

AN ORDINANCE TO REGULATE PUBLIC OUTDOOR PERFORMANCES WITH DEMONSTRABLE HEALTH IMPACTS ON CHILDREN (draft)

Section 1: Findings and Purpose

WHEREAS, the City of Bartlesville has a compelling interest in protecting the health, safety, and development of children, particularly concerning behaviors demonstrated to carry significant long-term health risks; and

WHEREAS, Unity Square, a public park and traditional public forum, is located adjacent to a major highway, creating a high likelihood of unintended exposure to performances by children without parental consent; and

WHEREAS, the City recognizes the importance of freedom of speech and expression, as well as the rights of parents to determine the appropriate exposure of their children to certain types of content;

THEREFORE, the City adopts the following ordinance to balance these interests while providing alternative channels for expressive activities.

Section 2: Definitions

1. Public Outdoor Performance:

A performance conducted outdoors on public property, including but not limited to theatrical, musical, or artistic displays.

2. Health-Risk Behavior Performance:

A performance that includes depictions or activities reasonably likely to promote behaviors associated with significant long-term health risks for children. Such risks are determined based on prevailing peer-reviewed medical, psychological, or pediatric research, including:

- Behaviors linked to increased rates of physical harm or health complications.
- Behaviors correlated with significant mental or emotional health challenges, such as anxiety, depression, or confusion about identity.

3. Alternative Venue:

A location designated by the City where indoor performances may occur with controlled access to ensure parental consent.

Section 3: Regulation

1. **Prohibition in Outdoor Venues:**

No **Health-Risk Behavior Performance** shall be conducted outdoors at Unity Square or other public outdoor venues within city limits.

2. **Permitted Indoor Venues:**

Performances identified under this ordinance may take place at designated **Alternative Venues**, provided such performances:

- Are held indoors, and
- Restrict access to minors accompanied by a parent or legal guardian.

3. **Disclosure and Review Process:**

- Event organizers must disclose the nature of the performance at the time of reservation.
- The City will review all disclosed performances for compliance under this ordinance.
- **For events with 500 or more expected attendees:**
 - The performance will automatically be referred to the Oversight Committee for review.
- **For events with fewer than 500 expected attendees:**
 - The performance will be reviewed only if flagged by a committee member, resident, or city official.

4. **Flagging and Review Requirements:**

- Any performance flagged for review must undergo evaluation by the Oversight Committee to determine whether it meets the criteria for a **Health-Risk Behavior Performance**.
- The committee will apply the same standards to all events, regardless of size, to ensure consistent application of the ordinance.

5. **Final Determination:**

- Events determined by the Oversight Committee to meet the criteria for a **Health-Risk Behavior Performance** must comply with the requirements for **Alternative Venues** or be denied a permit for public outdoor spaces.

Section 4: Exceptions

1. This ordinance shall not apply to performances held at private venues or other non-city-owned properties.
2. Performances conducted indoors at public facilities, with parental opt-in attendance, shall not be restricted under this ordinance.

Section 5: Enforcement

1. Violations of this ordinance shall result in fines as determined by the City Council.
2. Repeated violations may result in the suspension or denial of future permits for public events by the organizer.
3. The City Manager is authorized to develop enforcement guidelines to ensure consistent application of this ordinance.

Section 6: Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is found to be invalid by a court of law, such decision shall not affect the validity of the remaining portions of this ordinance, which shall remain in full force and effect.

AN ORDINANCE TO ESTABLISH A COMMUNITY INPUT PROCESS FOR LARGE EVENTS IN PUBLIC SPACES (draft)

Section 1: Findings and Purpose

WHEREAS, the City of Bartlesville recognizes the importance of public spaces as forums for expression, recreation, and community events; and

WHEREAS, the City seeks to balance the rights of event organizers with the concerns of residents regarding large-scale events in public spaces;

THEREFORE, the City adopts the following ordinance to ensure transparency, community input, and fair use of public property.

Section 2: Applicability

1. This ordinance applies to events on public property expected to attract more than 500 participants.
2. This ordinance does not apply to:
 - Events held at private venues or other non-city-owned properties.
 - Events held indoors in public spaces.

Section 3: Reservation and Notification

1. Event organizers who expect more than 500 participants must reserve the venue at least 90 days in advance of the planned event date.
2. Upon reservation, the City shall post details of the event on:
 - The City's official website, and
 - The City's publication, "The City Beat."
3. Publication of event details shall occur within five (5) business days of the reservation.
4. The event notice shall include:
 - Event date and time,
 - Event location,
 - Expected attendance, and
 - A brief description of the event.

Section 4: Community Petition Process

1. Residents of Bartlesville may object to a scheduled event by signing a petition at City Hall.
2. Petition Requirements:
 - Signers must present valid identification and proof of residency.

- Petitions must gather signatures from at least 4,000 residents or 10% of Bartlesville's population, whichever number is higher, as determined by the most recent U.S. Census.
3. Residents shall have thirty (30) calendar days from the date of event publication to submit the petition.

Section 5: Review and Decision

1. If the petition meets the signature threshold, the City Council shall hold a public meeting to review the objections.
2. The City Council may deny the event reservation only if the objections demonstrate:
 - Substantial and legitimate concerns related to public health, safety, or welfare.
3. Event organizers shall be notified of the City Council's decision within ten (10) business days of the public meeting.

Section 6: Limitations

1. The petition process shall not apply to events protected under the First Amendment unless substantial public safety concerns are demonstrated.
2. The ordinance does not grant the City the authority to regulate event content, except as permitted by law.
3. Events held on non-city-owned property shall not be subject to this ordinance.

Section 7: Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is found invalid by a court of law, such decision shall not affect the validity of the remaining portions of this ordinance, which shall remain in full force and effect.

Draft Resolution to Establish an Oversight Committee for Event Review

RESOLUTION NO. [Insert Number Here]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARTLESVILLE
ESTABLISHING AN OVERSIGHT COMMITTEE AND PROCESS FOR REVIEWING
PUBLIC EVENTS HELD AT CITY-OWNED OUTDOOR VENUES.

WHEREAS:

1. The City of Bartlesville values free speech, public health, and community standards as essential elements of a thriving community; and
2. Events held at city-owned outdoor venues, such as Unity Square, provide important opportunities for public expression and community gathering; and
3. Certain events have sparked debate regarding their suitability for public spaces, particularly when considering potential health impacts on children and alignment with community standards; and
4. The City of Bartlesville seeks to balance these interests by providing a transparent, objective, and fair process to review events while upholding constitutional protections.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARTLESVILLE:

SECTION 1: ESTABLISHMENT OF THE OVERSIGHT COMMITTEE

The Oversight Committee for Event Review (hereinafter referred to as the "Committee") is hereby established to review public events held in city-owned outdoor venues and to address concerns regarding potential health risks to children and alignment with community standards.

SECTION 2: COMPOSITION OF THE OVERSIGHT COMMITTEE

The Committee shall consist of the following five (5) members:

1. **Assistant City Manager (Chairperson):** Facilitates the process and ensures alignment with city operations.
2. **City Attorney:** Ensures compliance with constitutional protections and legal standards.

3. **Medical Professional:** Provides expertise in public health and physical health outcomes for children.
4. **Mental Health Expert:** Offers insights into the psychological and emotional impacts of performances on children.
5. **Community Representative:** Appointed by the City Council to represent public interests and community values.

SECTION 3: REGULATION OF EVENTS

Large Events (500+ attendees):

- Automatically referred to the Committee for review upon reservation submission.

Smaller Events (fewer than 500 attendees):

- May be referred to the Committee if:
 - City staff, or
 - A member of the City Council raises a concern regarding potential health risks or suitability under the ordinance.

SECTION 4: PROCESS FOR RAISING CONCERNS ABOUT SMALL EVENTS

1. Concerns about small events must be submitted in writing by city staff or a City Council member.
2. Concerns must include:
 - A brief explanation of the potential health risks for children associated with the event; and
 - References to the criteria for Health-Risk Behavior Performances as defined by the ordinance.
3. Public input regarding small events may be directed to City Council members, who will decide whether to raise the concern for formal review.

SECTION 5: REVIEW PROCESS

1. **Email Review:**

- The Committee will receive information on large events and flagged small events via email and will have two (2) business days to determine if the event warrants formal review.
 - If no Committee member raises a concern within this timeframe, the event will proceed without further review.
2. **Formal Review (if necessary):**
- If at least one Committee member raises a concern, a meeting shall be convened to evaluate the event further.
 - The member flagging the event must submit a written summary with supporting evidence at least three (3) business days prior to the meeting.
3. **Event Organizers' Participation:**
- Event organizers may attend the meeting to provide additional context, answer questions, and present evidence supporting the suitability of their event.
4. **Committee Decision:**
- The Committee will cast confidential votes to decide whether to recommend denial of the event.
 - A majority vote is required to recommend denial.

SECTION 6: FINAL DECISION

1. The Committee's recommendation and supporting rationale shall be forwarded to the City Council for final action at its next meeting.
2. Event organizers shall be notified of the Council's decision promptly.

SECTION 7: TRANSPARENCY AND ACCOUNTABILITY

1. All decisions made by the Committee and City Council shall be documented and summarized publicly, with sensitive information redacted to protect Committee members and event organizers.
2. The City Manager shall develop and maintain procedures to ensure the efficient implementation of this policy.

SECTION 8: EFFECTIVE DATE

This resolution shall take effect immediately upon adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
BARTLESVILLE THIS [Insert Date Here].**