

RESOLUTION

WHEREAS the County Commission has the authority to direct, control, and maintain property of the county, including the courthouses of the County, pursuant to Title 11, Subtitle 1, Chapter 3, Article 1, Section 11, Alabama Code (1975).

WHEREAS the County Commission is charged with the custody, authority, and duty to regulate the admission of persons and their activities at the County's courthouses pursuant to Title 11, Subtitle 1, Chapter 14, Section 9, Alabama Code (1975).

WHEREAS the County Commission desires to maintain, foster, and create a more harmonious environment at the County's courthouses, consistent and conducive with the functions of the government and the administration of justice.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION AS FOLLOWS:

1.1 Prohibited Activities.

Any individual, group, or organization shall be prohibited from Picketing within the interior, and any part therein, of the Guntersville and Albertville County Courthouses. Any individual, group, or organization shall be permitted to engage in Picketing in or around the exterior portions or courtyards of the Guntersville and Albertville County Courthouses, provided such activities are in compliance with the provisions of this Resolution and do not interfere with the daily operations of government.

1.2 Picketing Defined

"Picketing" means the peaceful patrolling activity or demonstration by any individuals, groups, or organizations, often including chanting; the use of signs, banners, or flags to convey a message; or handing out flyers, pamphlets, brochures, or leaflets.

1.3 Picketing Prohibited Without Permit

A Person shall not, except with a Permit issued by the Office of the Marshall County Commission Chairman, or except by registration under such conditions as may be provided by this Section, engage in Picketing.

2.1 Registration

Any individual, group, or organization desiring to engage in Picketing activity in or around the exterior of the Guntersville or Albertville County Courthouse shall first register for a permit with the Office of the Marshall County Chairman, or his designee.

a. Time and Location

The opportunity to Register shall be made available during normal business hours at the Office of the Marshall County Chairman, or his designee, prior to the desired time and date for the proposed Picketing activity. Registration can occur the same day as the proposed Picketing activity.

b. Information

To Register, an interested individual or group shall provide, in writing, the following information:

i. Individual

If the Picketing shall involve only one person, that person shall specify his or her name and an address and telephone number where he or she can be contacted in the event of an emergency, along with the desired time, day, and duration of the Picketing activity.

ii. Group/ Organization

If the Picketing shall involve two or more persons who desire to engage in concerted Picketing as a group or organization, the interested registrant shall specify:

1. The formal group/organization name, or a general reference thereto if there is no formal name.
2. The number of persons expected to participate in the activity.
3. The name of an individual designated to act as a spokesperson along with an address and telephone number where he or she can be contacted in the event of an emergency.
4. The desired time, day, and duration of the Picketing activity.

iii. Form

Registration forms may be provided and made available at the Office of the Marshall County Chairman, or his designee. for those desiring to use them, but no particular form need be used if the registrant supplies in writing the information required by this Section.

c. Duration

Proof of approval of picketing activity shall be required on a daily basis when the picketing occurs.

2.2 Permit Requirements and Procedures

The Marshall County Commission Chairman, or his designee, without regard to the viewpoint of the proposed Picketing, shall issue a permit upon the submission of a Registration upon finding the following:

a. No Conflict

No other individual, group, or organization has received a Picketing permit for the same time, day, and location.

b. Compliance

The Picketing sought to be permitted will comply with the standards, rules, and minimum requirements of this Resolution.

Permits shall be issued by the Marshall County Commission Chairman, or his designee, on a first come first serve basis, but the Marshall County Commission Chairman, or his designee, is permitted to exercise objective, nonbiased adjustments in the event one individual, group, or organization has not had an equal opportunity to engage in Picketing due to conflicts. Said individual, group, or organization who has not had an equal opportunity to engage in Picketing may be given priority for a given date and time over the first registrant to Register to engage in Picketing on the same time, day, and location.

The Marshall County Commission Chairman, or his designee, shall not issue Permits that exceed a duration of three (3) consecutive days or six (6) nonconsecutive days. The Marshall County Chairman, or his designee, shall not issue Permits for dates more than six (6) months in advance. The Marshall County Chairman, or his designee, shall not issue permits that are valid before 6:00 a.m. Central Time or after 8:00 p.m. Central Time.

The Marshall County Commission Chairman, or his designee, shall include a copy of this Resolution, and the Marshall County Commission Chairman, or his designee, shall verbally make the registrant aware of said standards, rules, and minimum requirements for Picketing of this Resolution.

Issuance decisions shall be made as soon as reasonably possible, but no later than seventy-two hours (72) hours from the time the initial Permit application is submitted. Should an issuance decision not be made within seventy-two hours (72) the requested permit will be deemed granted.

The Marshall County Commission Chairman, or his designee, may issue badges to be worn by those permitted to engage in Picketing in order for courthouse guards and the Marshall County Sheriff's Department to identify those who are permitted to engage in Picketing.

3.1 Rules, Standards, and Minimum Requirements for Picketing

- a. A picketer, permittee or registrant shall not block entrances or exits to the courthouse or otherwise obstruct, delay, or interfere with the free movements of any other person or seek to coerce or physically disturb any other person.
- b. A picketer, permittee or registrant shall not use sound or voice amplification systems, musical instruments, radio communication systems, or other electronic or mechanical sound devices in conjunction with any Picketing.
- c. Signs, placards, banners, or other material used in conjunction with Picketing shall not be affixed to the exterior of any building, sign, barrier, fences or monument.
- d. There shall be no more than thirty (30) persons Picketing at any given time.

- e. No picketer, permittee, or registrant shall have a firearm or other weapon on their person while Picketing.
- f. A picketer, permittee or registrant shall not erect structures, including canopies and tents.
- g. A picketer, permittee or registrant shall not engage in Picketing while within twenty-one (21) feet of the exteriors of the courthouse.
- h. A picketer, permittee, or registrant shall neither stand upon nor damage monuments on courthouse grounds, nor shall a picketer, permittee, or registrant come within areas zoned off with barriers surrounding monuments.
- i. A picketer, permittee, or registrant shall not use chalk, paint, spray paint, or any other instrument or material to leave markings on the courthouse building, sidewalks, or monuments.
- j. If the Marshall County Chairman, or his designee, has issued badges pursuant to Section 2.2, the picketers, permittees, and registrant shall visibly wear them while engaging in Picketing.

3.2 Enforcement of Rules, Standards, and Minimum Requirements for Picketing

On duty courthouse guards, Marshall County Sheriff's Deputies and Designated Officials, and relevant Municipal Police Officers may enforce the rules, standards, and minimum requirements for Picketing through warnings, and if there is no compliance after one or more warnings, remove an offending individual or individuals from courthouse grounds, and if a group becomes violent, threatening, menacing, or unruly, take actions to disperse the crowd from courthouse grounds.

James Hutcheson,
Chairman, County Commission

Ronny Shumate,
Commissioner, District 1

Lee Sims,
Commissioner, District 3

Rick Watson,
Commissioner, District 2

Joey Baker,
Commissioner, District 4