

<u>MEETING DATE</u>	06/12/06
<u>AGENDA ITEM</u>	Receive and File Report Regarding Stay of Enforcement of Council Policy No 4008, Sections III B and IV B.3 Relating to General First Amendment Activities in the Inner Courtyard Area of City Hall

ATTACHMENTS

		<u>Pages</u>
1	Council Policy No 4008 (including Guidelines for Implementation of Council Policy No 4008 Regarding Free Speech	1-21

**CITY OF CULVER CITY
COUNCIL POLICY STATEMENT**

Policy Number 4008

General Subject **Employees and Officials**

Date Issued 11/11/96

Effective Date 11/11/96

Resolution No 96-R118

Specific Subject **Free Speech Policy and Guidelines**

Date Revised 5/16/05

Effective Date Rev 5/16/05

Resolution No 2005-R036

PURPOSE

To establish a City policy which promotes free speech in Culver City and which provides guidelines to City Officers, Officials, City staff, agents and volunteers relating to what, if any, time, place and manner restrictions may be imposed on speech or expressive activities, in order to allow the City to conduct its business

STATEMENT OF POLICY

- 1 It is the policy of the City Council of the City of Culver City that free speech is a valued constitutional right of the People of the United States and must not be unduly burdened
- 2 No restrictions on persons exercising their right to free speech may be imposed by staff or volunteers without the prior review and approval of the City Council
- 3 The streets, sidewalks and parks of the City are traditional public fora for the exercise of free speech
- 4 The grounds of certain City buildings and facilities also provide an appropriate forum for First Amendment activities that do not conflict with other essential uses of the property
- 5 The City may impose reasonable time, place and manner restrictions on persons or organizations that desire to use City property for expressive activities
- 6 The buildings, garages, parking lots, maintenance facilities, and employee work areas of the City are not traditional free speech fora
- 7 In administering City property, a high priority must be given to First Amendment activities, while ensuring that such activities do not unreasonably interfere with other

legitimate uses, including necessary governmental functions and the expressive, recreational and/or activities of other members of the public. Persons exercising speech rights may not disturb the peace, block public thoroughfares, block pedestrian access in public areas, physically interrupt permitted activities in public areas such as athletic contests, concerts, or private parties, or attempt to gain free access to events that charge admission by claiming a right to speak at such events.

8 Staff or volunteers may not require pre-approval of documents for distribution in public fora.

9 The City Council desires that events sponsored by the City which occur on City property will be a venue open to the exchange of the ideas and beliefs of the public. Those who are engaged in non-commercial speech shall enjoy the greatest freedoms subject only to the restrictions stated in this policy and applicable laws and regulations. The City, its associated organizations and volunteer groups shall be subject to this policy.

10 To fully implement the foregoing policies, it is necessary to provide further guidance to the public and City staff in the form of Guidelines for First Amendment activities conducted on City property. The Guidelines, attached hereto and incorporated herein by reference, together with applicable provisions of the City's Municipal Code, and other federal, state and City laws, regulations and policies, shall be followed by all City personnel, including officials, agents and volunteers, in making day-to-day decisions affecting the public's use of City property for First Amendment activities.

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**GUIDELINES FOR IMPLEMENTATION OF
COUNCIL POLICY NO 4008 REGARDING FREE SPEECH**

The following Guidelines provide reasonable time, place and manner restrictions and allow for implementation of the general policies set forth in City Council Policy Statement No 4008

I CLASSIFICATION OF CITY PROPERTIES

A TRADITIONAL PUBLIC FORUM AREAS

(1) Sidewalks and public walkways Publicly owned and controlled sidewalks and walkways within the City constitute a traditional public forum for First Amendment Activities, and shall be open to all General First Amendment Activities as defined in these Guidelines, subject only to reasonable time, place and manner restrictions found in these Guidelines, the Culver City Municipal Code, or other federal, state or City laws, regulations or policies Larger or more intensive First Amendment activities, which constitute Regulated First Amendment Activities, as defined in these Guidelines, shall be allowed on sidewalks and walkways only by permit

(2) City parks General First Amendment Activities are allowed in all portions of City parks that are open to general public use, subject to reasonable time, place and manner restrictions found in these Guidelines, the Culver City Municipal Code or other federal, state or City laws, regulations or policies, including park rules First Amendment Activities shall not interfere with authorized uses of park property, such as scheduled uses of athletic fields, reserved use of picnic grounds or uses of park areas intended for specific purposes, *e g* athletic fields, tot lots, etc In order to avoid conflicts with other park uses, Regulated First Amendment Activities in parks are subject to permit requirements

(3) Streets and roadways The streets and roadways of the City constitute a traditional public forum for certain First Amendment Activities, but require special regulation because of safety issues and potential conflicts with vehicle use First Amendment activities on streets and roadways, other than those exempted by these Guidelines, shall be regulated by permit

B LIMITED PUBLIC FORUM AREAS

Certain areas of City property, *e g* the grounds of certain City facilities and designated public meeting rooms, are suitable for some but not all First Amendment Activities, and require more detailed guidelines for use in order to balance First Amendment Activities with other necessary public uses of the property The

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following City properties are subject to further special Guidelines set forth in Section IV

- 1 City Hall grounds (See Section IV A below)
- 2 City Council Chambers (See Section IV B below)
- 3 Town Plaza (See Section IV C below)

C NON-PUBLIC FORUM AREAS

The following areas are not traditional or designated public forum areas and are generally reserved for other governmental uses. These areas are not available for General First Amendment Activities or Regulated First Amendment Activities, except when specifically authorized by these Guidelines, by a validly issued permit, or by some other specific policy or exemption adopted by the City.

1 Interior Areas of Public Buildings All areas within public buildings, except for rooms or areas specifically designated for First Amendment Activities. Interior areas within public buildings include all upper story areas (including patios, walkways, balconies and landscaped areas), and all ground-floor enclosed areas attached to public buildings. "Enclosed" for purpose of this section means the area is bounded in whole, or in substantial part, on all sides by walls, fencing, or other structural barriers designed to limit access to specific doorways or entranceways. Public buildings, as used herein, include buildings leased or otherwise controlled in whole, or in part, by the City or Redevelopment Agency.

2 Designated Employee Only Areas Any area marked as restricted to employees only.

3 Work, Storage and Auxiliary Facilities Any enclosed yard, work area, storage ground or other facility used for City business that is not generally open to the public, e.g. maintenance yards.

4 Landscaping Planted or landscaped areas of public property, excluding designated pathways within such areas. Landscaped areas as used herein means areas that (a) are planted with contiguous or closely-spaced vegetation, other than grass, (b) are contained within formal beds or other marked boundaries, or (c) planted or maintained areas that are otherwise fenced or posted to exclude general public access. Landscaping shall also include improvements, such as fountains.

5 Parking Facilities Parking areas and structures, except for sidewalks or other areas marked exclusively for pedestrian use within parking areas. General First Amendment Activities are allowed in such sidewalk and pedestrian

areas subject to the requirement that a six-foot pedestrian pathway and an eight-foot distance from entrances and exits be maintained at all times, and that individuals not attempt to leaflet, solicit or otherwise directly engage persons in vehicles within or adjacent to the parking area, including entrances and exits

II CLASSIFICATION OF FIRST AMENDMENT ACTIVITIES

First Amendment activities are classified as follows for purposes of these Guidelines

A “General First Amendment Activities” General First Amendment Activities are those typically carried out by individuals or small groups in a public forum, which generally require only limited or no regulation in order to avoid adverse impacts on City property or other persons General First Amendment activities are allowed, subject to the General Restrictions listed below, in all Public Forum areas and Limited Public Forum areas without a permit, except as otherwise specifically provided in these Guidelines, the Culver City Municipal Code, or other federal, state or City laws, regulations or policies

General First Amendment Activities include the following

- Leafleting and distribution of written materials, other than commercial advertising, providing no material is left unattended,
- Peaceful picketing or assemblies involving less than 50 participants,
- Display of hand-held signs and hand-held banners,
- Solicitation, subject to applicable regulations or policies,
- Public speech, discussion and debate,
- Circulation of petitions and collection of signatures, and
- Street performances by individuals or groups, which do not involve the use of any stage, display or equipment requiring a permit

B “Regulated First Amendment Activities” The following activities on City owned or controlled property shall require a permit from the City

1 Parades and Marches Any parade, march or other moving assembly involving the use of City streets, alleys, roadways, sidewalks or other public property which require a parade permit as provided in CCMC § 9 06 100 et seq , as amended, or other applicable regulations or policies

2 Organized Assemblies, Events, Meetings and Street Performances that Involve More than Fifty Persons Organized assemblies, meetings, demonstrations or similar activities or events not qualifying as parades, but involving a gathering of more than 50 persons on City property (other than indoor meeting rooms or halls designated for meetings or assemblies) shall require an assembly permit. An "organized" activity or event for purposes of this section means one that is (1) advertised or promoted in advance of the event by any written means or by any electronic media, *e g* radio, television or internet, or (2) is advertised or promoted by oral invitation, word of mouth or any other unwritten means more than 72 hours before the beginning of the activity or event. An assembly permit is also required for any performance on any outdoor City property that involves a total of fifty or more performers and audience members at any time.

3 Amplified sound The projection of voice, music or any other sound by means of amplified sound equipment is subject to the restrictions and permit requirements of CCMC §§ 9 04 020 and 9 07 055, as amended, or other applicable regulations or policies. Amplified sound equipment includes any electronic, mechanical or other equipment or device used to broadcast or project sound above normal conversational levels.

4 Tables, Displays, Equipment Activities involving the placement of tables, chairs, stages, props or other equipment used in a First Amendment Activity, and/or displays of literature, music, art or other written or recorded materials occupying more than 6 square feet of ground space on City property shall require a permit. The permitting standards for such permits shall limit such activities to times and locations where the activity will not interfere with pedestrian access or other normal uses of the subject area. Activities involving the sale of displayed material or merchandise shall be permitted only as provided by CCMC § 9 08 040 (Use of Sidewalks for Outdoor Display of Goods permit), as amended, or when incidental to a special event or activity which has been authorized by permit, license or sponsorship of the City. Sales activities are generally prohibited in City parks and on the grounds of City facilities by CCMC § 9 10 055 I, as amended. This section does not authorize the permitting of any sign, table, display or equipment that is not attended at all times by the permittee or a representative.

5 Unattended signs and displays Unattended, privately placed signs or displays are generally not permitted on City property. The City may designate limited areas for such displays within specified Limited Public Forum areas. Privately owned or sponsored displays in such special, designated areas shall be allowed on a temporary basis by permit only, in compliance with all restrictions specified for Limited Public Forum areas, as set forth in these Guidelines, and any

other applicable federal, state or City laws, regulations or policies. An “unattended” sign or display for purpose of this section shall mean any sign or display which is not accompanied by the immediate physical presence of its owner or another attendee.

6 Use of Vehicle Roadways, Streets and Alleys First Amendment Activities on streets, alleys and roadways open to vehicle traffic are allowed only by permit. Assemblies, parades, marches or demonstrations on public streets or roadways shall require a permit, as set forth in Section II B 1 above. Special events or activities requiring temporary street closures shall require a street closure permit. This section applies to all activities proposed or conducted on the surface of any street, roadway or alley currently open to motor vehicle traffic and median strips of such streets, alleys and roadways, on improved surfaces of public bikeways, and to any area along streets, alleys or roadways that is closed to pedestrian traffic. This section does not apply to incidental use of cross-walks or other pedestrian improvements for the purpose of crossing streets by persons engaged in First Amendment Activities.

C Other First Amendment Activities

The City’s policies are not intended to restrict individual First Amendment Activities which have no potential to interfere with other legitimate uses of public property. The following activities are not regulated by these Guidelines and may be conducted freely by persons in any public location, unless otherwise restricted by applicable federal, state or City law.

1 Personal clothing, buttons Nothing in these Guidelines shall be deemed to restrict an individual’s right to wear expressive clothing, buttons or jewelry, including symbolic or written messages displayed thereon or directly on the body.

2 Private Conversations, Discussions Nothing in these Guidelines shall be deemed to apply to any conversation, not involving solicitation, between two individuals carried out at normal conversational levels, regardless of subject matter. However, this exception shall not be construed to authorize any individual to gain access to any public property that is not otherwise open to public access for the purpose of engaging in such conversation.

3 Displays on Automobiles or Other Vehicles Nothing in these Guidelines shall be deemed to restrict the right to display any sign, emblem, bumper sticker, writing or other display on any automobile or other vehicle, to the extent permitted by law.

4 Property Not Owned or Currently Controlled by the City Nothing in these regulations shall be deemed to apply to property that is not owned, leased or otherwise under the control of the City or Redevelopment Agency of the City of Culver City. In addition, these regulations do not apply to property owned by the City that is leased or licensed for use by any private person for other than temporary purposes.

5 Signs Permitted by Municipal Code or Other Regulations These guidelines do not apply to signs in public rights-of-way or elsewhere on public property which are specifically authorized or permitted pursuant to provisions of the Culver City Municipal Code or other federal, state or City laws, regulations or policies.

III GENERAL RESTRICTIONS ON FIRST AMENDMENT ACTIVITIES ON CITY PROPERTY

The following time, place and manner restrictions ("General Restrictions") shall apply to all General First Amendment Activities and Regulated First Amendment Activities.

A Interference with access No First Amendment Activities shall be conducted in a manner which blocks access or egress to public buildings, grounds or facilities. For this purpose, all persons engaging in General or Regulated First Amendment Activities shall maintain a distance of ten feet from any doorway or gateway to any public building and shall maintain a clear pathway of not less than six feet in width, or ½ the width available for passage, whichever is less, along any sidewalk, path, walkway or passageway between buildings, landscaping or other features restricting general access.

B Non-interference with other permitted uses The City recognizes that First Amendment Activities have the potential to conflict with other legitimate uses of public property, including uses by groups or individuals wishing to organize events or activities for First Amendment purposes of their own. Therefore, where City property has been temporarily or permanently reserved for special use by the City, another government agency, or by any private person or organization pursuant to a City-authorized permit, lease or license, the property shall cease to be considered a public forum area, and shall be considered available only for the particular governmental or private activity planned or conducted by the public or private sponsor(s) of the event or activity.

The permit, lease, license or other authorization issued for any such planned use or activity shall designate the boundaries of the reserved area. General and Regulated First Amendment Activities in the reserved area shall be limited to those

authorized by the event sponsors for the duration of the authorized activity or event, subject to any restrictions or requirements of the permit, lease, license or other authorization governing the activity. This provision shall not be construed to restrict use of any adjoining public forum area for General or Regulated First Amendment Activities by any person, providing only that such activities do not interfere with access and egress to and from the reserved area.

Except where a permit, lease, license or other authorization has been issued, all First Amendment Activities shall be allowed on a first-come, first-serve basis, unless otherwise provided by City policies, regulations or use schedules governing the specific facility or area in question.

C Compliance with Other Laws All First Amendment activities shall comply with all applicable provisions of the Culver City Municipal Code or other federal, state or City laws, regulations or policies. Persons engaging in First Amendment Activities on City property shall also comply with any lawfully issued order of any law enforcement officer or emergency personnel.

IV RESTRICTIONS APPLICABLE TO LIMITED PUBLIC FORUM AREAS

A CITY HALL PROPERTY (specific areas designated on attached map)

1 City Hall Building Interior Except as otherwise designated by the City, the interior areas of the City Hall building are not available for General or Regulated First Amendment Activities.

2 Parking Areas Subterranean parking areas of the City Hall are also not available for General or Regulated First Amendment Activities, except for marked walkways, where leafleting and signature gathering are allowed subject to General Restrictions on use of such areas.

3 Upper Story Balconies and Enclosed Ground Level Courtyard The enclosed ground level courtyard and upper story balconies of the City Hall building shall be available for the limited General First Amendment Activities listed below only when these areas are otherwise open to public access. All such activities are subject to the restriction that persons engaged in such activities (a) comply with the specific limitations stated in this section, (b) maintain a distance of eight feet from all public elevator entrances, exits, stairways and doorways, and (c) comply with the General Restrictions set forth in these Guidelines, including non-interference with use of sidewalks, passages and walkways. The permitted General First Amendment Activities consist of the following:

- a Leafleting,
- b Display of handheld signs and handheld banners,
- c Speech, discussion and debate in normal conversational levels,
- d Peaceful picketing, and
- e Circulation of petitions and collection of signatures

4 Grounds The unenclosed areas surrounding City Hall are available for General and Regulated First Amendment Activities subject to the following restrictions

a Outer Courtyard and Quotation Corridor areas The outer courtyard and quotation corridor areas are available for all General and Regulated First Amendment Activities, subject to all General Restrictions and applicable permit requirements Any permit for use of amplified sound equipment in these areas shall require that, during City Hall business hours, i e weekdays from 7 30 a m – 5 30 p m , or any other times that meetings take place in City Hall related to City business, sound equipment be fixed to radiate sound away from employee occupied areas of the City Hall, and shall limit sound to a level that is not audible from within the interior of the City Hall building

b Inner Courtyard Area

(1) General First Amendment Activities General First Amendment Activities are permitted in the Inner Courtyard, subject to General Restrictions, except that

(i) No tables or other displays shall be placed less than 25 feet from any entrance or exit to the City Hall building or stairs leading to the parking area,

(ii) No more than two tables or other displays shall be present at any one time Space for tables or displays shall be available on a first-come, first-serve basis However, if an individual or organization has already erected a table or display in the Inner Courtyard on seven or more days in a calendar month, that individual or organization shall promptly remove the table or display upon request of another person or individual desiring to use the space for a table or display

(11) Tables shall only be permitted between the hours of 5 30 a m and 10 30 p m

(2) Regulated First Amendment Activities Regulated First Amendment Activities shall be permitted in the Inner Courtyard except that no permit shall be issued authorizing the use of amplified sound equipment during City business hours, i e weekdays from 7 30 a m – 5 30 p m , or any other times that meetings take place in City Hall related to City business

(3) Reservation for City Uses Activities or events sponsored or co-sponsored by the City or Redevelopment Agency shall have priority over all other uses of the Inner Courtyard When reserved for use by the City or Redevelopment Agency, General and Regulated First Amendment Activities of the Inner Courtyard shall be temporarily restricted to activities undertaken by the City, Redevelopment Agency and any co-sponsors of the activity or event This restriction shall not apply to use of the Outer Courtyard or Quotation Corridor otherwise authorized by these policies provided that such activities do not interfere with access or egress from the Inner Courtyard

c Apron of City Council Chambers General and Regulated First Amendment Activities are permitted in the Apron area adjacent to the City Council Chambers, subject to the General Restrictions and the further requirement that all such activities maintain a distance of eight feet from the City Council Chambers entrance at any time the Chambers are open to public access Any permit for use of amplified sound equipment in this area shall require that, during use of the Council Chambers, sound equipment be fixed to radiate sound away from the Council Chambers, and shall limit sound to a level that is not audible from within the interior of the Council Chambers

d Adjacent Sidewalks Nothing in these policies shall be construed to restrict General or Regulated First Amendment Activities of the sidewalk areas adjacent to the City Hall grounds as shown on the accompanying map Such areas retain their status as a traditional public forum subject to the applicable restrictions set forth in these Guidelines

B CITY COUNCIL CHAMBERS

The City Council Chambers are intended for the conduct of the business of the City Council, Redevelopment Agency and other City decision-making or advisory bodies in a setting open to the public Consistent with this purpose, the City

Council Chambers also serve as a forum for allowing members of the public to address the City Council and other City decision-making or advisory bodies on matters pending before these bodies. The City Council Chambers may also occasionally be used as a meeting place or forum for other limited governmental purposes, including the conduct of candidate forums for City elections, and use by other public agencies concerning public matters as authorized by the City. The Chambers may also be used by the City and City staff for City business or events. Consistent with these purposes, use of the City Council Chambers ("Chambers") is subject to the following Guidelines:

1 General Restrictions The Chambers are intended to serve as a forum for the conduct of specific public business and are not intended to serve as a public forum area for other matters. General or Regulated First Amendment Activities, as defined in these Guidelines, are not permitted in the Chambers except as specifically provided in Sections IV B 2 through IV B 5 below.

2 City Council Meetings

a Use The Chambers may be used for meetings, hearings or other activities of the City Council open to the public.

b Public Access Members of the public wishing to observe or speak during City Council proceedings shall have free access to the areas available for public seating in the Chambers during City proceedings, up to the capacity of the public seating area. Standing in aisles is not permitted. When the number of persons present exceeds the capacity of the seating area, the City Council or other City decision maker will make reasonable efforts to accommodate speakers forced to remain outside the Chambers.

c Public Testimony and Decorum City Council proceedings shall be conducted in compliance with the California Ralph M. Brown Act (Government Code § 54950, et seq.) and all other applicable laws, regulations and policies. Members of the public are expected to conduct themselves in accordance with Rules of Decorum as set by the City Council or other applicable laws, regulations and policies.

d Display or Distribution of Written Material Displays of literature on tables provided in the Chambers shall be restricted to materials placed by City staff, which are related to City business, or materials from other governmental agencies relating to City business. Leafleting, distribution of literature or other General First Amendment Activities are allowed only outside the Chambers as provided in the Guidelines governing First Amendment Activities on the City Hall.

Grounds This section shall not prevent any person from presenting written materials to the City Council, nor from providing copies of such materials to persons who request copies, provided that the copies are provided in a manner which does not interrupt City Council proceedings

e Signs Signs displayed by members of the public in the Chambers shall be limited to hand held signs no more than 18" in width and 24" in height Signs shall not be held in a manner which blocks free passage of any aisle or obstructs another person's view of the City Council while seated in the Chambers

3 Other City Meetings

a Use The Chambers may be used by the City Planning, Civil Service, Parks and Recreation, and Cultural Affairs Commissions, and any other City board, commission, committee or officer acting in a decision-making or advisory capacity, or conducting a meeting for informational purposes All such meetings shall be scheduled at the discretion of the City

b Rules and Restrictions The rules governing public access, right to speak, conduct, display or distribution of written materials and signs at all public City proceedings in the Chambers shall be the same as set forth in Sections IV B 2 b – IV B 2 e, above, except where different rules or procedures are required by the law governing the City decision-making or advisory body or officer conducting the proceeding Any advisory or decision-making body or officer that meets regularly in the Chambers may adopt supplemental rules of conduct for such meetings, and shall have the same right to enforce those rules as provided in Section IV B 2

4 Public Candidate Forums

a Use The Chambers may be made available to governmental or private non-partisan, neutral non-profit organizations for the purpose of hosting a candidate forum for candidates in any City election To qualify as a candidate forum for purposes of this section, the event must be open to participation on an equal basis by all duly registered candidates for the City office(s) up for election

b Scheduling and Number of Forums Candidate forums may be scheduled upon request of any governmental or non-profit organization, provided the requested time does not conflict with any other scheduled use of the Chambers If more than one request is received, the City may limit the total number

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of candidate forums to three for each election, and shall make the Chambers available to requesting parties on a first-come, first-serve basis

5 Meetings of Other Public Agencies and Officials

a Use The Chambers may be made available for official use by any public agency to conduct a public meeting or hearing with City approval "Public agency," for purposes of this section, does not include any individual member or members of any elected or appointed legislative, administrative or advisory body constituting less than a quorum, but does include any full board, commission, panel or individual officer, or appointed subcommittee of the full body, authorized by law to exercise governmental decision-making authority or to act as an executive officer or legal advisory body for a public agency

b Rules and Restrictions The conduct of meetings conducted in the Chambers under this section shall be left to the discretion of the public agencies or officials hosting the meeting, hearing or other proceeding The restrictions of Section IV B 1 on General and Regulated First Amendment Activities shall remain in effect, except to the extent such activities are authorized by the agency or official conducting the proceeding The City retains the right to enforce seating limitations and any other conditions necessary to preserve public safety at such proceedings

C TOWN PLAZA

1 General First Amendment Activities General First Amendment Activities in Town Plaza shall be subject to the following additional restrictions, in addition to the General Restrictions

a Persons engaged in General First Amendment Activities shall maintain a distance of eight feet from any dining area or any other area temporarily or permanently in use for commercial or other activities authorized by permit, license, or conducted as part of an event sponsored by the City or Redevelopment Agency

b No activity involving the sale of materials or merchandise is allowed in Town Plaza, other than as part of an event sponsored by the City or Redevelopment Agency or conducted pursuant to a permit or pursuant to a City or Agency program for economic enhancement

c No tables or other displays may be erected in Town Plaza, other than on the sidewalk areas within 25 feet of the curb along

Culver and Washington Boulevards and Irving Place and cannot block access to or egress from Town Plaza No more than two tables or other displays per curb line shall be present at any one time Space for tables or displays shall be available on a first-come, first-serve basis However, if an individual or organization has already erected a table or display in Town Plaza on seven or more days in a calendar month, that individual or organization shall promptly remove the table or display upon request of another person or individual desiring to use the space for a table or display

2 Regulated First Amendment Activities Regulated First Amendment Activities shall be restricted to the following in Town Plaza

a Events sponsored or co-sponsored by the City or Redevelopment Agency

b Temporary Placement of Unattended Displays
Unattended displays may be authorized by permit in special areas designated for such displays within Town Plaza, for the following purposes only

(1) Winter Holiday displays Such displays shall be limited to those celebrating or commemorating any holiday traditionally celebrated between December 1st and January 5th Such displays may be authorized on a first-come, first-serve basis without regard to the presence or absence of religious content All such displays shall be accompanied by a sign or plaque identifying the sponsor and advising that the display is not sponsored or supported by the City

c Assembly and Event Restrictions Assembly, parade or other events, except events sponsored by the City or Redevelopment Agency, may be permitted in Town Plaza only subject to the condition that the area authorized for use is limited to not more than 25% of the available area in the Plaza

V PERMIT PROCEDURES AND STANDARDS

A GENERAL PROCEDURES

Permits governing regulated First Amendment Activities shall be processed under the general following procedures, except as otherwise provided by applicable ordinances

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1 Entitlement A permit for the use of City property for Regulated First Amendment Activities, *e g* parades, amplified sound, shall be issued to any applicant who (1) completes the required permit application, (2) pays the required administrative fees and any other applicable fees, if required, (3) agrees to comply with all applicable permit conditions, (4) satisfies any applicable insurance, security, bonding or other requirements, (5) satisfies, where applicable, any additional criteria specified in the sections of the Culver City Municipal Code governing the type of permit requested

2 Applications Permit application forms shall be available upon request by any party during normal business hours to the City department authorized to issue the permit. Upon completion, applications will be forwarded promptly to the officer(s) responsible for reviewing the application and to any other department(s) authorized to review the permit application. The City Clerk shall maintain a list of permit types and the offices where applications may be obtained.

3 Time Limits Permits shall be approved, conditionally approved or denied within the time limits specified by the Culver City Municipal Code sections governing issuance of the permit. The applicant shall be promptly notified of the decision and the permit, if approved or conditionally approved, shall be issued immediately upon payment of any outstanding fees.

4 Fees and Costs Fees for permits, if required, shall not exceed the reasonable administrative costs incurred by the City in processing the permit. The City will maintain a schedule of fees which may be adjusted from time to time by resolution of the City Council.

B TERMS AND CONDITIONS

1 Description of Time, Place and Boundaries Each permit shall specify the following:

- a The location of the permitted activity or event,
- b The boundaries of the area(s) reserved for the activity or event, designated either by map or by other written physical description,
- c The starting and ending time(s) of the activity or event.

d In the case of parade permits, the permit shall also identify the route of the parade and specify what portions of public rights of way shall be used by the parade and the periods these will be used

2 Activities Allowed The permit shall specify the nature of the activity for which the permit has been issued, and any incidental activities, including the type, number and planned location of any furnishings, structures, equipment or other improvements to be temporarily placed on City property for use in the permitted activity, e g , stages, seating, booths The permit may satisfy this requirement by incorporating the description of activities contained in the application by reference If set up or removal times for furnishings or equipment are different than for the event itself, the permit will also specify time limits for set-up and removal

3 Standard Conditions All permits shall be issued subject to the following standard conditions

a A condition that the event or activity complies with the General Restrictions listed in Section III of the Guidelines

b Any standard conditions required by the sections of the Culver City Municipal Code, or other applicable rules or regulations, governing the permit

c Any standard conditions administratively imposed on all permits for similar activities or events by the City All departments shall maintain written lists of standard conditions for this purpose, and shall provide a list of the applicable standard conditions, if any, to each applicant at the time the permit application is issued

4 Special Conditions Special conditions may be imposed on permits only as provided in the sections of the Culver City Municipal Code, or other applicable rules or regulations, governing the permit In all cases, special conditions shall be limited to those necessary to comply with any applicable City, state or federal regulations, ensure adequate emergency access and egress, impose reasonable traffic control requirements, protect landscaping and improvements (e g fountains), and other public or private property, from damage or trespass, control litter and require adequate clean-up, or avoid specific, identified potential public safety hazards

C ADDITIONAL GUIDELINES FOR INDIVIDUAL TYPES OF PERMITS

1 Parades, Marches, Moving Assemblies Any parade as defined in CCMC § 9 06 100, proposed in whole or in part on City property shall require a parade permit issued pursuant to CCMC §§ 9 06 110 through 9 06 150 Where a parade will be conducted with an assembly or another First Amendment Activity requiring a permit, the parade permit may, if requested by the applicant, also serve as the permit for the assembly or other permitted activity In such cases, the parade permit shall also specify all terms and conditions for the assembly or other permitted activity authorized in connection with the parade

2 Assemblies Organized assemblies, rallies, meetings, demonstrations, performances or other organized events involving a gathering of more than 50 persons on City property require an Assembly Permit Activities incidental to the assembly or event, such as the temporary use of tables, stages, booths, unattended signs, etc shall also be regulated by the permit

Where the permitted activity will require the temporary blockage or closure of any City street or other public right-of-way, an Assembly Permit shall be obtained in addition to a street closure permit or any other applicable City approval

3 Amplified Sound Permits Permits for use of amplified sound equipment for First Amendment activities must be obtained as provided in CCMC § 9 07 055 or 9 10 045 Conditions imposed upon such permits may include conditions to limit sound levels at locations around the permit area to levels designated as acceptable in the Culver City General Plan, and other conditions set forth in these Guidelines

4 Attended Tables, Displays Placement of tables, chairs, stages, props or other equipment (other than sound equipment) used in connection with First Amendment activities, and displays of literature, art or other materials require a permit where any of the foregoing will occupy a total of more than six square feet of ground space Tables, displays or other matter placed on City property under this section must be physically accompanied by the permit holder or representative at all times

The standard conditions applicable to such permits may restrict such permitted activities to areas where they will not unduly restrict sidewalk space and may provide for minimum distances between such permitted activities

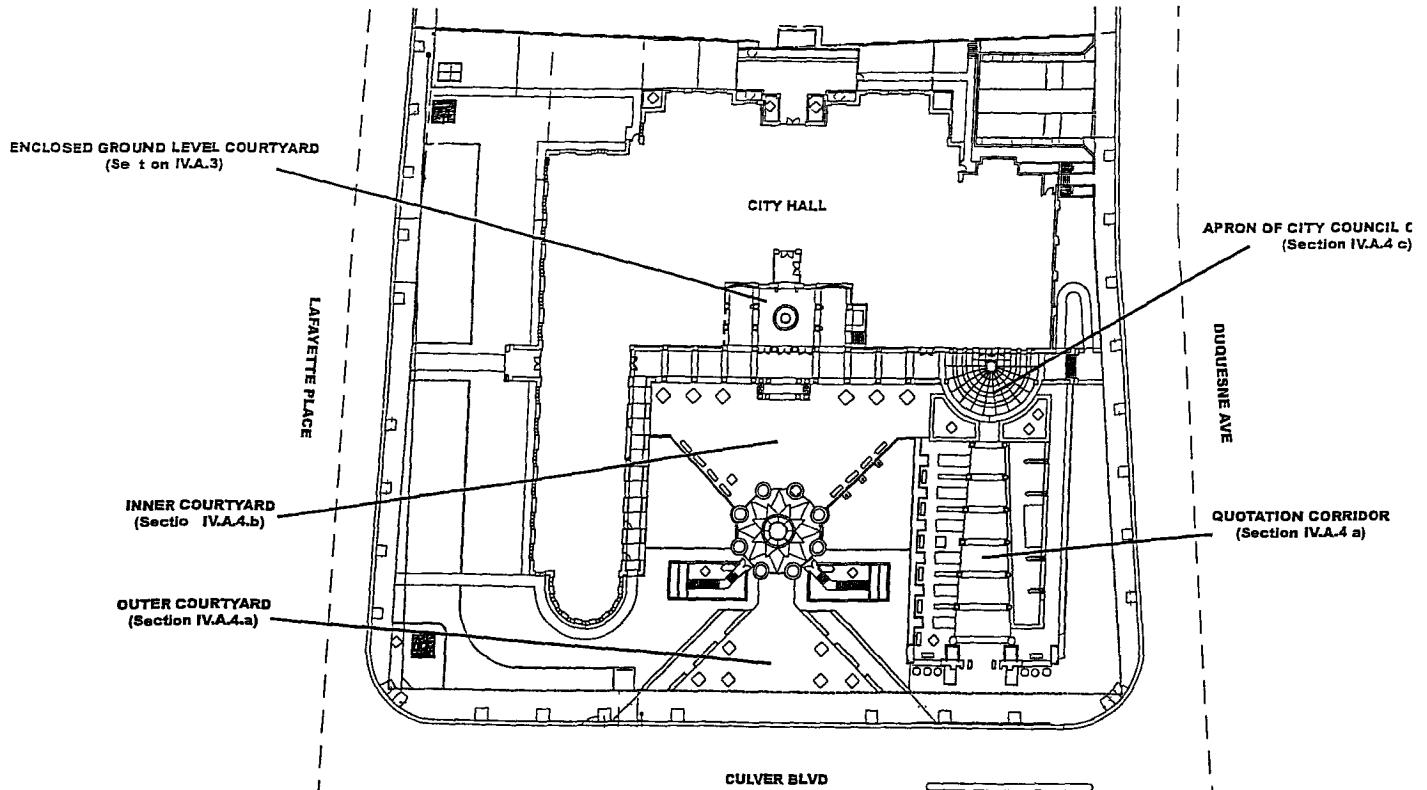
and driveways, entranceways to public or private buildings, passenger unloading zones, and other areas of pedestrian or vehicle activity. The standard conditions may also restrict the number of permits which may be issued for any City property, block, district or other area in order to limit the cumulative adverse aesthetic, traffic or other impacts of display activities, including impacts on local businesses.

Separate permits for tables, displays, etc. are not required for events authorized by an Assembly Permit or Parade Permit, where the Assembly Permit or Parade Permit authorizes the tables, displays, etc.

Any activity also involving the sale of merchandise must also obtain all necessary vendor permits, Outdoor Display of Goods Permit and any other permits applicable to sales activity on public property.

5 Unattended Private Displays Permits for unattended private displays shall be issued only for temporary displays of no more than 60 days of duration at locations on City properties designated as Limited Public Forum properties, and only within areas authorized for such displays on the property in question. All permitted private displays shall be accompanied by a small sign identifying the sponsor of the display and stating that the display is not endorsed nor paid for by the City.

**MAP TO SECTION IV A CITY HALL GROUNDS
GUIDELINES FOR IMPLEMENTATION OF COUNCIL POLICY NO 4008**



That data displayed on this map is for representational purposes only
It is neither a legally recorded map nor a survey and is not intended
to be used as such.
May 12, 2005

EXHIBIT A to Resolution No 2005 R