

RESOLUTION NO. 1928

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN ESTABLISHING A POLICY REGARDING WINTER HOLIDAY DISPLAYS ON CITY OWNED OR CONTROLLED PROPERTY

WHEREAS, the City of Golden has traditionally decorated its public facilities and rights of way during the winter holiday season; and

WHEREAS, third parties have requested permission of the City of Golden to provide or install their own decorations upon City property and right of ways during the winter season; and

WHEREAS, City Council wishes to establish a policy regarding winter holiday displays on City property in a manner that maintains neutrality with respect to all holidays celebrated by its citizens during the winter season.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. **PURPOSE:** The City of Golden establishes the following policy regarding winter holiday displays on City owned or controlled property. It is the policy of the City of Golden to maintain neutrality with respect to all holidays celebrated by its citizens during the winter season. The purpose of this policy is to ensure that holiday displays in public areas of City of Golden facilities or on City-owned property do not favor one religious, cultural or ethnic group over another. This policy is intended to provide guidelines for City officials when considering requests by the public to erect holiday displays, or when holiday displays are erected or otherwise displayed on City-owned property or in City facilities.

Section 2. **CITY MANAGER DISCRETION:** Displays may not be placed on City property unless prior permission is secured from the City Manager. The City Manager's discretion shall be guided by the "Guidelines" set out below.

Section 3. **GUIDELINES:**

A. Definitions

1. "Holiday displays" means seasonal decorations sponsored or permitted by the City, erected between November 1 and January 30, and located on City property or in City facilities that are open to the public.
2. "Secular" means not pertaining to or connected with any particular religion.

B. Outdoor Displays on City-owned Property: Outdoor holiday displays at City buildings, including decorations attached to the building exteriors, or along or over City rights-of-way, may consist of any one or a combination of the following elements:

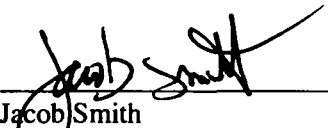
1. White or colored lights;
2. Trees, wreaths, garlands or other foliage, either real or artificial, with or without white or colored lights or bows, but not decorated with ornaments;

3. Written, secular holiday messages, the content of which shall be approved in advance by the City Manager, in consultation with the City Attorney;
4. Other secular symbols of the winter season not traditionally associated with any particular holiday, religious, or cultural tradition, such as icicles, snowflakes, snowmen, snowballs, ice skates, skis, or animals.

Continuing the display of the historic Santa Claus and Reindeer that has been placed on the Golden downtown arch since the origin of the arch shall not be precluded by this policy. City Council recognizes the historical significance of this display and that this display is associated with the cultural aspects of the Christmas holiday. As such, City Council acknowledges the secular nature of this particular display, and does not endorse or promote, or intend to endorse or promote, any particular religion.

- C. **Applicability:** This policy shall not apply to outdoor holiday displays erected by private persons or businesses in portions of the City rights-of-way for which a permit has been issued pursuant to Chapter 4.90 of the Golden Municipal Code, or to signs exempt from regulation pursuant to Section 18.32.030(d) of the Golden Municipal Code.
- D. **Displays on Other City Property:** Indoor displays at all City facilities in areas accessible to the public shall be allowed at the discretion of the heads of the department or departments located in such facilities. However, the content of any such displays shall be secular in nature and shall comply with all applicable local, state, and federal laws and regulations. Holiday displays in areas of City facilities accessible to the public shall not convey or have a connection to a particular religious or cultural celebration. Gift trees and mitten trees are allowed so long as no religious association is conveyed. Staff members are encouraged to contact the City Manager's office with any questions about these requirements.
- E. **Displays by Members of the Public:** Requests to erect or otherwise display holiday displays on City-owned property shall be made to the City Manager in writing. Requests shall describe the nature and purpose of the display, and the desired location of the display. Holiday displays containing religious symbols, or symbols associated with a particular religious or cultural tradition, shall not be permitted by the City, with the exception of museum displays in the City's museum facilities where the purpose of the displays is civic, historic and educational. The City Manager, in consideration of these guidelines, shall have final discretion with respect to granting or denying requests by the public to erect or otherwise display holiday displays on City-owned property.

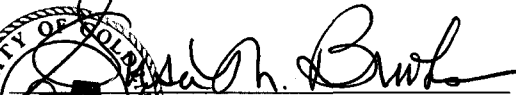
Adopted this 13th day of November, 2008.



Jacob Smith
Mayor

ATTEST:




Susan M. Brooks, MMC

APPROVED AS TO FORM:

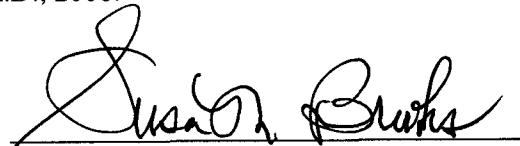


David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular business meeting thereof held on the 13th day of November, A.D., 2008.



ATTEST:


Susan M. Brooks, City Clerk of the City of
Golden, Colorado