

**GENERAL POLICIES TWENTY-SEVENTH DISTRICT AGRICULTURAL
ASSOCIATION ANDERSON, CALIFORNIA**

FREE SPEECH ACTIVITIES GUIDELINES

SECTION III-1.1 – FINDINGS: The Shasta District Fair (SDF) hereby finds that these guidelines are intended to set forth in writing Shasta District Fair's long-standing policy governing the conduct of SDF employees as well as members of the public; under the First Amendment to the United States Constitution and Article 1 of the California Constitution, on Shasta District Fair's grounds.

These guidelines are not intended to enlarge upon nor create any rights guaranteed by existing law nor waive any defenses or rights available to SDF, nor do they represent any admission that the facilities of SDF are open as a public forum. It is the policy of SDF to allow within the parameters set forth herein, reasonable access to its grounds and designated free speech expression zones for demonstrations for free speech activity as allowed by the First Amendment to the United States Constitution and article I to the California Constitution.

These provisions are intended to act as guidelines for reasonable regulation of time, place and manner and not content of speech.

Adopted and Ratified 9/20/11

Reviewed 8/17/21 and Adopted 9/21/21

SECTION III-1.2 – DEFINITIONS:

- a) "Public Forum" – A public forum is an event wherein the facilities are available to members of the public for a free and open discussion or debate of political or social issues.
- b) "Limited Public Forum" – A limited public forum is an event wherein the public is allowed access to a facility of facilities for specific purposes and where any public debate or discussion on political or social issues is focused on a particular subject or subjects. A limited public forum is not intended by SDF to generate a "public forum" as that term is defined herein.
- c) "On-site" – On-site means any activities occurring within the grounds or parking lot of SDF.
- d) "Enclosed Facility": An enclosed facility means any structure contained on the grounds of SDF and/or any other enclosed or semi-enclosed building or structure of any nature whatsoever located on-site.

- e) "Free Expression Zone": A free expression zone is a designated area located onsite as established by the SDF Board of Directors at which members of the public may be provided reasonable access in accordance with these guidelines for purposes of conducting free speech activities.
- f) "Free Speech Activities" – For purposes of these guidelines, "free speech activities" mean individual or group display of signs other than specifically allowed herein; picketing, leafleting, collection of signatures or marching and any group activity involving the communication or expression, either orally or by conduct of views and/or grievances, and which has the effect and intent or propensity to express that view or grievance to others. As used in these guidelines, neither the definition of or limitations on "free speech activities" includes one-on-one voluntary discussions or individual wearing of buttons or symbolic clothing.
- g) "Fighting Words" – Fighting words are those words which when addressed to the ordinary person are, as a matter of common knowledge, inherently likely to provoke an immediate violent reaction.
- h) "Obscene" – Obscene means any sexually explicit material or communication which appeals to prurient interests and is patently offensive or abhorrent to the prevailing concepts of morality or decency in the community in which SDF exists.
- i) "Sound Devices" – Sound devices include any loudspeakers, megaphones or other devices, electrical or mechanical, which amplify or transmit sound waves. Included in this definition are forms of sounds which are not mechanically amplified such as group chanting or singing.
- j) "Paid Gate" – A paid gate is that area of the grounds of SDF on-site, the entry to which is restricted and predicated upon purchase of a ticket or entitlement prior to entry. This can include the general area of SDF enclosed by a fence, and/or any particular building within the SDF grounds and all parking areas.

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SECTION III-1.3 – ON-SITE FREE SPEECH ACTIVITIES:

- a) Findings: SDF finds that, with the exception of the annual fair, no public forum events are sponsored or take place upon grounds of SDF. It is the policy of SDF nevertheless, to allow free speech activity wherever said activity is not inconsistent with the normal operations or activities of the Shasta District Fairgrounds and/or are not inconsistent with the existing laws of the State of California. SDF finds, however, that due to the unique nature of the grounds of

SDF, there is limited access necessitating creation of free expression zones. SDF specifically finds that the buildings and grounds comprising Shasta District Fair's grounds are generally surrounded by parking areas under the control of SDF (or lessor if so stated in the contract), but which areas become congested with numerous vehicles, patrons and handicapped patrons during events. SDF further finds that pedestrian traffic is generally confined to narrow walkways to and from these parking areas to the various gates of the fairgrounds and that the designated free expression zones are designed to balance the interests of those engaged in free speech activity and being given reasonable access to the patrons of events of SDF, and the safety of the patrons and prevention of accidents or congestion which could lead to injury. Therefore, anyone expressing their free speech rights on these fairgrounds shall not do so in such a manner as would create an unsafe environment or condition to themselves or to the patrons of the fairgrounds.

Further, SDF finds that these guidelines in the providing of free expression zones are balanced to protect the interests of patrons and their property attending events upon Shasta District Fair's fairgrounds from inappropriate activity or conduct by those engaged in free speech activity, with the interest of those engaged in such free speech activities. SDF's solution to this balancing of interests is designation of free expression zones and restrictions on time, place and manner of said expressions to ensure reasonable access by those engaged in free expression activity to those attending the fairgrounds, while protecting the overall safety of the public. In addition, SDF finds that for the annual fair, for-rent booths are provided to anyone on a first-come, first-serve basis in addition to free expression zones.

- b) Free Expression Zones: SDF shall designate free expression zones on site for the purpose of providing access for free speech activity. These zones shall be selected by SDF and shall be designated on the map of the fairgrounds. The area selected by SDF shall be selected to provide maximum reasonable access by those involved in First Amendment activities to patrons of the Fair, commensurate with public safety as well as the safety of those individuals engaged in such activity, and shall not interfere with the free flow and passage of patrons to and from the parking areas and Shasta District Fair's fairground. The zones shall be clearly marked and shall have a sign posted by SDF, which sign shall state that the views expressed by those utilizing the free expression zones are not necessarily the views of SDF.
- c) On-site Registration: Organizations or individuals desiring to engage in free speech activity on-site shall register with SDF at least 72 hours prior to the event. The purpose of registration is not to censor in any way or discretionarily review the content of the speech involved, but to allow sufficient opportunity for SDF to assign space for free speech activities and to provide the participants with copies

of those rules governing the use of free expression zones. Registration will be granted on a first-come, first-serve basis. A request for registration may be made 72 hours prior to the planned event, but not more than 30 days prior to the planned event at the offices of SDF. Interested parties should apply at the Administration office Monday through Friday from 8 a.m. to 5 p.m. Information to be provided shall include:

- 1) The time of the planned event;
- 2) The nature of the planned activity;
- 3) The approximate number of persons proposed to be involved provided that no more than 10 shall be assigned to a zone from each group or organization; and
- 4) A designated contact person, including a means of communication of said person such as a street address, an email and/or phone number.
- 5) In order to protect patrons from fraudulent solicitations or deceptive and false speech, if funds are solicited, a description of how the voluntary contributions will be used.

In evaluating the registration, SDF will not discriminate on the basis of content of ideas or beliefs. SDF may, however, require certain individuals or organizations to engage in free speech activities in different areas of the fairgrounds or to maintain a reasonable distance from other individuals or associations, if there is reasonable belief in the minds of the employees of SDF that there may be conflict among or between various individuals or groups, or if groups with competing views or incompatible philosophies have requested the use of the same general area on the same date and during the same hours. In order to accommodate the maximum number of people in groups within the free expression zone, commensurate with safety, the number of individuals in a group will be limited. In addition, an exclusive area within the zone, six feet by six feet, will be assigned for use by an individual or a group.

- d) Any organizations or individuals seeking to engage in First Amendment activities shall ensure their conduct and the use of any signs, banners, or other devices do not result in injuries to patrons or damage to property; persons engaged in First Amendment activities shall comply with the following restrictions on time, place and manner:
- e) No signs or banners may be used which exceed 30 inches by 30 inches in order to protect the safety of the patrons and those engaged in free speech activity;

- f) No individual or group, sign or banner or individual activity shall block the free movement of patrons, concessionaires, employees, lessees or those providing emergency services or obstruct freedom of passage to and from the fairgrounds;
- g) No individual or group engaged in free expression activity shall represent to anyone that the views they express are necessarily the views of SDF or that SDF in any way condones or supports said views;
- h) Patrons declining to listen, converse or provide a donation or signature or accept any item offered by those engaged in free speech activities shall not be pursued or touched once that patron has clearly indicated he or she wishes to be left alone;
- i) No one using free expression zone shall leave said zone for purposes of engaging in free expression activity or conducting any such activity originated in the free expression zone; nor shall they touch or damage the private property of patrons or others.
- j) No more than 10 individuals from any one group shall be assigned space within any one free expression zone;
- k) Those individuals or groups engaged in free expression activities shall provide their own card table and chairs, but no more than one card table, or portable table with fold-up legs, and four chairs shall be used in any free expression zone by any one group, and the one table shall be no bigger than six feet by three feet;
- l) No one shall use signs or displays, or pass out or show literature which employ fighting words, obscenities, or gruesome, grisly or repulsive exhibits or pictures;
- m) No one shall use any sound devices without special prior written approval of SDF, and the use of any permitted sound device shall not create a nuisance or noise of sufficient volume to impinge upon the hearing of patrons more than a few feet away from the free expression zone, nor shall be used to broadcast any fighting words or obscenities;
- n) Individuals or groups utilizing free expression zones outside of the paid gate shall occupy such areas no earlier than one hour prior to the event or no later than 30 minutes after the closing of the event. In order to give everyone an opportunity to have free speech access, please claim your spot within one hour after the start time of the event to ensure space, if not, your space can be given to another interested party. Individuals or groups utilizing free expression zones inside of the paid gates shall only occupy the area during the hours the grounds are open to the public. All equipment and articles brought into the zone must be removed daily;

- o) If funds are solicited, they will not be demanded nor required in return for any materials. This prohibition shall not be construed as preventing all solicitations of voluntary contributions;
- p) Any vehicles brought on the fairgrounds by those persons engaged in free expression activities shall be parked in the public pay lots and regular parking fees shall be paid;
- q) The violation of any of the terms of these conditions shall be reasonable grounds for the discontinuance by SDF of such activity and/or expulsion off the grounds of SDF.
- r) Individuals or groups utilizing the free expression zones shall not themselves, nor shall they allow any of their employees, agents, or representatives, while using an assigned free expression zone, be under the influence of alcohol or any illegal substance.
- s) The following equipment may be brought onto the fairground for use in free expression activities within the designated free expression zone:
- A six foot table (maximum length) and four chairs; the maximum size shall be 6 feet by 3 feet.
 - Signs may be placed on the table or directly in front of the table only. The maximum size of the signs shall be 30 inches by 30 inches. No signs, posters, placards or banners shall be affixed, fastened or leaned against any wall, partition, any part of a building or structure, poles, planters, motor vehicles or animal;
 - Any necessary pens, pencils, paper clips or clip boards and leaflets, provided, however, that any leaflets shall be weighted so that they are secured and not subject to being blown off the table; and any of the above on the ground shall be picked up by the responsible group.
 - There shall be no sale or offer to sell any merchandise or services of any kind, including the taking of orders for merchandise or services, at any free expression zone. These prohibitions shall not be construed as preventing individuals utilizing free expression zones from soliciting voluntary contributions.

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SECTION III-1.4 – FREE SPEECH ACTIVITIES WITHIN AN ENCLOSED FACILITY:

- a) Findings: SDF finds that the congested nature of the enclosed facilities located on the fairgrounds of SDF are such that with congested public access, limited ingress and egress, the historic numbers of patrons at various events, and the general practice of SDF to rent an enclosed facility or enclosed facilities entirely to lessee, no free speech activities can be allowed within an enclosed facility.
- b) As an alternative, SDF has provided on-site free expression zones and it is the intent of SDF that these zones act to provide reasonable access to patrons utilizing the enclosed facilities, rendering the need for expression activities within the enclosed facility unnecessary.
- c) Anyone desiring to engage in free speech activities in an enclosed facility or within a paid gate should do so under an agreement for exhibit space if the event is one under the sponsorship or control of SDF. If the event is sponsored or controlled by a lessee or contractor of SDF, then free speech activity shall be allowed only if that activity is specifically allowed by the terms of the agreement with the lessee or contractor. SDF recognizes that it acts as a leasing agent under certain circumstances leasing the facility and that the utilization of the space is subject to reasonable control by the lessee and is dictated by the terms of the lease.
- d) Anyone desiring to engage in free speech activities in an enclosed facility in an event controlled or sponsored by SDF, and where SDF finds such free speech activities are inconsistent with the event, shall execute the appropriate agreement or lease for exhibit space, subject to the terms and conditions generally applicable to anyone entering into such agreements, and such other reasonable conditions as may be imposed. SDF maintains the right to assign space within its enclosed facilities or paid gate pursuant to an agreement for exhibit space based upon a first-come, first-serve basis.
- e) If exhibit space is not available to those wishing to obtain such space in a SDF controlled sponsored event, SDF shall make reasonable efforts to provide on-site space in a free expression zone, subject to the provisions in these guidelines governing such free expression zones.

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SECTION III-1.5 – VIOLATION OF GUIDELINES: Any person or persons engaged in free speech activity who violates these guidelines shall be subject to the following administrative remedies:

- a) If no registration has been obtained, Shasta District Fair's agent may require that such person or group register and obtain a space allocation. Refusal to provide the information requested or abide by the space allocation may be cause for ejection from the grounds;
- b) If an organization or individual is engaged in activity in violation of these guidelines, an initial warning shall be issued where possible. If the activity in violation continues, the activity shall be stopped and the violation shall be cause for immediate ejection from the grounds by SDF or its authorized agent;
- c) Anyone engaged in any violence or who provokes any violence shall be immediately ejected from the grounds;
- d) Anyone displaying fighting words, obscene material or grisly, gruesome or repulsive displays may be subject to having said materials or displays seized by SDF and its agents. Upon demand said material or displays may be returned to said organization or individuals after the event is over and/or after the free speech activities are concluded, or upon departure;
- e) Anyone using any sound devices without prior written approval of SDF shall immediately cease using said sound device upon demand and/or may have said sound device confiscated by SDF or its agent. Upon request, said sound device shall be returned to the individual or organization upon conclusion of the event or free speech activities, or upon departure;
- f) Nothing in these provisions regarding violations of guidelines shall require SDF to exhaust any remedies, to necessarily give any oral warnings, or to compromise or limit in any way, any remedies provided by law.

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FREE SPEECH DESIGNATED AREA APPLICATION

Individual or Organization Name			
Type/Purpose of Activity			
Requested Location			
Date(s) (5 days maximum)	Starting Time:	Ending Time:	
Time			
Contact Person			
Email Address			
Street			
City, State, Zip			
Telephone No.	Day #:	Evening #:	Fax #:

Will your activity include signs, posters, tables, or other articles or equipment? Yes No

If yes, please list: _____

Will your activity include soliciting voluntary contributions? Yes No

If yes, how will the contributions be used? _____

Please provide descriptive information about your organization or activity (i.e.: website, pamphlet, etc.):

Is your organization approved as a Non-Profit organization with the IRS? Yes No

On behalf of the signatory, or in the case of a representative of a group signing on behalf of a group, signatory acknowledges receipt of SDF's Free Speech Activities Guidelines. Further, signatory states that he/she read the guidelines and that the guidelines will be distributed to members of the group or those using the designated area assigned to requestor, and that said guidelines will be honored.

Print Name: _____ Signature: _____ Date: _____

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(SDF USE ONLY)

Received by SDF Date: _____ Time: _____

Assigned to Free Speech Area: _____

For the dates of: _____

Approved: _____

Date: _____



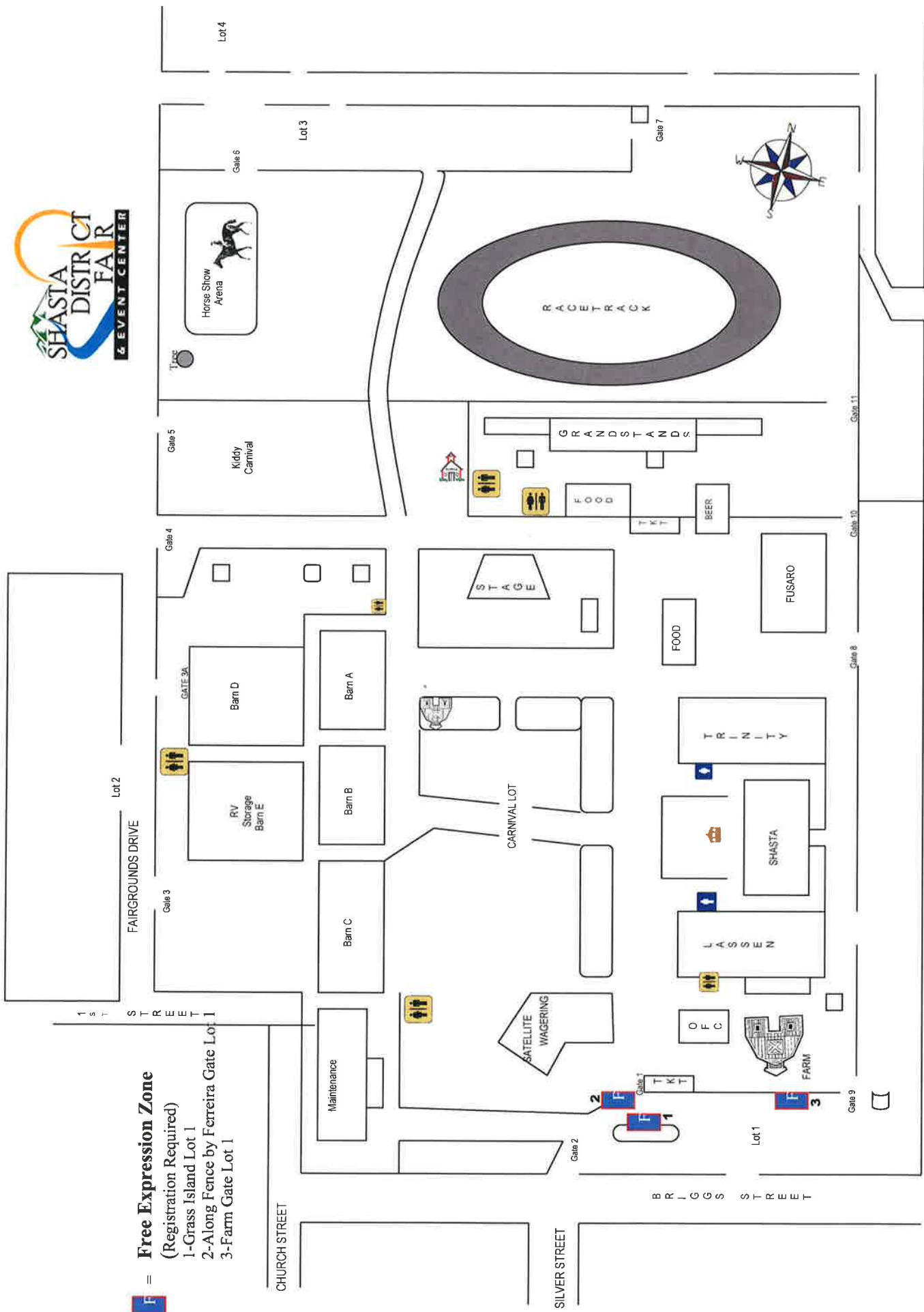
Free Expression Zone

(Registration Required)

1-Crass Island Lot 1

2-Along Fence by Ferreira Gate Lot 1

3-Farm Gate Lot 1



Hwy 273

