

## **First Amendment Policy**

It is the policy of the Florida State Fair Authority to allow free speech activity whenever said activity is not inconsistent with the normal operations or activities of the Florida State Fairgrounds. However, due to the unique nature of the activities at the Florida State Fairgrounds, there is limited access necessitating creation of First Amendment Activity Zones. The Florida State Fair Authority specifically finds that the building and grounds comprising the Florida State Fairgrounds are generally surrounded by parking areas under the control of the Florida State Fair Authority, which areas become congested with numerous vehicles during the annual State Fair and other events. The Florida State Fair Authority further finds that pedestrian traffic is generally confined to narrow walkways to and from these parking areas to the various gates at Florida State Fairgrounds and the First Amendment Activity Zones are designed to balance the interests by those engaged in First Amendment Activity with the Florida State Fair Authority's interest in providing reasonable and safe access to the patrons

The implementation of this policy is not meant to concede that the parking lots, walkways, and grounds of the Florida State Fair are public fora. This policy seeks to apply reasonable time, place, and manner restrictions to petitioning, free speech, and other forms of expression under the First Amendment. All persons engaged in First Amendment activities on the Florida State Fairgrounds are expected to comply with this policy.

### **Definitions:**

"First Amendment Activities" are defined to mean the "conduct by a speaker which has purpose that is constitutionally protected, including the distribution and dissemination of expressive, non-commercial, material" and "petitioning," which is defined below.

"Petitioning" is defined to mean "any conduct by which a petitioner or petition signature-gatherer obtains signatures for any petition which has been duly filed."

"Commercial activity" is defined to mean "the solicitation of money or other contributions, other than political contributions, or distributing commercial advertising or promotional material or any kind, or offering samples of items which are or will be sold, available for sale, or available in exchange for a donation or contribution, or engaging in any activity for economic gain or motive."

"Locations" or "First Amendment Activity Zones": The terms "Locations" and "First Amendment Activity Zones" as used herein are defined to mean the places which the Florida State Fair Authority, has designated for the exercise of First Amendment activities on Florida State Fairgrounds. The location of the First Amendment Activity Zone for the 2018 Florida State Fair is attached hereto and incorporated herein by this reference as Exhibit "A".

The Florida State Fair Authority reserves the right to place a sign or signs in the areas adjacent to the designated First Amendment Zone stating that the activities in which the speaker is engaging are not sanctioned, condoned, or endorsed by the Florida State Fair Authority.

Any organization 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 property; persons engaged in First Amendment Activities shall comply with the following restrictions on time, place and manner:

**Time Restrictions for First Amendment Activities:**

First Amendment activities may occur during the open hours of the Florida State Fair and when the Florida State Fair facilities are licensed to third parties. Because of security, safety, and cost concerns, First Amendment activities are not permitted at any other times.

**On-site Registration:** Organizations or individuals desiring to engage in First Amendment Activities on the Florida State Fair Fairgrounds must register with the Florida State Fair Authority at least 24 hours prior to the planned First Amendment Activity. The purpose of the Florida State Fair registration is not to censor in any way or review discretionarily the content of the speech involved, but to allow sufficient opportunity for the Florida State Fair Authority to assign space for First Amendment Activities and to provide the participants with copies of the rules governing the use of First Amendment Activities zones. Registration will be granted on a first-come, first serve basis. A request for registration may be made at least 24 hours prior to the planned First Amendment Activity, but not more than 15 days prior to the planned First Amendment Activity at the Florida State Fair. Interested parties should apply at the Administration Offices of the Florida State Fair, 4800 U.S. Highway 301 North. Information to be provided shall include:

- The date and time of the planned event;
- The nature of the planned activity;
- The approximate number of persons proposed to be involved;
- A designated contact person, including a means of communication of said person such as an address, email, or phone number; and

In evaluating the registration, the Florida State Fair Authority will not discriminate on the basis of content of ideas or beliefs. The Florida State Fair Authority may, however, require certain individuals or organization to maintain a reasonable distance from other individuals or organizations, if there is reasonable belief in the minds of the employees of the Florida State Fair Authority that there may be conflict among or between various individuals or groups, or if groups with competing views or incompatible philosophies have requested use of the same general area on the same date and during the same hours.

A registrant may not use, in any manner, fighting words or obscenities. Within the Florida State Fairgrounds, no individual shall participate in loud, rude or unreasonable behavior; disturb the public peace; make threatening comments, actions or gestures towards others; obstruct the use and enjoyment of any facility, area or event; act in a disorderly manner; or participate in any behavior or activity which in the opinion of the Executive Director or the Executive Director's designee may affect the safety or well-being of any person attending the Florida State Fair or a Florida State Fair licensed event.

**Manner restrictions for First Amendment Activities (Non-solicitation policy):**

- A participant may not advertise, canvass solicit, or disseminate written materials in any location outside of the admission gates within the entire Fairgrounds, including the parking areas, except as provided by this rule.

- An individual may register by submitting a registration form prepared by the Florida State Fair Authority. The individual must submit the form to the Florida State Fair Authority at least 24 hours before beginning any advertisement, canvassing or soliciting, or dissemination of written materials but not earlier than 15 days. If the form is submitted on behalf of a person that is not an individual, the registration form shall identify a lead individual and may identify up to nine other individuals who will participate in advertising, canvassing, soliciting or disseminating information. For registration purposes, only the lead individual is considered registered and approved by the Fair Authority. All other members identified will become registered and approved once they are properly briefed by an authorized designee of the Florida State Fair Authority on the rules for non-solicitation.
- Registration for non-lead individuals can occur before or on the day that the group is scheduled to engage in advertising, canvassing, soliciting and disseminating information.
- Each lead registrant may setup one table. The tabletop must be no longer than six feet. A registrant shall be present at the table at all times. The table may be set up no more than 30 minutes before the Florida State Fair or other event opens its admission gates for the day and must be removed no later than 30 minutes after the Florida State Fair or other event closes for the night.
- A registrant may not use a sound device, including but not limited to a bullhorn or other sound amplifying device that creates sufficient volume to be heard more than 20 feet from the registrant.
- A registrant may not use, in any manner, fighting words or obscenities. Within the Florida State Fairgrounds, no individual shall participate in loud, rude or unreasonable behavior; disturb the public peace; make threatening comments, actions or gestures towards others; obstruct the use and enjoyment of any facility, area or event; act in a disorderly manner; or participate in any behavior or activity which in the opinion of the Executive Director or the Executive Director's designee may affect the safety or well-being of any person attending the Florida State Fair or a Florida State Fair licensed event.
- A registrant may not sell or advertise any merchandise or service.
- A registrant may not advertise, solicit, canvass or disseminate information to an individual in or on a motor vehicle or at any location within a parking lot.
- During events organized by an exhibitor, the exhibitor shall be responsible for regulating the advertising, canvassing, soliciting and disseminating of written materials in locations inside the Florida State Fair's admission gates.