J-06

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TO: John Szerlag, City Manager

FROM: John Lamerato, Assistant City Manager/Finance
Brian Murphy, Assistant City Manager
Charles Craft, Chief of Police
Carol Anderson, Parks & Recreation Director
Cindy Stewart, Community Affairs Director

SUBJECT: Agend Item - Troy Daze Booths

DATE: September 13, 2005

In light of the discussions on Troy Daze booths at Monday's City Council meeting and in accordance with your direction, City staff met to discuss approaches to solicitations and/or political campaigning during the Troy Daze Festival. The City does have ordinances that control solicitation and the Police Department is charged with enforcement.

It is our understanding is that there has been a consistent past practice in place since at least 1981 to limit the handing out of political literature, sales, raffles, petition circulation, etc. on festival grounds. On several occasions, the Troy Daze Committee has refused requests for individuals or groups to walk around the festival grounds handing out information or circulating petitions. Past practice has been to have all solicitations or giveaways restricted to registered booths both inside and outside of the tent. This has been supported by the following verbiage from their booth application that provides direction to applicants:

> The committee or the City of Troy has the right to refuse or limit vendors. Groups are responsible for the security of their property. It is the group's responsibility to comply with all ordinances, codes, laws and regulations of the city, county and state.

The Troy Daze Committee has made room for six outside booth spaces on the Festival grounds. They have sold three spots so far, one to Mr. Frank Howrylak. Also, Mr. Jim Cyrulewski, Festival Chairman called Ms. Wendee Rex, Troy Committee to Protect Free Speech, since he had been told that her group wanted to collect signatures at the festival. Mr. Cyrulewski said that Ms. Rex's partner was very agreeable to purchasing one of the remaining booth spaces with the understanding that they would have to supply canopy, tables and chairs. As of this writing they have not reserved a spot.

This item has been reviewed by City Attorney.

J. Szerlag

Approved by City Manager

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