

April 13, 2005

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager/Services  
Mark Stimac, Building and Zoning Director  
Carol K. Anderson, Parks and Recreation Director

Subject: Agenda Item: Limited Public Forum - Selection Process

Recommendation

City management requests approval of the selection process for applications, rules and procedure for the Limited Public Forum.

Background

Attached please find a final draft of the application, procedure and rules for limited public forums. The application, procedure/rules includes the selection process allowing for time, manner and place.

Council needs to consider one of the following options:

A) Those wishing to be considered for any date through May 8, 2005 must complete the designated public forum and lottery applications (Exhibit A) and submit to Parks and Recreation no later than 4 pm April 21, 2005. All applications after April 21, 2005 and at least two weeks in advance will be considered on a first come first served basis.

B) Requests will be accepted and approved on a first come first served basis. All written requests received after April 4, 2005 will be considered in the order received.

C) Completed applications will be accepted beginning at noon, April 19<sup>th</sup> on a first come first served basis.

**Parks & Recreation Department**  
**3179 Livernois, Troy, 48083**  
**248.524.3484**

*Office Use Only*

Taken by: \_\_\_\_\_ Date: \_\_\_\_\_  
Number in Parking Lot: \_\_\_\_\_  
Location: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_

**DESIGNATED LIMITED PUBLIC FORUM APPLICATION**

Name of Individual/  
Company/Group: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Function: \_\_\_\_\_ Number of Users: \_\_\_\_\_ Time of Use\*: Begin: \_\_\_\_\_ End: \_\_\_\_\_

Location (attached schematic shows available sites): \_\_\_\_\_

Please read these carefully before completing your application. The undersigned hereby verifies that he/she:

1. Has the authority to sign this application for the above named organization, group or company.
2. Has read the rules and regulations on the back of this form and agree to abide by all rules stated therein.
3. Will perform the necessary clean up of the area following its use.
4. Understands the approval of this application may include non-content based additional requirements and/or limitations based on time, place, and manner criteria.
5. Agrees to stay within the boundaries of the reserved area and to limit gathering to this area.
6. Has read and understand that permits are subject to all policies, rules and regulations as listed on the back of this form.
7. Understands that failure to comply with all policies, rules and regulations herein stated or falsification of any information called for in this application will be grounds for denial of this or any future permits.
8. Understands that the City does not intend to provide any service associated with the forum. In cases where the forum requires City staff to perform work that would not be required if the Applicant's requested use did not take place, the applicant will be charged the costs associated with the work. The labor performed by staff will be at the discretion of the City Manager and/or designee and the applicant may not be notified of the requirement for services prior to the service being performed. Should there be any costs incurred by the City, the applicant will be invoiced for additional costs within 30 days of the Applicant's use of the forum.

Please print/type name of contact person: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of alternate contact person: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

The Applicant agrees to defend, indemnify and hold the City of Troy, its officers, officials, agents and employees, harmless from and against all claims arising by reason of injury or death of any person or damage to property arising out of or incidental to its use, except to the extent caused by the gross negligence or willful misconduct of the City, its agents and employees. The City shall provide the Applicant with notice of any claim which the City believes is covered by this agreement, and the Applicant shall timely appear in and defend all suits brought upon such claim and shall pay all incident costs and expenses, but the City shall have the right, at its option, to participate in the defense of any suit without relieving the Applicant of any of its obligations.

I hereby apply for approval of the use of this Limited Public Forum, and affirm the above understandings and agree for myself and any others working with me that we will comply with the City's Rules, the terms of the Written Confirmation of Approval and all other City requirements, ordinances and other laws that apply to this use.

\_\_\_\_\_  
Date Signature of Applicant

RETURN THIS APPLICATION to the Parks and Recreation Department, 3179 Livernois. Applications are accepted on a first come, first served basis, but not longer than 364 days in advance. Applications must be made a minimum of two weeks in advance.

Approved by: \_\_\_\_\_ Confirmation of Approval  
Date approved: \_\_\_\_\_  
Location: Circle one City Hall Lawn Reflective Head Parking lot North of Community Center

A limited public forum is designed to allow a place for members of the public to express free speech. In no way should the content of the forum be interpreted as approved or endorsed by City staff, City Council or residents.

Applicants wishing to have a limited public forum should read and be familiar with these procedures and rules as follows:

**Procedures for reserving Designated Limited Public Forum Area:**

1. Obtain permits at the Parks and Recreation office in the Troy Community Center, 3179 Livernois, Monday-Friday from 8:00 am to 10:00 pm and Saturday 9:00 am to noon (closed Saturdays July & Aug)
2. A forty dollar (\$40.00) reservation fee must accompany each application.
3. Proof of residency, employment, or membership in a sponsoring Troy organization must be furnished upon request.
4. Applications must be submitted two weeks in advance.

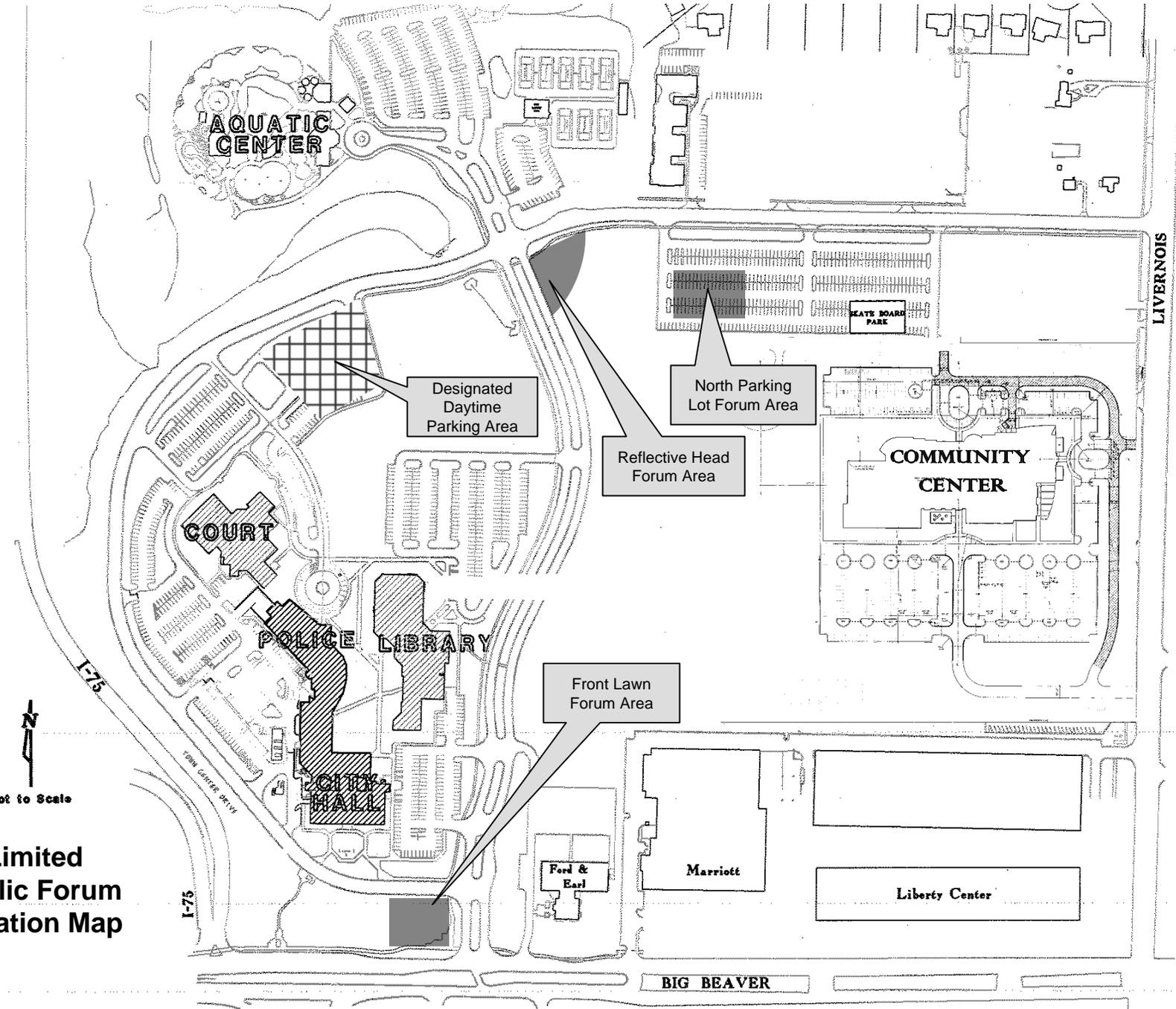
**Rules Governing Designated Limited Public Forum Area:**

1. Reservation must be made in person at the Parks and Recreation office during regular office hours. No phone reservations are accepted.
2. 75% of the group must be Troy residents, work in Troy for the company having the function, or be a bonafide member of the sponsoring Troy organization. A roster of those attending may be required.
3. All vehicles must be confined to parking areas. If using Reflective Head or City Hall lawn area during regular business hours, all cars must be parked in the lot east of the 52-4 District Court or the lot north of the Community Center on Troy Center Dr (see attached schematic).
4. Permits must be retained at all times by Applicant and presented upon request.
5. The permit is good for the listed reservation time only. (There are no rain dates.)
6. Applicant's use of the forum is limited to the areas as identified on attached schematic drawing.
7. No refunds are granted for permit fees.
8. The Applicant is responsible for leaving the area clean and orderly.
9. Nothing shall be placed in or on the ground including tents, displays, ground signs, etc., without written authorization.
10. Use of the limited public forum is limited to durations of not more than two hours.
11. No amplified live music or bands are permitted. Sound systems and speakers are allowed with written authorization ONLY.
12. Use of the limited public forum may take place from dawn to dusk.
13. No sound shall be emitted by the participants exceeding 65 decibels, measured at a distance of 15' from the boundaries of designated forum area.
14. There shall be no open flames or pyrotechnics as part of any use of the limited public forum.
15. There shall be no profanity, pornography, or obscenity during the use of the limited public forum.

***Available locations for public forums (see map)***

1. Lawn area south of City Hall
2. Area surrounding/adjacent to the Reflective Head
3. Parking lot north of Community Center

Requests for use of a limited public forum are taken on a first come, first served basis. When more than one request is made for the same date, there will be 30 minutes between the uses of the limited public forum.



AQUATIC CENTER

COURT

POLICE LIBRARY

CITY HALL

COMMUNITY CENTER

North Parking Lot Forum Area

Reflective Head Forum Area

Front Lawn Forum Area

SKATE BOARD PARK

Marriott

Liberty Center

Ford & Earl

BIG BEAVER

LIVERNOIS

I-75

I-75

YOUNG CENTER DRIVE



Not to Scale

# Limited Public Forum Location Map

## LOTTERY APPLICATION: Limited Public Forum

Please complete this form if the desired date is any date April 25th through May 8, 2005 inclusive.

The following individual, business, or organization, having read the Designated Public Forum Application and Rules and Procedures, hereby submits this application for possible selection in the lottery for the dates April 25<sup>th</sup>-May8th inclusive. I (We) understand that a representative must be in attendance at the lottery drawing to make a selection of a site and date group if this application is selected. I (We) understand that the failure to have a representative in attendance will be grounds for disqualification of my (our) application.

The lottery will be held on April 22nd at 10am at the Community Center.

Applicant's Legal Name: \_\_\_\_\_

Business, Civic Group or non-profit represented \_\_\_\_\_

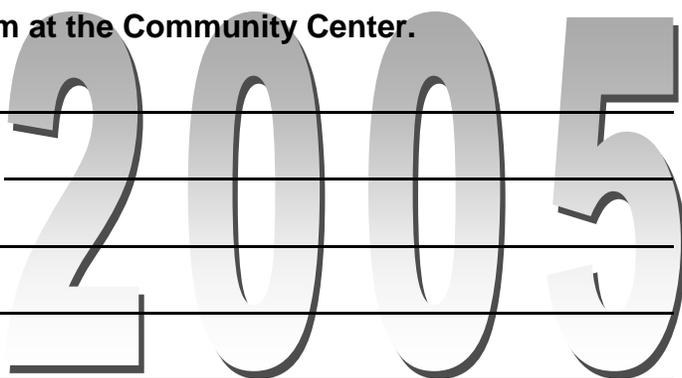
Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Name of Authorized Designee: \_\_\_\_\_

Date group desired: \_\_\_\_\_



***The application and lottery application must be submitted by April 21<sup>st</sup> at 4pm.***

2005