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GUIDANCE

PROHIBITED CAMPAIGN ACTIVITIES ON CERTAIN PUBLIC PROPERTIES

Legal Authority:

Whether it is permissible to engage in political campaign activities on City-owned properties depends on the purpose of the property.

The United States Supreme Court recognizes that the government, no less than a private owner of property, has the legal authority to preserve the property under its control for the use to which it is lawfully dedicated. As such, the City is permitted to limit the use of its property to its intended purpose if it outweighs the interest of those wishing to use the property for other purposes, such as but not limited to political campaign activities. In other words, "the extent to which the Government can control access depends on the nature of the relevant forum." *Clark v Burleigh* (1992) 4 C4th 474, 482. This means that "[e]ven protected speech is not equally permissible in all places and at all times." *Clark v Burleigh* (1992) 4 C4th 474, 482, quoting *Cornelius v NAACP Legal Defense & Educ. Fund* (1985) 473 US 788, 799, 105 S Ct 3439.

Purpose:

The purpose of this Guidance is intended to protect, secure and preserve the ability of the general public to access and enjoy the public facilities and resources of City-owned and funded properties in a peaceful manner free from undue interference, and to protect, secure and preserve the ability of City staff and City officials to perform their duties in a peaceful manner free from undue interference, which is a compelling governmental interest in that it enhances the public's access to City services in a safe, secure, uninterrupted and non-intimidating manner that ensures the proper use of, and conduct at, City facilities and resources, which protects and promotes public health, public safety and the general welfare.

Political Campaign Activities:

Political campaign activities related to distributing materials such as flyers and cards, gathering signatures, soliciting contributions of monetary or other compensation, selling or peddling items, conducting surveys, and using sound amplifiers and speakers are prohibited in or on certain public properties, described below, since such activities would unreasonably interfere or disrupt the ability of members of the public to use certain City-owned or funded properties, which include a variety of facilities, for their intended purposes or to otherwise receive City services, and unreasonably interfere or disrupt the ability of City staff and City officials to perform their duties in an uninterrupted efficient manner, which include, without limitation, the ability to conduct public meetings and other proceedings in a civil and peaceful manner.

City-Owned or Funded Properties:

Political campaign activities, as described above, are prohibited within any of the following City-owned or funded properties, which are reserved for the following specific purposes:

- **Amphitheater**, within the Civic Center, located at 14177 Frederick Street, is reserved for special City-sponsored events such as MoVal Rocks, MoVal Movies, Snow Day, and more; and is available for rental for concerts, multicultural events, performing arts, weddings, parties, and movie premieres.
- **Animal Shelter**, located at 14041 Elsworth Street, which is reserved for pet adoption, spay and neuter surgery, vaccinations, microchipping, and other pet services.
- **Business and Employment Resource Center**, located at 12625 Frederick Street, is operated in partnership with the Riverside County Workforce Development Center, and reserved as a one-stop job resource center for small business owners and job seekers that includes: Computer/Internet Access, Resume Preparation Assistance, Employment Information Workshops, Resource Library, Hot Jobs Announcement Board, Career Assessment Software and Veteran's Employment Services.
- **City Hall**, located at 14177 Frederick Street, is reserved for conducting official City business which includes providing general municipal services.
- **City Hall Annex**, located at 14331 Frederick Street, is reserved for conducting official City business which includes providing general municipal services.
- **Community Demonstration Garden**, located adjacent to the Moreno Valley Civic Amphitheater, is reserved as a multi-use space to educate residents on a variety of sustainable gardening and landscaping techniques and technology in order to equip them with the knowledge necessary to implement the size, scope, and scale of garden or landscaping appropriate for their residential setting.

- **Conference and Recreation Center**, located within the Civic Center at 14177 Frederick Street, is reserved for providing a wide variety of community services such as, but not limited to, art classes, dance instruction, martial arts and boxing training, skills and education programs, special needs programs and official City events and programs, and is available for rentals for private banquets, weddings and other special events.
- **Corporate City Yard Offices**, located at 15670 Perris Boulevard, is reserved for conducting official City business activities and serving the public, which includes maintaining the City's streets, curb and gutters, sidewalks, residential trees in the right-of-way, catch basins and miscellaneous drainage facilities, street sweeping, graffiti removal, and the City's fleet and facilities programs.
- **Cottonwood Golf Center & Banquet Room**, located at 13671 Frederick Street, is reserved for official City events and City-sponsored event and is available for rentals for private banquets, weddings and other special events.
- **Council Chambers in City Hall**, located at 14177 Frederick Street, is reserved as a venue for meetings held or conducted by the City Council, or by various Commissions, Boards, or Committees created by the City Council, regarding items or issues within the respective body's subject matter jurisdiction.
- **Drive Aisles and Roadways**, leading onto or into or located within any of the City-owned or funded properties described herein are reserved specifically for the safe and secure passage of motorists visiting each respective property for the purpose of allowing members of the public to visit the subject properties, attend public meetings, participate in City-sponsored programs, and obtain City services without undue interference and to prevent interference with the ability of staff and officials to perform their duties and provide services to members of the visiting public.
- **Fire Stations**, which include Station 2 (Sunnymead), Station 6 (Towngate), Station 48 (Sunnymead Ranch), Station 58 (Moreno Beach), Station 65 (Kennedy Park), Station 91 (College Park) and Station 99 (Morrison Park), are reserved to provide the primary response for fires, emergency medical service, hazardous materials incidents, traffic accidents, terrorist acts, catastrophic weather events, and technical rescues for the City of Moreno Valley, and a full range of fire prevention services including public education, code enforcement, plan check and inspection services for new and existing construction, and fire investigation.
- **Libraries**, which include the Main Library located at 25480 Alessandro Boulevard, the Moreno Valley Mall Branch located at 22500 Town Circle, and the Iris Plaza Branch located at 16170 Perris Boulevard, are reserved for providing the public with general library services, which includes, but not limited to, borrowing books, internet access, children reading programs, veteran benefits services, and organized community events.

- **Moreno Valley Electric Utility Services Buildings**, which are located in various locations in the City of Moreno Valley, are reserved for providing customer service, meter reading, billing, emergency response and other services to new commercial and residential developments located within the Moreno Valley Electric Utility's service area.
- **Office of Emergency Management**, which is located at 22870 Calle San Juan de los Lagos, is reserved to provide a well-coordinated response to both natural and man-made disasters.
- **Parking Areas**, located within or adjacent to any of the City-owned or funded properties described herein are reserved specifically for safe, secure and convenient parking for City staff and City officials and members of the public visiting each respective property without any distractions that may be caused by the prohibited activities referenced herein.
- **Parks Facilities**, which include 28 parks, trails and facilities, including a golf course, sports fields, skate parks, and equestrian center, are reserved for their intended purposes which include specific recreational activities.
- **Police Department Headquarters**, located at 22850 Calle San Juan De Los Lagos, is reserved for providing law enforcement services and coordinating the overall operations of the Police Department, including patrol, traffic enforcement, crime prevention, detective unit, and special enforcement.
- **Restrooms**, which are located in the City's parks, are reserved for the public's proper use of toilets, urinals, sinks and changing tables, as applicable.
- **Senior Center**, located at 25075 Fir Avenue, is reserved for providing services to persons 50 years of age or older in the context of organized programs, classes and events related to activities such as, but not limited to, fitness, dancing, creative writing, arts & crafts, games, music, skills, education, sponsored classes, meals and special events, and is available for rentals for private banquets, weddings and other special events.
- **Teen S.P.O.T.** (Support, Programs, Opportunities, and Technology), located within the Conference and Recreation Center at the Civic Center located at 14177 Frederick Street, is reserved for teens, ages 11 to 17, and provides educational support including social/recreational activities, and the ability to participate in supervised programs, homework assistance, computer lab, tutoring, leadership activities, and a variety of workshops.
- **Town Gate Community Center**, located at 13100 Arbor Park Lane, is reserved for official City events and City-sponsored event and is available for rental for private banquets, weddings and other special events.

- **Trail System**, located at various locations within the City of Moreno Valley, are reserved for unique opportunities for recreational and non-automotive travel throughout the City, which are reserved as pathways for pedestrian, bicyclist and equestrian recreational activities.
- **Walkways**, located upon or within any of the City-owned or funded properties are reserved specifically for the purpose of allowing members of the public to visit the subject properties, attend public meetings, participate in City-sponsored programs, and obtain City services without undue interference and to prevent interference with the ability of staff and officials to perform their duties, and provide services to members of the visiting public.

First Amendment Activities:

This Guidance is not intended to prohibit any First Amendment activities, such as but not limited to, political campaign activities as described herein, that are permitted by law on City sidewalks, City streets and other City properties which are open for other expressive activities, provided they do not unreasonably interfere, impose or disrupt the intended uses of such properties in a safe and secure manner by City staff, City officials and members of the general public.