1. **Purpose**

To promote and foster freedom of expression in the public space by balancing the First Amendment right to freedom of speech and assembly with the county’s right and responsibility to provide services to the public and to maintain a level of decorum that is appropriate for public spaces.

1. **Definitions**
2. **Expressive Activity:** Expressive Activity means (a) peacefully assembling, protesting, debating, or speaking; (b) distributing literature; (c) carrying a sign; or (d) signature gathering or circulating a petition.
3. **Public Forum:** A Public Forum is an area that has a long-standing tradition of being used for and is historically associated with the free exercise of Expressive Activity. The following areas are Public Forums:
	1. Public roads; and
	2. Public sidewalks that run adjacent to public roads.
4. **Limited Public Forum:** A Limited Public Forum is an area that has not traditionally been open for the free exercise of Expressive Activity but is made available by the County for Expressive Activity subject to the restrictions contained in this Policy. The following areas are Limited Public Forums:
	1. Lawns and other open areas not otherwise restricted; and
	2. Public meeting rooms.
5. **Non-Public Forum:** A Non-Public Forum is an area that is, at times, open to public access, but is not a Public Forum or a Limited Public Forum and is not open for the free exercise of Expressive Activity. The following areas are Non-Public Forums:
	1. The interior of public buildings, except for public meeting rooms that have been designated as Limited Public Forums;
	2. Entries and walkways leading from parking areas to entries; and
	3. Parking areas.
6. **Restricted Areas:** A Restricted Area is an area where public access and exercise of Expressive Activity are prohibited. Restricted Areas include, but are not limited to, the following:
	1. Employee information technology work areas;
	2. Employee offices and personal workspaces;
	3. Employee lounge and break areas;
	4. Equipment rooms/areas;
	5. Ramps and loading docks;
	6. Shrubs, flowerbeds, and other landscaping except for lawns;
	7. Storage areas; and
	8. Any other areas where signs indicate that access is restricted.
7. **Policy**
8. **Use of Public Forum:** Individuals or groups are permitted to the free exercise of Expressive Activity in Public Forum areas so long as they do not impede the flow of pedestrian or vehicular traffic or violate any Federal, State, or local laws.
9. **Use of Non-Public Forum:** Individuals or groups are permitted to access Non-Public Forum areas when those areas are open to the public, but are not permitted to the free exercise of Expressive Activity in the Non-Public Forum areas.
10. **Use of Restricted Areas:** Individuals or groups are not permitted to exercise Expressive Activity in Restricted Areas. Restricted Areas may only be accessed by authorized individuals.
11. **Use of Limited Public Forums:** When individuals or groups are permitted to the free exercise of Expressive Activity in Limited Public Forum areas, they are subject to the following content-neutral time, place, and manner restrictions:
	1. Availability: Limited Public Forums are available for use during normal operating hours unless otherwise determined by the county. Reservations for some spaces may be required.
	2. Time, Place, and Manner Restrictions: When individuals are permitted to engage in Expressive Activity in Limited Public Forum areas, they must abide by the following requirements. Expressive Activity must not:
		1. Violate any federal, state, local, or other applicable law;
		2. Interfere with the activities or rights of other persons or with the operations of the County;
		3. Solicit or directly contact County patrons;
		4. Disrupt others’ use and enjoyment of a public building, inside or outside the building;
		5. Cause injury to persons or property or threaten to cause such injury;
		6. Use or threaten violence or force, or encourage others to use or threaten violence or force;
		7. Obstruct entrances or exits to the buildings;
		8. Obstruct vehicular or pedestrian traffic;
		9. Represent a threat to public safety;
		10. Include camping or the use of temporary shelters;
		11. Affix items to any permanent structures;
		12. Light any material on fire;
		13. Utilize any amplification device; or
		14. Attract a crowd larger than the occupant limitations that the location can safely contain.
	3. The county may enact additional restrictions as may be specified in other county policies.
12. **Restricted Speech:** The following categories of activities or speech are not protected by law and are not permitted in any area:
	1. speech that incites imminent lawless action;
	2. speech that triggers a violent response (“fighting words”);
	3. true threats of violence;
	4. obscenity; and
	5. child pornography.
13. Persons or organizations responsible for an activity covered under this Policy must remove all signs and litter from the area at the end of the event.  If this is not accomplished, persons or organizations responsible for the event may be held financially responsible.
14. Activity that results in damage or destruction of property owned or operated by the County is prohibited.  Persons or organizations causing such damage may be held financially responsible.
15. The County maintains discretion to end any activity that it deems to be disruptive or a threat to others.

DATED this day of , 2021.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY:

ATTEST:

 James H. “Jim” Harvey, Chair

Ricky Hatch, CPA

Weber County Clerk/Auditor

Approved as to form and legality:

Christopher Crockett

Deputy County Attorney