

City of Wayland

Digital Message Board Policy

"Committed to Excellence"

103 South Main Street, Wayland, MI 49348
269-792-2265 * www.cityofwayland.org

Postings on the City of Wayland digital message board are limited to the following and posted in the following priority order:

1. All official City Council/City Hall messages are top priority.
2. Events and activities of sub units of the City of Wayland are second in priority. These would include the DDA, the Police, Fire, DPW, Sewer/Water, and other City sponsored events and activities.
3. Chamber of Commerce (a financial sponsor of the digital message board) organizational announcements. Individual members of the Chamber are excluded. Organizational messages would include activities and events sponsored by the Chamber of Commerce and open to the general public.
4. Wayland Union School District-wide announcements. District messages would include activities and events open to the general public. This does not include individual sports announcements. This may include events and activities such as the schools Christmas Concert, kindergarten enrollment, etc.

In all cases ...

- No personal messages are accepted. These include Birthday, Anniversary, Birth, school reunion, retirement, announcements, and other messages of a personal nature as determine at the sole discretion of the City Manager.
- No political advocacy messages are allowed. However, announcements alerting the public to vote without advocating how to vote may be accepted.
- The City reserves the right to edit all messages submitted for posting, in order to ensure clarity and length.
- All messages are posted on a first come first served basis and in the priority listed above.
- Based upon availability, messages may be posted no earlier than four weeks prior to the scheduled event.
- Messages desired to be posted by priority groups 3 and 4 above will not be posted for more than 14 days total.
- Message requests must be dropped off in written or printed form to City Hall at 103 South Main Street. Faxed or emailed messages are not accepted. Flyers will be edited at the discretion of the City. No verbal requests will be accepted.
- Events with a cost are the lowest priority and must indicate the cost. If there are varied costs, the message will indicate the cost as 'Starting at \$ _____'

IMPLEMENTATION:

Announcements that that currently are posted that are no longer allowed under this Policy are to be removed on Monday November 27, 2017.

BACKGROUND:

To avoid potential conflicts, to remain within the law-of-the-land, and avoid community controversies the above policy was adopted on 11-20-2017.

Many communities have struggled with what can and cannot be posted on a City's digital sign or message board. This is particularly challenging given the rights for political speech. Communities that have allowed posting messages from non-profit clubs and organizations within their community have found themselves in the negative limelight for declining some clubs and groups they found offensive. Others that allow messages from Churches have also found themselves in hot water because they may not have extended the offer to all religions; Buddhist, Muslim, Wiccan, Atheist, etc. One community that allowed their local Chamber of Commerce to place a message board sign to be placed on their park property found itself in controversy when the City allowed an outside organization to determine the sign rules that excluded many.

These type of policies or practices are considered by civil rights groups and the courts as creating winners and losers in speech; some can speak but others cannot. Further, the US Supreme Court has ruled that while a community can limit the size, location, structure, and location of signs, no community can limit the content of a sign. The content of a sign is 'speech' and any ordinance, code, practice, zoning regulation, etc. limiting "speech" is unconstitutional.

In essence, if a City allows some groups to put messages (speak) on Wayland's digital message board sign, you must allow all groups to post their message (speak) regardless of the content