

**Memorandum of Understanding**  
**Regarding Management and Permitting of Events in Darden Garden**

This Memorandum of Understanding Regarding Management and Permitting of Events in Darden Garden (this “**MOU**”), dated January 8, 2024, is made by and among the Senate of Virginia and the House of Delegates of Virginia, acting through the Clerk of the Senate and the Clerk of the House (collectively, the “**Senate and House**”), the Commonwealth of Virginia, Department of General Services (the “**Department**”), and the Commonwealth of Virginia, Division of Capitol Police (“**Capitol Police**”).

WHEREAS, pursuant to § 4-5.11(b) of Chapter 1 of the 2023 Special Session I Acts of the Assembly, “[a]ll property controlled by the Department of General Services shall require a permit for use by persons, organizations, or groups for events,” and the Department was directed to “prepare and publish on its website the requirements for the submission, processing, review, and disposition of permit applications for events on property controlled by the Department;”

WHEREAS, during Regular Session (defined below) of the General Assembly of the Commonwealth of Virginia, the Senate and House desire to have control the pedestrian area on the south side of the General Assembly Building bounded by the bollards on the east and west sides of the building, and the historic Capitol Square fence to the south, more particularly shown and designated as “Darden Garden” on the attached **Exhibit A** (“**Darden Garden**”);

WHEREAS, the parties are entering into this MOU to memorialize their understanding and agreement over the control of Darden Garden.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, the parties hereby agree as follows:

1. For purposes of this MOU, “**Regular Session**” has the same meaning contemplated in Article IV, Section 6 of the Constitution of Virginia.
2. During all Regular Sessions:
  - a. The Senate and House will have joint/shared control over Darden Garden;
  - b. The Senate and House will be responsible for managing, permitting, and establishing rules for events in Darden Garden;
  - c. The Department will have no responsibility for managing, permitting, or establishing rules for events in Darden Garden;
  - d. The Department’s “Rules for the Use of DGS Property,” found on DGS’ website, will be inapplicable to Darden Garden;
  - e. The Department’s requirements for “DGS-Controlled Property Event Permitting,” found on DGS’ website, will be inapplicable to Darden Garden; and,
  - f. Capitol Police will oversee and enforce any rules and requirements of the Senate and House for events in Darden Garden.

3. At all times other than during Regular Sessions:

- a. The Department will have control over Darden Garden;
- b. The Department will be responsible for managing, permitting, and establishing rules for events in Darden Garden;
- c. The Senate and House will have no responsibility for managing, permitting, or establishing rules for events in Darden Garden, but the Department shall communicate to the Clerk of the House and the Clerk of Senate and/or their designee(s) when the Department has issued a permit for an event in Darden Garden;
- d. The Department's "Rules for the Use of DGS Property," found on DGS' website, will be applicable to Darden Garden;
- e. The Department's requirements for "DGS-Controlled Property Event Permitting," found on DGS' website, will be applicable to Darden Garden; and,
- f. Capitol Police will enforce any rules and requirements of DGS for events in Darden Garden.

4. The recitals above are incorporated into the body of this MOU by reference.

**SENATE OF VIRGINIA**

**HOUSE OF DELEGATES OF VIRGINIA**



By: Hon. Susan Clarke Schaar,  
Clerk of the Senate



By: Hon. G. Paul Nardo,  
Clerk of the Virginia House of Delegates

**COMMONWEALTH OF VIRGINIA,  
DEPARTMENT OF GENERAL  
SERVICES**

**COMMONWEALTH OF VIRGINIA,  
DIVISION OF CAPITOL POLICE**

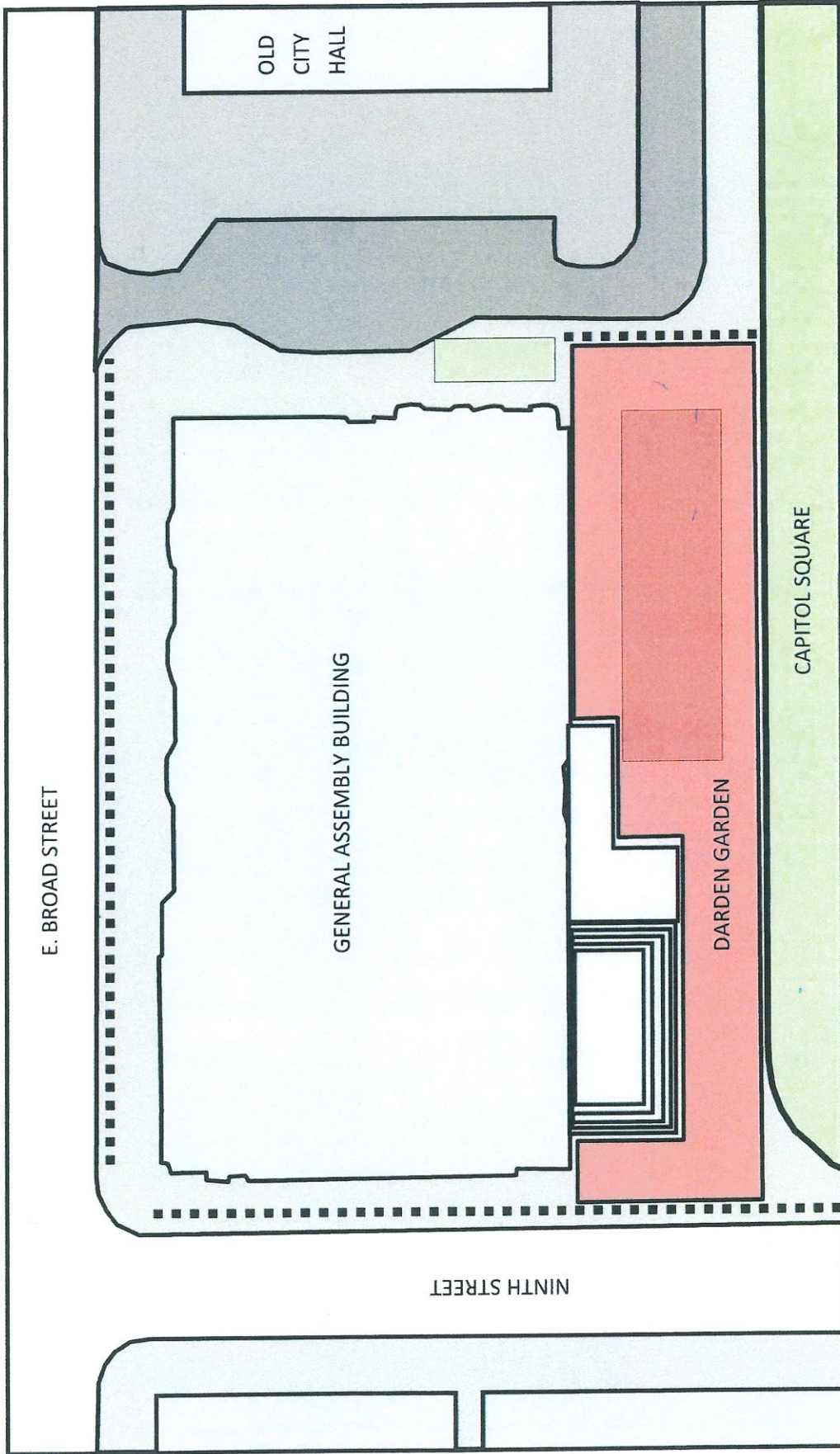


By: Michael Bisogno,  
Acting Director



By: Col. John T. Mckee

Exhibit A





# APPLICATION FOR USE OF DARDEN GARDEN

By submitting this form, the Applicant agrees to the following terms and conditions:

- Applicant will meet with representatives from the House and Senate Clerk(s) Offices and the Division of Capitol Police onsite at least 5 days before the event to survey the space and discuss logistics.
- The General Assembly of Virginia reserves the right to refuse the use of space for any event (including purely private, social events such as weddings and dances; commercial activities that include the sale of goods and services; and fundraising events that do not benefit the Capitol or Capitol Square) that may impede the work of the legislative branch or compromise security or the public's health, safety, and welfare.
- The General Assembly of Virginia and, by extension, the Clerk's Offices of the House of Delegates and Senate are Equal Opportunity institutions and do not discriminate based on race, color, religion, sex, age, national origin, disability, or political affiliation in any aspect of their operations, including assignment of event space. The approval for use of event space does not constitute an endorsement by the General Assembly or either Clerk's Office of the organization or its beliefs, policies, practices, or activities.
- Applicant will conduct the proposed event strictly in accordance with the description of the event in this permit and in accordance with state law and city ordinances; and will not impede the flow of pedestrian traffic between the General Assembly Building and Capitol Square. The event may not occupy any public sidewalk or any space within 25 feet of the entrance of any building.
- Parking is NOT available for the facilitator(s) of this event.
- Large electronic visual displays will not be permitted. Laptop computers, mobile devices and computer monitors cannot exceed 32 inches diagonal measurement.
- Sound and amplification equipment must be provided by the General Assembly.
- If the proposed event involves the service of food, applicant must specify the number and size of food trucks, trailers, or other cooking equipment. Towing vehicles will not be permitted to remain in the area. The fire marshal may elect to inspect food trucks and other cooking facilities.
- Applicant must be responsible for making sure litter, signs and any other materials brought by the group are (immediately) removed from the premises following the event.
- The General Assembly of Virginia prohibits the following: Unauthorized Firearms, Weapons, Pointed Objects, Hazardous Materials, Pepper Spray/Mace, Sticks/Poles, Flammable Items or Liquids (including Aerosols and Fireworks), Caustic Substances, Open Flame, Air-horns or Noise Making Devices, Generators, and Facial Masks.
- In the event of building evacuation or other emergency, the applicant agrees to immediately cease operations and leave the area if requested by a representative of the Clerks of the House of Delegates and Senate of Virginia or the Division of Capitol Police. Applicant may be required to leave any property or equipment in place until an "all-clear" is given and the applicant is authorized to return.
- By signing the permit application and without the need for further documentation, Applicant hereby indemnifies and saves harmless the Commonwealth of Virginia, its agents and employees, in both their personal and official capacities, against any and all loss, damage, claim, or liability whatsoever, due to personal injury or death, or damage to property of the Commonwealth of Virginia or others, directly or indirectly, due to the exercise by Applicant of the privilege granted by this permit, or any act or omission of Applicant, including failure to comply with the obligations of this permit.

SIGNATURE OF APPLICANT	DATE SIGNED
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***G. Paul Nardo, Clerk of the House of Delegates***

***Susan Clarke Schaar, Clerk of the Senate***