

Chapter 141

PROTESTS AND DEMONSTRATIONS

ARTICLE I
Funeral-Related Events
[Adopted 9-19-2011 by L.L. No. 3-2011]

§ 141-1. Title.

This article shall be known as the law "Restricting Disruptive Protesting Activities at Funeral-Related Events."

§ 141-2. Legislative intent.

The Board of Trustees finds that:

- A. It is generally recognized that families have a substantial interest in organizing and attending funerals for deceased relatives.
- B. The interests of families in privately and peacefully mourning the loss of deceased relatives are violated when funerals are targeted for picketing and other public demonstrations.
- C. Full opportunity exists under the terms and provisions of this article for the exercise of freedom of speech and other constitutional rights at times other than within one hour prior to the commencement of any funeral, during any funeral, or until one hour following the completion of any funeral; and at locations other than within 750 feet of a funeral.

§ 141-3. Purpose.

The purposes of this article are to:

- A. Protect the privacy of grieving families within one hour prior to the commencement of any funeral, during any funeral, or until one hour following the completion of any funeral;
- B. Preserve the peaceful character of cemeteries, mortuaries and churches within one hour prior to the commencement of any funeral, during any funeral or until one hour following the completion of any funeral; and
- C. Protect the First Amendment rights of individuals by placing only restrictions that are content neutral and contain a reasonable time and place limitation.

§ 141-4. Definitions.

As used in this article, the following terms shall have the meanings indicated:

DEMONSTRATION — Picketing and other protest conduct directed at a funeral-related event, including, but not limited to, oration and speech with or without the use of sound amplification equipment or devices and display of signs with or without verbal accompaniment.

FUNERAL-RELATED EVENT — Ceremonies, wakes, funerals, burials, Shiva, and other memorial services held in connection with a deceased person.

§ 141-5. Prohibition.

No person shall knowingly engage in a demonstration within 750 feet of any church, synagogue or other place of worship, mortuary, funeral home, cemetery or other location at which a funeral-related event is being held within one hour prior to the commencement of any funeral-related event, during any funeral-related event, or until one hour following the completion of any funeral-related event.

§ 141-6. Enforcement; penalties for offenses.

A violation of any provision of this article shall constitute an offense and be punishable as follows:

- A. Any person violating the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$1,000 and/or by imprisonment of up to one year. Each such violation shall constitute a separate and distinct offense.
- B. This article shall be enforced by any law enforcement agency having jurisdiction.