

RESOLUTION NO. 19-28

A RESOLUTION REPEALING POLICY 15-01 GOVERNING POLITICAL ACTIVITIES IN THE DRAPER DAYS PARADE AND AN ENACTMENT OF POLICY 19-01 REGARDING PARADE ENTIRES, GOVERNMENT SPEECH, AND FINANCIAL CONTRIBUTIONS TO THE DRAPER FOUNDATION FOR THE DRAPER DAYS PARADE

WHEREAS, Draper City Municipal Code Section 2-4-030 requires adoption by the City Council of administrative rules, policies, or procedures of administrative officers; and

WHEREAS, "Draper Days" is a non-political, family-oriented celebration held every year in mid-July to honor the pioneer history and sense of community of Draper City (the "*City*"); and

WHEREAS, Draper Days is organized by the Draper Foundation with a mix of City funds and private donations used for the events; and

WHEREAS, a parade (the "*Parade*") is part of the Draper Days activities, and is conducted on City streets by members of the Draper Days Committee; and

WHEREAS, Draper City employees also assist in planning and running the parade and they are compensated by the City for their time spent organizing and staffing the Parade; and

WHEREAS, the City asserts that its financial contributions constitute a form of government speech; and

WHEREAS, the City UTAH CODE ANN. §20A-11-1203 prohibits public entities from expending public funds for political purposes or to influence a ballot proposition; and

WHEREAS, the City desires to adopt a formal policy (the "*Policy*") to help the Draper Foundation respond appropriately to future entry requests for the Parade; and

WHEREAS, the Council finds the attached Policy complies with State, federal, and local laws, and will be beneficial to the health, safety and welfare of citizens of the City:

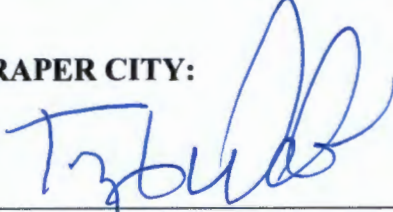
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

1. Policy 15-01 is repealed, and Policy 19-01, as attached hereto, is hereby enacted.
2. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 14TH DAY OF MAY, 2019.

ATTEST:

Laura Oscarson
Laura Oscarson, City Recorder

DRAPER CITY:


Troy K. Walker, Mayor



VOTE TAKEN:

	YES	NO
Councilmember Green	<u>✓</u>	_____
Councilmember Lowery	<u>✓</u>	_____
Councilmember Summerhays	<u>Absent</u>	_____
Councilmember Vawdrey	<u>✓</u>	_____
Councilmember Weeks	<u>✓</u>	_____
Mayor Walker	_____	_____

Policy 19-01

1. Draper City may exercise its government speech by withholding funds to the Draper Community Foundation for the Parade if the following types of entries are permitted in the Parade: entries that advocate for or against the election or reelection of a particular candidate, or for or against a political issue or ballot proposition; entries that are not consistent with the purpose of the parade, which is to celebrate the City's pioneer heritage and sense of community; entries that, by community standards, divide rather than unite the community; and entries that lack significant historical connection to Draper. Candidates and advocates may attend the Parade as spectators, and in that capacity may display signs or hand out leaflets from the adjoining public sidewalk supporting or opposing such candidacy or political position. Restrictions concerning political activities by Parade entrants should be published on any Parade literature, applications, and the Parade portion of the City's website. The City shall not restrict political advocacy from the adjoining public sidewalks during the Parade, subject to reasonable public safety restrictions imposed in a content-neutral manner.
2. Currently-serving elected or appointed officers may participate in the Parade and be identified by name and office to honor their public service; they should not, however, be identified as political candidates in any upcoming election or be allowed to use their participation in the Parade for any campaign purpose.