

**FIRST AMENDMENT
PROTECTED**

EXPRESSIVE
MERCHANDISE
SALES RULES AND
REGULATIONS

A Helpful Guide to the
City of Reno's
**RENO
MUNICIPAL CODE
CHAPTER 5.14**



CHAPTER 5.14 HELPFUL GUIDE

MERCHANDISE SALES RULES & REGULATIONS

Commercial Transactions v. First Amendment Protected Expressive Merchandise Sales

- + Individuals completing commercial transactions are required to obtain park permits and business licenses, regardless of location.
- + Individuals engaged in First Amendment protected expressive merchandise sales are not required to obtain park permits or business licenses when done in parks, streets and sidewalks or any other location designated by the City as a public forum. *RMC sec. 4.04.020(b), RMC sec. 5.14.010, RMC sec. 8.23.075(h).*

First Amendment Protected Expressive Merchandise Sales

- + 2 types of sales that do not require a park permit or business license:
 - + [1] Creation, display offer or sale of items of artistic self expression by item's creator or creative unit. *RMC sec. 5.14.010.*
 - + [2] Offered, displayed or sale of items so that message and item cannot be separated (inextricably intertwined) *RMC sec. 5.14.010.*

Expressive speech and conduct During Special Events:

During special events, except as set forth hereafter in this section, expressive speech and conduct protected by the First Amendment shall be allowed in the free speech area(s) to the extent a speaker's conduct does not unreasonably interfere with the permitted activities of the special event or normal or emergency city functions. *RMC sec. 5.13.045(d).*

Free speech areas:

The city manager shall designate and modify, as reasonably necessary, the location and size of one or more free speech areas sufficient to reasonably accommodate speakers and/or event organizers desiring a free speech area(s) at a special event. To the extent reasonably feasible, the minimum number, size and locations of the free speech area(s) shall be determined in advance of the special event.

Any speaker who desires space for display stands, expressive merchandise or other expressive activity within a special event free speech area may advise the city clerk of their name, contact information and plans and the city clerk shall promptly notify the city manager's designee, who shall take the request into consideration when determining the need for special event free speech areas pursuant to the previous subsection. *RMC sec. 5.13.045(e)*

Events that are ticketed require that speakers must pay to be inside of the event venue or they can stay outside in a free speech zone for free.

To see the official City of Reno Rules and Regulations for FIRST AMENDMENT PROTECTED EXPRESSIVE MERCHANDISE SALES:

MuniCode.Com/Library/NV/Reno/Codes/Administrative_Code?NodeId=PT2ReadCo_Tit5PRLipefr_Ch5.14FiamPrexMedisi

QUESTIONS?

Contact the special events office

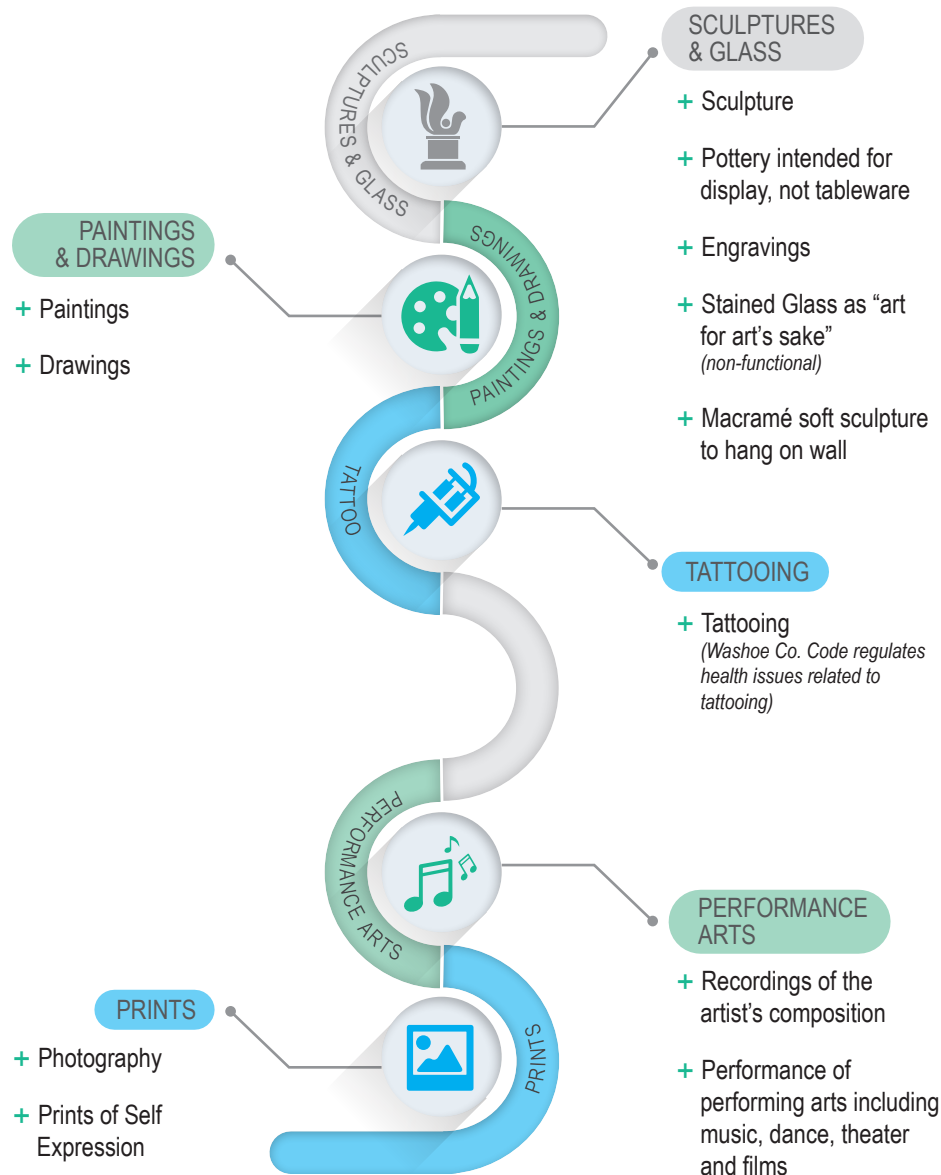
(775) 334-2055

MatthewsonK@Reno.Gov

SALES

THAT DO NOT REQUIRE A PARK PERMIT OR BUSINESS LICENSE

Creation, display offer or sale of items of artistic self expression by item's creator or creative unit. do not require a park permit or business license.



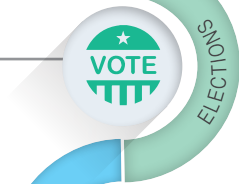
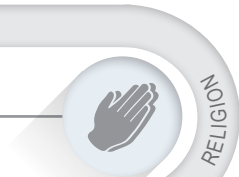
SALES

THAT DO NOT REQUIRE A PARK PERMIT OR BUSINESS LICENSE

Offered, displayed or sale of items so that message and item cannot be separated (inextricably intertwined)

RELIGION

- + Bibles
- + Religious brochures
- + Items have expression of a political, religious, philosophical or ideological message, doctrine, concept, belief or idea connected to an item.
- + Bumper stickers with message described above.



MESSAGES

- + Hats or buttons with messages like, "Earth Now", "Peace Not War" or "Support Unions."
- + Toy stuffed whale with a "Greenpeace" logo, or tag affixed with message, "Save the Whales."

SAVE THE CHILDREN

- + Unlabeled toy doll of an emaciated child with no organizational connected distributed to donors by "Save the Children" at booth with their name and educational handouts.

ELECTIONS

- + Election pamphlets

SALES OF FUNCTIONAL

ITEMS THAT REQUIRE A BUSINESS LICENSE AND/OR PARK PERMIT

Sale of Functional Items Require a Business License and/or Park Permit
(not First Amendment protected expressive merchandise)



WATCHES



NECKLACES



EARRINGS



SUNGLASSES



VASES



SILVERWARE



DISHES



SOAP / LOTION



ELECTRONICS

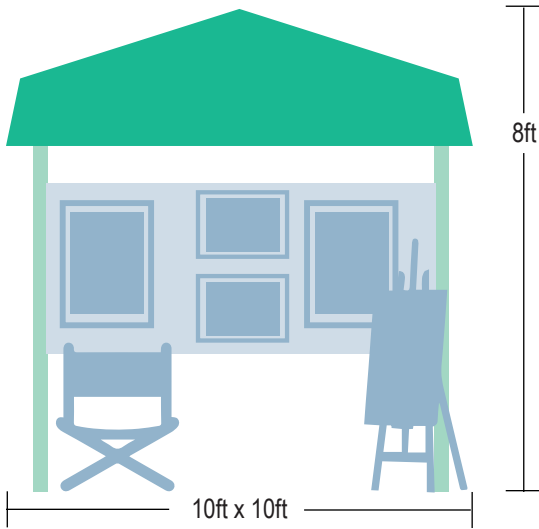


ETC.

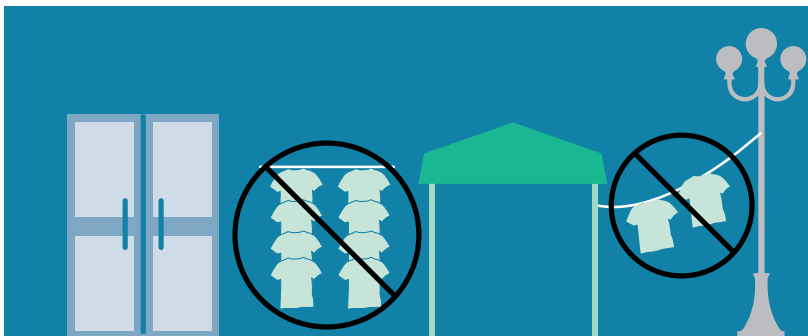
DISPLAY STAND

EXAMPLES AND DISPLAY AREA

Examples include (not exhaustive): A 10'x10' display area which can include: tables, chairs, artist's easels, booths, and props for performance or entertainment.
RMC sec. 5.14.010



- 8'** + Not extend more than eight feet above any sidewalk.
- 10'** + Can not exceed more than 10'x10'
- + Tables, chairs, artist's easels, booths and props must fit within 10'x10'

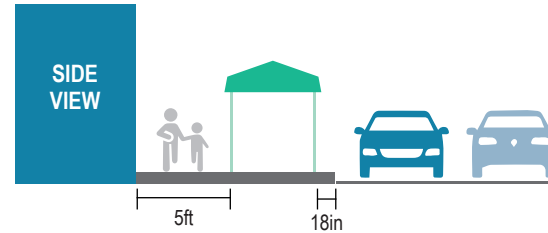


- + Not lean against or hang from any building or any other structure, including, but not limited to, structures such as lamp posts, parking meters, mail boxes, traffic signal stanchions, fire hydrants, fire department standpipe connections, trees, tree boxes, benches, bus shelters, or traffic barriers which lawfully occupy public space.
RMC sec. 5.14.090

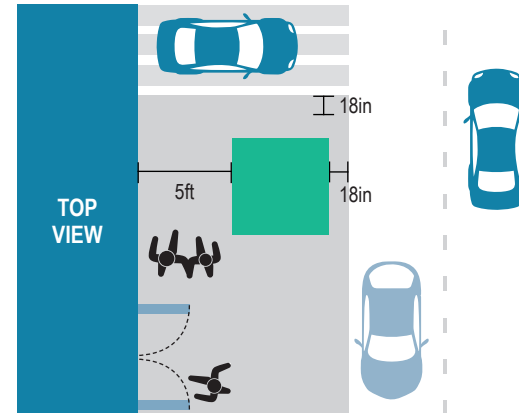
LOCATIONS

PERMITTED LOCATIONS FOR ACTIVITIES

The use of display stands and the creation, display, offer or sale of expressive merchandise shall be allowed on city sidewalks to further expression protected by the First Amendment, subject to limitations that display stands and expressive merchandise shall:



- 18"** + Not be located within 18 inches of the curb line of any sidewalk.
- 5'** + Leave at least five feet of clear passageway along any sidewalk.
- + Not impede access to the entrance of any adjacent building or driveway.



Sidewalk Vendors
+ Permits required
RMC sec. 5.15.030

Peddlers, Solicitors and Temporary Merchants
+ Licensing and Registration required
RMC sec. 5.12.030

- + Not be located within ten feet of a crosswalk, bridge, fire hydrant, fire department standpipe connection, fire escape, driveway of a fire station, police station, or hospital, bus stop, any entrance or exit doorway, wheel chair ramp, green, yellow or red zone, or obstruct a commercial business sign.

