

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 5000., Jackson County Code, 1984, relating to the County Park System and County buildings, and enacting, in lieu thereof two new sections relating to the same subject, with a penalty provision.

ORDINANCE NO. 4555, September 3, 2013

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, there is a need to regulate the potential of picketing and demonstrations in County parks and on the grounds of County courthouses and adjacent buildings; and

WHEREAS, such regulation is in the best interest of the health, welfare, and safety of the citizens of Jackson County; now therefore

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 5000., Jackson County Code, 1984, is hereby repealed, and two new section enacted in lieu thereof, to be known as sections 5000. and 5098., to read as follows:

5000. Scope.

The provisions of this chapter govern the use and management of the Jackson County Park System. This chapter shall also apply to and govern the use of the grounds of the Jackson County Downtown Courthouse in Kansas City and the Eastern Jackson County and Historic Truman Courthouses in Independence, and the grounds of any other

county-owned building located within a three-block radius of one of the courthouses referred to in this section.

5098. Picketing, Prohibited.

No person shall picket, protest, or promote any cause in or on any county-owned property within the scope of this chapter, except in strict accordance with the provisions of this section.

5098.1 Picketing Permitted.

Peaceful picketing, protesting, and/or promotion of a cause in furtherance of a lawful purpose shall be permitted provided the same is done under the following conditions:

a. Sidewalks Only.

Picketing with signs, protesting, or promoting a cause shall be permitted only on paved sidewalks reserved for pedestrian movement and shall not be conducted on that portion of the street or roadway reserved primarily for pedestrian traffic or on any other county property subject to this chapter.

b. Sign Restrictions.

Not more than ten picket signs shall be permitted on any sidewalk block between intersections. Any such sign shall meet the following requirements:

- i. Pickets may display written or printed placards as signs not exceeding two feet in width and two feet in length, provided that words used are not defamatory in nature and do not tend to incite violence.
- ii. The staff on which any placard is displayed shall not exceed 40 inches in length, shall be constructed of wood or plastic, shall not exceed three-quarters of an inch in diameter, and shall be blunt at both ends.

c. Movement Restrictions.

Persons involved in picketing, protesting, or promotion of a cause may march in single file only and not abreast and not closer to one another than fifteen feet except when passing, and may not block the entrance to any facility or block passage on any roadway or sidewalk or prevent any other person from entering any building.

d. Multiple Pickets, Procedures.

If persons promoting different objectives or viewpoints desire to use the same sidewalk for picketing, and such usage would result in the presence of more than ten pickets thereon, a deputy sheriff or park ranger on the scene shall allot time to each group of picketers for the use of such sidewalk on an equitable basis.

5098.2. Interference with Picketers, Prohibited.

No person shall physically interfere with any other person who is engaged in peaceful picketing, protesting, or promotion of a cause permitted under this section, nor shall any person address profane, indecent, abusive, or threatening language to or at any other person or persons so gathered in a manner that would provoke such other person or persons to a breach of the peace.

5098.3 Refusal to Disperse, Prohibited.

No person who is obstructing the passage of any person on a street or sidewalk shall fail or refuse to disperse or move on when directed to do so by a deputy sheriff or park ranger.

5098.4 Intimidation of Picketers, Prohibited.

No person shall intimidate any person engaging in lawful picketing, protesting or promotion of a cause, either by the offending person's participation in an assemblage of person that tends to intimidate by numbers alone or by the use of inflammatory words, after such offending person has been directed by a deputy sheriff or park ranger to disperse or move along or to otherwise cease the intimidating conduct.

Section B. Penalty Provision. Any violation of this Ordinance shall be subject to punishment pursuant to section 5093., Jackson County Code, 1984.

Effective Date: This Ordinance shall be effective immediately upon its passage by the County Executive.

APPROVED AS TO FORM:

Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4555 introduced on September 3, 2013, was duly dropped October 28, 2013 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4555.

Date

Michael D. Sanders, County Executive