

NON-COMMERCIAL/FIRST AMENDMENT RIGHTS ACTIVITIES

The primary purpose of the Airport is to facilitate air travel. The Airport's terminals and parking areas and the sidewalks adjacent to the terminals and parking areas are not public fora. Some First Amendment activities must, by law, be accommodated to at least some extent at the Airport. It is the declared intent of Clark County to not allow the Airport to become a public forum for dissemination, debate or discussion of political, social or religious issues as far as permitted by law. Permission by the County or an authorized agent thereof, expressly or by implication, to enter upon or use the Airport or any part thereof, for non-commercial purposes or to conduct First Amendment Rights activities shall be conditioned upon compliance with Airport Rules and Regulations and the Clark County Code. The Director shall have the authority to prescribe from time to time restrictions applicable to First Amendment activities at the Airport. All restrictions prescribed by the Director shall be reasonable and appropriate, and made only after a finding by the Director that the restrictions are necessary to avoid injury, or the likelihood of injury, to persons or property, or to assure the safety and orderly use of the Airport facility by the public. Such restrictions may include, but are not limited to, identifying specific locations of First Amendment zones in the Terminal Buildings, sidewalks and other Airport facilities, limiting the number of persons permitted in such zones, and providing a method for resolving conflicting requests for the use of First Amendment zones.

Permits to Conduct First Amendment Rights Activities:

Any person seeking to conduct or participate in labor or any other form of demonstration, including picketing, parades, marches, sit-ins and public assemblies; distributing pamphlets, books or other written, printed or graphic material; or any other First Amendment activity conducted with or directed towards passers-by in a continuous or repetitive manner ["First Amendment Rights activities"] in or upon the public areas of the Airport not occupied by a lessee shall apply to and obtain from the Director of Aviation a written permit to conduct First Amendment Rights activities.

(1) ***Conditions of Issuance:*** Permission by the County or authorized agent thereof, expressly or by implication, to enter upon or use the Airport or any part thereof, for non-commercial purposes or to conduct First Amendment Rights activities shall be conditioned upon compliance with Airport Rules and Regulations and the Clark County Code. The permit to conduct First Amendment Rights activities shall be issued upon the application to the Director of Aviation. The Director of Aviation may verify the truthfulness and completeness of the information provided on the application, and may take adequate precautions to promote the public health and safety and assure the efficient and orderly use of Airport property for its primary purpose: the facilitation of air travel.

(2) ***Application:*** The written application shall state:

A. The name and address of the applicant and the applicant's legal status, i.e. natural person, partnership, corporation, association or other organization.

- If a partnership, the names and both business and residence address of all partners.
- If a corporation, the laws under such corporation was organized, the address of the Nevada office of such corporation, if any, and the names and addresses of all officers and directors of trustees of such corporation.
- If an association or other organization, the principal office and place of business of the association or organization, and the names and addresses of all members of the association or organization, unless they exceed twenty in number, in which case the application shall so state, and the names and addresses of the officers of the association or organization shall be given.

B. The period within which the activity is to be conducted, giving beginning and ending dates of the activity and the times of day the activity will occur.

C. The names, addresses and telephone numbers of all individuals who will act as agents for the applicant on Airport property.

D. A statement to the effect that, if a permit is granted, such permit will not be used or represented to be an endorsement by Clark County, Nevada, or any of its officers or employees.

E. A statement whether or not the applicant (including all partners, officers, directors or trustees of the applicant) or any of its agents has had a prior permit revoked for violation of the Airport Rules and Regulations.

F. The application shall be subscribed and sworn to, before an officer authorized to administer oaths, by the applicant; if a partnership, by a member of the firm; if a corporation, trust or association, by one of the officers or trustees. Immediately above his or her signature, the individual signing shall write out the following statement in his or her own handwriting: "I have carefully read the foregoing application and swear that every statement therein is true and correct."

G. If the applicant is an agent, his principal or duly authorized member, officer or trustees of his principal shall certify by endorsement on the application that the agent has been employed for the purposes outlined therein.

The application herein required shall be delivered to the Director of Aviation.

Issuance / Denial of Permits:

Except for a permit to picket, the permit shall be issued promptly within three (3) working days following receipt of the application by the Director of Aviation, or the applicant shall be furnished a written statement within that same period setting forth why the permit was denied.

The Director of Aviation shall issue a permit for picketing in accordance with the provision of state law and these Rules and Regulations. The permit shall be issued or denied for cause within one (1) working day after a written application for the same has been made to the Director of Aviation.

(1) ***Grounds for Denial:*** Grounds for denial of a permit shall be any of the following:

A. The applicant has not fully complied with the disclosure provisions as set forth in this Chapter.

B. The applicant has made statements in the application which are not true.

C. The applicant (including any partner, officer, director or trustee) or its agent has had a permit revoked for violation of the Airport Rules and Regulations within the past sixty (60) days.

D. The proposed activity for which the permit is requested is commercial and subject to other provisions regulating such activity.

Permit / Appeals:

Any applicant who is denied a permit within three (3) working days (one (1) day for picketing applications) after submission to the Director of Aviation or whose permit has been revoked may appeal in writing to the Board of Clark County Commissioners by filing an appeal with the County Clerk. The Board of Commissioners, after a hearing at a time and place set by the Board at its next regular meeting after the date of filing of such appeal, shall either grant, deny, reinstate, or refuse to reinstate such permit.

Permit / Contents / Time Permit:

Permits issued under this Chapter shall bear the name and address of the permit holder who shall conduct the activity, the date issued, the dates within which the permit holder may conduct its activity, time, place and manner restrictions upon the activity, and a statement that the permit does not constitute an endorsement by the County. The number of picketers, demonstrators, or participants and areas used for these or other purposes must be specifically assigned by the Director of Aviation for such picketing or other permitted First Amendment rights activity.

(1) ***Expiration:*** Every permit granted under authority of this Chapter shall expire at the termination of the period specified on the permit, not to exceed sixty (60) days from the date of issuance.

(2) ***Required Permit:*** A separate permit is required for each program or activity.

(3) ***Filing:*** A copy of the permit and application shall be filed with the Clark County clerk for public inspection.

Identification:

Each person proposing to act on behalf of a permit holder shall use as identification the permit issued by the Director of Aviation. The permit shall be issued after the applicant has identified himself or herself by means of a birth certificate, social security card, driver's license, or other lawful proof of identification, and has presented written authorization from the permit holder to act as its agent. The permit shall be carried by the person to whom it is issued at all times while he or she is engaged in any activity on behalf of the permit holder. The permit shall be surrendered to the Director of Aviation upon termination of authority to act for on behalf of the permit holder whose name appears on the permit or upon revocation of the permit for any violation of this Chapter.

Specified Public Airport Areas:

Permittees shall conduct their proposed activities in or upon the specified, allowable public Airport areas, with the number of persons allowed and at such times as set forth in their permits and as otherwise may be prescribed from time to time by the Director of Aviation; however, any restrictions shall be both reasonable and appropriate and prescribed as determined by the Director of Aviation that the restrictions are necessary to avoid injury to person or to property or to assure the safe and orderly use of the Airport facilities by the air traveling public.

Conditions Governing Revocation of a Permit:

Violation of any of the prohibited activities or a failure to abide by any required standards of conduct set forth in this Section IV of the Rules and Regulations entitled "USE OF AIRPORT" shall be sufficient cause for cancellation of the permit by the Director of Aviation upon twenty-four (24) hours notice. In the event a violation creates a threat to public safety, no advance notice of cancellation of the permit shall be required.

Standards of Conduct:

Any person or organization (authorized permit holders) taking part in any First Amendment Rights activity, including any picketing or demonstration, shall conduct such activities in accordance with the standards of conduct, including but not limited to those standards set forth as follows:

- (1) In a peaceful and orderly manner contemplated by law, without physical harm, molestation, threat, or harassment of persons, obscenities, violence, breach of the peace or other unlawful conduct.
- (2) Without obstructing the use of the Airport by others and without hindrance to or interference with the proper, safe, orderly, and efficient operations of the Airport and activities conducted thereupon. No person may 1) intentionally operate a motor vehicle as to delay, impede, or interfere with the ability of persons or vehicles to enter or leave the Airport roadway system or 2) knowingly spread, drop, throw or otherwise disperse nails, tacks, staples, glass or other objects that may cause harm or any entrance, exit or passageway.

- (3) In strict accordance with the Department of Aviation operating procedures governing such activities on the Airport and pursuant to directions and conditions outlined in writing by the Director of Aviation in each instance.