

CLEVELAND COUNTY

ASSEMBLY, SPECIAL EVENTS, AND DEMONSTRATIONS ON COUNTY PROPERTY

1. Purpose. The purpose of this policy is to preserve public health, safety, and order on property owned by Cleveland County consistent with the laws and constitutions of the State of North Carolina and the United States. The County has a significant governmental interest in protecting an individual's right to exercise their First Amendment rights as well as ensuring the health, safety, and welfare of the public.

2. Scope.

a. Locations. This policy governs buildings, parking lots, parks, and similar property owned, controlled, and administered by the County that is open and accessible to the public. This policy does not grant the public extended rights of access to County office space, storage facilities, and similar locations that are not normally accessible to the public.

b. Activities. This policy applies to public assembly, demonstrations, picketing, and similar events held on County property (collectively, these sorts of events are referred to in this Policy as "Assembly Events"). Recreational use of County parks, including the Foothills Public Shooting Complex, are governed by separate reservation and safety policies.

3. Notice and Receipt.

a. An Assembly Event that the organizer expects, or should reasonably expect, to involve a group of fifteen (15) or more individuals shall give written notice of the Assembly Event to the County Manager or designee at least three business days before starting the Assembly Event. The County Manager or designee shall prepare a notice form that requires at least the following information: (i) the name, address and contact telephone number for the organizer of Assembly Event; (ii) the name of the organization or group sponsoring the assembly or special event (if there is one); (iii) the date and time the Assembly Event will begin and end; and (iv) the anticipated number of participants.

b. When a notice of an Assembly Event is filed with the County, the County Manager or designee shall provide the organizer submitting the notice with a receipt that contains a copy of all of the information set forth on the notice form. The receipt shall include a copy of this policy. The receipt must be kept with the organizer or other person at the Assembly Event. The receipt must be provided to any County employee or law enforcement officer who requests to see it before, during, or after the Assembly Event.

4. Notice to Law Enforcement. Upon filing of the Assembly Event notice, the County Manager or designee shall notify the Sherriff and local law enforcement jurisdiction in which the Assembly Event will occur.

5. Regulation of Assembly Events.

a. The freedom to assemble and express opinions does not mean that individuals may say whatever they wish, wherever they wish on County property. The County may reasonably regulate the time, place, and manner of expression on property owned by the County in order to ensure that it does not disrupt the ordinary activities of the County or otherwise endanger the public's health, safety, or welfare.

b. Failure to properly file a notice of an Assembly Event or failure to produce an Assembly Event receipt as required by this policy constitutes trespassing. The County Manager may authorize law enforcement to remove any person or group in accordance with applicable trespassing law.

c. Assembly Events shall not involve, promote, or engage in riots, vandalism, or other illegal activity.

d. Assembly events must not disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic into any driveway, pedestrian entrance, or other access to buildings.

e. Placards, signs, flags, or banners carried by individuals engaged in the Assembly Event shall be of such a size and/or carried in such a way as to allow safe and unobstructed passage of pedestrian or vehicular traffic.

f. If more than one properly noticed Assembly Event is to be held at the same time at or near the same location, law enforcement officers may, without regard to the purpose or content of the message, assign each group a place to gather in order to preserve the public peace.

g. Assembly Event organizers are responsible for applying for and complying with any required noise permit or variance.

h. No Assembly Event shall extend beyond the normal closing time of the location being used for the Assembly Event unless an extension is granted by the County Manager. In addition, the County Manager may set reasonable limits on the start and end time of an Assembly Event in the interest of public health, safety, and welfare.

6. Enforcement. Assembly Events shall comply with all applicable local, state and federal laws. Any damage to public property is responsibility of organizer and shall be reported to Law Enforcement.

7. Limitation. This policy is intended to provide narrow limits on the freedom of expression. The County Manager shall implement this policy consistent with this limitation.