

**AN ORDINANCE TO AMEND THE CODE OF
THE STONE MOUNTAIN MEMORIAL ASSOCIATION, 2006, AS AMENDED
TO CHANGE PUBLIC SPEECHES, GATHERINGS, PERFORMANCES, ETC.**

BE IT ORDAINED AND IT IS HEREBY ORDAINED by the Stone Mountain Memorial Association that “The Code of the Stone Mountain Memorial Association, 2006” as amended, is hereby amended by adding the following definition into the current language of 1-103 and deleting the current language of Section 5-102 of said Code upon the adoption of the following addition thereof. It is further amended by the addition of :

1-103 Public Assemblies

The term “Public Assembly” means any public assembly, meeting, gathering, demonstration, parade, picketing, march, vigils, religious, political, distribution of literature, or similar concerted activity where the intent is to publicly communicate or express views or grievances, in such a manner or with such volume as to carry the communication to the general public in the vicinity of the activity, attracting crowds or onlookers.

5-102 Public Assemblies

- A. Public Assemblies means any public assembly, meeting, gathering, demonstration, parade, picketing, march, vigils, religious, political, distribution of literature, or similar concerted activity where the intent is to publicly communicate or express views or grievances, in such a manner or with such volume as to carry the communication to the general public in the vicinity of the activity, attracting crowds or onlookers
- B. No participant in any Public Assembly is exempt from the required parking fees of Stone Mountain Park, nor will the parking fees be waived as part of the permit process.
- C. Permits and the small group permit exception.

Public Assemblies are allowed within Stone Mountain Park areas designated as available under paragraph C of this section, when the Chief Executive Officer or his/her designee has issued a permit for the activity, except that:

- 1. Public assemblies involving 25 persons or fewer may be held without a permit within designated park areas, provided that:
 - a. None of the reasons for denying a permit that are set out in this Code are present.
 - b. The group is not merely an extension of another group already availing itself of the small group permit exception under this provision.
 - c. They will not interfere with other permitted demonstrations, special events, or other Park operations.
 - d. Hand-carried signs may be used but stages, platforms, or structures may not be used.
 - e. The number of individuals participating in the Public Assembly does not exceed 25, including, onlookers based on a good faith estimate by the organizer.
 - f. The Public Assembly does not use any Stone Mountain Park services, equipment, utilities, or other facilities other than the access to the ground on which the event is being conducted.
- 2. While it is not mandatory, the organizer of a public assembly involving 25 or fewer is requested to notify either the Chief Executive Officer of the Stone Mountain Memorial Association or the Stone Mountain Park Department of Public Safety, giving reasonable notice of the proposed event, including whether there is any reason to believe there may be an attempt to disrupt, protest, or prevent the activity.

3. In the event that two or more groups taking advantage of the small group permit exception seek to use the same designated available area at the same time, and the area cannot reasonably accommodate multiple occupancy, the Chief Executive Officer or his/her designee will, whenever possible, direct the later arriving group to relocate to another nearby designated available area.
- D. Designated available Park areas. Locations for the designation of available Park areas are as follows:
1. The Laser Show viewing lawn and surrounding sidewalks; provided, no event can occur in this area sixty (60) minutes prior to and during the Laser Show, concert, or other stage event.
 2. The area on top of Stone Mountain directly north of the fenced patio viewing area outside the building.
 3. The plaza and sidewalk areas between Confederate Hall and the UDC Flag Terrace.
 4. The area outside the main entrance gates of the Yellow Daisy Meadow area, located at 2026 Old Hugh Howell Road, during any festivals or special events that are generally open to the public. Area is restricted to groups of 100 or less.
 5. Within the fenced area of the Yellow Daisy Parking Lot, in the northeast corner.
 6. Based on Park activities and the availability of the designated Park areas, the Chief Executive Officer or his/her designee retains the right to assign a non-designated available area so as to not affect guest activities.
- E. No Public Assembly or distribution of literature shall be conducted in the following locations or with the following conditions:
1. Inside any buildings housing Stone Mountain Park business operations, including any restaurants, offices, lodging facilities, conference centers, or museums; or inside any enclosed areas requiring payment in cash or tickets to enter; or within any area otherwise rented or assigned to private groups by Stone Mountain Park.
 2. No public assembly or distribution of literature shall take place within the streets or parking areas of the Park with the exception of the area outside the Yellow Daisy Meadow and Yellow Daisy Parking Lot as defined in (D) (4) and (D) (5), respectively above.
 3. Public Assembly or the distribution of literature shall only occur during the regular hours of operation of Stone Mountain Park.
 4. No alteration or damage to the designated available Park area is allowed.
 5. No literature or other items shall be placed on or affixed to parked cars.
 6. Persons desiring to distribute literature or matter containing commercial advertising for goods or services shall be offered reasonable opportunities for distribution and advertising, as other commercial entities and sponsors associated with Stone Mountain Park, but shall not be allowed to engage in distribution under this Code, unless such activity is carried out under agreement or license through the entity having control of the area in which such activity is sought to be carried out.
 7. Materially disrupts the operations of Stone Mountain Park.
 8. Present a clear and present danger to the public health or safety.

F. Permit

1. A Public Assembly is prohibited unless a permit required by this Code has been issued by the Chief Executive Officer of the Stone Mountain Memorial Association or by his/her designee unless the Public Assembly meets the small group permit exception.
2. Participants in a Public Assembly meeting the small group permit exception are subject to all other requirements of this Code and Park rules.
3. When a permit is required, application for a Public Assembly shall be on a form provided by the Stone Mountain Memorial Association. The application, as required by this Code shall contain the following:
 - a. The name of the applicant.
 - b. The nature of the event.
 - c. The proposed date, time, and duration of the event.
 - d. In the event of a march, parade, procession, or other similar event the proposed route.
 - e. An estimate of the number of participants.
 - f. A statement of equipment or facilities to be used.
 - g. Whether there is any reason to believe that there will be an attempt to disrupt, protest, or prevent the event.
 - h. All other information required by the application form.
4. An application for a Public Assembly must be submitted to the Stone Mountain Memorial Association not later than the following deadlines:
 - a. If there are at least 26 but not more than 200 participants the application must be submitted 72 hours before the event.
 - b. If there are more 200 participants the application must be submitted 10 days before the event.
5. The Chief Executive Officer or his/her designee will grant, deny, or grant the application with conditions under the following deadlines.
 - a. If there are at least 26 but not more than 200 participants within 24 hours before the scheduled beginning of the event.
 - b. If there are 200 or more participants within 3 days before the event.
6. The application shall be delivered to the Chief Executive Officer for the Stone Mountain Memorial Association located at 2027 Old Hugh Howell Rd, Dept. of Public Safety Headquarters, Stone Mountain Park, Stone Mountain, Georgia 30083 (Telephone 770-498-5680 Fax 770-498-5698). An application may be delivered in person or by fax to the location and number above or by e-mail to d.studdard@stonemountainpark.org. An application is deemed submitted to the Stone Mountain Memorial Association when the application is received by the Stone Mountain Memorial Association within the period of 8:30 a.m. through 5 p.m., Monday through Friday.
7. The Chief Executive Officer or his/her designee must issue a permit for the event after a complete and fully executed application has been submitted unless:
 - a. The Chief Executive Officer or his/her designee has granted or will grant a permit for the same time and place, and the activities authorized by that permit do not reasonably allow multiple occupancy of that particular area.
 - b. It reasonably appears that the event will present a clear and present danger to public health or safety.
 - c. The event is of such nature or duration that it cannot reasonably be accommodated in the particular location applied for, considering such things as damage to Park resources or facilities.

- d. The location is not one of the designated areas as outline in this Code.
 - e. The application falsely states information required by the application.
 - f. The application was submitted more than one year before the proposed event.
 - g. No permit will be issued for the distribution of commercial advertising, except as provided for in paragraph (E) (6) above or political campaign advertising.
 - h. The activity would constitute a violation of applicable law or regulation.
8. If a permit is denied, the Chief Executive Officer or his/her designee will inform the applicant in writing of the denial and the reasons for it.
 9. The permit may contain certain conditions reasonably consistent with the requirements of public health and safety, protection of Park resources, and the use of the Park area for the purposes it was established. It may also contain reasonable limitations of the equipment used and the time and areas in which the event is allowed.
 10. Permittee agrees to indemnify and hold harmless the Stone Mountain Memorial Association, Stone Mountain Park, its lessee, members, officers, employees, and other representatives, from any loss or liability arising out of the permittee's activities at the designated location.
 11. Permits may be issued for a maximum of three (3) consecutive days. A permit may be extended for up to three (3) additional days, but a new application must be submitted for each extension requested. Parking fees apply as they would under normal circumstances for visitors to the Park.
 12. An extension of the permit may be denied if another applicant has requested use of the same location and the location cannot reasonably accommodate multiple occupancy.
 13. Violations of this Ordinance or the terms of the permit are prohibited.
 14. The Chief Executive Officer or his/her designee may revoke a permit for any violation of its terms and conditions.
 15. The Chief Executive Officer or his/her designee may revoke a permit or order a small group permit exception activity to cease, when any conditions in this Code exist.
 16. The Chief Executive Officer or his/her designee will make the revocation or order to cease in writing, with the reasons clearly set forth. In emergency circumstances the Chief Executive Officer or his/her designee will make an immediate verbal revocation or order to cease, followed by written confirmation within 72 hours.

G. Conduct

1. No participant in either a permitted Public Assembly or a small group permit exception may engage in disorderly conduct as defined in this Code or the Official Code of Georgia Annotated, or otherwise obstruct or impede pedestrians or vehicles, harass Stone Mountain Park visitors with physical contact or persistent demands, or misrepresent the purposes or affiliations of those engaged in the activity.
2. No Public Assembly shall be allowed to sell food, beverages, or merchandise.
3. No participant engaging in the activities of a Public Assembly event shall use any noise making device or sound or voice amplifying device.
4. No participant engaging in the activities of a Public Assembly event shall solicit funds or accept any funds.

5. Stages, platforms, or other structures may not be constructed or used to elevate any sign, banner, or other message over 6 feet above ground level. This is measured from the top of the sign, banner, or other message to the ground.
 6. During and at the conclusion of the event, the group engaging in the activities of a Public Assembly agrees to make a reasonable effort to clean the area around the designated available Park area of the event.
- H. Nothing contained herein shall be deemed to limit law enforcement powers contained in O.C.G.A. §50-16-14 to deny entrance to and remove persons whose activities pose an actual and imminent threat of harm or of disruption of ongoing operations on state property or building housing state agencies, or any provisions of Title 16 of the Official Code of Georgia Annotated, including crimes for damage to and intrusion upon property and crimes against public order and safety.



**APPLICATION FOR PERMIT
STONE MOUNTAIN PARK**

THIS IS AN APPLICATION FOR:

PERMISSION FOR A PUBLIC ASSEMBLY

PERMISSION TO DISTRIBUTE LITERATURE

NAME OF ORGANIZATION: _____

NAME OF INDIVIDUAL: _____

MAILING ADDRESS: _____

TELEPHONE NUMBER: _____

REQUESTED DATES: _____

REQUESTED TIMES: FROM: _____ (AM) (PM) TO: _____ (AM) (PM)

NUMBER OF PARTICIPANTS: _____

PURPOSE OF THE ACTIVITY: _____

LOCATION REQUESTED: _____

DOES THE GROUP MAINTAIN GENERAL LIABILITY INSURANCE: YES NO

(IF DISTRIBUTING LITERATURE): I state that the literature to be distributed does not and will not contain commercial advertising or political campaign advertising, and that no solicitation of funds will be made. I further state that no other application has been made for distribution of literature of the same literature by me or for me or, if applicable, the organization indicated above.

Permittee agrees to indemnify and hold harmless the Stone Mountain Memorial Association, Stone Mountain Park, its lessee, members, officers, employees, and other representatives, from any loss or liability arising out of the permittee's activities at the designated location.

Date: _____ Signature _____ Printed Name _____

TERMS and CONDITIONS

1. This permit must be carried by a participant present at the designated location at all times which the activity is permitted.
2. No participant may engage in disorderly conduct as defined in the Stone Mountain Memorial Association Code or state law.
3. No participant may obstruct or impede pedestrians or vehicles, harass Stone Mountain Park visitors with physical contact or persistent demands, or misrepresent the purposes of those engaged in the permitted activity.
4. No participant of the permitted activity may solicit or accept funds or offer any food or merchandise for sale.
5. No participant engaging in the activities of a Public Assembly event shall use any noise making device or sound or voice amplifying device.
6. Permittee agrees to make a reasonable effort to clean the area around the designated location of any litter created by the activity before exiting the area at the end of the designated time.
7. Violations of the terms and conditions of a permit issued in accordance with regulations may result in the suspension or revocation of the permit. Failure to enforce any terms and conditions on any occasion shall not constitute a waiver or modification of the permit terms.



PERMIT

PERMISSION IS GRANTED TO THE ABOVE ORGANIZATION OR INDIVIDUAL FOR PUBLIC ASSEMBLY OR TO DISTRIBUTE LITERATURE, IN ACCORDANCE WITH THE CODE OF THE STONE MOUNTAIN MEMORIAL ASSOCIATION 5-102 AND THIS PERMIT, ON _____ AS FOLLOWS WITH THE ADDITIONAL REQUIREMENTS:

(DATE)

1. **PERMITTED LOCATION:** _____
2. **INDIVIDUAL(S) MUST REMAIN WITHIN THE DESIGNATED LOCATION.**
3. **PERMITTED NUMBER OF PARTICIPANTS:** NO MORE THAN _____ PARTICIPANTS MAY BE ENGAGED IN THE ACTIVITY.
4. **PERMITTED TIMES:** APPROVAL IS ONLY FOR THE PERIOD BEGINNING _____ (AM) (PM) AND ENDING _____ (AM) (PM)

THIS PERMIT IS ALSO SUBJECT TO THE TERMS SET FORTH BELOW.

A COPY OF THIS PERMIT MUST BE KEPT AT THE LOCATION OF THE PERMITTED AREA AT ALL TIMES DURING THE PERMITTED ACTIVITY.

Date: _____ Signature _____ Title: _____