

CHAPTER 9.54. - COUNTY VETERANS MONUMENT

Sec. 9.54.010. - Title.

This chapter shall be known as the County Veterans Monument Ordinance.

(Code 1997, § 9.54.010; Ord. No. 4743, 9-11-2007)

Sec. 9.54.020. - Purpose.

The El Dorado County Veterans Monument ("monument") is intended to honor the veterans of this country and to provide a place for individuals to engage in quiet contemplation, reflection, meditation, and consideration of the veterans and their service. To preserve this purpose, it is intended that the monument not be utilized for any organized activities other than the commemorative ceremonies to be held on Memorial Day and Veterans Day. The monument is to be accessible to the public for the stated purposes, but shall be preserved as a nonpublic forum.

(Code 1997, § 9.54.020; Ord. No. 4743, 9-11-2007)

Sec. 9.54.030. - Authorized events.

A. *National holidays.* Two organized events shall be held at the monument annually, one a commemorative ceremony on Memorial Day and one a commemorative ceremony on Veterans Day. The ceremonies shall be hosted by The Friends of the Veterans Monument, a State nonprofit mutual benefit corporation, whose specific purpose is to foster cooperation among veterans groups. In hosting said events. The Friends of the Veterans Monument shall act as the umbrella organization for the duly constituted, chartered veterans organizations in the County. No organized events shall be permitted on any other day, including holidays such as Pearl Harbor Day.

1. Expressive activities, including speeches and presentations, conducted in conjunction with such events shall be conducted in a manner consistent with the purpose of the monument. To that end, expressions of political or religious speech shall be prohibited.
2. To ensure that speeches and presentations do not run afoul of the foregoing prohibitions, all speeches and presentations must be reviewed by the Chief Administrative Officer or his or her designee prior to the subject event. In reviewing such speeches and presentations, the Chief Administrative Officer or his or her designee shall not discriminate on the basis of the speaker's viewpoint.

B. *Funeral services.* No formal ceremonies or services shall be permitted at the monument. However, while impromptu memorial services or other gatherings may occur, all such services and gatherings must be conducted in a manner consistent with these regulations and the stated

purpose of the monument.

- C. *Reservations.* Except as allowed in Subsection A of this section, neither the monument, nor any part thereof shall be available to be reserved for use by any person, group or entity.

(Code 1997, § 9.54.030; Ord. No. 4743, 9-11-2007)

Sec. 9.54.040. - General use.

- A. *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Demonstrations includes demonstrations, rallies, picketing, speechmaking, public oratory, marching, holding vigils or religious services, and all other like forms of conduct which involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which has the effect, intent or propensity to draw a crowd or onlookers. The term "demonstrations" does not include casual use of the monument by the public which does not have an intent or propensity to attract a crowd or onlookers.

Special events includes celebrations, historical reenactments, exhibitions, parades, fairs, festivals, and similar events, which are not "demonstrations" under the foregoing definition, and which are engaged in by one or more persons, the conduct of which has the effect, intent or propensity to draw a crowd or onlookers. The term "special events" also does not include casual use by the public which does not have an intent or propensity to attract a crowd or onlookers.

Veterans Memorial Monument or monument means the area occupied by the County Veterans Memorial Monument and its associated facilities and pathways, which are bounded by, but do not include, Ray Lawyer Drive and the sidewalks used for general pedestrian circulation within the County government center.

- B. *Demonstrations and special events.*

1. Except as otherwise provided in Section 9.54.030, demonstrations or special events are prohibited at the monument.
2. Should a group or member of the public seek to hold a demonstration or special event at the monument, the Facilities Manager, Chief Administrative Office, shall propose an alternate site to the applicant, if available for the proposed activity.

- C. *Soliciting.* Soliciting or demanding gifts, money, goods, or services at the monument is prohibited. In addition, no person shall display or distribute commercial advertising at the monument.

- D. *Sales.* No sales shall be made and no goods or services shall be exposed for sale at the monument.

- E. *Leafletting.* The sale or free distribution of any literature, leaflet, pamphlet, flyer, handbill, or other similar printed material at the monument is prohibited, except that a program may be distributed if approved by the Chief Administrative Officer or his or her designee and such distribution is a part of a special event authorized by these regulations.

- F. *Displays.* The display of any placards, banners, signs, or similar devices at the monument is prohibited, unless approved by the Chief Administrative Officer or his or her designee and a part of a special event authorized by these regulations.
- G. *Littering.* It shall be unlawful for any person to throw, dump, scatter, discard, place or deposit litter or solid waste in any manner or amount within the monument's boundaries, except in containers or in areas lawfully provided for or permitted for that use.
- H. *Sidewalks.* Nothing herein shall be deemed to inhibit the public's free use of the streets and sidewalks adjacent to the monument, including the sidewalks on Fair Lane and Ray Lawyer Drive and the sidewalks used for general pedestrian circulation within the County government center.
- I. *Bicycles and skateboards.* The riding, operation, or use of bicycles, roller skates, skateboards, in-line skates or other wheeled conveyances is prohibited at the monument, except for wheeled conveyances used by handicapped persons and child carriages.
- J. *Destruction or removal of property.* No person shall willfully destroy, damage, deface, mutilate, remove, or displace any property, including any placards or memorial bricks, at the monument.
- K. *Use of alcohol or drugs.* No person shall be under the influence of alcohol or intoxicating or dangerous drugs at the monument in such a condition that the individual is unable to exercise care for their own safety or the safety of others.
- L. *Audio devices.* No person shall operate any public address system, amplified musical instrument, amplified sound device or other noise-producing device at the monument, except in connection with a permitted special event.
- M. *Noise.* No person at the monument shall yell, utter loud and boisterous language, or make or cause to be made any loud and raucous, unnecessary or unusual noise which by its volume causes discomfort or annoyance to any reasonable person of normal sensitivity.

(Code 1997, § 9.54.040; Ord. No. 4743, 9-11-2007)

Sec. 9.54.050. - Enforcement.

Any person who violates any of these rules and regulations shall, in the discretion of the enforcing authority, be guilty of an infraction or a misdemeanor and, pursuant to Chapter 1.24, may be subject to a fine of not more than \$500.00 and/or imprisonment not to exceed six months.

(Code 1997, § 9.54.050; Ord. No. 4743, 9-11-2007)