Cristal Robinson will explore the impact of ordinances and laws on pride events, emphasizing their role in fostering inclusivity and addressing challenges faced by the LGBTQ+ community.

We'll delve into specific legislations, court cases, their historical context, and delve into steps to research and document your ongoing efforts to ensure equal rights and protection for pride celebrations.

Ordinances and Laws Affecting Prides



Friday, January 26, 2024



75 Minutes

Speaker Credentials



CRISTAL ROBINSON, JD/MBA (THEY/THEM/SHE)



Union County Pride, Inc. – Union Co, NC

President & Co-Founder

Panhandle Pride, Inc. – Amarillo, TX

- Attorney, Volunteer, & Sponsor Charlotte Pride, Inc. – Charlotte, NC
- VIP Team Chair Not Completed 2020
 Lansing Pride Lansing, MI
- Volunteer



Robinson Law

- Licensed in TX, NC, & DC
- 16+ Years of Law
- 25+ Years of Business



Agenda

City of Monroe Resolution 20 Minutes

- Watch Video of City Council discussing Laws with Attorney
- Resolution Filed by the City of Monroe, North Carolina
- Union County Pride, Inc's Reaction

Supreme Law of the Land 25 Minutes

- Constitution and Bill of Rights
- Court System State and Federal
- Historic Cases and Constitutional Concepts

Research and Documentation 15 Minutes

- Events Permit Steps
 - State and Local Ordinances, Regulations, & Rules
- CYA Documentation Techniques to Help your Legal Counsel

Question and Answer 10 Minutes



City of Monroe Resolution 20 minutes

- Watch Video of City Council discussing Laws with Attorney (12 Minutes)
- Resolution Filed by the City of Monroe, North Carolina & Union County Pride, Inc's Reaction (4 Minutes)
- Some Current Cases concerning Prides

City of Monroe – Meeting Discusses Laws



12-Minute Video

On September 13, 2022, the Monroe City Council meeting voted to request that Union County Pride, Inc. restrict one planned event - the Drag Queen Story Hour & Crafts – only to persons aged 18 and older. Prior to the vote, the City Attorney informed the Council members that the City Council had no legal authority to restrict the event to adults only because the event is not a "sexually-oriented performance" or an "adult performance." The City Attorney is correct.

City's Resolution

RESOLUTION CONCERNING DRAG QUEEN STORY TIME EVENT ON **SEPTEMBER 18, 2022** R-2022-64

WHEREAS, the Union County Pride Festival ("Festival") will be held throughout Union County during September of 2022; and

WHEREAS, a portion of the Festival will be held at Belk Tonawanda Park on Sunday,

WHEREAS, a portion of the Festival at Belk Tonawanda Park will include a Drag Queen Story Hour where children may be present; and

WHEREAS, members of the City Council are concerned about the potential impact of Drag Queen Story Hour on children; and

WHEREAS, the laws of the State of North Carolina and the United States protect free expression and freedom of speech, but in some cases do not strike a balance between freedom and the need to protect our children; and

WHEREAS, the City Council acknowledges that it cannot at this time, stop Drag Queen Story Hour from taking place on City owned property during the Festival, the City Council notes it can express its opinion concerning this event; and

WHEREAS, the City Council wishes to express its opinion on Drag Queen Story Hour.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Monroe expresses that it does not support the Drag Queen Story Hour which is scheduled to take place at Belk Tonawanda Park on September 18, 2022.

BE IT FURTHER RESOLVED, that the City Council is concerned about the potential impact of Drag Queen Story Hour on children that may be in attendance.

BE IT FURTHER RESOLVED, that the City Council requests that Union County Pride voluntarily considers limiting attendance at Drag Queen Story Hour to those of eighteen (18) years of age and above.

BE IT FURTHER RESOLVED, that the City Council requests that this Resolution be published by the City and made available on its website no later than 2:00 p.m. on Wednesday, September 14, 2022. Adopted this 13th day of September, 2022.

Marion L. Holloway, Jr., Mayor Brittle H. Robinson, City Clerk



Pride's Response

COMMUNITY-WIDE STATEMENT

Response to City of Monroe Resolution

In just a few days, hundreds of supporters and volunteers, businesses and community organizations have come forward to embrace that Union Country is a place where, no matter your race, gender, or who you love, everyone can live authentically with pride. We look forward to welcoming our friends and neighbors to celebrate a very happy Pride!

Building Pride in Union will be a celebration and a place where our community can come together, learn about our LGBTQ+ loved ones, neighbors and colleagues, and enjoy each other's company. In preparing for this year's Building Pride in Union festival, Union County Pride, Inc. appreciates the thorough, courteous and professional way in which staff and officials from the City of Monroe have worked with Union County Pride to ensure that the events are safe and accessible for all participants.

However, on September 13, 2022, the Monroe City Council meeting voted to request that Union County Pride, inc. restrict one planned event- the Drag Queen Story Hour & Crafts – only to persons aged 18 and older. Prior to the vote, the City Attorney informed the Council members that the City Council had no legal authority to restrict the event to adults only because the event is not a "sexually-oriented performance" or an "adult performance." The City Attorney is correct.

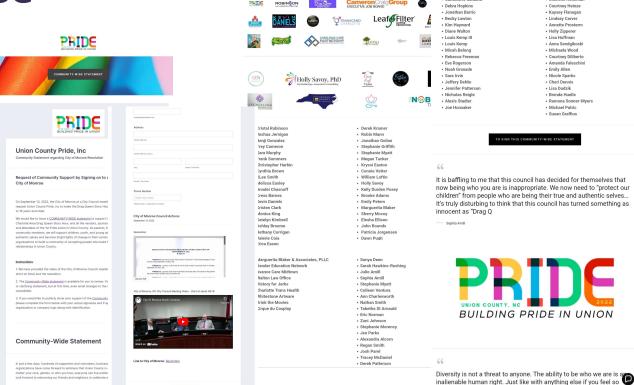
As parents, family members, and community members, we would not do anything to harm children. Contrary to the apparent misconceptions and concerns of the Council members, the Drag Queen Story Hour & Crafts event is not asexually-oriented or sexually suggestive. The event is designed for, and will be attended by, children and their parents together. Through diverse and culturally-inclusive children's books, will affirm all children and families, the goals of the event are to "inspire a love of reading, while teaching deeper lessons on diversity, self-love and an appreciation of others."

As a community we support Union County Pride, Inc, Charlotte Area Drag Queen Story Hour, and all the vendors, sponsors, partners, volunteers, and attendees of the 1st Pride event in Union County. As parents, family members, and community members, we will support children, youth, and young adults to express their authentic selves and become bright lights of change in their communities and businesses, organizations to build a community of accepting people who build friendships and business relationships in

Reason for this Community-Wide Statement

On September 13, 2022, the Monroe City Council meeting voted to request that Union County Pride, Inc. restrict one planned event—the Drag Queen Story Hour & Crafts — only to persons aged 18 and older. Prior to the vote, the City Attorney informed the Council members that the City Council had no legal authority to restrict the event to adults only because the event is not a "sexually-oriented performance" or an "adult performance".

TO READ THE CITY OF MONROE'S RESOLUTION FROM COUNCIL



UnionCountyPride.com/Statement

Karen Futtersak
 Michelle Holleman

Current Cases concerning Prides

There are many bills being filed and some have been filed into law at the local and state level. There are several actual lawsuits in the 5th (Roe, Johnson, Lawrence, etc), 6th (Obergefell), and 11th Federal Circuits.

Tennessee
Adult
Entertainment
Act

Federal Dist.
Court Blocked
and the 6th
Federal Circuit

Florida
Protection of
Children Act

Fed Stay at 11th Cir. SC denied State's Stay on the District Court's Stay Murfreesboro anti-LGBTQ+ Ordinance

Federal District
Court Approved
Settlement
City Council
Deleted
Homosexuality

WTAMU
President
canceled a drag
show

Federal District
Court Denied
Stay – 5th
Circuit (Another
Fed. DC decided
differently)



Supreme Law of the Land 25 Minutes

- Constitution and Bill of Rights (5 minutes)
- Court System State and Federal (5 minutes)
- Historic Cases and Constitutional Concepts (15 minutes)



1st Amendment (1791)

Congress shall make no law:

- Respecting an Establishment of Religion
 - Prohibit the Free Exercise thereof
- Abridging the Freedom of Speech or
- Or of the Press
- Right of the people peaceably to Assemble
- To Petition the Government for a Redress of Grievances



14th Amendment (1868)

No State shall make or enforce any law which

 shall abridge the privileges or immunities of citizens of the United States;

nor shall any **State**

- deprive any person of life, liberty, or property, without due process of law;
- nor deny to any person within its jurisdiction the equal protection of the laws.

The Court System – Article III Federal Courts

US Supreme Court



Court of Last ResortJudicial Review

 Judicial Review under Marbury v. Madison (1803)

US Court of Appeals



13 Circuits and Specialty Courts

 Created by Congress in 1891

US Districts Courts

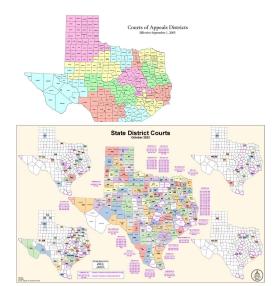


94 Courts in all states and 3 territories

US Specialty Courts –
 Created by Congress under
 Article I – Tax, Armed
 Services, Federal Claims

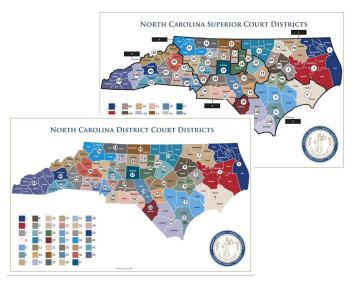
The Court System – State Court to Supreme

Texas – 5th Fed Circuit



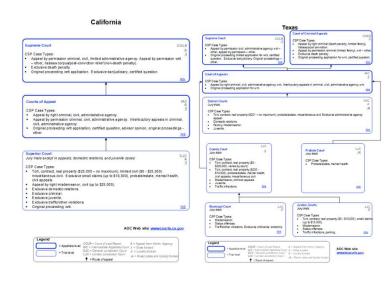
2 Supreme Courts14 Court of Appeals488 District Courts +

North Carolina – 4th Fed Circuit



Supreme Court 15 Judges - Appellate Statewide 43 District & 48 Superior Courts

Every State is Different



50 State Courts Systems All Different

Incorporation to the States

Bill of Rights

The 1st 10 Amendments to the Constitution

ORIGINALLY ONLY PROTECTION FEDERAL

Barron v. Baltimore (1833) – MD (4th Cir)

The Slaughter-House Cases (1873) – LA (5th Cir)

14th Amendment (1868)

1st Amendment - Speech

Gitlow v. New York (1925) – NY (

2nd Amendment – LAST

DC v. Heller (2008) - DC McDonald v. City of Chicago (2010) - 7th in IL

Selective Incorporation Compromise – 1925 - 2008

Some do NOT

- All of 3rd and 7th,
- 8th Excessive Bail, and
- 5th Grand Jury

Procedural Due Process

Procedural protections before the government must follow before it deprives an individual of **LIFE**, **LIBERTY**, or **PROPERTY**.



Notice;



Opportunity to be **Heard**; and



Impartial Tribunal.

Substantial Due Process

Fundamental rights that are NOT specifically enumerated elsewhere in the Constitution

Interracial Sexual Same Sex Abortion Contraceptive Marriage Conduct Marriage Griswold v. Roe v. Wade Obergefell v. Loving v. Lawrence v. (1973) - 5thVirginia Connecticut Hodges Texas (2003) (1967) - VA(1965) - CT- TX (5th (2015) - 6thCir in TX (2nd Cir) Cir 4 states (4th Cir) Cir) Eisenstadt v. Dobbs v Baird (1972) **Jackson** - 1st Cir in (2022) - 5thMA Cir in MS

Right to Assemble - Permits

Court cases related to **assembly** for events often revolve around issues of free speech, public safety, and the right to peaceful assembly.

Assembly to the States	Reasonable Grounds	Reasonable Neutral	Balance of Rights	Permit Fees
De Jonge v. v. Oregon (1937) – OR (9th Cir)	Hague v. Committee for Industrial Organization (1939) - 3 rd Cir in NJ	Cox v. New Hampshire (1941) – NH (1 st)	National Socialist Party of America v. Village of Skokie (1977) – IL (7 th)	Forsyth County v. Nationalist Movement (1992) – 11 th Cir in GA

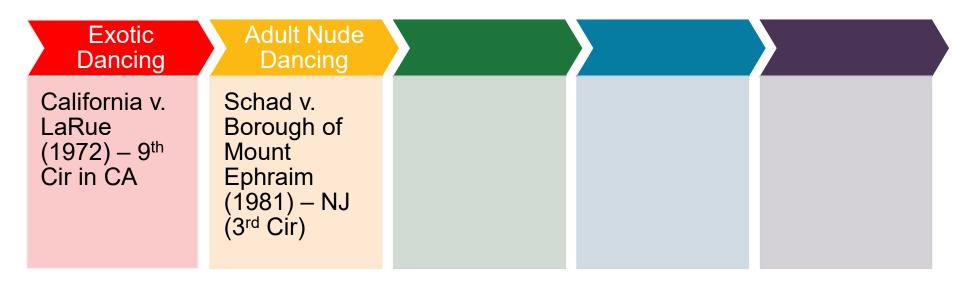
Right to Expression – Creative Art Forms

Several court cases have addressed issues related to free expression in the context of creative art forms.

Symbolic Adult Violent Video Test for **Abortion** Obscenity Speech Access Games Miller v. Roe v. Wade Ashcroft v. Texas v. Brown v. (1973) - 5th ACLU (2002) California Johnson Entertainment (1973) - CA(1989) - TX- 3rd Cir Cir in TX Merchants (9th Cir) (5th Cir) Child Online **Association** Lacks serious Protection Act Dobbs v $(2011) - 9^{th}$ (COPA) artistic, **Jackson** Cir in CA literary, (2022) - 5thpolitical, or Cir in MS scientific value

Right to Expression – Dancing as Art Form

Several court cases have addressed the question of whether dancing qualifies as a form of art protected by the First Amendment.





Research and Documentation 15 Minutes

- Events Permit Steps (10 Minutes)
 - State and Local Ordinances, Regulations, & Rules
- CYA Documentation Techniques to Help your Legal Counsel (5 Minutes)

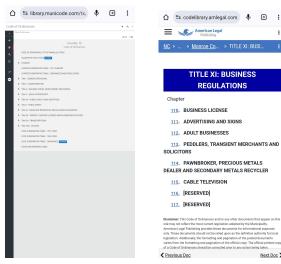
Event Permit Steps

Some legal issues can arise from local regulations or licensing requirements for entertainment venues. Pride Events may need to comply with specific rules, and disputes can occur if these regulations are perceived as overly restrictive.

Research Local Regulations	Identify Permit Types	Obtain Application Forms	Complete Application Forms	Provide Supporting Documents:	Submit Application Forms
Look on the City's and County's Website	Look on the Department's	Look on the City's Website or Call	Save Everything	Label and Check Off	Save & Document Everything
Websites for Municipal and County codelibrary.amlegal.com library.municode.com	Departments Parks & Rec, Fire, Health, Food, Environmental, Police	Online Forms PDF Forms	Folder for EACH Event and then Subfolders for each Department for Permits	Name Electronic Documents as the Item on the Application	Start a Document for all Communication

State & Local Ordinances, Regulations, & Rules

Monroe, NC



Small Towns rarely have Ordinances and may have Forms and Policies usually to prevent events.

Amarillo, TX





Medium-sized Cities start to have Ordinances and Forms with Policies and Procedures that make it easier yet flexible. Creativity and Expansion.

Charlotte, NC





Large Cities have Ordinances for everything with Forms, etc. that may actually harm

CYA Documentation Techniques to Help your Legal Counsel, & Rules

Plan and Organize ALL steps and all parts of the organization like you KNOW you will die suddenly. Spreadsheets and Reports are your friends. NOT a Waste of Time.

Read	Make	Request	Save	Delegate
Read all the policies and forms to find hidden requirements.	Make forms for everything from permit requirements, volunteer jobs, to signed and required agreements for vendors, suppliers, and volunteers.	Request documents under FOIA or state law for evidence as it happens, if it is needed.	Save documents in a way that is easily accessible to everyone and able to be retrieved if anyone disappears.	Delegate to Attorney to deal with all permit filings with contact information and even correspondence coming from the Attorney.

Hidden – Read Policies and FORMS

Post Office Box 576 • Monroe, NC 28111 • P: 704-283-2784 • F: 704-283-4460 • www.unionarts.arg



STAFF REPORT

TO: General Services Committee

VIA: William Mark Watson, City Manager

DATE: Thursday, September 7, 2023

FROM: Rvan Jones, Parks and Recreation Director

PREPARED BY: Ryan Jones, Parks and Recreation Director

SUBJECT: Facility Use Application Revision

SUMMARY STATEMENT

The Parks and Recreation Department recommends revision of the facility use application regarding community center and park usage.

REVIEW

City owned facilities and parks exist to provide recreational opportunities to the public, particularly City of Monroe citizens. This revision provides better opportunity for access to parks and community centers by the general public without interruption. In the past, parks and facilities have been available for full park rental for private and public events. Understanding that these facilities exist for the public, these revisions provide appropriate usage by the public.

RECOMMENDATION

Staff requests approval from the General Services Committee to accept this revision and forward to the City Council for approval

Page 45 of 53

Attachments: Park Use Application Community Center Use Application

PARK SHELTER FEES AND REGULATIONS*

Type of Space	Occupancy	Time Frame	City Resident Fee	Non-City Resident Fee
Park Shelter	75	Daily (8 hours)	\$75.00	\$95.00
Community Center Shelter**	75	Daily (8 hours)	\$120.00	\$150.00
Community Center Shelter**	75	1/2 Day (4 hours)	\$70.00	\$95.00

- munity Center Shelters include shelters located at Sutton Park, Dickerson and Old Armory Community Centers. ing room within the community center is included for restroom access.
- Any outside vendor (DJ, caterer etc) associated with your rental must be approved by the appropriate department and included in the rental. Additional permits and a certificate of insurance may apply.
- Any flyers advertised for any private event cannot contain the City of Monroe logo
- Large rental items or large items used during the rental (smokers, large grills etc) must be approved by the appropriate department. Most park facilities have grills on site. Inflatables are only allowed at facilities that offer outdoor rentable spaces (outdoor picnic shelters). Please check with specific facility to ensure inflatables are allowed at that particular facility. Inflatables, including bounce houses, require additional permits, including a certificate of insurance listing the City of Monroe as additionally insured, if permitted Additional equipment, including generators, may be required at the expense of the renter
- Parks and Recreation facilities are available for private rentals only. Rentals or events that are advertised
- No admission fees may be charged at the door or entry; no concessions may be sold; no admission fees shall be used for personal financial gain. Fundraising events permitted only for approved non-profit (501c3) organizations. Any fundraising event must be a private event and invitation only
- Individuals listed on rental forms are responsible for the facility during the rental period. Please provide
- Renter must leave the facility as it was found. Trash should be placed in receptacles. Tables and chairs must be cleaned and left as the renter found them
- Confetti, streamers and water balloons are not allowed at any rental event. No tape, staples or glue is to
- Failure to leave any park facility or amenity as you found it could result in suspending the responsible parties ability to reserve for future functions.
- All functions must begin at the designated time listed on the facility use application. SET UP AND BREAK DOWN TIME MUST BE INCLUDED IN THE RENTAL TIME. INDIVIDUALS WILL NOT BE ALLOWED TO ACCESS THE BUILDING BEFORE THE TIME STIPULATED ON THE FACILITY USE APPLICATION. ADDITIONAL FEES WILL BE CHARGED TO INDIVIDUALS WHO STAY PASSED THE TIME STIPULATED ON THE FACILITY APPLICATION FEE.
- Person listed on Usage Application must be present at the facility for the duration of their rental.

8/16/2023

Outdoor space, including parking lots, at City Community Centers are not available for rental for special

Use of alcohol and tobacco products are strictly prohibited.

No stages of any kind are permitted unless prior authorization is given and noted on your rental form.

Specific regulations require certain permits in addition to the parks and recreation facility permit. Checking yes to all or some of these items may require more action before the application can be approved.

Do any of the following items pertain to your request?

Large items of equipment, including rental equipment: NO Fee associated with reservation?:* *(Permitted for Non-Profit Use Only: i.e. Tickets sold, sponsors, donations)

ADMINISTRATIVE USE ONL	.Y:		
Permit required:	Health Department	City Permit	Parks and Rec Permit ONLY
Appropriate Permit Received	YES	NO	N/A
Certificate of Insurance	YES	NO	N/A
Staff Signature			Date

Page 48 of 53

49

8/16/2023

Page 47 of 53 48

Make Forms and Checklist for Everything

		ORGANIZATIONAL TIMELINE - PRESIDE	П		Retail Booth:
Program	Team	Due Date Task/Event Notes	Owner	Completed?	
vents	Adult KO	3/30/2022 Start Liquor Licence Process	President & Coordinator	Cristal Robinson	
Organizational	Board	1/30/2023 Reconcile Bank Statement and Financial Report	Dranidant	Cristal Dobinson	
Organizational	Board	2/28/2023 Reconcile Bank Statement and Financial Report		Liquor Permit	
vents	Legal	2/28/2023 Complete Permit Documents for Park		Liquoi i cinnit	Browse Files
Organizational	Board	3/15/2023 Finalize Annual Report with Financials			Drag and drop files here
Organizational	Board	3/15/2023 Make Agenda for Annual Meeting	☐ Have your Application	on # and PIN to sign back in	
vents	Legal	3/15/2023 Submit Permit Documents for Park	□ Email:	SAN MILET MARK BEING STATE OF STATE OF THE S	
vents	Legal	3/15/2023 Get Insurance for Festival			
Organizational	Board	3/30/2023 Reconcile Bank Statement and Financial Report	☐ Application #	:	Insurance
Organizational	Board	3/30/2023 Make Agenda for Board Meeting	☐ PIN:		
Organizational	Board	3/30/2023 Make Agenda for Annual Meeting	□ Upload a copy of the	e signed and notarized application	
Organizational	People	3/30/2023 Reorganize Board Positions			
Organizational	Financial	3/30/2023 Festival Cost Structure Updates	☐ The permitted	e shall notify local law enforcement ar	
Organizational	Financial	3/30/2023 Sales Timeline Decided	signed by lav	v enforcement	Browse Files
Organizational	Financial	3/30/2023 Festival KO Sales Launched	,	ly lease/rental agreement (or) have co	Drag and drop files here
Organizational	Financial	3/30/2023 Candidate Cost Structure Updates			
Organizational	Financial	3/30/2023 Sales Timeline Decided	Information on the a	pplication	
Organizational	Financial	3/30/2023 Candidate Sales Launched	Upload a certified co	opy of the applicant's criminal record v	Also we need proof of insurance either a general liability that covers off-site events, umbrella insurance, or th one-time policy that costs \$65 showing Union County Pride, inc as additional insured and a minimum limit of s per occurrence/\$2M aggregate and rated A-XII or better. Please upload here or go to
vents	Adult KO	3/30/2023 Major Update I.e. additional events, final layout, etc	from the Clerk of Co	ourt in the county where the applicant	
Safety	Festival	3/30/2023 Look at Venue for Security Issues			www.unioncountypride.org/insurance.
Safety	Teen KO	3/30/2023 Look at Venue for Security Issues		f the actual premises showing all entr	
Safety	Adult KO	3/30/2023 Look at Venue for Security Issues	and where consump	otion and/or sale will take place	
Safety	Candidate	3/30/2023 Look at Venue for Security Issues	☐ Upload documentat	ion to show that the organization is ex	Business License, if needed such as Food Truck
Marketing	Promotion	3/30/2023 Get Newsletter Media from Promotions Sponsor &	Presi	te subsection of Section 501(c) of the	
vents	Financial	3/30/2023 Get RFP Bids from Past Year Supplies		3.7	
vents	Financial	3/30/2023 Contact Past Year Food Trucks to Sign Up		similar provisions of Chapter 105 of th	
vents	Financial	3/30/2023 Contact Past Year Sponsors to Sign Up	General Statutes		Drawes Files
ents	Financial	3/30/2023 Contact Past Year Vendors to Sign Up	☐ Upload the purpose	of fund-raiser and recipient of funds r	Browse Files
vents	Financial	3/30/2023 Contact Past Year Board to Sign Up	_ opioda tilo purposo	or raise raiser and recipions or raised t	Drag and drop files here
vents	Financial	3/30/2023 Contact Past Year Volunteers to Sign Up			
vents	Adult KO	3/30/2023 Start Liquor Licence Process	N/A Upload third pa	rty management agreement	
Marketing	Promotion	4/30/2023 Change Website & App		o programme de la constanción	
Organizational	Board	4/30/2023 Reconcile Bank Statement and Financial Report	NI/A Unload decision	entation to about the natitions and the	*
Organizational	Board	4/30/2023 Make Agenda for Board Meeting		entation to show the political party as	Lawrence Towns & Considerance and Annual Review In Africa 2002 Union County Points
vents	Festival	4/30/2023 Confirm with City about Permit	Statute 163-96(a)(1	or (2) or a campaign organization wh	I agree to Terms & Conditions as stated below in this 2023 Union County Pride Festival Sponsor/ Vendor Agreement:
Safety Safety	Festival Teen KO	4/30/2023 Meet with Team Leader about Venue 4/30/2023 Meet with Team Leader about Venue	and has had a perso	on certified as a candidate. Statute 16	restival apolisor/ vendor Agreement.

☐ Make sure the complete application is submitted at least 14 days prior to the

event occurrence - DEADLINE - ___

Request their Documents for Evidence if needed

Customer

Customer

Customer

Customer

Reservation

Reservation

5130

5269

4242

5166

5259

DECORE-ATIVE

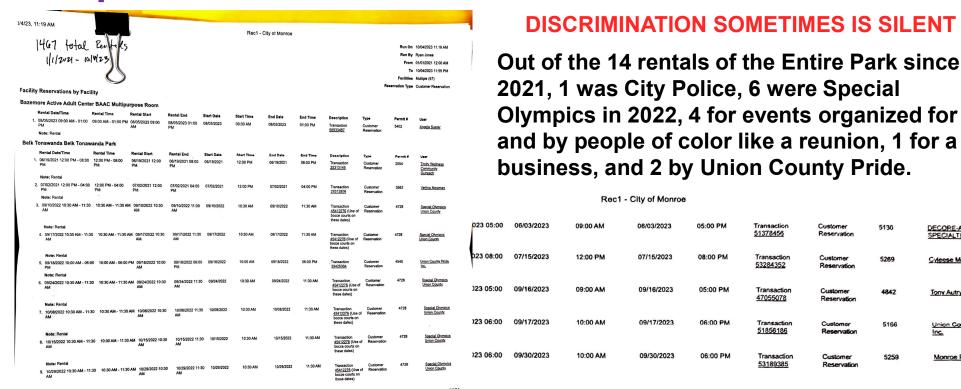
Cyleese McCarter

Union County Pride

Monroe Police Dept.

SPECIALTIES

Tony Autry



vro roc1 com/reporting php?id=38c0b71101d3d9b2ebec2b182e658517

Best CYA & FAFO

Get an ATTORNEY on the Board or as Legal Representation listed on the organizational website.

Make sure the attorney knows Constitutional Law AND Transactional Law such as the bureaucracy of event permits ALONG with never saying things like "well I think kids should not be around drag."



Question and Answer 10 Minutes

Questions & Answers

Invite questions from the audience.

Cristal Robinson, JD/MBA Pronouns: they/them/she

Diversity & Civil Rights Attorney
Social Entrepreneur
Neuroqueer & Disability Advocate

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@CristalRobinson - Twitter



