

**21st District Agricultural Association
Big Fresno Fair
Free Speech Zone Guidelines**

**Section 1
Findings**

It is the policy of the 21st District Agricultural Association (Association) to allow reasonable access to its grounds and to provide designated “free speech expression zones” for the conduct of free speech activity protected by the First Amendment to the United States Constitution and Article I to the California Constitution. These guidelines are the written policies of the Association relating to the use of its grounds and free speech zones for the conduct of free speech activities during the annual Big Fresno Fair.

These guidelines pertain only to reasonable regulation of the time, place and manner of free speech activities and may not be construed to regulation of the content of any speech. These guidelines are not intended to enlarge any rights guaranteed by existing law or to create new rights not guaranteed by existing law. These guidelines may not be construed to waive any defenses or rights available to the Association.

**Section 2
Definitions**

1. “Free Speech Zone” – A designated area located on the Associations property for the conduct of free speech activities by members of the public in accordance with these guidelines.
2. “Free Speech 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 to the California Constitution.
3. “Fighting Words” – Words which when addressed to the ordinary person are, as matter of common knowledge, inherently likely to provoke an immediate violent reaction.
4. “Obscene” – Any explicit material, be it sexual, violent or gruesome, or communication which appeals to prurient interests and is patently offensive or abhorrent to the prevailing concepts or morality or decency in the community in which the Association 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 Association's grounds to which entry is permitted only upon the purchase of a ticket, which may include entry into buildings, parking lots or fenced portions of the Association's grounds.

Section 3 Free Speech Zones

The Association will designate free speech zones for purposes of free speech activities.

Free speech zones will be available inside and outside of the paid gate. Depending upon the nature of fairground events taking place, the location of free speech zones may change from day to day. All activities in free speech zones located inside or outside of the paid gate will be limited to the hours the fairgrounds are open to the public.

Free speech zones located outside of the paid gate are available without charge on a first-come, first-served, basis. Individuals using a free speech zone located outside of the paid gate, but desiring to enter the fairgrounds through a paid gate, will be required to pay the entry fee established by the Association for all patrons. Free speech zones located outside of the paid gate must be vacated and all equipment removed during the hours the fairgrounds are closed to the public.

Free speech zones located inside of the paid gate will consist of commercial booths and are available on a first-come, first-served basis. Free speech zones inside of the paid gate must be rented from the Association for the rental fee established by the Association for the commercial booths. All persons staffing free speech zones located inside of the paid gate will be required to pay the entry fee established by the Association for all patrons. Free speech zones located inside of the paid gate will be governed by Association's commercial vendor policies. These policies will be made available upon request and will be attached to all executed on-grounds free speech booth rental agreements.

All free speech zones will be in a location that will avoid congestion, permit all fairgrounds patron's reasonable access to the premises and insure public safety. A sign will be posted by the Association stating that the views expressed by individuals or groups utilizing these zones are not necessarily those of the Association.

All individuals and groups utilizing the free speech zones will comply with the requirements in these guidelines.

Section 4 Conditions for Use of Free Speech Zones

Free speech zones are made available on a first-come, first-served basis. The Association reserves all rights to assign or move free speech zones as required by fairgrounds events and public safety.

The use of free speech zones is governed by the following conditions:

1. No signs or banners may be used which exceed two by four feet, in order to protect the safety of patrons and those engaged in free speech activities.
2. All equipment, booths and tables must be kept within the confines of the assigned free speech zone. In addition, the number of individuals using a free speech zone and the amount of equipment or other materials that may be brought into a free speech zone must be limited to that which can safely fit into the confines of the zone and will not impede the movement of individuals. The following equipment may be brought into a free speech zone:
 - (a) An eight 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 restrictions noted above;
 - (c) Necessary pens, pencils, paper clips, clipboard and leaflets or other materials to be disseminated to the public. All materials must be secured to prevent littering.
3. No group or individual utilizing a free speech zone shall state or imply that the views they express are the views of the Association.
4. No group or individual using a free speech zone will block the movement of patrons, concessionaires, employees, vehicles, lessees or those providing emergency services. No group or individual using a free speech zone will physically restrain any other individual or block the free passage of such individuals or vehicles.
5. Patrons, concessionaires, employees, lessees or any other individual(s) declining to listen, converse or provide a donation or signature or accept any item offered may not be touched or pursued once the individual has clearly indicated he or she wishes to be left alone.
6. No group or individual using a free speech 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 speech 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 a manner as to obstruct the efficient and safe parking of cars by attendants or event patrons.
7. Free speech activities immediately adjacent to ticket windows, turnstiles, doorways and loading areas are prohibited.

8. No one shall utilize signs or displays or disseminate literature which employs fighting words, obscenities or presents gruesome, grisly or repulsive displays.
9. No one utilizing a free expression zone shall use or employ any sound device of any kind including, but not limited to, megaphones, microphones, loud speakers, etc.
10. There shall be no sale or offer for sale of any merchandise or services of any kind, including the taking of orders for 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 speech zones from soliciting voluntary contributions.
11. Individuals or groups utilizing free speech zones are required to comply with all applicable Association rules and regulations, local, state and federal laws, statutes, codes, ordinances and regulations.

Section 5 Violations of Guidelines

Anyone violating any of the provisions of these guidelines may be ejected from the grounds of the Association and such violations may be cause for termination of any free speech activity. The Association reserves all legal rights and remedies.