

Rowell Ranch Rodeo's Free Expression Policy

In this Rowell Ranch Rodeo's Free Expression Policy ("the Policy"), Rowell Ranch Rodeo, Inc. dba Rowell Ranch Rodeo ("RRR") sets forth in writing the policies and guidelines for expression of opinions at its leased portion of the Rowell Ranch Rodeo Park ("the Park"), located at 9275 Dublin Canyon Road, Dublin, CA, pursuant to the First Amendment of the United States Constitution and the liberty of speech clause in Article I of the California Constitution.

SECTION 1- Findings

This Policy seeks only to promulgate reasonable regulation of the time, place, and manner of Free Expression Activities to suit legitimate business and public safety concerns, and should not be construed to regulate the content of any speech. This Policy is not intended to enlarge any rights guaranteed by existing law or to create new rights not guaranteed by existing law. This Policy also should not be construed to waive any defenses or rights available to RRR.

For easy reference, a map of the Park grounds is attached to this Policy as Exhibit A.

SECTION 2- Definitions

1. "Free Expression Zone" – A designated area on the Park property for the conduct of Free Expression Activities by members of the public in accordance with this Policy.
2. "Free Expression Activities" – Any individual or group activity (including the display of signs, picketing, leafleting, or collection of signatures) for the communication or expression of ideas, views, or grievances, protected by the First Amendment of the United States Constitution and/or Article I the California Constitution.
3. "Fighting Words" – Words which when addressed to the ordinary person are, as a matter of common knowledge, inherently likely to provoke an immediate violent reaction.
4. "Obscene" or "Obscenities" – 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 the Park exists.
5. "Sound Devices" – All electrical and mechanical devices, including but not limited to loudspeakers, megaphones, and microphones, which amplify or transmit sound waves.
6. "Paid Gate" – The area of the Park grounds to which entry is permitted only upon the purchase of a ticket, which may include entry into buildings or fenced portions of the Park's grounds. The Park has two (2) Paid Gates; one (1) at the East end of the Park, and one (1) at the West end of the Park.

SECTION 3- Free Expression Zones

RRR will designate Free Expression Zones at the Park for purposes of Free Expression Activities.

Free Expression Zones will be available inside and outside of the Paid Gate. Depending upon the nature of Park events taking place on the date and time requested, the location of Free Expression Zones may change from day to day. All activities in Free Expression Zones located inside or outside of the Paid Gate will be limited to the hours that the Park is open to the general public.

One (1) Free Expression Zone located outside of East Gate and One (1) Free Expression Zone located outside the West Gate near the respective Park patron entrances are available without charge on a first-come, first-served, basis. Individuals using a Free Expression Zone located outside of a Paid Gate, but desiring to enter the Park through a Paid Gate, will be required to pay the entry fee established by RRR for all patrons and to adhere to the Code of Conduct required for all paid guests. Free Expression Zones located outside of the Paid Gates must be vacated and all equipment removed during the hours the Park is closed to the general public.

Free Expression Zones located inside of the Paid Gate will consist of commercial booths in the Vendor Marketplace, and are available on a first-come, first-served basis. Free Expression Zones inside of the Paid Gate must be rented from RRR for the rental fee that RRR establishes for comparable size commercial booths. All persons staffing Free Expression Zones located inside of the Paid Gate will be required to pay the entry fee established by RRR for all patrons. Free Expression Zones located inside of the Paid Gate will be governed by the Rowell Ranch Rodeo's commercial vendor policies. The commercial vendor policies will be made available on request, and will be attached to all executed rental agreements.

All Free Expression Zones will be in locations that will avoid congestion, that permit all Rodeo patrons reasonable access to the premises, and that insure public safety. Free Expression Zones will be clearly marked and designated on a map. RRR will post a sign to state that the views expressed by individuals or groups utilizing the Free Expression Zones are not necessarily those of RRR.

All individuals and groups utilizing the Free Expression Zones must comply with the requirements in this Policy.

SECTION 4 – Conditions for Use of Free Expression Zones

Free Expression Zones are made available on a first come, first served basis. RRR reserves all rights to assign or to move Free Expression Zones as required by HARD staff and public safety.

The use of Free Expression Zones is governed by the following conditions:

1. All prospective users of a Free Expression Zone shall complete the attached Free Expression Zone Application, and shall submit that Application to the RRR office at least twenty-four (24) hours prior to the planned use.

2. RRR retains discretion to determine when a Free Expression Zone becomes full on the first-come, first-served based described under Section 3, based upon the physical capacity of the Zone and the safety of the users and public.

3. No signs or banners may be used which exceed two by four feet, in order to protect the safety of patrons and of those others engaged in Free Expression Activities.

4. All equipment, booths and tables must be kept within the confines of the assigned Free Expression Zone. In addition, the number of individuals using a Free Expression Zone and the amount of equipment or other materials that may be brought into a Free Expression Zone must be limited to that which can safely fit into the confines of the Zone, and will not impede the movement of individuals inside or outside the Zone. Individuals distributing leaflets or anything else must make reasonable efforts to collect any such items discarded by recipients or otherwise on the ground. The following equipment may be brought into a Free Expression Zone.

- (a) One four-foot long table (maximum length) and four chairs at each allowable location;
- (b) Signs which may be placed on the table or directly in front of the table only, subject to the size restriction noted above (i.e., two by four feet);
- (c) Necessary pens, pencils, paper clips, clipboard and leaflets or other materials to be disseminated to the public. All material must be secured to prevent littering.

5. No group or individual utilizing Free Expression Zones shall state or imply that RRR shares or supports the views that they express.

6. No group or individual using a Free Expression Zone will block the movement of patrons, concessionaires, employees, lessees or those providing emergency services. No group or individual using a Free Expression Zone will physically restrain any other individual or block the free passage of such individuals or vehicles.

7. Patrons, concessionaires, employees, lessees, or any other individual(s) declining to listen, to converse or to provide a donation or signature or to accept any item offered may not be touched or pursued in any way once the individual has clearly indicated he or she wishes to be left alone.

8. No group or individual using a Free Expression Zone will physically restrain any individual, or block, delay, impede or hinder the free passage or movement of patrons, concessionaires, employees, or lessees. No group or individual using a Free Expression Zone will block, delay, or hinder the free passage of vehicles, divert the ordinary flow of traffic, interfere with parking attendants or individual patrons attempting to park cars, or operate in such manner as to obstruct the efficient and safe parking of cars by attendants or event patrons.

9. Free Expression Activities immediately adjacent to ticket windows, turnstiles, doorways, fire lanes and loading areas are prohibited.

10. No one shall utilize signs or displays or disseminate literature which employs Fighting Words, Obscenities or presents gruesome, grisly or repulsive displays.

11. No one utilizing a Free Expression Zone shall use or employ any Sound Device without prior written approval of RRR. 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 be used to broadcast any Fighting Words or Obscenities.

12. There shall be no sale or offer for sale of any merchandise or services of any kind, including the taking of orders from merchandise or services. Funds will not be demanded or requested in return for any written materials. These prohibitions shall not be construed as preventing individuals utilizing Free Expression Zones from soliciting voluntary contributions.

13. Individuals or groups utilizing Free Expression Zones are required to comply with all applicable RRR and Park rules and regulations, and local, state, and federal laws, statutes, codes, ordinances, and regulations.

SECTION 5 Violations of Policy

Anyone violating any of the provisions of this Policy may be ejected from the grounds of the Park, and such violations may be cause for cessation of any free speech activity. RRR reserves all legal rights and remedies.

ROWELL RANCH RODEO PARK
FREE SPEECH ZONE APPLICATION

Individual/Organization

Purpose/Activity

Date

Time

Space is available only during the public hours of the Park. Please refer to the daily schedule.

Contact Person

Email Address

Mailing Address/Street Address

City, State, Zip

Telephone Number

Please provide a description of your activity or organization (pamphlet, website, etc.)

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 Rowell Ranch Rodeo' Free Expression Policy. Further, signatory verifies that he/she has read the Policy and that the Policy will be distributed to and complied with by members of the group or those using the designated area assigned to requestor.

Print Name

Signature

Date

**Please submit completed form or questions by email to info@rowellranchrodeo.com
Thank you in advance for your cooperation. Rowell Ranch Pro Rodeo 510-592-8163.**