

UINTAH COUNTY CONFERENCE CENTER AND WESTERN PARK FREE SPEECH ACTIVITIES POLICY¹

A. Overview:

- a. The Uintah County Conference Center and Western Park are devoted to and maintained for the function of community and private gatherings, celebrations and conferences, and are not places of unrestricted public access.
- b. Uintah County is committed to protecting the free speech rights of residents, visitors and invited guests. The purpose of this policy is to respect the communities' rights to free speech and expressive activity within limited, designated public forums, while preserving the public health, safety and welfare, the purposes of the Conference Center and Western Park, and the rights of others to legitimately use and enjoy the facilities.
- c. Uintah County may regulate the time, place and manner of free speech and expressive activities in order to prevent unreasonable interference or disruption of its community, business and private functions, normal or scheduled uses of these properties by the community, as well as protecting public health, safety and welfare. Commercial Activity, as defined below, is prohibited on Western park and Conference Center grounds except as authorized by the Uintah County Commission and/ or the General Manager of the Conference Center and Western Park.

B. General Conditions of Use:

- a. The following restrictions apply to all activities on the Conference Center and Western Park grounds:
 - i. Activities may not be conducted in a manner that violates any federal, state or local law, including but not limited to the crimes listed in Utah Code Annotated, Title 76, Chapter 9, "Offenses Against Public Order and Decency."
 - ii. Activities may not be conducted in a manner or at a time or place that is either incompatible or unreasonably interferes with the legitimate functions of the Conference Center and Western Park.
 - iii. Activities may not be conducted in a manner that violates the rules, regulations or policies of Uintah County, including but not limited to

¹ This analysis does not consider the perimeter sidewalks along the public streets surrounding the Conference Center and Western Park, as they are considered traditional public forums and are subject to the regulatory authority of Vernal City.

regulations set forth in this policy or other regulations that may be developed by the Uintah County Commission in accordance with this policy.

- iv. Activities may not be conducted in a manner that violates applicable fire or safety regulations.
 - b. The Uintah County Commission has the responsibility for the administration and implementation of these regulations and for the application of reasonable time, place and manner restrictions regarding the use of traditional public and limited public forums in order to: (1) protect and maintain community resources, facilities and property; and (2) promote public health, safety and welfare in accordance with this policy.
- C. Definitions Applicable to this Policy:
- a. "Camping" means the use of any part of the Conference Center and Western Park facilities, and their grounds for living accommodation purposes such as overnight sleeping activities, making preparations for overnight sleeping (including the laying down of bedding for the purpose of sleeping), storing personal belongings, making a fire, using any tents or other structure for sleeping, digging or earth breaking, and/ or carrying on cooking activities. Such activities constitute camping when it reasonably appears, in light of all the circumstances that the participants, in conducting these activities, are in fact using the area as a living accommodation regardless of the intent of the participants of the nature of any other activities in which they may also be engaging. Camping does not include official activities or the ordinary use of the Conference Center and Western Park that have been wholly or in part designated as sleeping and/ or eating areas.
 - b. "Commercial Activity" means (a) all advertising, sales, purchases, or agreements for the sale or purchase of goods or services; (b) all giving, demonstration, or solicitation for the purchase or sale of goods or services provided by a person, group of persons, or other entity; and (c) all solicitations of gifts of money or other goods or services by a person, group of persons, or other entity.
 - c. "Limited or Designated Public Forum" The Uintah County Conference Center and Western Park, contain buildings, parking lots, planters, lighting fixtures and other improvements whose primary functions is to provide public outreach and activities for private individuals and the public. However, Uintah County may designate an area to allow limited access to the public to create limited forums for the discussion of certain topics or subject matter by certain speakers. A limited or designated public forum occurs when Uintah County intentionally opens a Non-Public Forum to speech, or activities related specifically to a defined subject matter for certain groups on certain topics.

- d. Uintah County Conference Center and/ or Western Park means all the land, buildings and other facilities owned, operated or controlled by Uintah County as the Uintah County Conference Center and Western Park.
- D. Use of Limited or Designated Public Forums
 - a. Limited or Designated Public Forums at the Conference Center and Western Park may be used by the community for free expression activities, subject to time, place and manner restrictions.
 - b. Activities within Limited or Designated Public Forums shall neither impede pedestrian nor vehicular traffic, ingress to or egress from Western Park or Conference Center structures or grounds, nor disrupt or interfere with authorized activities on County property. In addition, activities in limited or designated forums shall not endanger public health, safety or welfare.
- E. Distribution of Literature:
 - a. The passing of petitions, distribution of written information, carrying of placards and picketing are not permitted in Non-Public forms or within Limited Public Forums unless such materials are within the scope of the designated subject matters or topics in such forums.
 - b. The passing of petitions, distribution of written information, carrying of placards, picketing, sign-up tables, or other set-ups must not: (a) block building entrances or exits; (b) disrupt normal business; or (c) violate applicable fire or safety codes.
- F. Posting of Signs, Banners and Other Materials:
 - a. Signs, banners, and other material may not be affixed to the interior or exterior of any building or structure without written permission from the Uintah County Commission, or other person with authority to grant such permission. Signs, banners, and other material may not be affixed to any plant, statue, sign, lamp post, stairs, gate, fence or other inanimate object on the grounds without the requisite permission.
- G. Camping: Camping is not allowed on Conference Center and Western Park property unless specifically granted by the County Commission and/ or the General Manager of the Uintah Conference Center and Western Park.
- H. Regulations for Scheduling Outdoor Activity Space:
 - a. Limited or Designated Public Forum may be scheduled to avoid conflicts with and disruption of normal legitimate purposes and to maintain public health and safety. The following regulations are intended to provide for use that is consistent with minimal interference with legitimate functions.
 - i. Reservations: Space on the grounds of the Conference Center and Western Park may be reserved for use by an Organization or Individual. Reservations must be made through the Conference Center Office. Scheduling use of outdoor space set aside for free speech purposes will be handled on a “first come-first served” basis. Requests for use of the Limited or Designated Forum area at the Conference Center and/ or

Western Park must be submitted to and approved by Uintah County Commission or its designated agent ten (10) business days in advance of the date the activity is scheduled to occur.

- ii. Responsibility: The sponsoring organization/ individual shall designate a responsible individual as contact person for the activity request. It is understood that the organization/ individual, will take full responsibility for injury to any person or damage to property caused by the organization/ individual or its members, or invitees, and assume the risk for any injury to persons or property of the organization/ individual or its members and invitees.
- iii. Clean-Up: The sponsoring organization/ individual will be responsible for cleaning the activity area of debris and trash, on a daily basis if necessary, and will be responsible for taking down and removing any table or chairs or other items. If a limited or designated public forum is not properly cleaned up, the organization/ individual will be billed an appropriate clean up charge by Uintah County.
- iv. Insurance and Indemnification: To address foreseeable risks, hazards and dangers to public health or safety posed by an activity, Uintah County reserves the right to require expressive activity sponsors/ individual to provide either insurance and/ or indemnification sufficient to protect Uintah County and the public from property damage, death and personal injury.
- v. Commercial Activity: Commercial activity is generally prohibited on Uintah County property, except when approved by the Uintah County Commission and/ or the General Manager of the Conference Center and Western Park.

I. Violations:

- a. Any organization/ individual who violates any of the provisions of this policy may be denied approval of future requests for permission to use the Conference Center and/ or Western Park for activities that require such permission, or may be otherwise restricted in their use of Uintah County property.
- b. Any organization/ individual whose violations of the provisions of this policy which also constitutes violations of other policies, rules or regulations of Uintah County will be subject to all applicable sanctions for violations of those other policies, rules, or regulations.
- c. Any organization/ individual whose violations of the provisions of this policy which also constitute violations of federal, state or local law will be subject to all applicable sanctions including criminal arrest, prosecution and/ or civil penalties for violations of such laws.