of the conditions that cause these dangerous ozone levels. Accordingly, this article shall govern the operation of the county on days in which a state air control board-issued ozone alert is in effect.

(Admin. Policy Manual, § K(5.00))

Sec. 106-242. - Notification.

- (a) The commissioners court administrator is designated to serve as the county's point of contact when the state air control board issues an ozone alert. It will be his responsibility to immediately initiate the ozone alert notification process (exhibit KB) once he has received word that an ozone alert has been issued.
- (b) Upon receiving word that an ozone alert has been issued, all county departments and elected officials shall inform their employees and immediately begin to implement the special ozone alert operating procedures.

(Admin. Policy Manual, § K(5.01, 5.02))

Sec. 106-243. - Operating procedures.

- (a) On days that ozone alerts are in effect:
  - (1) County employees shall be encouraged to ride mass transit or carpool to work.
  - (2) County departments and elected officials shall seek to limit their driving during the workday by rescheduling their meetings to later in the afternoon or to another day, by coordinating and consolidating their trips to pick up mail supplies, etc.
  - (3) County departments and elected officials shall seek to park as many county vehicles as possible in covered, shaded areas.
  - (4) The county fire marshal will not issue open burning permits for the county's unincorporated areas.
  - (5) County refueling facilities, except for public safety-related vehicles (sheriff, fire marshal, constable) in an emergency or for vehicles fueled by compressed natural gas (CNG), shall be closed until 2:00 p.m. Similarly, employees with county gasoline credit cards shall also not refuel their non-CNG powered vehicles until after 2:00 p.m. Vehicles needing fuel before 2:00 p.m. should obtain it the day the ozone alert is issued (i.e., the day before the ozone alert goes into effect).

- (6) County employees will not engage in mowing, burning brush or trash, painting, using solvents or operating small gasoline-powered engines until after 10:00 a.m.
  - (7) County employees, to the extent practical and/or possible, will not perform any maintenance/construction work until after 10:00 a.m.
  - (8) Elected officials and department heads may allow previously designated nonessential employees who can work a 10:00 a.m.—6:30 p.m. shift to do so, provided that the department/office still has sufficient staff on duty during the normal 8:00 a.m.—4:30 p.m. workday to adequately serve the public.
- (b) Also, depending upon the anticipated severity of the ozone level, the commissioners court may alter the hours of the normal workday for nonessential personnel when an ozone alert is in effect.

(Admin. Policy Manual, § K(5.03, 5.04))