

**AN ORDINANCE AUTHORIZING THE PROHIBITION OF FUNERAL PROTESTS THAT SERVES A SIGNIFICANT PUBLIC INTEREST, IS NARROWLY TAILORED AND ALLOWS FOR ALTERNATE CHANNELS OF COMMUNICATION FOR PROTESTERS BY ADDING SECTION 7-371 TO ARTICLE XII, IN PARADES AND PROCESSIONS, OF CHAPTER 7, MOTOR VEHICLES AND TRAFFIC, IN THE CAMERON CITY CODE**

**WHEREAS**, the City of Cameron respects the rights of individual citizens and groups to exercise their constitutional right of free speech guaranteed to them under the U.S. Constitution; and

**WHEREAS**, a funeral service is a time of honor and remembrance, for grieving families and friends, and should be free of disruptions; and

**WHEREAS**, the full Eighth (8<sup>th</sup>) Circuit U.S. Court of Appeals has defined that any protest and/or protesters cannot be any closer than three-hundred (300) feet within one hour before, during or one hour after any funeral or burial.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Cameron, Clinton and DeKalb Counties, Missouri that section 7-371 is added to Article XII in Parades and Processions of Chapter 7, Motor Vehicles and Traffic, in the Cameron City Code as follows:

**Section 7-371— Funeral Protests Prohibited, When – Citation of Law – Definition**

- A. Every citizen may freely speak, write, and publish the person’s sentiments on all subjects, being responsible for the abuse of the right, but no person shall picket or engage in other protest activities, nor shall any association or corporation cause picketing or other protest activities to occur within three hundred (300) feet of any residence, cemetery, funeral home, church, synagogue, or other establishment during or within one (1) hour before, or one (1) hour after the conducting of any actual funeral or service at that place.
- B. As used in this Section, “other protest activities” means any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service.
- C. As used in this Section, “funeral” and “burial service” mean the ceremonies and memorial services held in conjunction with the burial or cremation of the dead, but this Section does not apply to processions while they are in transit beyond any three hundred (300) foot zone that is established under subsection (A) above.

Section 1. The Mayor is hereby authorized to sign the ordinance which is attached hereto and made a part hereof;

Section 2. The City Clerk is hereby directed to attest to the Mayor's signature;

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Read the first time on this 3rd day of December 2012.

Read the second time on this 17<sup>th</sup> day of December 2012.

Read the third time on this 7<sup>th</sup> day of January 2013.

Mayor Dennis M. Clark

ATTEST:

City Clerk