

RESOLUTION No. R-2024-18

A RESOLUTION IMPLEMENTING THE CITY OF WARD POLICY ON PUBLIC ACCESS

WHEREAS, THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION says: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." This applies to all fifty states and their political subdivisions through the Fourteenth Amendment"; and,

WHEREAS, "Public officials have no general privilege to avoid publicity and embarrassment by preventing public scrutiny of their actions." Walker v. City of Pine Bluff, 414 F.3d 989 (8th Cir. 2005); and,

WHEREAS, "If the act of making a photograph or recording is to facilitate speech that will follow, the act is a step in the 'speech process', and thus qualifies itself as speech protected by the First Amendment." Ness v. City of Bloomington, 11 F.4th 914, 923 (8th Cir. 2021)

WHEREAS, THE GOVERNING BODY OF THE CITY OF WARD desires to establish a policy on public access.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS:

SECTION 1. The attached Policy on Public Access is hereby in effect.

SECTION 2. The Mayor is authorized to make changes to the classification to certain area outlined in Attachment 1 of the Policy without prior authorization from the City Council provided same is briefed to Council at their next regularly scheduled meeting.


SAID RESOLUTION WAS ADOPTED ON 3/19/24.

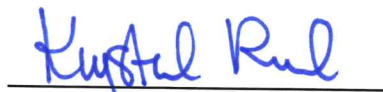
Brooke Y, Chapman Y, Hall Y, Hefner Y, McMinn Y, Ruble Y

YEAS: 6 NAYS: 0 Mayor (if needed) _____

APPROVED:

ATTEST:


Charles Gastineau, Mayor


Krystal Rummel, City Clerk

