MIDVALE CITY, UTAH
RESOLUTION NO. 2019-R-25

A RESOLUTION ADOPTING POLICIES GOVERNING
THE MIDVALE CITY HARVEST DAYS PARADE.

WHEREAS, Midvale City sponsors and organizes the Midvale City Harvest Days Parade as part of its city celebration; and

WHEREAS, Midvale City desires to ensure that the Midvale City Harvest Days Parade is a safe, family-appropriate parade for City residents and visitors that builds and strengthens the community; and

WHEREAS, Midvale City desires that the primary purpose of the Midvale City Harvest Days Parade is the celebration of the community and heritage of Midvale City, including its people, businesses, and institutions; and

WHEREAS, Midvale City desires, as secondary purposes, to celebrate the events, people, and cultural institutions of historic importance to the greater Salt Lake County, the State of Utah, and the Intermountain West, and to provide entertainment through music, performance, and special and unique attractions; and

WHEREAS, Midvale City desires to avoid sponsoring or affiliating with individuals, entities, and messages that are inappropriate for its residents and visitors, divisive, degrading, or obscene; and

WHEREAS, as recognized by the United States Supreme Court in Pleasant Grove v. Summum, Midvale City is entitled to engage in Government Speech and to not create a public forum; and

WHEREAS, Midvale City desires to adopt the attached Midvale City Harvest Days Parade Policies to protect its Government Speech and to accomplish the purposes denoted above.

NOW THEREFORE BE IT RESOLVED, based on the foregoing, the Midvale City Council does hereby adopt the attached Midvale City Harvest Days Policies, effective immediately.

APPROVED AND ADOPTED this 18th day of June, 2019.

[Signature]
Robert M. Hale, Mayor

ATTEST:

[Signature]
Rori L. Andreason, MMC
City Recorder

Voting by the City Council
Bryant Brown  ☑  “Aye”  ☐  “Nay”
Dustin Gettel  ☑
Midvale City Harvest Days Parade Policies

1. **Government Speech.** In sponsoring and organizing the Midvale City Harvest Days Parade, the Midvale City Council is engaging in Government Speech and has not and does not intend to create a public forum of any capacity. Individuals and entities may only participate in the Midvale City Harvest Days Parade by invitation. The Midvale City Council has authorized the Harvest Days Committee to invite individuals and entities to participate in the Midvale City Harvest Days Parade that meet the purposes identified in Section 2 below.

2. **Purpose.** In sponsoring and organizing the Midvale City Harvest Days Parade, the Midvale City Council desires to provide a safe, family-appropriate parade for its residents and visitors that builds and strengthens the community of Midvale City by fulfilling the following purposes:

   a. The celebration of the community and heritage of Midvale City including its people, businesses, and institutions;

   b. The celebration of the events, people, and cultural institutions of historic importance to the greater Salt Lake County, the State of Utah, and the Intermountain West; and

   c. The provision of entertainment through music, performance, and special or unique attractions.

   The Midvale City Council does not desire to allow individuals or entities to participate in the Midvale City Harvest Days Parade that, in its sole opinion, are inappropriate for the intended audience, divisive, degrading, or obscene.

3. **Revocation.** The Midvale City Council desires to prohibit individuals and entities from participating in the Harvest Days Parade that do not meet the purposes identified above. If an invitee fails to adhere to these purposes, the Midvale City Council reserves the right to revoke the invitation to participate in the Midvale City Harvest Days Parade. Because an invitee has no right to participate in the Midvale City Harvest Days Parade, an invitee may not appeal a revocation. Such revocation will be considered final and will have immediate effect.

4. **Public Forums.** These restrictions only extend to participation in the Midvale City Harvest Days Parade. Midvale City recognizes that individuals and entities that do not meet the purposes in Section 2 are entitled to attend as spectators and promote their messages within public forums. These activities are subject to applicable laws and reasonable public safety restrictions imposed in a content-neutral manner.